

# LESSONS FOR THE PRESENT FROM THE ALIEN ENEMY ACT AND THE DEPORTATION OF LATIN AMERICANS TO THE UNITED STATES DURING WORLD WAR II<sup>1</sup>

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## *Abstract:*

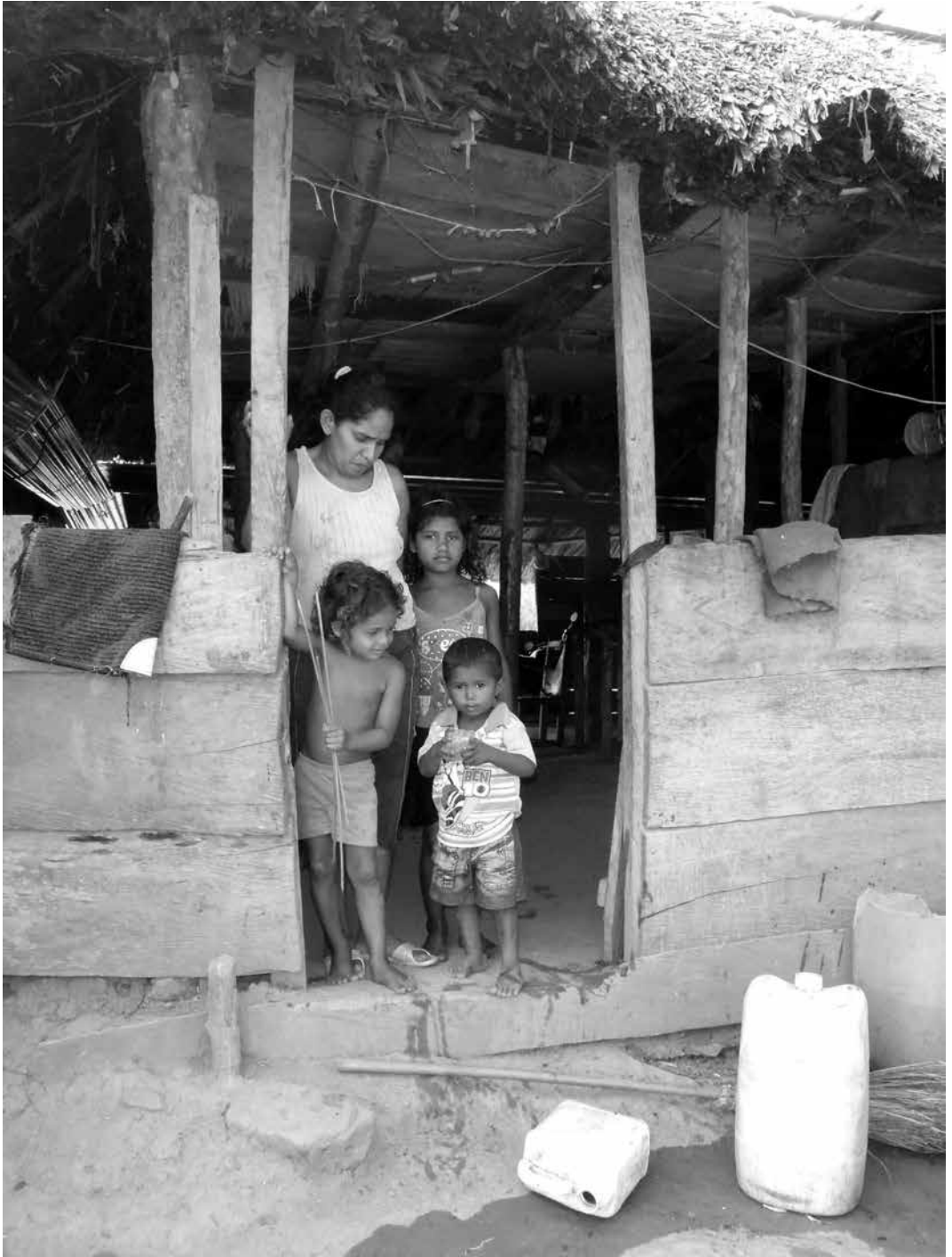
Following the bombing of Pearl Harbor in late 1941, the United States enacted a new version of the Alien Enemy Act originally signed in the 18th century, allowing for the forced displacement and detention of civilians considered enemies or potential enemies both within and beyond its borders. Under the Latin American Alien Enemy Control Program, some 31,000 men, women, and children of European and Japanese descent were apprehended and interned in the U.S. and in fifteen other countries in the Americas between 1941-1946, ostensibly to protect hemispheric security during wartime. The secret program revealed the myth of inter-American harmony associated with the Good Neighbor policy, violated individual rights, and ultimately failed to contribute to U.S. national security. It also contributed to inter-American relations marred by prejudices based on country of origin, beliefs in Latin American inferiority, and the privileging of political or economic expediency over human rights. As this U.S.-sponsored forced displacement of persons commonly featured separation of family members, long-term detention without access to a hearing and other conditions common in the contemporary era, it offers important lessons for U.S.-Latin American relations at the border zone in our own time.

*Key words:* Alien Enemy Control Program, World War II, hemispheric security, Good Neighbor policy, detention, internment, family separation, displacement.

<sup>1</sup> This essay is the product of research conducted by the author on enemy alien detainees in the United States during World War II with a special focus on internment in New Orleans, conducted in the School of Liberal Arts and Sciences at Tulane University.

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**Tierralta - Quebrada Arenas**  
*Leonardo Montenegro*

## Lecciones para el presente que deja la Ley del Extranjero Enemigo y la deportación de latinoamericanos a Estados Unidos durante la Segunda Guerra Mundial

### *Resumen:*

Luego del bombardeo a Pearl Harbor a finales de 1941, Estados Unidos promulgó una nueva versión de la Ley del Extranjero Enemigo, firmada originalmente en el siglo XVIII, que permitía el desplazamiento forzado y la detención de civiles considerados enemigos declarados, o potenciales, tanto dentro de las fronteras como fuera de ellas. En el marco del Programa de Control de Extranjeros Enemigos Latinoamericanos, cerca de 31.000 hombres, mujeres y niños de orígenes europeo y japonés fueron privados de la libertad e internados en Estados Unidos y en otros quince países del continente americano entre 1941 y 1946, al parecer con el objetivo de proteger la seguridad hemisférica en tiempo de guerra. El programa secreto reveló el mito de la armonía interamericana asociada a la Política del buen vecino, violó derechos individuales y en últimas no contribuyó a la seguridad nacional estadounidense. También propició el deterioro de las relaciones interamericanas, por los prejuicios basados en el país de origen, las creencias en la inferioridad latinoamericana, y la preponderancia de la conveniencia política o económica por encima de los derechos humanos. Dado que este desplazamiento forzado de personas, promovido por Estados Unidos, incluyó por lo general la separación de miembros de la misma familia, la privación de la libertad por largos periodos sin acceso a una audiencia y otras situaciones comunes en la época actual, ofrece importantes lecciones para las relaciones entre Estados Unidos y Latinoamérica en la zona fronteriza en nuestra época.

*Palabras clave:* Programa de control de extranjeros enemigos, Segunda Guerra Mundial, seguridad hemisférica, Política del buen vecino, detención, reclusión, separación familiar, desplazamiento.

## Lições para o presente advindas da lei do estrangeiro inimigo e da deportação de latino-americanos dos Estados Unidos durante a Segunda Guerra Mundial

### *Resumo:*

Após o bombardeio de Pearl Harbor no final de 1941, os Estados Unidos promulgaram uma nova versão da Lei do Inimigo Estrangeiro, originalmente assinada no século XVIII, permitindo o deslocamento forçado e a detenção de civis considerados inimigos ou inimigos em potencial dentro e além de suas fronteiras. Sob o Programa Latino-Americano de Controle de Inimigos Estrangeiros, cerca de 31.0000 homens, mulheres e crianças de descendência européia e japonesa foram detidos e confinados nos EUA e em outros quinze países das Américas entre 1941-1946, para proteger ostensivamente a segurança hemisférica durante o tempo de guerra. O programa secreto revelou o mito da harmonia interamericana associado à política do Bom Vizinho, violou os direitos individuais e, finalmente, não contribuiu para a segurança nacional dos EUA. Também contribuiu para marcar as relações interamericanas por preconceitos de base no país de origem, crenças na inferioridade latino-americana e o privilégio da conveniência política ou econômica sobre os direitos humanos. Como esse

deslocamento forçado de pessoas patrocinado pelos EUA geralmente se caracterizava pela separação de membros da família, detenção de longo prazo sem acesso a audiência e outras condições comuns na era contemporânea, oferece lições importantes para as relações atuais entre EUA e América Latina na zona de fronteira.

*Palavras-chave:* Programa de Controle de Estrangeiros Inimigos, Segunda Guerra Mundial, segurança hemisférica, política de Bom Vizinho, detenção, confinamento, separação de famílias, deslocamento.

### **The Alien as Enemy in the Nation's Infancy**

The United States' long-sustained reputation as a country that welcomes immigrants and was built by them has seemingly been challenged in new ways in the twentieth-first century. In February of 2018, the United States Citizenship and Immigration Services (previously the Immigration and Naturalization Service) quietly eliminated a passage in its mission statement that described "America's promise as a nation of immigrants," replacing it with language that focused instead on administering the nation's lawful immigration system, protecting U.S. nationals, and securing the homeland (Gonzales, 2018). This darker view of immigrants and the withholding of any "promise" in relation to them are actually not so new, though. Legislation estranging and criminalizing the immigrant exists in the United States since at least as early as 1798, when the 5th Congress passed the Alien and Sedition Acts. Signed by President John Adams, these laws made it harder for immigrants to become citizens, and perhaps more importantly, perniciously linked the terms "alien" and "enemy" in American political and cultural discourse.

Amongst other provisions, the Alien and Sedition acts invested the president with the power to imprison and deport non-citizens the state deemed were dangerous or who had arrived to the United States from a hostile nation. The Federalist-dominated Congress argued at the time that such bills would strengthen national security during an undeclared war with France that lasted from 1798 to 1800. "In enacting the Alien and Sedition laws, the Federalists professed to act upon this premise: that a dangerous French faction was at work in the United States and that the survival of the Republic required that it be stamped out," notes historian John Miller (1951, p.41). Recognizing the challenge these alien acts presented to the democratic ideals of life, liberty, and the pursuit of happiness, Miller titled his 1951 study of those acts *Crisis in Freedom*. Charles Slack similarly adopted the title *Liberty's First Crisis* for his more recent study considering the Alien and Sedition Acts (2015). Even in the last years of the 18th Century, Miller notes, "abusing foreigners was the road to political favor" in some areas of the United

States, although it was the Irish and the English who served as the primary targets of opprobrium at that moment (1951, p. 44). The alien bill that passed in the Senate on June 8, 1798 granted the President “virtually unlimited power over all aliens in the United States” (Miller, pp. 52-53). But it would be expanded even further in the context of World War II.

Following the bombing of Pearl Harbor in late 1941, President Franklin D. Roosevelt enacted a new version of the Alien Enemy Act, declaring that the United States now had authority to detain presumed enemies inside *and outside* national borders. In fact, U.S. politicians and officials had begun building the apparatus for alien internment even before the war; in May of 1939, a vigorous debate ensued in Congress over the so-called Hobbs Bill, under which criminal or “subversive” aliens could be “detained” in the United States, prompting New York congresswoman Caroline O’Day to comment “I can imagine with what satisfaction Hitler will learn that his emissaries in this country have so influenced Congress that it is following his example in setting up concentration camps during peacetime” (Congressional Record–House, May 5, 1939, cited in Christgau, 1985, p. 53).

The arrest and “relocation” of some 127,000 Japanese citizens and residents of the United States to internal confinement facilities is the most well known action of Roosevelt’s expanded deployment of alien enemy legislation.<sup>4</sup> Thousands of German-Americans and Italian-Americans were also monitored and displaced within the nation’s borders. In this essay, however, I will focus on the apprehension of men, women, and children of European and Japanese descent in Latin America who were interned in US-operated detention facilities within its own borders and in some fifteen other countries in the Americas during and after World War II.<sup>5</sup> Many wives and children of these detainees (the principal

<sup>4</sup> The Civil Liberties Act of 1988 that Ronald Reagan signed in the last year of his presidency offered an apology of sorts “on behalf of the nation” for the extraordinary actions taken against civilians of Japanese ancestry in the United States. Congress admitted in the context of the Civil Liberties Act that, “a grave injustice was done to citizens and permanent resident aliens of Japanese ancestry” who “suffered enormous damages for which appropriate compensation has not been made” (Civil Liberties Act). But Congress did not acknowledge that civilian aliens of Japanese ancestry outside its borders also suffered, as did Germans, Austrians, Italians and other European enemy alien detainees residing in the U.S. and Latin America. On the Japanese internment program as a failure of United States democracy, see Greg Robinson’s *A Tragedy of Democracy*. On the sociological aspects of the Japanese interment, see Francis Feeley’s *America’s Concentration Camps During World War II*. A 2016 study by Karen Inouye considers *The Long Afterlife of Nikkei Wartime Incarceration*.

<sup>5</sup> Internment camps were a feature of World War II policy and practice in many parts of the world, both for declared prisoners of war, civilian aliens, refugees, and following the war, displaced persons. For a comparative study of WWII internment in Great Britain and the U.S., see Pistol. On the internment of Japanese Latin Americans in the United States during the war, see Connell, Gardiner, Higashide and Saito. Stephen Fox specifically addresses the deportation of Latin American Germans (1997) and the German American Internee Coalition maintains an ever-expanding online resource dedicated to German American and Latin American citizens and legal residents who were interned by the United States during World War II (gaic.info).

targets of these programs were almost all male), whether born elsewhere or in these Latin American nations, accompanied their husbands and fathers into detention. Though some families were housed together in these camps, male detainees were routinely separated from their family members for periods that ranged from weeks to years in the majority of the detention cases that originated in Latin America. As the program was officially secret, figures of those interned under its auspices vary, but according to the official government narrative, “by the end of the war, over 31,000 suspected enemy aliens and their families, including a few Jewish refugees from Nazi Germany, had been interned at Immigration and Naturalization Services (INS) internment camps and military facilities throughout the United States.”<sup>6</sup>

As is typically the case today in the United States’ relationship with its neighbors south of the border, the stated aim behind the apprehension and “detention” or “internment” of these non-combatant civilians and their families was the protection of hemispheric security. The United States garnered the cooperation of its neighbor republics in the interest of uncovering and debilitating pro-Nazi and pro-fascist forces throughout the hemisphere, whether in such inter-American spaces as the Panama Canal Zone and Puerto Rico, or in independent countries.<sup>7</sup> While the surveillance, apprehension, detention and forced displacement of Japanese persons in the U.S. is well known, fewer people in the United States know that the Federal Bureau of Investigation and other U.S. agencies registered, watched, detained and deported “enemy aliens” outside its borders as well.

These U.S. actions spurred by fears of Nazi gains in Europe assumed radically different forms north and south of the Rio Grande, suggesting that the U.S.-Mexico border played a symbolic but important role in determining the status and treatment of these individuals, even if they hailed from as far away as Colombia or Uruguay. Whereas Germans taken into custody in the U.S. were granted hearings, and less than one percent of that population entered internment, as many as half of all German residents of some Latin American countries such as Honduras were detained and interned, notwithstanding the fact that “the evidence does not indicate that Germans in Latin America outdid their fellow citizens in the United States in their support for Hitler” (Friedman, 2003, p. 3).

Ironically, this episode of US-Latin American relations followed close on the heels of the drafting of the Good Neighbor policy, a set of principles that called for US non-intervention in Latin American affairs. Yet few historians have drawn

<sup>6</sup> The citation is from the “World War II Enemy Alien Control Program Overview” at Archives.gov: <https://www.archives.gov/research/immigration/enemy-aliens-overview>

<sup>7</sup> On specific Latin American countries’ own imposition of wartime policies of denaturalization, “conditional naturalization,” and other citizenship tests and restrictions related to their immigrant and migrant populations, see Barnhart.

attention to the way the implementation of the Alien Enemy Control Program in Latin America contradicted the central statutes set out in the Good Neighbor Policy. To date, historian Max Paul Friedman is unique in providing a detailed, multi-country assessment of the Latin American arm of the enemy alien program in his comprehensive study *Nazis and Good Neighbors. The United States Campaign Against the Germans of Latin America in World War II* (2003, 2010 in Spanish translation). In that volume and in a 2008 essay focusing on the specific problem of family separation, Friedman contends the Alien Enemy Program in its Latin American iteration reveals the myth of inter-American harmony associated with the Good Neighbor policy, as “officials in Washington were able to prevail upon their Latin American counterparts to collaborate in the program only by violating both the letter and spirit of the Good Neighbor policy” (2003, p. 3). Ultimately, the U.S. detention and deportation program in Latin America “did not contribute to U.S. national security and actually represented a net loss to national goals, even setting aside questions of justice and individual rights” (Friedman, 2008, p. 58). While the enthusiasm for Hitler and Nazism exhibited by a few of those persons detained “makes sympathy stick in the throat,” as Friedman acknowledges, it should not blind us to troubling features of the program that we still contend with today: prejudices based on country of origin, beliefs in Latin American inferiority, and political expediency driven by economic opportunism (Friedman, 2003, p. 5).<sup>8</sup>

### **WWII Precedents for the Border Industrial Complex**

Several key elements of the World War II Latin American Enemy Alien program serve as precedents for U.S.-Latin American relations at the border zone in our own time. Mobilization of that program involved a host of federal agencies including the Immigration and Naturalization Service, the Department of Justice, Department of State, War Department, FBI, Office of Naval Intelligence, several branches of the U.S. military, and even the U.S. Postal Service. Thus, uncovering and interrogating its functions helps us see that the continued cooperation of multiple agencies (albeit different agencies) in militarizing the border, and the conflation of the immigrant and the criminal are not only vexing contemporary problems, but also the bequest of earlier policies and practices.

Many of the “standard procedures” in contemporary efforts to “secure the border” and the nation as a whole were also implemented or mobilized during this World War II program. The use of legal documents (or the lack of them) to equate

<sup>8</sup> Detention and deportation was economically advantageous to both the United States and the Latin American countries that cooperated with the program—although such gains often remained in the hands of a few key individuals. Ted Eckardt, imprisoned at Crystal City, Texas at age 8, reflected, “Personally, I believe the Panamanian government went along with the deportation so that they could then confiscate our property” (Dickerson, 2010, p. 153).

immigrant and criminal; the expansion of U.S. and U.S.-sponsored surveillance in Latin American territories; the militarization of the border zone by deploying U.S. armed forces and other military resources to the region; the overlap of local law enforcement and immigration administration; the adoption of neutral terms such as “internment” or “detention” for conditions approximating incarceration without due process—even of children; the use of forced displacement (deportation) without timely access to hearings; short-term and long-term separation of family members; subpar conditions in detention facilities; bureaucratic inertia and interagency conflicts; and in short, disregard for both individual and state rights— all these features of U.S. policies and procedures at the border today were characteristics of the Enemy Alien Control Program during World War II.

Certainly, key differences exist between the Latin American deportation and detention program of the 1940s and the complex web of relationships, resources, policies and commerce that more recently has been labeled the “Border Industrial Complex.” The Latin American *populations* experiencing deportation and detention then and now are obviously very different, as the WWII program targeted immigrants and citizens of German, Austrian, Italian and Japanese descent living in such countries as Belize, Bolivia, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, and Panama, persons the U.S. government or the governments of those countries suspected of being sympathetic to its wartime enemies.<sup>9</sup> It should be noted, though, that the status of these persons as “refugees” or “asylum seekers” was often at issue in the 1940s in much the same way it is today. This was especially evident in the case of the small group of Jewish detainees, many of whom were refugees from Nazism who feared being “repatriated” to the same territories they had fled as Hitler rose to power.<sup>10</sup> The *direction* of deportation is different in the two cases, as the U.S. decided the best way to monitor suspicious persons in Latin America was to deport them *to* the United States, not away from it. The *conditions* of engagement were dissimilar, as the 1941 expansion of the Alien Enemy Act was a direct response to the U.S. entrance into World War II, whereas the international conflicts that influence border relations with Latin America today are the “war on illegal immigration” and in some cases the “war on drugs”—both peacetime offensives.

Most importantly, perhaps, the *scale* of operations in the two cases is radically different, with the earlier effort limited to a few years during and immediately following the war, and administered through the mobilization of a much smaller range of arms, technology, and infrastructure designed to protect internal security. Crucially, the WWII enemy alien internment and deportation program was

<sup>9</sup> On the internment of Italians from Latin America in the United States, see Mary Elizabeth Basile Chopas’ *Searching for Subversives* (2017, pp. 49-50), and Friedman (2003, p. 9).

<sup>10</sup> On the specific situation of Jewish internees, see Strum (1990).



limited as well in terms of the commerce and industry it generated. All WWII detention or internment facilities in the United States were administered by federal agencies –typically the Department of Justice or the INS– rather than by for-profit private contractors, as is common today. It is the private, industry-driven nature of current-day border and immigration policies and maintenance that prompted James Cooper, a professor at California Western School of Law to affirm “this is the border-industrial complex,” at the Border Security Expo in 2015. “This is like Dwight D. Eisenhower meets the medieval fortress. You’re seeing this privatisation of what is an inherently governmental function,” he observed (in Dart, 2015).

Cooper’s reference to Eisenhower is not coincidental. Economic historian Robert Higgs notes that just before leaving office, President Eisenhower delivered a farewell address that called attention to the “conjunction of an immense military establishment and a large arms industry,” and warned that “in the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist” (Higgs, 1995). While Eisenhower’s warning referred to the *military-industrial complex*, formulated in the two years prior to the attack on Pearl Harbor, and celebrating its twentieth birthday at the time of his speech, key characteristics of that “vast economic and administrative apparatus” survived and flourished during the entire period of the Cold War, according to Higgs (1995). As Cooper suggests in the comments he made linking Eisenhower and the border-industrial complex after visiting the 2013 Border Security Expo, I would argue that some of the features of the World War II era have now reappeared in the operations of the *border-industrial complex*.<sup>11</sup>

For Higgs (1995), the insinuation of members of Congress into positions of power in the interactions of military and industry following WWII provides justification for further defining this gargantuan public-private alliance as the *military-industrial-congressional complex* (MICC). He notes:

The powerful role played by the MICC in the second half of the twentieth century testifies to a fact that has seldom been faced squarely: World War II did not end in a victory for the forces of freedom; to an equal or greater

<sup>11</sup> The Border Security Expo is an annual event. Its website ([bordersecurityexpo.com](http://bordersecurityexpo.com)) homepage claims, “Every year local, state, federal, and international law enforcement rely on Border Security Expo for expert insights, best practices, and the latest security technologies on the market. At this year’s event, you’ll find more education, solutions, and networking than ever before to make critical decisions needed to protect our borders” (accessed Feb. 5, 2019). After attending the Border Security Expo in 2013, Todd Miller noted in an article titled “Creating a Military-Industrial-Immigration Complex,” “It was as if the milling crowds of business people, government officials, and Border Patrol agents sensed that they were about to be truly in the money thanks to ‘immigration reform,’ no matter what version of it did or didn’t pass Congress” (Miller, 2013).

extent, the defeat of Nazi Germany and its allies represented a victory for the forces of totalitarian oppression in the Soviet Union and, later, its surrogates around the world. Hence, in 1945, we merely traded one set of aggressive enemies for another. In reality, the war did not end until the disintegration of the Soviet Union and the degeneration of its armed forces in the early 1990s. In America, the long war—from 1940 to 1990—solidified the MICC as an integral part of the political economy. (Higgs, 1995)

While Higgs' essay, written in 1995, could not foresee the connections between the MICC and the border-industrial-complex I am arguing for here, it does discuss how WWII-era arrangements “completely transformed the relations between the government and its military contractors” and institutionalized economic incentives for further wars. If, in the logic of the MICC, “the best of all worlds, then, was the massive, ongoing preparation for war that would never occur,” it is easy to see how such principles and policies could be applied to the current-day “border crisis.” As the National Network for Immigrant and Refugee Rights reported, “this buildup has created a ‘low-intensity war zone’ at the border where surveillance, policing, military tactics are employed. Within this structure, defense contractors, construction companies and technology giants vie for political actions (in particular, enhanced resources in the federal budget) that lead to lucrative contracts” (“Border Militarization and Corporate Outsourcing”). Indeed, the U.S. President and his proxies have chosen to halt the very functioning of the government by tying its ongoing operations to the approval of government funding for a border wall, as occurred in December of 2018.<sup>12</sup>

Higgs (1995) contends that “wealth, position, power, and perquisites all rode on the shoulders of the MICC,” and that its “costs to liberty were also great, as national defense authorities, using the FBI, CIA, and other agencies, violated people’s constitutional rights on a wide scale.” By viewing the Latin American Enemy Alien Program as one element—however minor—of the MICC’s development during and following WWII, we can then read it as a precursor to the present-day expansion of the border-industrial complex. Crucially, the policy of detention and forced displacement (deportation) in the cases of migrants who are not charged with any crime aside from their own migration, and are not given recourse to a legal process to challenge their detention, appears to be a more deeply established approach to migrant populations in the hemisphere than many realize. Friedman calls the WWII program in Latin America a “lost shard of history,” one that teaches us first, how policies undertaken on the basis of collective identity rather than individual acts negatively impact ordinary people, and second, how violations of law and principle

<sup>12</sup> Though President Trump had made the continued operation of the government contingent on \$5 billion in funding for the border wall, estimates of its overall cost have ranged as high as \$70 billion (Sullivan and Qiu, 2018).

fail to deliver the security used to rationalize their implementation (Friedman, 2008, p. 58). In an article drawing parallels between the detention of suspected terrorists at Guantánamo Bay in Cuba and the WWII Latin American deportation program, he cautioned, “few observers realize we are to some extent watching a rerun” (Friedman, 2008, p. 58).

So how did this secret program work? First, President Roosevelt stoked internal and external fears of Nazi and fascist conspiracies in the New World, warning the United States’ southern neighbors that “Hitler’s advance guard” was readying for a new offensive in the Western Hemisphere, and a Nazi takeover of the continent could be imminent. Armed with an Alien Enemy Act renovated for the 20th century, U.S. agencies then worked with officials in countries south of the border to compose lists of potential enemies of the United States. In many cases, European and Japanese immigrants in Latin America were deemed a threat based solely on their country of origin, regardless of any political or criminal activity—or lack of it. A Good Neighbor Policy less than a decade old that promised non-interference in the nations of the Americas paradoxically set the stage for U.S. overreach and excess. Thousands were summarily subjected to U.S. surveillance and seizure outside its borders, and the same neighbor countries heralded as “good neighbors” were pressured into supporting a U.S.-orchestrated detention and deportation program that epitomized U.S. interventionism.

Proclamation 2525 (Japanese), signed on December 7, 1941, and Proclamations 2526 (Germans) and 2527 (Italians) signed the following day, gave President Roosevelt broad powers to control specific groups of “alien enemies” and authorized summary apprehension and internment for the duration of the war of an alien enemy “deemed potentially dangerous to the peace and security of the US.” How did the U.S. decide who was dangerous? Initially, it pressured governments south of the border to both identify and control such populations. But the U.S. soon expressed distrust of such measures when it saw that foreign leaders and law enforcement personnel used the mandate selectively to neutralize political antagonists or to appropriate valuable properties and businesses. Germans and other European nationals from Axis countries became a kind of currency of inter-American relations as the U.S. used these inefficiencies as an excuse to promote the transfer of Axis nationals to its own custody (Friedman, 2003, p. 104). Even before Pearl Harbor and the signing of Proclamations 2425, 2526 and 2527, defense planners in the U.S. were already looking to parlay the Good Neighbor Policy into a plan for deportation, and by December 20 of 1941, a policy of urging Latin American governments to send its Axis nationals north was in place.

As we have indicated above, the list of comprehensive studies of the Latin American Alien Enemy Control Program is very short. Nonetheless, theoretical reflections on detention and deportation during and after World War II can help

us better consider the resonance of these phenomena in the present. Judith Butler's work on indefinite detention in *Prekarious Life* (2004), Giorgio Agamben's *State of exception* (2005) and *Homer sacer* (1998) and the edited volume *Guantanamo Bay and the Judicial-Moral Treatment of the Other* (Clark Butler, 2007) prompt us to notice the parallels between current immigration and WWII alien detainee policies. Addressing the status of the 21st century detainees at Guantánamo, for example, Butler says, "It is crucial to ask under what conditions some human lives cease to become eligible for basic, if not universal, human rights. And how does the US government construe these conditions? And to what extent is there a racial and ethnic frame through which these imprisoned lives are viewed and judged such that they are deemed less than human...?" (2004, p. 57) Such questions – if indeed they were asked during the 1940s– did not interrupt or halt the bureaucratic flow that resulted in the detention of thousands of civilians with no criminal or political background.

In fact, three quarters of a century later, condemnation of all immigrants as "bad hombres" and rallying cries for the reimplementaion and expansion of detention and internment programs have grown more vociferous during the campaign and administration of U.S. President Donald Trump. But perhaps such sentiments have informed elements of U.S. policy alien-ating and criminal-izing its immigrant and migrant "others" all along.<sup>13</sup> It is thus imperative for us to read the current situation at the border as part of a through-line from the eighteenth-century Alien Enemy Act on to World War II, when its expansion would leave a lasting imprint in a variety of archives and other sources, despite the government's attempts to keep its actions involving Latin American subjects secret.

### **Inter-American Migration Stories**

The North American-mandated wartime internment of detainees at sites such as Camp Empire in the Panama Canal Zone, "El Hormiguero" in Nicaragua, and the Presidio Modelo on the Isle of Pines in Cuba was an ominous application of the U.S. Alien Enemy Act beyond its borders, clearly constituting a harbinger of the 2002 retrofitting of the Guantánamo Bay Naval Base in Cuba as a detention camp for alleged "unlawful combatants" presumed to be terrorists.<sup>14</sup> But even more surprising, no doubt, is the forced displacement of Latin American citizens and residents *to* the United States for detention at border patrol stations, former penitentiaries, work camps, and other facilities, some built expressly for that purpose. Given the nearly 75 years that have passed since the majority of these Latin American enemy aliens were released from internment in the U.S., it is

<sup>13</sup> See, for example, Michelle Malkin's in *Defense of Internment: The Case for "racial profiling" in WWII and the War on Terror* (2004).

<sup>14</sup> For a recent assessment of U.S. policy regarding the base, see Lipman (2018).

unlikely we will be able to access their stories directly.<sup>15</sup> Nonetheless, a variety of archival materials relating to those apprehended in Latin America provide ample evidence of diverse life stories and struggles not unlike those of inter-American migrants today. This paper trail suggests that current governmental policies have incorporated the “exceptional” punitive measures associated with protecting national borders and interests previously justified only in wartime. For example, the United States presumed Latin American aliens’ status as “enemies,” and expressed deep suspicion regarding their status as “refugees.” Officials were for the most part impervious to those detainees’ previous experiences of instability, violence and persecution. At the same time, many of the European and Japanese “migrants” arrested in Latin America beginning in 1941, were well established in their new countries, just as many Latin American-born residents of the United States are today. Some had resided in their adopted countries for a decade or more and had acquired valuable properties or businesses, assets which in most cases had to be sold at a drastic loss or were confiscated by local officials at the moment of their detention. Some had married native-born spouses and had children born in their adopted countries, creating the mixed-status family configurations familiar to many immigrants today. Still others were newcomers who had spent only a few days, months or years in their new homes. As is true for all immigrant populations, the personal circumstances of the WWII Latin American detainees varied widely. But such differences and nuances were frequently dismissed or ignored by border officials and detention camp administrators trained to regard their charges not only as “aliens” but also as de facto “enemies.”

The protectionism and a priori criminalization prevalent in current-day discussions of the immigrant “threat” is a clear legacy from earlier times. This is graphically illustrated in by the fact that only about one in ten of the Germans apprehended in Latin America during WWII were members of the Nazi Party, and even amongst that small percentage, “many members experienced their meetings as an extension of the nationalist spirit and group solidarity they had long nurtured in their emigrant enclaves” rather than as expressions of the vitriolic anti-Semitism and racism we associate with the party today (Friedman, 2003, p. 8). Thus, despite the limited nature of the Latin American German group’s true threat to national or international security, foreign governments aided the U.S. in apprehending, detaining, and displacing such persons, based entirely on their countries of origin. These practices seem to prefigure, in particular, the contemporary vilification of Central American refugees. Prejudices based on national origin have become more exacerbated as migrant caravans peopled primarily by Hondurans and Salvadorans have moved through Mexico in an attempt to reach the United States border.

<sup>15</sup> Studies by Stephen Fox (1990), Max Paul Friedman (2003) and a few other historians do incorporate oral histories conducted during the twentieth century. Fox’s *The Unknown Internment* (1990) focuses on firsthand accounts of Italian-American relocation.

Unlike today's migrants from Mexico and parts south, most of the alleged "enemy aliens" rounded up in the WWII Latin American Program travelled on U.S. Army transport vessels from places like Panama and Peru to the ports of New Orleans or San Francisco. Often such vessels were overcrowded and had insufficient food, water, and bathroom facilities. Upon arrival, the deportees were asked, rhetorically, to present their entry visas to the United States. This they could not do, as they had been stripped of passports and other legal documents by U.S. personnel at the moment of their apprehension. In a scheme to cover up the ethical and legal irregularities of detaining citizens and residents of other countries (and despite the wartime expansion of the Alien Enemy Act), the U.S. instructed personnel in its consulates in Latin America to *not* provide detainees with visas. Upon debarkation, they then charged those same detainees with being in the U.S. illegally—and thus subject to detention or expulsion (Friedman, 2003, p. 117).

Separated from both family members and documents that would confirm their legal status, Latin American deportees found themselves languishing in detention camps with fellow nationals and foreigners from across the political spectrum, as we shall soon discover by looking closely at a pair of revealing source documents. While the official record lists camps at Sharp Park Detention Station (California), Kooskia Internment Camp (Idaho), Fort Missoula Internment Camp (Montana), Fort Stanton and Santa Fe Internment Camps (New Mexico), Ellis Island Detention Station (New York), Fort Lincoln Internment Camp (North Dakota), Fort Forrest (Tennessee), and Crystal City Internment Camp, Kenedy Detention Station, and Seagoville Detention Station in Texas, there were in fact hundreds of these facilities, and for many of them, no administrative record exists.<sup>16</sup> Then, as is still true today, it is hard to access many of these sites or uncover a paper trail that reveals their inner workings.

One of these smaller, "minor" detention sites was Camp Algiers, a repurposed immigrant quarantine station located on the west bank of the Mississippi River about three miles downriver from New Orleans' famous French Quarter. After its use as a detention camp, the site remained active as a border patrol station until October of 2017, although station personnel claimed they knew nothing of its previous use as an enemy alien detention camp.<sup>17</sup> Because the New Orleans site served a large group of Latin American Jews and others who received help from non-governmental aid organizations, the available documentation related to its

<sup>16</sup> Personal interview with William Creech, National Archives I, January 2, 2018.

<sup>17</sup> The operation of Camp Algiers as an alien enemy detention station during WWII is a subject of my ongoing research. A two-part podcast dedicated to the topic, produced by Laine Kaplan-Levinson for the WWNO radio series Tripod, can be accessed at <http://wwno.org/post/wwii-internment-camp-camp-algiers-part-i>. A documentary by Jack Collins, Joe Hiller and Mira Kohl titled "Camp of the Innocents" addresses local and historical contexts for Camp Algiers: <https://www.youtube.com/watch?v=5x1Go14XAfA>

detainees provides us with information on apprehension, detention, and release that complements the data maintained in now-declassified name files maintained in the National Archives.

Documents from government agencies and NGOs such as the Yivo Institute and other specialized archives, combined with limited news coverage from the WWII period, allow us precious access to the stories of a few detainees, stories that compel us to see links with the present. On August 18, 1942, for example, the New York-based *Jewish Telegraphic Agency* published a bulletin with the headline “Jews, Nazis Fight in U.S. Internment Camps; Separation Asked by Jewish Internees.”<sup>18</sup> The story reveals the peculiar situation of some eighty Jewish German nationals from Latin America who were sent to U.S. internment camps where they were held alongside avowed Nazis and other anti-Nazi fellow Germans. The *JTA* story does not tell us that some of these internees had already suffered under Nazism in Europe, including several who had survived concentration camps.<sup>19</sup> The *JTA* bulletin describes physical and verbal attacks and general “friction” in the US camps, and it speaks of the efforts of Jewish organizations to obtain the release of the internees. It characterizes the Department of Justice as “not sympathetic to the idea of keeping Jews and Nazis in the same camps,” but acknowledges there is no “formal reason” for distinguishing between groups in the camps. The bulletin also explains the Jewish internees’ treatment is being supervised by the neutral Swiss Legation, “in accordance with international regulations.” This latter detail points to the international dimensions of the Latin American detention and deportation program, and demonstrates that internees found recourse to legal help primarily outside governmental agencies.<sup>20</sup>

In the *JTA* story, the Jewish identity that implicitly binds the writer(s), the internees profiled, and the readers of the bulletin suggests a shared identity that supersedes national differences. Because the refugees profiled and the readers assume a common identity, the detainees’ status as both “alien” and “enemy” is implicitly called into question. The *JTA*’s readers likely would have recognized the Jewish detainees as unwitting actors embroiled in *two* narratives of migration under duress, the first from Nazi-controlled Europe, and the second from a

<sup>18</sup> On the specific plight of the Jewishrefugee group of detainees, see Strum (1990).

<sup>19</sup> At least eleven of the detainees held at Camp Algiers in Louisiana had already spent time in concentration camps in Europe. Some specifically referred to the facilities in which they were detained in Latin American countries before deportation to the United States as “concentration camps.” RG 59 (State Department) and/or RG 60 (Department of Justice) name files for Ernst and Anneliese Blumenthal, Leon Fuerst, Emanuel Gordon, George Karliner, Friedrich Kaul, Kurt Ludecke, Siegfried Meyer, William Reichner, Isidor Rosenberg and Ernst Simon confirm this detail. All but Ludecke were Jewish refugees. While name files in the National Archives usually contain references to detainees’ experience in concentration camps, such information is also corroborated on lists of names of those aided by the Jewish Refugee Service; those files can be accessed at the YIVO Institute for Jewish Research. See also Friedman (2003, pp. 110, 151).

<sup>20</sup> For example, the Germans’ legal recourse in detention was to the Swiss Legation, while the Japanese detainees were represented by the Spanish Consulate, ostensibly to give each group access to a neutral advocate.

country in Latin America, at the insistence of the United States. Despite these hardships and injustices, the headline proclaims that these detainees have spoken: they have asked to be separated from their Nazi antagonists, to whom and before whom they are truly *aliens*, as by 1939, Germany had declared all non-Aryan persons in the entire region under its control to be stateless.

The fact that Jewish refugees from Nazi-controlled Europe who had miraculously found their way to safe havens in Latin America were being sent north in a government program aimed at protecting the United States from Nazi incursions reveals the mistaken assumptions and corruption inherent in the U.S. relationship with its southern neighbors. But the *JTA* bulletin also expressed faith in the efforts of advocates from aid organizations, and acknowledged the crucial intervention of neutral parties such as the Swiss Legation in representing the detainees. The lesson here, then, is that advocacy and relief organizations provided crucial help and support to the detained and deported, despite government bureaucracy. One other notable lesson is the importance of conveying the individual accounts and experiences of those embroiled in such programs, however limited the audience. Admittedly, the *JTA* is a niche venue with a limited circulation; yet it is thanks to “peripheral” or minority sources such as this one that the public can access such personal stories. Mainstream news venues rarely reported on the “secret” program, and detention camp personnel were clearly under strict orders to vet any news releases with their agency superiors and to suppress all personal information when dealing with the local press.<sup>21</sup>

### **Camp of the Innocents**

Those Jewish detainees who in 1942 requested separation from their Nazi antagonists in U.S. detention camps would to some extent see their wish granted. In early 1943, Jews in several detention centers across the south were sent to New Orleans’ Camp Algiers, earning it a reputation as an “anti-Nazi”

<sup>21</sup> Raymond Bunker, the Officer in Charge at Camp Algiers, was questioned by R.S. New of the Immigration and Naturalization Service on January 10, 1946, regarding articles that had appeared in local newspapers:

Q. “In your opinion, do the newspaper articles regarding the Algiers Detention Station, which several months ago appeared in the New Orleans States and the New Orleans Times-Picayune, discriminate in any way against the internees at the Algiers Detention Station?”

A. No, definitely not. In fact, careful study was given to the wording of the article before it was published. The newspaper submitted the article for final approval before publishing it, and at that time it was discussed with Mr. Harlon B. Carter, Chief, District Alien Control Division, and Mr. C.C. Courtney, Chief Patrol Inspector, New Orleans, Louisiana. Each of those officials concurred in my opinion that the article was suitable for publication, without showing discrimination or identifying anyone as being an internee.”

<sup>22</sup> For example, in the transcript of his February 25, 1946 repatriation hearing, Camp Algiers detainee Horst von Der Goltz is cited as saying, “Mr. Hueper came to Camp Algiers, in Louisiana, in June, 1944. Hr. Hueper had been sent there because he had trouble with the Nazis in Camp Kenedy, Texas. He told me so himself and Mr. Bunker, the officer in charge of Camp Algiers, also told me so.” Von der Goltz also notes, “I was removed to Algiers because I was in danger of certain Nazi elements on Ellis Island... it was an anti-Nazi camp.” (Department of Justice Enemy Alien Files, Record Group 60, Box 439).



site and prompting it to be named *Camp of the Innocents*.<sup>22</sup> Eventually, having finally acknowledged that Latin Americans who identified as Jewish were unlikely collaborators in a “Fifth Column” pro-Hitler conspiracy, the INS and Department of Justice finally agreed to release most of those detainees in the summer of 1943 (Strum, 1990, p. 28). And on August 21, 1943, about a year after the *JTA* bulletin cited above was published, the story of one particular German-Jewish refugee deported to the United States from Panama made the front page of *The New Orleans Item*. The writer, Marjorie W. Roehl, began on an upbeat note, “Mr. Siegfried met America this morning with music in his heart and at his fingertips. With him, her eyes glad, her earrings bobbing, went his mother.” But, the article continues, “Mr. Siegfried’s last name must remain secret,” as he and his mother are two of the enemy aliens being released to “internment at large” from the Algiers Immigration Detention station in New Orleans. Roehl goes on to detail “Mr. Siegfried’s” background as a violinist and symphony conductor of note in his native Germany, his escape from the Gestapo in 1935, and the peripatetic path that would lead him to Panama in 1939. From there he was sent to a series of detention facilities in the U.S. in which, against all odds and stereotypes of camp life, he faithfully practiced his violin. With the help of aid organizations, he was on his way to a position in an orchestra in an unspecified U.S. city. Further research indicates “Mr. Siegfried” was Siegfried Wolff, and his mother Jeanette Wolff. A letter in his Department of Justice file at the National Archives indicates he was finally released from internment at large on March 15, 1946.<sup>23</sup>

In her article, Roehl cites Siegfried directly as saying, “Your America is a wonderful place... We can live in quiet here where everyone is free.” Capped with the triumphant headline, “Refugee Violinist Fled from Nazis; Finds U.S. Welcomes Self and Mother,” the piece casts enemy alien detention at Camp Algiers as a welcome refuge, rather than an unjust incarceration. But while “Siegfried” and his mother were no doubt relieved to finally leave the facility, he and other “enemy aliens” released from U.S. detention were not in fact free to integrate completely into North American society, as the article suggests. Some were repatriated to Germany, others were sent “home” to their Latin American countries of residence (rarely finding their homes and businesses intact), and some were allowed to remain conditionally in the United States, the frustrated goal of many Latin American Europeans who had previously sought legal entry. Even those released from detention into “internment at large” in the U.S. were not allowed to assume residence on either coast. Each person had to secure a sponsor who would assume legal and economic responsibility for him/her, and each had to report regularly

<sup>23</sup> YIVO Institute files list a Cleveland address for Wolff upon his release to internment at large.

to an INS official in much the same way recent prison parolees report to a parole officer. Like those experiencing detention or deportation today, individual lives and families were deeply affected, even beyond one's eventual release.

A second example of an instructive text from the Latin American alien enemy program is a letter from an internee named Fred Kappel. It provides details of detention camp life the *JTA* bulletin only hints at. Though Kappel would also wind up at Camp Algiers in New Orleans, he wrote this letter dated April 14, 1942 in a detention camp in Florida, directing it to a New York lawyer named Alfonse Spiegel. Because it was censored, the letter still forms part of Kappel's file at the National Archives outside Washington, D.C.; no doubt authorities intercepted it because of its unfavorable portrait of the Latin American apprehension operation as well as life in U.S. detention. The missive begins,

The sender, one of nineteen Jewish internees at Camp Blanding writes: I have been appointed the head of this group and have already succeeded in getting tents separated from the other. We are living amongst 350 outspoken Nazis, are shunned and boycotted in the same way as we were treated in Germany; a little funny being in 'little Germany' within the boundaries of the U.S. They sing their fight songs, hold speeches for the victory of the German weapons in meetings, which of course, we do not visit, but which we can hear from our quarters. They have the 'Fuehrer' principle and do all the other nonsense, only too well known to us from Nazi Germany.

Kappel goes on to detail his arrest in Panama by a certain Captain Baldwin, who "seems to have believed even the absurdest denunciation from any damned fool. I have to add that all the articles of the constitution were violated, *we had no hearing...*" (my emphasis). The entire process, he writes, was a "mockery." Despite his run-in with the censors, Kappel and his son Werner, who was 19 when he was picked up with his father in Panama and sent to internment, were both eventually released from U.S. detention. In fact, Werner was one of sixteen Latin American parolees who served in the U.S. Army before the war was over. Gravely wounded while fighting in the Philippines, he received a Purple Heart and a Combat Infantryman Badge (Friedman, 2003, p. 166).

### **Speaking of the Present**

Fred Kappel's indignant letter of protest detailing the conditions of his arrest, deportation, and detention was silenced by the censors in his own era. But from our vantage point three quarters of a century later, it still speaks. It shows how the Alien Enemy Act of 1798 was reenlisted for the protectionist policies of World War II, and it suggests that wartime redeployment of the Act established a precedent for present-day policies affecting immigrants and migrants. Kappel and his son were

forcibly displaced in a process in which, in his own words, “all the articles of the constitution were violated,” even though he, like so many others then and now, had sought legal entry to the United States, only to meet with quota limits and denials.<sup>24</sup>

The stories of Siegfried and Jeannette Wolff, Fred and Werner Kappel, and many others indicate that the United States’ Alien Enemy Act, especially in its expanded forms during World War II, categorized certain immigrants and migrants as inherently dangerous without proof of their criminality or hostility toward the United States; claimed refugees fleeing violence and threats to their personal wellbeing were themselves a threat to national and hemispheric security; regarded with suspicion entire national populations; and violated laws protecting the personal rights of individuals and the sovereignty of other nations. My aim here has been to highlight the ways in which the WWII Latin American Enemy Alien Control Program constitutes an important, troublesome precedent for the operation and expansion of border policies and procedures today. The personal stories of those affected by that program expose the fissures in the image of the United States as a safe harbor or all, and demonstrate that then, as now, a clear and easy path to safety and citizenship is often a chimera. Acknowledging the historic significance of this legislation, especially its identification of aliens as enemies early in the nation’s history and in subsequent moments of national “crisis,” helps us see why the Latin American migrant is so precarious, and the border-industrial complex so powerful, in our own time.

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<sup>24</sup>For a classic study on the United States’ abandonment of the Jews during the rise of Nazism, see Wyman (1984).

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