LAW, SECURITY, AND ETHNIC PROFILING: 
ITALIANS IN THE UNITED STATES DURING WORLD WAR II

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ABSTRACT

Mary Elizabeth Basile Chopas: Law, Security, and Ethnic Profiling: Italians in the United States During World War II
(under the direction of Wayne E. Lee)

The story of internment and other restrictions during World War II is about how the U.S. government categorized persons within the United States from belligerent nations based on citizenship and race and thereby made assumptions about their loyalty and the national security risk that they presented. This dissertation examines how agencies of the federal government interacted to create and enact various restrictions on close to 700,000 Italian aliens residing in the United States, including internment for certain individuals, and how and why those policies changed during the course of the war. Against the backdrop of wartime emergency, federal decision makers created policies of ethnic-based criteria in response to national security fears, but an analysis of the political maturity of Italian Americans and their assimilation into American society by World War II helps explain their community’s ability to avoid mass evacuation and internment.

Based on the internment case files for 343 individuals, this dissertation provides the first social profile of the Italian civilian internees and explains the apparent basis for the government’s identification of certain aliens as “dangerous,” such as predilections for loyalty to Italy and Fascist beliefs, as opposed to the respectful demeanor and appreciation of American democracy characterizing potentially good citizens. Although only a fractional percent of the Italian alien population was interned, those who underwent hearings before alien enemy hearing boards did not have an opportunity to rebut charges of disloyalty. By the time the Office of the
Attorney General corrected problems in the process so as to provide greater democratic procedure, it was too late for the hundreds of Italians already interned. Through stories of the Italian internees and the experiences of their families, this dissertation also provides insight into the lasting social and cultural effects of these policies on Italian immigrants.
ACKNOWLEDGEMENTS

The seed for this project was planted many years ago when as a little girl I used to hear my maternal grandfather, Joseph Carroccia, tell stories about life in America as an Italian immigrant. In the 1930s, he made frequent trips back and forth between Italy and the United States where he worked to raise enough money to build a home and arrange for the trans-Atlantic passage of his wife and their young children, including my mother. When World War II came, my grandparents had already been settled permanently in Farmington, Connecticut for over five years and were raising a family of five children. Since they were aliens, they were subject to night-time visits by government officials in search of contraband items. My mother retold these dreadful incidents to me on several occasions so that I might appreciate our family’s history.

Many years later when researching attorney loyalty oaths in the 1950s at Harvard Law School, I fortuitously came across the alien enemy hearing board files of Erwin Griswold, who had served as chair of Boston’s board. This finding triggered memories of my own family’s stories about their wartime experiences and piqued my interest to find out more. When I moved to North Carolina in 2007 and began teaching at UNC Law School, I had the good fortune of meeting Eric Muller who generously shared with me resources relevant to Italian internment that he had come across in his scholarship on Japanese internment. He encouraged me to pursue this little researched topic and consistently offered guidance for which I am most grateful. Once in the history graduate program at UNC, I had the opportunity to turn a topic conceived from a legal perspective into a broader historical project. Under the expert supervision of Wayne Lee, I
learned historical methodology. His extensive feedback at every stage of this project challenged me to think more critically and greatly improved the final product. To Richard Kohn, I am grateful for the breadth that he brought to this project, as he led me to contextualize my topic within America’s long history of balancing the protection of national security interests with the preservation of personal liberties during wartime. Zaragosa Vargas shared his extensive knowledge of social and political history of the nineteenth and twentieth century which provided the necessary background for my topic. Heather Williams taught me the importance of narrative and encouraged me to capture the voices of the Italian aliens in this project.

Many other individuals deserve recognition. I am indebted to Marian Smith, the chief of the Historical Research Branch of the U.S. Citizenship & Immigration Services, for providing me with alien files and INS reports and for patiently explaining some very technical immigration issues to me. I am grateful for help from my friends at UNC Law School, particularly the administrative assistance of Ashley Arthur and the statistical expertise of Guangya Liu. This project benefited considerably from conversations with Alfred Brophy about issues of race and ethnicity. Thanks also to my writing group – Sara Bush, Meg Martin, and Rachel Levandoski – for reading multiple drafts and offering substantive and editorial help.

Without the love and support of my family, this dissertation would not have been possible. I thank my two sweet angels who put up with Mommy’s many “vacations” to the archives and gave me the best kind of distractions. Finally, and most importantly, I thank my husband Jim who has been a partner to me in every sense, from debating issues for this project and offering insightful arguments to providing me humor to keep my spirits strong through the finish of this marathon.
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CHAPTER 1: INTRODUCTION

From the founding of this country through the wars against terrorism that followed the September 11, 2001 attacks, the federal government repeatedly has identified various ethnic groups as posing a national security risk based upon constructed profiles of dangerousness. Government policies designed to remove subversive elements from the population have clashed with laws and the American tradition of civil liberties and, in some cases, have undermined or violated them. This dissertation investigates the administrative state during World War II, specifically examining how agencies of the federal government interacted in creating and enacting various restrictions, including selective internment, on Italians residing in the United States. It further tracks how and why those policies changed during the course of the war. The story of Italian internment and other restrictions reveals not only the pressures generated by wartime, the fears that influenced policy makers and those who executed policies derived from ethnic-based criteria, but also how the thorough political and cultural assimilation of Italians influenced how the government treated them.

As the war progressed, the Justice Department recognized the problems of a legal policy that rested on presumptive guilt as applied to all alien enemies and made efforts to protect civil liberties even though a strict interpretation of the law did not require it. Indeed, after the first two months of arrests of Japanese, Germans, and Italians, the Justice Department began to adopt protocols that expanded procedural protections for alien enemies in the internment hearings. By this time, however, data shows that many Italians had already suffered the disgrace of
internment. Despite this attempt at a mid-course correction in process, the government’s wartime policies caused Italian aliens, many of whom had resided in the United States for many years before the outbreak of World War II, to feel disillusioned about the promises of their adopted homeland.

Supporting these claims demands a full legal analysis of the processes for examining aliens and a discussion of how the alien enemy hearing boards functioned. This analysis is provided through detailed case studies of internees from across the country. This dissertation therefore fills a gap in the historical scholarship that has focused on narratives of people affected by wartime policies and on comparing the treatment of Germans and Italians with that of Japanese and Japanese Americans. Scholarship on Italian aliens is relatively rare, and that which does exist has concentrated on Italians on the West Coast. This project studies the full range of the Italian aliens’ experience nationwide, and provides the first social profile of the Italian civilian internees.

Central to the argument here is the way in which the U.S. government categorized persons according to race and citizenship, as well as an appreciation of the legal context in which it applied its policies during World War II. While persons of Japanese descent, aliens and American citizens alike, were subject to mass internment on the basis of race, the subjects of my study were identified to undergo the process of selective internment on the basis of their alien status and the perceived threat that they posed to American security. The Alien Enemy Act of 1798 allowed the government to arrest, detain, and deport aliens of enemy countries without any hearing and without legal representation once war was declared or invasion by the enemy nation...
appeared to be imminent. Under this act, persons of enemy nations were presumed to owe allegiance to the belligerent nation.\(^1\)

Some basic definitions and distinctions are necessary. The designation “aliens” refers to Italians resident in or brought to the United States who were non-citizens; once the United States declared war against Italy they became, in government terms, “alien enemies” or “enemy aliens.”

I refer to Italians who were born in Italy and obtained their citizenship in the United States as naturalized American citizens. To become a naturalized citizen, an Italian national, as was and is the case with any alien, would have to take an Oath of Allegiance and Renunciation, effectively renouncing his former allegiance.\(^2\) The term “Italian Americans” refers to American citizens of Italian descent, inclusive of naturalized citizens and citizens by birth. Reference to “Italians” means individuals of Italian descent, regardless of citizenship status.

In the early 1940s, Italians comprised the largest foreign-born group in the United States.\(^3\) In accordance with the Alien Registration Act of 1940, all aliens fourteen and older were required to register at the post office and carry identification cards indicating their status.\(^4\) Delays in the processing of citizenship applications may have accounted for why approximately seven hundred thousand Italian immigrants had not obtained their citizenship by the start of the

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\(^1\) 50 U.S.C. chapter 3, §§ 21-24, was the 1918 codification of the Alien Enemy Act of 1798. Once Congress has declared war or when invasion has occurred or is imminent, this law gives the president the power to direct the apprehension and removal of “all natives, citizens, denizens, or subjects of the hostile nation or government,” § 21.

\(^2\) Marian Smith, Chief, Historical Research Branch, US Citizenship & Immigration Services, e-mail message to author, October 3, 2013.


\(^4\) Alien Registration Act of 1940 (or Smith Act), 18 U.S.C. § 2385 (1940).
war. According to information collected by the National Council on Naturalization and Citizenship’s Committee on Administration in December 1941, an alien who submitted an application for his second paper (Form N-400) had to wait fifteen to eighteen months in the New York and Boston districts, and about a year in other districts before being called to file his petition for citizenship, for which the average waiting time was about three months. Extraordinary delays also occurred between the first and final hearings. As had happened during World War I, any immigrant from an enemy nation who had not completed the citizenship process at the start of World War II became an alien enemy of the United States.

Although approximately 700,000 Italian enemy aliens resided in the United States in 1940, this study focuses on the 343 men and women who were eventually subjected to internment. These “Italian civilian internees” came from three groups. The first was Italian aliens who had resided in the United States before the outbreak of World War II and who were apprehended in the United States based on reports of the Federal Bureau of Investigation (FBI) identifying them as suspect, immediately detained, and subsequently interned after a hearing. The second group was a few naturalized citizens who experienced the same series of events

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6 “Report on Progress: Naturalization Delays Decreasing,” Department of Justice Immigration and Naturalization Service *Monthly Review* 1, no. 2 (August 1943): 20. Note that Attorney General Biddle assured the alien population that there were three classes of German and Italian aliens who still could obtain naturalization: those who had taken out papers at least two years before December 8, 1941, but not more than seven years before that date; those not required to take out first papers, such as spouses of American citizens; and those whose petition for naturalization was pending in court. “Alien Curbs Aimed Only at Disloyal: Naturalization Restrictions Imposed So ‘Few Subversive’ May Be Weeded, Says Biddle,” *New York Times*, December 14, 1941. In actuality, though, the delays in investigations for petitions by the INS meant no exception for individuals in these classes.

7 Under the Alien Enemy Act during World War II, nationals of Japan, Germany, and Italy were designated “alien enemies.” Note that small numbers of Romanians, Hungarians, and Bulgarians suspected of disloyalty were interned, but they were designated “aliens of enemy nationality,” meaning that they were not subject to the regulations concerning travel, possession of signaling devices, and other restrictions on alien enemies. See Memo attached to United States Department of Justice’s “Questions and Answers on Regulations Concerning Aliens of Enemy Nationalities,” (hereafter “Memo in Corsi File”), Folder “ACTIVITIES Alien Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,” Box 33, Edward Corsi Papers, Special Collections, Syracuse University Library (hereafter “Corsi Papers”).
despite being American citizens. The third group was Italian nationals residing in Latin America and apprehended there, who were interned in the United States pursuant to an agreement entered into by the U.S. State Department and Latin American countries. Excluded from my study are the approximately 1,300 merchant sailors from luxury liners in the Panama Canal and American ports suspected of sabotaging their ships beginning in 1939 and those Italian nationals who had worked at the 1939-1940 World’s Fair in New York, most of whom were interned beginning in March 1941 at Fort Missoula, Montana, and held through the end of the war. Although these latter groups were interned with some of the subjects of my study, their legal status was substantially different.

I identified these 343 persons by reviewing the Provost Marshal General’s files of Italian internees, identifying long-time residents of the United States and Latin Americans. I then checked the list of Italian aliens who satisfied my criteria against Army camp lists, some of which indicated each internee’s occupation, allowing me to verify that my subjects were not seamen or World’s Fair employees. Reference to Alien Registration forms filed pursuant to the 1940 Alien Registration Act confirmed the nationality of the aliens and their occupations.

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8 Records of the Office of the Provost Marshal General, Alien Enemy Information Bureau, Records Relating to Italian Civilian Internees During World War II, 1941-1946, Boxes 2-20, Record Group 389; National Archives at College Park, College Park, MD (hereafter “PMG Records of Italian Civilian Internees, NARA”). The contents of the folders for each internee vary, but each contains a “Basic Personnel Record,” indicating the individual’s date and place of birth, residence, number of dependents, date and place of capture or arrest, unit making the capture or arrest, occupation, education, languages, physical condition, marital status, religion, and camps where they were held. The PMG Records also contain orders of the Justice Department for internment, parole, and release, allowing me to trace the course of their custody.

9 Although Army camp lists were supposed to be kept monthly, there are gaps of time in available lists in the PMG Records. What became readily evident was that the internees were shifted among camps regularly.

10 I received the Alien Registration Forms (AR-2 Forms) courtesy of Marian Smith, Chief, Historical Research Branch, U.S. Citizenship & Immigration Services. The AR-2 Forms also provide information on aliens’ arrests, military service, years of residence in the United States, and memberships and social activities.
Biographical information and data I compiled concerning their internment can be found in the Appendices.

The U.S. government’s evolving calculation of the danger posed by Italian nationals on American soil was strongly shaped by American policy makers’ belief that Italy’s military forces were not as formidable as those of either Germany or Japan. Regarding the safety of American shores, Italy posed no threat in comparison with Germany, whose submarines patrolled the Atlantic coast, and of course Japan, which had already attacked Pearl Harbor.\textsuperscript{11} It appears that President Franklin Roosevelt allowed these notable differences in the strength of the three Axis powers to influence his views on how to handle enemy aliens in the United States. In discussing internment with Attorney General Francis Biddle, the president expressed his lack of concern about Italians, saying, “I don’t care so much about the Italians . . . They are a lot of opera singers, but the Germans are different, they may be dangerous.”\textsuperscript{12}

Another critical component of American policy calculation was the British example. Widely perceived outside of Great Britain as a mistake, that country hastily interned close to 74,000 aliens, some of whom were German and Austrian Jews fiercely opposed to the Nazi regime. Taking his cue from that lesson, Biddle insisted on selective internment for Italians and


\textsuperscript{12} Francis B. Biddle, In Brief Authority (Garden City, NY: Doubleday & Co., Inc., 1962), 207. Ironically, the FBI detained Italian opera singer Ezio Pinza, a Metropolitan Opera basso who had taken out his first American citizenship papers, and brought him to Ellis Island. “Ezio Pinza Seized as Enemy Alien; FBI Takes Singer to Ellis Island,” New York Times, March 13, 1942.
Germans, and Roosevelt went along with this policy.\textsuperscript{13} With regard to Japanese and Japanese Americans, however, Roosevelt deferred to the War Department and their support for the proposal of West Coast military officials for mass internment, overriding Biddle’s opposition to the plan.\textsuperscript{14}

Roosevelt’s assessment that Italians as a group presented a relatively low security risk seems to have been accurate. However, the Justice Department remained concerned with individual Italians with strong Fascist beliefs who might have wielded enough influence over their Italian communities to endanger the United States, or at least could have impeded the support the Roosevelt administration needed for the war effort. These fears notwithstanding, of the 343 Italian civilians interned, less than ten percent were employed in the Italian language media where they were outspoken about their support of Fascism and their Italian sympathies. A few possessed contraband weapons or had prior arrests, although none for sedition. Such factors may or may not have constituted a serious security risk, but they arguably justified the selection of such individuals to undergo a process of examination. Evidence from my study shows that the U.S. government chose to err on the side of interning more aliens (and a few citizens of Italian descent) than those who presented a legitimate security risk, resulting in the violation of the rights of innocent and potentially loyal individuals. We should expect that the process of examining enemy aliens would explore whether they were ideologically and morally opposed to the United States, and therefore, whether they would make good citizens. Some hearing boards seem to have grappled with the meaning of due process as it pertained to enemy aliens and strove

\textsuperscript{13} Biddle,\textit{ In Brief Authority}, 207-208; see also Jerre Mangione, \textit{An Ethnic at Large: A Memoir of America in the Thirties and Forties} (New York: G.P. Putnam’s Sons, 1978), 320, who provides a larger number of 85,000. Note that this number is much higher than numbers reported in other sources. See, e.g., “My dad, sent to a prison camp for being Italian,” BBC News Magazine, accessed October 26, 2013, \url{http://www.bbc.co.uk/news/magazine-22278664} which cites 30,000 as the number of Germans and Austrians interned.

\textsuperscript{14} Alan Brinkley, \textit{Franklin Delano Roosevelt} (New York: Oxford University Press, 2010), 90.
for a contextualized adjudicatory process. Ultimately, however, there were inconsistencies in the hearings process derived from the cultural biases of board members and the political influence of witnesses. In February 1942, after more than 100 Italians had been interned, the Office of the Attorney General demanded transcripts of the hearings to be used to assess hearing board recommendations. In March 1943 when it finally addressed the procedural defect that aliens were not informed of charges against them, most of the Italian internees were already serving their internment.

To date, no organized effort among Italian Americans has sought reparations for the violations of civil liberties suffered by members of their ethnic community. In fact, most Italian internees felt shame over having been considered enemies of the state, and they treated their experiences as private matters. In 1995, however, Italian American organizations in the United States secured government funding for a documentary called A Viva Voce which recounts the experiences of Italians residing in the United States during World War II. This documentary raised the awareness of Congressmen such as former Senator Alfonse D’Amato (NY) of the hardships faced by many Italian families during the war. In 2000, Congress enacted the Wartime Violation of Italian American Civil Liberties Act (Italian American Act), which acknowledged numerous violations of civil liberties of Italians across the United States.

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15 See John Mancini, Co-Founder Italic Studies Institute, to Senator Alfonse D’Amato, September 28, 1995, Folder 3 (Italian American Internment), Box 96, Dominic R. Massaro Collection, Immigration History Research Center Archives, University of Minnesota (hereafter “Massaro Italian American Internment File”).

16 John (Balesteri) Krollpeiffer, Producer/Director Bauhaus Pictures, to Honorable Dominic Massaro, Supreme Court of New York State, August 8, 1995, Massaro Italian American Internment File.

17 John Mancini, Co-Founder Italic Studies Institute, to Senator Alfonse D’Amato, September 28, 1995, Massaro Italian American Internment File.

Act, Congress stated that the government restricted the freedom of “more than 600,000 Italian-born immigrants in the United States and their families . . . by Government measures that branded them ‘enemy aliens’” because they had not completed the naturalization process. In addition to the internment of hundreds of individuals in military camps, Congress estimated that the military evacuated about 10,000 Italians living in coastal areas on the West Coast, placed restrictions upon Italian fishermen and railroad workers, made arrests, issued detentions and curfews, conducted raids on homes, and confiscated property. Congress concluded that the “impact of the wartime experience was devastating to Italian American communities in the United States, and its effects are still being felt.” However, it was not until 2001, after the Justice Department conducted investigations pursuant to the Italian American Act and produced a report on its findings, that a more complete picture of the restrictions and resulting civil rights violations became known.

In the late 1930s, as part of the FBI’s domestic intelligence operations, it prepared lists of individuals for arrest in times of emergencies. By June 1940, these operations became known as the Custodial Detention Program. The lists provided the names of Italian aliens and some

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19 Wartime Violation of Italian American Civil Liberties Act, § 2, par. (1).

20 Wartime Violation of Italian American Civil Liberties Act, § 2, par. (2), § 3.

21 Wartime Violation of Italian American Civil Liberties Act, § 2, par. (6).


naturalized citizens who were to be detained beginning on the evening of December 7, 1941. FBI field agents had gathered information on their Italian subjects’ expressions of sympathy or admiration for Mussolini, ties with the Italian government through work or membership in Italian organizations or unsubstantiated accusations by a single individual. My case studies show that the questionable veracity of FBI reports tainted the process of investigating the loyalties of Italian aliens. After a hearing before an “alien enemy hearing board,” those aliens not released or paroled were interned in Immigration and Naturalization Service (INS) and Army camps where many remained until the end of 1943, several months after Italy’s surrender to the Allies. By May 30, 1942, the number of Italian aliens arrested was 362; of that number, 151 were interned, 120 were released on parole, and 84 released.\footnote{Department of Justice Release to Morning Papers, June 3, 1942, Folder 2 (“Enemy Aliens, 1942-1945”), Box 17, American Committee for the Protection of Foreign Born Records, Joseph A. Labadie Collection, University of Michigan (hereafter “American Committee for the Protection of Foreign Born Records”). Of the 259 internees in the subject group for whom I found a date of apprehension, 182 had received internment orders by the end of May 1942.} Through October 1942, a total of 229 Italians had received orders of internment.\footnote{Memo in Corsi File. By comparison, there were 233 Italian subjects in my study (of 259 for whom I had data) who had received internment orders by the end of October 1942.} My study demonstrates that by the end of the war, at least 343 Italian civilians, exclusive of Italian seamen and workers from the 1939-1940 World’s Fair, had been interned for varying lengths of time.\footnote{Compare the figure of 343 from my study with 418, cited in Appendix D of the DOJ Report as the number of “persons of Italian ancestry who were interned.” The Justice Department compiled its list of internees and where they were held, if known, from government records and personal interviews. My data set, which I gathered independently, is smaller possibly because, as the Justice Department recognized, its list may have multiple inclusions of the same people identified by different names.} This number is drastically fewer than the greater than 110,000 persons of Japanese descent and approximately 5,000 Germans.
who were interned, which presumably includes Latin Americans as well as those residing in the United States.\textsuperscript{27}

In addition to internment, approximately 10,000 Italian aliens and their families were forced to evacuate their homes and businesses in prohibited zones on the West Coast and to relocate to areas outside these zones for about four months. The process of “individual exclusion,” not discussed at length in this dissertation, affected a smaller number of Italian aliens and naturalized citizens.\textsuperscript{28} According to the Justice Department’s 2001 report, at least forty-seven persons of Italian ancestry nationally were ordered to move from designated areas.\textsuperscript{29} The report states that twenty-four of the persons excluded from the Western Defense Command were of Italian descent, most from northern California with a few cases from Los Angeles and San Diego.\textsuperscript{30} Beginning in September 1942, persons subject to the process of exclusion for reasons of individual suspicion, perhaps for being a community leader, or because of the sensitivity of the area where they resided, had a hearing before an “individual exclusion board” comprised of three military officers of field grade that decided whether to prohibit the individual from military areas. The Justice Department made an agreement with the War Department that it would

\textsuperscript{27} Mangione, An Ethnic at Large, 319, 321. Note the distinction between the approximately 5,000 Japanese who were interned pursuant to the Justice Department’s selective internment policy beginning in December 1941 and mass internment of Japanese and Japanese Americans beginning in early March 1942. See also Mae M. Ngai, Impossible Subjects: Illegal Aliens and the Making of Modern America (Princeton: Princeton University Press, 2004), 175-76. Ngai estimates that mass internment affected 120,000 Japanese Americans, two-thirds of whom were citizens. She also explains that the 2,192 Japanese arrested just after Pearl Harbor “comprised virtually the entire political, social, cultural, and business leadership of Japanese American communities,” 176.

\textsuperscript{28} The process of exclusion was pursuant to Act of March 21, 1942, 56 Stat. 143 (1942).

\textsuperscript{29} DOJ Report, See Appendix E.1. The DOJ admits that its list may be incomplete.

\textsuperscript{30} DOJ Report, 12. According to Stephen Fox, who refers to “a wartime report” there were approximately 88 naturalized Italians and an unknown number of Italian aliens excluded from the West Coast. Italians were included in the 69 East Coast exclusions, as they were in the 16 exclusions from the Southern Defense Command. Stephen Fox, Uncivil Liberties: Italian Americans Under Siege during World War II, 2d ed. (Boca Raton, FL: Universal Publishers, 2000), “Foreword To The Revised Edition,” June, 2002.
prosecute exclusion cases, although the departments disagreed about the minimal number of exclusion cases that the Justice Department ultimately prosecuted. The Attorney General doubted the necessity and the legality of the exclusion program. He believed that there was no correlation between exclusions and essential defense facilities or between the number of exclusions per state and the size of its enemy alien population. With respect to the procedure for determining exclusion, American citizens excluded could not cross-examine witnesses before military tribunals which violated their constitutional rights.  

My study builds upon existing studies of the relationship between civil liberties and governmental authority in American society. In *Freedom’s Fetters: The Alien and Sedition Laws and American Civil Liberties* (1956), a detailed study of the Alien and Sedition Laws investigating the relationship between liberty and authority in the early Republic, James Morton Smith showed how these laws played a role in shaping the American tradition of civil liberties by provoking a public response to the presumption that the government was master, evident in state cases.  

Robert Justin Goldstein discusses political repression in the late nineteenth and most of the twentieth century in *Political Repression in Modern America: From 1870 to 1976* (2001), arguing that governmental authorities have interfered with the “free market of ideas” in American society through such means as denials of freedom of speech and assembly, political deportations, and discriminatory arrests.  

He posits that President Roosevelt’s civil liberties record during World War II was good for the first two months of the war, with the exceptions of the summary arrests and subsequent internment of alien enemies and the “considerably more

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serious early exercise of political repression” in the establishment of martial law in Hawaii. Beginning in February 1942, Roosevelt’s record “began to seriously disintegrate,” according to Goldstein, with the mass internment of persons of Japanese descent, followed by sedition prosecutions and harassment of war opposition in the press, the military’s orders for individual exclusions, and the expansion of surveillance activities by the FBI and military intelligence agencies.\(^{34}\) Goldstein’s comparison of all forms of political repression during World War II rightly places the subjection of American citizens to martial law and the mass internment of Japanese and Japanese Americans at the most severe end of the spectrum, causing him to devote much less attention to the internment of Germans and Italians and other restrictions on these groups. My in-depth analysis of the selective internment process, however, uncovers many layers of political repression not evident in Goldstein’s framework, namely presumptive guilt in the initial arrest, internment based on one’s membership in social and political associations and expression of political ideas, and ultimately bars to citizenship.

At the highest level, my study traces interactions and conflicts among governmental leaders and agencies in the process of constructing policies for enemy aliens. Specifically, it expands upon Geoffrey Stone’s portrayal of Attorney General Biddle in *Perilous Times: Free Speech in Wartime* (2004). Stone argues that in each of the major wars, the United States has overreacted to the dangers of wartime, causing it to go too far in restricting civil liberties by trying to punish individuals for criticizing officials or policies, but demonstrates that Biddle was committed to constitutional values, particularly in his strong opposition to political and military pressures for the mass internment of Japanese.\(^{35}\) My study provides the first account of how

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\(^{34}\) Goldstein, *Political Repression in Modern America*, 262-81.

Biddle adhered to the spirit of democracy in the selective internment process, first in deciding to provide hearings to enemy aliens when they were not legally required, and later in directing hearing boards to afford increasingly greater procedural protections. However, it gives a more comprehensive picture of the operation of the administrative state in wartime than Stone’s study by revealing the process at work, particularly problems that occurred when federal mandates were implemented at the local level. The Justice Department’s delegation of authority to approximately 100 enemy alien hearing boards to examine subjects in their districts and to make recommendations of internment, parole, or release resulted in inconsistencies in the adjudicatory procedures nationwide. Further, case studies of individual internees provide insight into the FBI’s abusive power by showing how domestic intelligence sources often produced unreliable information on which to base hearing board recommendations, thereby giving context to the aggressive political institution that Richard Gid Powers describes in *Secrecy and Power: The Life of J. Edgar Hoover* (1987).36

Viewing the specific experience of Italians on the American home front during World War II adds a cultural dimension to the historiography on the national security state about how war and national security led to comprehensive social changes. Although Michael Sherry’s conclusion from *In the Shadow of War: The United States since the 1930s* (1995) that America’s political and military leaders built a “capricious apparatus of internal security” in the twentieth century aptly describes the restrictions placed upon Italians at this time, his view of all aspects of societal transformations—political, economic, technological, social, and cultural—through the lens of militarization generalizes how persons living in the United States experienced the

36 See Powers, *Secrecy and Power.*
national security state. My study demonstrates that the experience of Italian aliens who came under suspicion once Italy became an enemy of the United States was unique given their assimilation into the fabric of American society. This factor may have checked the government’s encroachments upon civil liberties in the implementation of national security policies because many of the Italian aliens, although falling into the category of non-citizens, had become productive members of American society, and prominent Italian Americans could vouch for their loyalty to the United States.

Civil-military relations in the national security state were also a factor in the treatment of Italians. While the Justice Department insisted on a policy of considering each case of a suspected Italian alien or naturalized citizen on an individual basis, the military favored a more general approach to handling the Italian alien population based on what it perceived as the exigencies of the national security crisis during World War II. The military’s exclusion of all persons of Japanese descent and the short-term evacuation of about 10,000 Italians from the West Coast fit Andrew Bacevich’s model in *The Long War: A New History of U.S. National Security Policy since World War II* (2007) of a military that thwarted the U.S. Constitution’s promise of civilian control. Focusing on President Roosevelt’s strategy for handling operational matters, Bacevich explains how Roosevelt chose to deal directly with the armed services’ uniformed leaders without consulting their civilian heads, which initiated an American

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tradition of limiting the formulation of national security policy to a small group of specialists, thereby excluding democratic influences. He argues that the American people have had no significant decision-making role.\(^40\) My study acknowledges the upper hand that the War Department asserted in the handling of citizens of Axis powers in the United States, beginning with the reactivation of the Provost Marshal General’s Office for this purpose in July 1941. Then in February 1942, President Roosevelt’s Executive Order 9066 shifted the power from the Attorney General to the Secretary of War, giving the military discretion in imposing exclusion and restrictions.\(^41\) However, my study also demonstrates that the Justice Department managed to limit the military’s power in directing national security policy, specifically in its refusal to prosecute exclusion cases against naturalized citizens and in its eventual insistence on a fairer adjudicatory process in internment hearings.

Although considerable scholarship has been devoted to the story of the mass internment of persons of Japanese descent, far less is known about the evacuation, selective internment, and individual exclusion of Italians during World War II. During the war, the government deliberately kept information from the public concerning the various restrictions imposed on Italians.\(^42\) The American media conveyed confusing information to the public about who the Italian internees were, alternately referring to them as prisoners of war and internees.\(^43\) Historians had to rely upon the oral histories of individuals who could recollect their wartime experiences and interviews of their family members, piecing together the story of the short-term


\(^{41}\) Executive Order No. 9066, Federal Register 7, no. 38 (February 25, 1942): 1407.

\(^{42}\) Wartime Violation of Italian American Civil Liberties Act, § 2, par. (7).

\(^{43}\) See, e.g., “Legion Head Hits U.S. Treatment of Italian Prisoners,” The Boston Daily Globe, July 26, 1944, in which the terms “prisoner of war” and “internees” are used interchangeably.
and long-term effects of the restrictions on this ethnic population.\textsuperscript{44} In 1987, the declassification of information on internees contained in the Provost Marshal General files made their experiences accessible to researchers at the National Archives. Most research on this topic, however, has focused on the effects of the government’s restrictive policies on Italians living on the West Coast. Stephen Fox is the earliest scholar who relates their experiences in his 1990 book, \textit{The Unknown Internment: An Oral History of the Relocation of Italian Americans during World War II}, which was updated in his 2000 book, \textit{Uncivil Liberties: Italian Americans Under Siege during World War II}.\textsuperscript{45}

Drawing on government documents, newspapers, and interviews with surviving internees and their family members in central and northern California, Fox concludes that economics, politics, and concerns about morale drove U.S. policy with respect to enemy aliens, “with race as a reinforcing factor.” He suggests that the overriding explanation for why the millions of Italians and Germans living in the United States avoided mass evacuation and relocation was that their numbers as well as the fact that they were scattered across the country made it impractical; not only were they necessary to civilian production jobs, but relocating them would have presented logistical problems. He also recognizes their assimilation into American society as a benefit.\textsuperscript{46} Fox structures his book around personal stories reflecting the experience of Italians on the West Coast, mainly relocation, and relies predominantly on anecdotal evidence and only sources for the Western Defense Command for his conclusions about the government’s motives. His work

\begin{footnotes}
\footnotetext{45}{Stephen Fox, \textit{The Unknown Internment: An Oral History of the Relocation of Italian Americans during World War II} (Boston: Twayne Publishers, 1990).}
\footnotetext{46}{Fox, \textit{Uncivil Liberties}, 227-29.}
\end{footnotes}
lacks a comprehensive treatment of selective internment and a legal analysis of the actual hearings process.

Unlike Fox’s study, most scholarship on the treatment of Italians has emphasized racial prejudice as a motivation for government policies regarding Italians during the war. Lawrence DiStasi believes that similar to its treatment of Japanese Americans, the U.S. government associated Italians with the Fascist government because their “ways were racial, genetic, indelible,” requiring branding as enemy aliens and removal from the general population. Rose Scherini, who studied internees from San Francisco, suggested that all enemy aliens – Japanese, Italians, and Germans – were scapegoats for the attack on Pearl Harbor, as immigrants were “often the targets of fear and hatred.” I argue that the government perceived racial distinctions among the enemy alien groups, showing in Chapter 3 how the Western Defense Command’s belief that the Japanese posed the greatest threat resulted in a stricter interpretation of federal policy than in the Eastern Defense Command where Italians and Germans primarily comprised the population of enemy aliens.

Part of the issue here is the distinction, as made at the time, between ethnicity and race, and the mid-twentieth century notion of “whiteness.” In his survey of the history of European immigration in *Whiteness of a Different Color: European Immigrants and the Alchemy of Race*

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(1998), Matthew Frye Jacobson argues that even though Europeans arrived as “free white persons” under the Naturalization Law of 1790, the racial color-coding system in the United States made them inferior to Anglo-Saxon stock, causing them to assume different racial identities between the 1840s and the 1920s.50 The decades following the Immigration Act of 1924 ushered in “a new politics of black and white” that allowed European immigrants to claim privileges of identification as whites.51 Civil rights agitation by African Americans and coalitions that formed around the issues of segregation and desegregation in the mid-twentieth century “solidified whiteness as a monolith of privilege,” according to Jacobson, causing racial differences within the white community to lose their salience. Jacobson explains that contemporary references to ethnicity and ethnic groups occurred as a result of developments in Nazi Germany that influenced the substitution of culture-based ethnicity for race, revising the framework that distinguished “racial characteristics of Jewishness or Irishness or Greekness.”52

Tightly linked to this generic problem of ethnicity and race was the more specific issue of Italian immigration and how citizens of the United States perceived Italians, an encounter which also affected the immigrants’ desire to become citizens and their development of national identity and loyalty.53 The work of Donna Gabaccia and Fraser Ottanelli best represents the most recent paradigm shift from assimilation/acculturation models to an appreciation of the


51 Jacobson, Whiteness of a Different Color, 202.

52 Jacobson, Whiteness of a Different Color, 95-96.

transnational nature of immigration. In *Italian Workers of the World* (2001), a book of essays which Gabaccia and Ottanelli edited, they argue that the migration of mostly unskilled peasants and laborers from Italy to other parts of Europe, North America, South America (mostly Brazil and Argentina), Australia, and Africa must be analyzed in conjunction with studies of nation building, ethnic identity formation, and labor activism.\(^{54}\) In particular, Ottanelli’s essay about the efforts of Italian American Antifascists in the 1920s and 1930s to undermine the widespread sympathy that Mussolini enjoyed among Italian American laborers highlights how support for Fascism was a key element in Italian American identity in the decades leading up to the war. It was the rise of a countervailing Italian Antifascism that became a vehicle for the incorporation of Italians into American society.\(^{55}\)

The changing attitude of American natives and government officials toward Italians and its effects on federal policies concerning the Italian alien population played a key role in the internment decision making and its bureaucratic processes. The race/whiteness paradigms that scholars have applied to European immigrant groups before they were all considered “white” are consistent with what my research reveals about the dichotomy between the legal and social treatment of Italians, and how Italians responded to the persistent expectation for Americanization and amalgamation.\(^{56}\) Although Italians experienced racial prejudice in the


\(^{55}\) Fraser Ottanelli, “‘If Fascism Comes to America We Will Push It Back into the Ocean’: Italian American Antifascism in the 1920s and 1930s” in *Italian Workers of the World*, eds. Gabaccia and Ottanelli, 179, 185.

\(^{56}\) See Thomas A. Guglielmo, *White on Arrival: Italians, Race, Color, and Power in Chicago, 1890-1945* (Oxford: Oxford University Press, 2003) (arguing that Italians always were considered white in naturalization laws and the U.S. census, and in the eyes of the media, employers, realtors, and politicians); compare Jacobson, *Whiteness of a Different Color* (model of progression toward whiteness) and Richards, *Italian American*, 185 (arguing that Italian Americans were among victims of racism that were “nonvisibly black” and that racism was directed at aspects of their moral personality, i.e. ways of thinking, feeling, and believing).
nineteenth and early twentieth century, much of the literature on whiteness argues that by World War II they enjoyed certain key privileges of white status among ethnic groups, particularly with respect to political power. Those assessments are supported by the data in this study. This factor weighed heavily in the government’s use of selective internment of Italian aliens rather than mass internment. Chapter 2 delves deeper into the role of immigration, assimilation, whiteness, and acceptance, tracing the evolution in Italians’ social, political, and economic status in the United States and their eventual adoption of an American national identity.

Chapter 2 also outlines the historical roots of the government policies for enemy aliens during World War II. It begins with a discussion of immigration law, revealing that federal policies took an anti-alien and racist tone in the early twentieth century, resulting in more stringent deportation and exclusion legislation and stricter enforcement of naturalization law. The Alien and Sedition Act of 1918 embodied the climate of suspicion of aliens, which set the backdrop for the political violence of the 1920s and the first Red Scare, followed by the xenophobic hearings of the Hamilton Fish Committee in the 1930s and the Dies Committee in the late 1930s and early 1940s. This chapter also explores the changing attitudes of the Italian population in the United States toward Fascism, influenced by the positive relationship between President Franklin D. Roosevelt and Prime Minister Benito Mussolini in the mid 1930s, and later the deteriorating relations between the United States and Italy after the Ethiopian War. Italians first embraced Fascism as a way to bolster their reputation, or at least their sense of self respect, in the face of discrimination in their adopted homeland, and then rejected it as they became enamored with America’s democratic system.57 Through a discussion of how Italian Americans

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rose in stature in American society, mainly through their participation in politics, this chapter shows how government attitudes toward an immigrant group’s supposed security risk fundamentally derived from a perception of how fully that group has assimilated. The prevalence of Italians in prominent political and economic positions explains their influence in the Congressional hearings discussed in Chapter 3 and their ability to help their ethnic communities avoid the disgrace of mass internment.

Nevertheless, the FBI relied upon custodial detention lists for identifying suspected Fascists and subversive Italians. Italian social organizations and the Italian media in America believed to be sympathetic to Fascism contributed to the federal government’s growing suspicion of Italian aliens. This analysis suggests that the FBI’s belief that memberships in certain organizations, such as the Italian War Veterans, and employment in the media were premises for threatening action against the U.S. government may have been sufficiently irrational so as to violate due process. Chapter 2 and subsequent chapters evaluate the process that the administrative state put in place for finding out the truth and affording Italian aliens justice in the time of war.

Having established the cultural, and to some extent the administrative, position of Italians within America, Chapter 3 provides a social profile of the 343 Italian civilian internees, assessing their ages, the regions of the country where they were apprehended, their occupations, and the duration of their internment. Most hailed from the East and West Coasts of the United States, consistent with both the areas of concentration of the Italian population and the government’s fears about militarily sensitive zones. The internees represented the entire economic spectrum, but were predominantly unskilled laborers or accomplished professionals. In general, it would
seem that the government focused on persons who worked in leadership roles in their communities or possessed special knowledge that could be used against the United States.

The second section of Chapter 3 traces the debate among President Roosevelt and his advisors, the War Department, the Justice Department, and legislative committees about whether to intern the entire population of Italian aliens as opposed to selective internment. The record of this debate survives in military reports and memoranda, transcripts of conversations among decision makers, diaries, and the congressional records of hearings of the U.S. House of Representatives Select Committee Investigating National Defense Migration. Having solicited the testimony of prominent members of the Italian American community and of sympathetic resident aliens who attested to the loyalty of the Italian population, the congressional committee convinced the Roosevelt Administration and the War Department that Italians as a group cherished the democratic ideals of the United States and held no special allegiance to Italy. Ultimately, the logistical concerns of interning the huge Italian population, the need for Italian labor in the wartime industries, racial distinctions among the alien enemies, and the political significance of the country’s largest immigrant population were factors in the federal government’s decision to selectively intern Italians based upon individual suspicion.

President Roosevelt’s Executive Order 9066 generated the broad outlines of protecting designated military areas against sabotage and espionage, but it was then interpreted and implemented by regional military commanders according to their perception of threat in each area, including the location of wartime industries and proximity to Pearl Harbor. Chapter 3 concludes by parsing the variation in this interpretation, noting the stricter interpretation of Executive Order 9066 on the West Coast as compared to the East Coast. Interviews of former Italian internees and their families taken by Stephen Fox in the 1980s provide narratives of how
the Western Defense Command applied restrictions indiscriminately to non-citizens and how they affected the Italians’ day-to-day lives. This section further develops the theme of racial prejudice by tracing the shared perception among the War Department, General John DeWitt of the Western Defense Command, and California politicians and the media that the Japanese posed the greatest threat among the enemy alien groups, justifying mass internment of persons of Japanese descent. In contrast, in the Eastern Defense Command, where the population of enemy aliens was comprised primarily of Germans and Italians, General Hugh Drum narrowly defined prohibited and restricted zones and instituted a policy of removing any disloyal or dangerous person, alien or citizen, regardless of ethnicity. Consequently, the program of individual exclusion was much less extensive in the East than in the West, despite the seemingly greater proximity of the American East Coast to Europe.

Chapter 4 provides details of specific cases of interned Italians, following them through their arrest, hearings, and the decision to intern. The evidence found in Justice Department litigation files and records kept by hearing board members, strongly suggests that there were inconsistencies in the hearings process. Similar to non-punitive deportation hearings, the alien enemy hearings did not require the constitutional protections granted alleged criminals. They were informal and did not follow evidentiary standards of a criminal trial. Even so, it is clear that at times the adjudicatory process was notably thoughtful; at other times, however, the cultural biases of board members and the political influence of witnesses compromised institutional standards to prevail over objectively measurable threats. The Justice Department’s issuing of a series of remedial instructions to the hearing boards, beginning in February 1942 and continuing through 1943, indicates that the hearings could have been uniformly fairer, specifically by notifying subjects of charges against them and giving them an opportunity to
present rebuttals. Arguably, the war-time conditions made pre-emptive measures acceptable, as opposed to following procedure that presumed the innocence of the subject until he was proven guilty. To explore the question of what process is due to enemy aliens, I engage legal constitutional theories concerning the rights of aliens developed in case law, legal treatises, and law review articles. Attorney General Biddle believed that enemy aliens were not entitled to hearings before being interned, but should be afforded them as a matter of courtesy.

Chapter 5 turns to the daily lives and experiences of the internees in INS and Army camps, from work and entertainment to communications with loved ones. The evidence for this chapter derives from INS reports, correspondence in the Provost Marshal General internee files, and essays written by family members of the internees, collected in Lawrence DiStasi’s *Una Storia Segreta: The Secret History of Italian American Evacuation and Internment during World War II.* Because the United States opted to extend prisoner of war protections in the 1929 Geneva Convention to enemy aliens held in internment camps, internees could refer to the convention’s guarantees to redress complaints about their living conditions. They also exercised agency by finding ways in the camp setting to prove that they could be loyal American citizens. In showing how the balance of power still weighed heavily in favor of the government, however, this chapter describes the manifestations of the legal and political manipulations discussed in earlier chapters.

The Conclusion emphasizes how the government made determinations of loyalty based on its categorization of persons of enemy nations according to citizenship and race. It explores

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58 I also found the following sources very valuable in giving accounts of camp life, although the authors’ focus was the experiences of seamen interned at Fort Missoula: Carol Van Valkenburg, *An Alien Place: The Fort Missoula, Montana Detention Camp 1941-1944* (Missoula, MT: Pictorial Histories Publishing Company, Inc., 2009); Umberto Benedetti, *Italian Boys at Fort Missoula, Montana 1941-1943* (Missoula, Montana: Pictorial Histories Publishing Co., Inc., 1991).
the somewhat hypothetical question of whether the U.S. government successfully targeted the most dangerous group of Italians, considering factors of their legal status, age, and the number of years spent in the United States. Experts on Fascism at the time theorized that the most militant group of Fascists was the younger generation of Italian Americans, that is, first-generation Italians who had obtained American citizenship by birth but whose parents were aliens. These theories are parsed against my own findings about the level of threat posed by naturalized citizens as opposed to aliens. This final chapter also offers perspective on the trajectory of Italians’ assimilation into American culture. While World War II generally strengthened Italians’ increasing identification as Americans, accounts of persons who had been interned or excluded show that their wartime experiences reversed their assimilation processes by narrowing their job prospects and tarnishing their reputations in their former communities. Finally, the Conclusion suggests lessons that the history of selective internment during World War II might offer for understanding current debates over what process should be afforded to individuals residing in this country whose ties to nations or non-state actors at war with the United States cast suspicion upon their activities.
CHAPTER 2: THE LEGAL AND POLITICAL HISTORY OF ITALIAN IMMIGRANTS IN THE UNITED STATES: 1880-1941

The history of the treatment of alien residents in the United States reveals a continuous tension between the liberty of the individual, as expressed in state and federal bills of rights, and the security of the state. The concepts of “guilt by suspicion” and “guilt by association” pervaded statutory law concerning aliens from as early as the Alien and Sedition Acts of 1798, a series of four bills passed by the Federalists in the aftermath of the French Revolution to remove political heresy and to silence dissent that might undermine their administration.¹ These laws asserting the power of the government over the public initiated a pattern of imposing limits on civil liberties through legislation and executive action during the Civil War, the World Wars, and the Cold War.² In all cases, government policy was directly shaped by fears that foreigners on American soil would commit disloyal acts and threaten U.S. security. Those fears were typically heightened by a broader cultural xenophobia that has existed at various key moments in American history.

The widespread xenophobia of the late nineteenth and early twentieth century led to specific immigration laws and restrictions that also laid the groundwork for the national security

¹ See Smith, Freedom’s Fetters, 11-16. The four acts were as follows: Naturalization Act, requiring proof of living in the U.S. for fourteen years, including five years in the state of naturalization; Alien Act, authorizing the President to deport any alien judged “dangerous to the peace and safety of the United States”; Alien Enemies Act, authorizing the President to apprehend and deport male alien residents to their home country at war with the U.S.; and Sedition Act, making it a crime to publish false and malicious information about the government. See Appendix to Freedom’s Fetters for text of acts.

programs applied to Italians during World War II. During the 1880s and 1890s, the United States initiated immigration and deportation procedures of a summary and non-judicial nature that stemmed from associating aliens with radicalism, despite the basic conservatism of the peasant immigrants in their yearning for tradition (especially religion), status, and authority. In 1893, the U.S. Supreme Court decided that deportation was not a punishment for crime but an administrative process for the return of undesirable alien residents. As a consequence, immigration officials could follow procedures that guaranteed results instead of providing due process for deportees. Fearing anarchists, Congress passed a series of immigration acts beginning in 1903 that excluded certain immigrants from entry into the United States because of presumed beliefs and associations. The Naturalization Act of 1906 under President Theodore Roosevelt further targeted alien radicals in requiring an oath that the alien was not opposed to organized government, supported the U.S. Constitution, and had exhibited five years of good moral character.

Hysteria over the threat to security posed by resident aliens heightened with the entry of the United States into World War I. After signing the declaration of war in 1917, President Woodrow Wilson issued a proclamation invoking the 1798 Alien Act, asserting his right to apprehend and deport “alien enemies,” and requiring them to register. Regulations enforceable by the attorney general prohibited alien enemies from possessing, among other things, guns or explosives and radio transmitters, from coming within a half mile of military zones, from

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4 Fong Yue Ting v. United States, 149 U.S. 698, 709 (1893).

5 Immigration Act of 1903, 32 Stat. 1222 (1903).

entering and leaving the United States, and from publishing attacks or threats against the government. Attorney General Thomas Gregory instructed his department that his plan was to consider each individual alien enemy separately. John Lord O’Brian, head of the Justice Department’s Emergency War Division, interned German and Austro-Hungarian aliens for the duration of the war whenever a government official had reasonable doubts about the alien’s reliability, and he overruled clemency pleas, believing that the law required internment whenever an alien appeared to pose any measure of danger.

In addition to these activities within the executive branch, national anxiety over alien radicals also found expression in legislation. The Espionage Act of 1917 and the Alien and Sedition Act of 1918 were aggressive measures designed to ferret out disloyal elements in the population. The Espionage Act made it a crime to make or convey false reports for the purpose of interfering with American military success, to cause disloyalty in the military, or to obstruct recruitment or enlistment in the armed forces. Although it was intended to protect the armed forces from propaganda, the Justice Department and the judiciary used the Espionage Act of 1917 to suppress all “‘disloyal utterances.’” Under the Alien Act, the government could deport any alien who was a member of an anarchist organization by an administrative process that did not afford the alien the right to counsel in the preliminary investigation nor a jury in the hearing.

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8 Powers, Secrecy and Power, 49.
9 Powers, Secrecy and Power, 51-52.
10 Stone, Perilous Times, 151-52.
11 Stone, Perilous Times, 173. Note that the government’s standard of proof under the Espionage Act is proof of “‘evil intent’” as well as making a false statement with intent of hindering the war effort, 265.
or a subsequent right of appeal. Naturalized citizens were subject to the same process.\(^\text{12}\) As discussed in Chapter 4, the Alien Act did not require a hearing before detaining an enemy alien. The hearings for such individuals during World War II resembled these deportation proceedings in the limited extent of due process afforded aliens. Specifically applicable during wartime, the Sedition Act forbade, among other things, the uttering or printing of disloyal or abusive language about the U.S. government.\(^\text{13}\)

It was in this climate of suspicion that the General Intelligence Division within the Bureau of Investigation, under the direction of J. Edgar Hoover, gathered information on the radical activities of individuals, many of whom were deported during the first “Red Scare” of 1919 to 1920. The “Palmer Raids” were attempts by the Justice Department, under the direction of Attorney General Alexander Palmer, to arrest and deport radical individuals from the United States, including anarchists from recent European immigrant populations, who wanted to eliminate the state. Hoover’s method for proceeding in deportation of alien radicals was to obtain a ruling that an organization to which they belonged fell within the class proscribed under the Immigration Act of 1918, for advocating political violence or anarchy, and then to produce membership cards, dues books, or testimony of attendance at meetings without direct evidence of personal beliefs.\(^\text{14}\) In 1919, there were 650 individuals arrested on suspicion of radicalism, of whom 249 were deported. In 1920, there were 4000 additional people suspected of radicalism who were rounded up in raids in thirty-three cities.\(^\text{15}\) Jurists criticized the Justice Department for using undercover spies and in not following proper legal procedures in the arrests, detentions,

\(^{12}\) Stone, Perilous Times, 181.

\(^{13}\) Stone, Perilous Times, 186.

\(^{14}\) Powers, Secrecy and Power, 70-71.

\(^{15}\) Stone, Perilous Times, 223.
and so-called trials of aliens before inspectors, which eventually led to an end to the deportations.\textsuperscript{16}

Coinciding with the Red Scare was the conviction of Italian immigrants Ferdinando Nicola Sacco and Bartolomeo Vanzetti for the murders of two men during an armed robbery at a shoe factory in South Braintree, Massachusetts in 1920. The public attention given to their case may account in part for the FBI’s increased efforts to eradicate Italian radicals believed to pose a risk of revolution against the U.S. government. Sacco and Vanzetti were linked to the anarchist group the Galleanists, the same group that a year earlier had sent letter bombs to prominent government officials and businessmen and law enforcement officials. In what has frequently been called a kangaroo court, Judge Webster Thayer, outspoken about his desire to suppress Bolshevism and radicalism, allowed the introduction of circumstantial evidence, including information about Sacco and Vanzetti’s radical background, to influence the outcome of the case.\textsuperscript{17} The duo’s sentencing to execution by the electric chair in 1927 had broad social and political implications as the international community claimed a miscarriage of justice in the court’s allowing the racism and nativism of legal authorities and the prejudices of the community to be factors in the treatment of these defendants.\textsuperscript{18}

\textsuperscript{16} Stone, \textit{Perilous Times}, 224-26. For example, Judge Anderson of the Massachusetts Federal District Court was a harsh critic of the Justice Department’s procedures and ordered the discharge of twenty aliens held for deportation based on membership in the Communist Party.

\textsuperscript{17} See Moshik Temkin, \textit{The Sacco-Vanzetti Affair: America on Trial} (New Haven, CT: Yale University Press, 2009), 13-15; see also Beverly Gage, \textit{The Day Wall Street Exploded: A Story of America In Its First Age of Terror} (New York: Oxford University Press, 2009), 219-228, discussing Sacco and Vanzetti’s adoption of “Galleani’s brand of militant anarchism” (219) and their possible involvement as conspirators in the September 16, 1920 Wall Street bombing.

Legislation of the 1920s reflected a fear of foreigners’ ability to organize subversive activities against the U.S. government. By targeting those perceived as misguided followers of radicals, these laws were to prevent radical leaders from having any influence. The Immigration Act of May 10, 1920 punished aliens for merely possessing subversive literature and advising, much less than advocating, sedition, and for membership in particular groups and societies or financially supporting these organizations. The federal government’s policy consisted of amnesty for “political prisoners,” but deportation of all aliens, either interned or convicted during World War I.\textsuperscript{19} Although many aliens had chosen voluntary repatriation by 1920, the legislation could still facilitate deportation of those convicted as opponents of the war and America’s policies.\textsuperscript{20}

The racist tone of immigration legislation was best exemplified by the acts of 1917, 1921, and 1924. Laws included mandates for literacy tests which aimed at excluding new immigrants from Southern and Eastern Europe.\textsuperscript{21} The Quota Act of 1921 established numerical limits on immigration from Europe and established quotas restricting the number of immigrants from any country annually to three percent of the number of residents from that country living in the United States as of the 1910 U.S. Census.\textsuperscript{22} The Society for the Protection of Italian Immigrants, founded in New York City in 1901, assisted Italian immigrants who arrived at Ellis Island in

\\textsuperscript{19} Preston, \textit{Aliens and Dissenters}, 246.

\textsuperscript{20} Preston, \textit{Aliens and Dissenters}, 251-252.


\textsuperscript{22} Kohler, \textit{Immigration and Aliens in the United States}, 23-24.
locating relatives and finding work.\textsuperscript{23} According to this society’s January 1922 report, the three percent rule effectively reduced the number of immigrant arrivals, but failed in its other intended purpose by admitting “a non-productive class of immigration, but den[y]ing admittance to good productive laborious immigrants, who were not within the preferred clauses of the law.”\textsuperscript{24} The Immigration Act of 1924 set the quota for immigrants entering the United States at two percent of the residents from that country living in the United States as of the 1890 U.S. Census, thus further restricting Italians and other Southern Europeans since fewer of them lived in the United States at that time, and encouraging newcomers from Northern Europe. As a result of the 1924 Act, Italy was accorded a maximum of 3,845 persons, which was less than two percent of the 296,000 Italians who had come over in 1914.\textsuperscript{25}

Despite this restrictive legislation, by 1930, Italian-born residents constituted a significant portion of the American population.\textsuperscript{26} Just a year before the entry of the United States into World War II, there were more than four million persons in the United States of Italian descent, of whom 1.6 million had been born in Italy. Of this latter number, approximately seven hundred thousand were aliens, the vast majority residing on the Atlantic seaboard.\textsuperscript{27}


\textsuperscript{25} Kohler, \textit{Immigration and Aliens in the United States}, 150.

\textsuperscript{26} 1930 U.S. Census, accessed April 23, 2011, http://www.census.gov/population/www/documentation/twps0081/tables/tab04.xls. There were approximately 1.8 million persons born in Italy in a total population of about 123 million in the U.S. in 1930.

\textsuperscript{27} House Select Committee, \textit{Fourth Interim Report}, 241.
specific government policies for Italians at the outset of World War II, we need to understand the evolution of Italians’ place in American society from the start of their immigration to the United States. As a whole, resident Italians underwent processes of assimilation in terms of their economic status and political consciousness which afforded them increasingly greater power in employment and politics, even while they retained their Italian identity through language and customs. Victims of discrimination for years in American society which classed them as undesirable aliens, the force of economic and political improvement served to diminish discrimination against them.

The progression that Italians experienced in the labor market was intertwined with their changing racial identity and white consciousness. Italians’ racial status was complicated by the distinction between race and color. From when Italian immigrants arrived in the United States in the late nineteenth century, color was a social category rather than a physical description, meaning that “white” Italians could have darker skin than “black” Americans, and race was a description of nationality like North and South Italians. Thus on the federal government’s naturalization papers, Italians stated their region of origin for the category of race and white as their color.28 Unlike African Americans already resident in the United States who were prevented from enjoying the full extent of their constitutional rights, Italians could obtain citizenship and partake of all attendant rights upon their arrival. They enjoyed full access to the normal rights of citizenship, such as voting, owning land, serving on juries, and marrying whomever they wanted. But there was a dichotomy between the legal and social treatment of

Italians. They suffered discrimination in housing, in labor unions, in their children’s schools, and in other public places. Italians experienced control of Catholic churches by the Irish who had been in the United States longer and dominated the hierarchy of the Catholic Church. In certain regions of the Jim Crow South, Italian immigrants were stigmatized for accepting jobs marked as “black” by local custom and for living and working among blacks. In Louisiana, Mississippi, and West Virginia, Italians were lynched for alleged crimes or for fraternizing with blacks in violation of local racial codes. Italian organizations reacted to violence in New Orleans by demanding protection against racial prejudice. Poor southern Italian peasants sometimes “replaced” freed black slaves in the Gulf states, worked for low wages, and proved eager to work as “scabs” during strikes in factories of the Northeast. Italians in the North were known to take the dirtiest jobs of digging ditches, picking rags, and shoveling manure off the streets. They were also farmers, fishermen, and laborers in the transportation industry, building roads, railroads, and the New York City subway. The more skilled opened businesses as barbers, tailors, butchers or undertakers. As late as the interwar years, Italian immigrants remained over


30 See Nelli, From Immigrants to Ethnic, 127.

31 Jacobson, Whiteness of a Different Color, 57-59.


33 Ferraro, Feeling Italian, 163. Ferraro captures the sentiment of the time in calling Southern Italians “swarthy,” and therefore “not exactly white.” The names “dagoes,” “wops,” and “guineas” were common epithets.

34 DOJ Report, 1.
represented in low-paying unskilled and semi-skilled jobs, limited by their poor command of the English language.\textsuperscript{35}

Scholars have explained the acculturation of Italians into American society and their economic improvement as a group through immigrant-community institutions, such as the Catholic Church, schools, the padrone system of labor bosses who helped immigrants overcome language barriers and differences in labor practices, politics, and even organized crime.\textsuperscript{36} Once Italian immigrants established themselves in this country through these channels, their achievement of middle-class status, experienced by those who moved away from the ethnic colonies in the city to better locations in the city and eventually to outlying neighborhoods, depended upon their social mobility in an industrial society and their adoption of American culture.\textsuperscript{37} In contrast to this model of progression, we might view the process of social change that immigrants experienced in America through a paradigm based upon economic factors in a capitalist system, specifically their diverse responses to the demands of the marketplace, which emphasizes class distinctions among immigrant groups.\textsuperscript{38} According to this model, middle-class status resulted from one’s background in his former country, meaning that social inequality among immigrant groups originated with one’s inherited status.\textsuperscript{39} If you were an artisan or intellectual in your homeland, then you had a greater chance of attaining a higher status in your


\textsuperscript{36} Nelli, Italians in Chicago, 155. Nelli includes organized crime as important in facilitating immigrant adjustment for Chicago’s Italians because it was a means of economic and social mobility.

\textsuperscript{37} Nelli, Italians in Chicago, vii-viii, 20.

\textsuperscript{38} Bodnar, The Transplanted, xvii, xx.

American ethnic community than if you had been a laborer.\textsuperscript{40} Most importantly, under this model, Italian immigrants’ economic mobility lay in their agency to respond to urban capitalism on their own terms through pursuit of public schools and politics to serve their familial and communal needs, such as access to jobs and services, thus ensuring their personal welfare.\textsuperscript{41} Another example of their self-enterprising nature was their formation of welfare institutions requiring initiation fees and dues which guaranteed sickness benefits and funeral costs, as well as aid to surviving family members.\textsuperscript{42}

Regardless of the model used to explain the socio-economic mobility that Italians experienced, their status had improved demonstrably in the course of the several decades since they had first arrived in the United States. Rising out of the labor class, some Italians living in rural areas became farm operators whose produce supplied cities in the Northeast, the West, and parts of the South. Italians specifically became known as growers of strawberries in Louisiana and of grapes in California. They even grew cotton in Alabama and Tennessee, and rice in Texas.\textsuperscript{43} Italians living in urban centers found success in a variety of professional roles. Writing in the early 1920s about the assimilation of Italian immigrants into American society, Gino Speranza, a director of the Society for the Protection of Italian Immigrants, stated that although the “Italian colony” in New York City was among the poorest in the United States, its total

\textsuperscript{40} Bodnar, \textit{The Transplanted}, 142. Bodnar envisions two immigrant Americas, one consisting of workers with menial jobs (the working class), and the other smaller sector in positions that sought personal gain and leadership status (the middle class), 208-211.

\textsuperscript{41} Compare Judith E. Smith, \textit{Family Connections: A History of Italian and Jewish Immigrant Lives in Providence, Rhode Island 1900-1940} (Albany: State University of New York Press, 1985). Smith argues that immigrants from southern Italy and eastern Europe were actors in the transformation process from pre-industrial to industrial societies that was occurring in both the old country and the new world. They ordered their households and shaped their families according to cultural norms, economic resources, and local urban economies. Smith, \textit{Family Connections}, 5

\textsuperscript{42} Wechman, \textit{The Economic Development of the Italian-American}, 11-12.

\textsuperscript{43} House Select Committee, \textit{Fourth Interim Report}, 241.
estimated material value was seventy-five million dollars. His breakdown of professions was as follows: 115 physicians; 63 pharmacists; 4 dentists; 21 lawyers; 16 public school teachers; 9 architects; 7 mechanical engineers; 4 manufacturers of technical instruments. Other signs of economic and social progress by New York City Italians were their support of two hospitals, a savings bank, a trust company, and a chamber of commerce. However, nationally, the Italian professional class remained small and unremarkable. From 1900 to 1920, it consisted mainly of physicians, dentists, and lawyers, most of whom had attended second-rate professional schools and did not attain any eminence in their field.

A more successful vehicle for raising the public perception of the Italian community in the United States was the involvement of Italian Americans in politics. Italian immigrants displayed an active interest in local and national politics once expectations of return migration subsided and they decided to remain permanently in the United States. Those who entered politics at the turn of the century had already achieved prominence in their communities and enjoyed the support of an Italian American political base. Examples in New York include Democrat Antonio Zucca, president of the Italian Chamber of Commerce, who was elected coroner for Greater New York in 1897, followed by Democrat Pietro Acritelli who was elected to that same position in 1904. Also benefiting from the support of a heavily Italian district in New York City, financier James E. March (Antonio Michelino Maggio) won a seat to the Electoral College in 1904. After World War I, there was an increasing number of Italian Americans achieving political positions, most noticeably in major cities like New York, San Francisco, Baltimore, Philadelphia, and New Orleans where there were large populations of

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During the Prohibition Era in New York City, for instance, Italians made inroads into politics through the Tammany machine, but the links that some Italian American politicians such as Al Marinelli had to illicit means of acquiring wealth eventually cost them their positions. One historian has attributed the powerful political influence of Italians in New York City by the early 1940s to Frank Costello, a former bootlegger turned real estate investor, and Generoso Pope, the owner of the two largest Italian-language dailies and a radio station who controlled the channels of communication with Italian speakers in that city and became a leader in the Democratic Party. Pope was accused of engaging in Fascist activities and authoring pro-Fascist articles, as well as maintaining close links with officials in Mussolini’s regime, all of which led to an examination of his character by the Dies Committee in 1941. Although Pope never held an appointed or elected office, he built a status as the most important Italian political leader in the country, with the exception of Fiorello H. La Guardia, with whom Pope often found himself in opposing political camps competing for the Italian American constituency.

From 1916 through 1946, La Guardia was a dominant political figure both in New York and nationally. La Guardia was the first Italian American elected to Congress where he served

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49 See Philip V. Cannistraro, “Generoso Pope and The Rise of Italian American Politics, 1925-1936, in Italian Americans: New Perspectives in Italian Immigration and Ethnicity, ed. Lydio F. Tomasi, 264-88. Pope developed a wide circle of friends among Italian American politicians, including many city and state judges who relied upon his endorsement. However, he was controversial because, until the attack on Pearl Harbor, his name was associated with Mussolini and Italian Fascism.
for several terms and he was the first to serve as New York City’s mayor, an office he held for three consecutive terms.\textsuperscript{50} La Guardia’s Italian heritage put him in an awkward position in the 1930s with a constituency largely sympathetic to Italian Fascism, causing him to hedge in his attacks on Mussolini and even attend events in support of Italy in its fight against the international coalition led by England.\textsuperscript{51} As mayor he secured many jobs for his Italian constituents, which proved to be an asset to him when he sought re-election.\textsuperscript{52} But his popularity crossed ethnic lines and political parties as evidenced in the widespread support that he received when the mayor came under attack from members of Congress and the media who urged President Roosevelt to remove him from his position as Director of the Office of Civilian Defense.\textsuperscript{53} Upon his resignation from this position, Rabbi Isserman of Temple Israel in St. Louis, Missouri, explained La Guardia’s appeal in a radio broadcast in which he told listeners that it was wrong to characterize La Guardia, the son of a naturalized citizen and decorated veteran of World War I, as an Italian because to do so failed to capture his essence as the ultimate “people’s candidate” who represented the true spirit of democracy.\textsuperscript{54}

Overlapping with La Guardia’s career was that of Vito Marcantonio, a seven-term congressman from East Harlem whose constituents included Italian Americans, Puerto Ricans,

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\textsuperscript{50} LaGumina, “American Political Process and Italian Participation in New York State,” 91.
\textsuperscript{54} Address delivered by Rabbi F. M. Isserman of Temple Israel, St. Mo., over Radio Station KXOK, March 1, 1942, Reel No. 40 (1942), La Guardia Papers.
\end{flushright}
and African Americans. Known for his radical positions such as his support of the Communist Party and labor unions and his initial opposition to American involvement in World War II, “Marc,” as he was affectionately called, was able to retain the support of his more conservative Southern Italian immigrant followers even in the face of Italian competitors. However, after his public attacks on Mussolini and Fascism cost him the 1936 election, he avoided events in protest of the Italian government, which allowed him to regain popularity and his congressional seat in the next election.\textsuperscript{55} However, he did not refrain from counteracting “the combined forces of reaction in [his] district, composed of Tammany, Hearst and Fascists” through the publication of \textit{The People’s Voice}, dedicated to local issues such as unemployment relief and slum clearance as well as the campaign against war and Fascism.\textsuperscript{56} In addition to helping to build a Farmer Labor Party, the goal of the weekly newspaper was to send Marcantonio back to Congress and to promote other “liberal and progressive legislators who will fight for the rights and civil liberties of the people” such as stronger trade unions and better working conditions.\textsuperscript{57}

Marcantonio was very close to his constituents, many of whom contacted him for help in obtaining jobs or food stamps and for assistance in housing and discrimination issues, often writing in Italian.\textsuperscript{58} He received appeals from numerous Italian organizations such as the Italian Welfare Association, the Italian-American World War Veterans, the Harlem Italian Defense


\textsuperscript{56} Telegram, Vito Marcantonio to Mr. Haywood Broun, May 3, 1937, Series I. General Correspondence, Folder “Personal, The People’s Voice,” Box 4, Marcantonio Papers.

\textsuperscript{57} Letter, Ennio, D’Alessandro to Gentlemen, Chairman Dinner Committee, \textit{The People’s Voice}, April 28, 1937, Series I, General Correspondence, Folder “Personal, The People’s Voice,” Box 4, Marcantonio Papers.

\textsuperscript{58} See Series I, General Correspondence, Folder “Constituency Problems (aid requests), 1945-1946,” Box 2, Marcantonio Papers.
League, and the Sons of Italy Grand Lodge, Inc. In many instances, he served as a sponsor before the Immigration Bureau for Italians seeking to obtain their American citizenship and contacted the Justice Department on behalf of aliens who failed to register. Although there appeared to be no evidence of appeals to Marcantonio specific to internment and other restrictions placed upon Italian aliens during the war, the congressman was called upon to aid an Italian naturalized citizen named Domenico D’Aggiola whose personal account was blocked upon America’s entry into the war and later the accounts for his food import business because of his position as the director of the Italian War Veterans in New York. That an organization incorporated under the laws of New York whose mission was to aid “unfortunate, disabled and impoverished Italian veterans of the first World War” became targeted as a promoter of Fascism is merely one example of how the hysteria of the times caused the government to forego thorough investigations into the activities of Italian organizations as well as those of their members.

Italian Americans held prominent political positions in other regions of the country as well. Angelo Joseph Rossi, a florist by trade, held several offices in San Francisco before being elected that city’s mayor in 1931, a position he held until 1944. Subpoenaed in May 1942 by the Committee on Un-American Activities in California, headed by State Senator Jack Tenney, to answer to allegations that he supported Fascism, Rossi pledged his complete loyalty to the

59 See Series I, General Correspondence, Folder “General Correspondence, Italian Associations (American) (1 of 2),” Box 3, Marcantonio Papers.

60 See Series II, Congressional Correspondence and Papers, 1935-1952, Box 13 (1939-1942), Marcantonio Papers.


62 See Affidavit of Domenico D’Aggiola, July 24, 1942, Series II, Congressional Correspondence and Papers, 1935-1952, Folder “Gibbon to Giuffre,” Box 16 (1941-1944), Marcantonio Papers.
United States. The following year he failed to be reelected mayor. Like other Italian American politicians, Rossi enjoyed the benefits of a political base from his ethnic community, but had to navigate a tricky course between establishing his own political profile and retaining the support of an Italian population with strong ties to its homeland. Having political leaders from their own community helped to solidify Italians’ identification with the United States and their adoption of its democratic ideals, which in turn accelerated their acceptance as fellow citizens.

Although this history of immigration, assimilation, and government fears of radicals and anarchists laid a crucial foundation for the government policies of the 1940s, a more immediate context was the shifting attitudes of Americans toward Mussolini and Fascism in the 1920s and 1930s, alongside the parallel vicissitudes in Italian Americans’ nationalistic sentiment for their homeland. Understanding the political identity of Italians in the decades leading up to World War II helps explain the power that they had as a voting bloc in elections. As future chapters reveal, the power reflected in that bloc translated into influence among Italian American politicians during Congressional hearings to prevent the Italian population from undergoing mass internment and to save individual Italians from a decision of internment by alien enemy hearing boards.

In the 1920s, Americans were not attracted to Fascism as a political ideology but rationalized it as acceptable or even laudable on grounds of “efficiency,” “discipline,” and

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“‘progress.’”\textsuperscript{64} The middle class and business community admired the leadership qualities of Mussolini whose rationality and willpower seemed to model American values.\textsuperscript{65} John Diggins describes the progression in the American businessmen’s opinion of Fascism as follows: suspicion of Fascist violence and lawlessness; optimism and even enthusiasm after the 1922 March on Rome and the take-over by the seemingly anti-radical Mussolini and his Fascist Party; skepticism about the announcement of corporatism involving state intervention in private business in 1926; positive feelings about Italy’s centralized economy during the early years of the Depression; and repudiation of the Fascist “experiment” after 1934.\textsuperscript{66}

Once Mussolini came into power in Italy in October, 1922, \textit{il Duce} fostered Italian Americans’ pride in their homeland, especially after revitalizing Italy and restoring the grandeur of ancient Rome. Perhaps in response to anti-alien sentiment culminating in the discriminatory immigration laws of the 1920s, which gave immigrants a sense of inferiority, Italian Americans, including anti-Fascists, looked to Italy for self-esteem.\textsuperscript{67} But while Italians in the United States took pride in how Mussolini’s political and economic accomplishments raised Italy’s international status and hoped his achievements would raise their own status in American society, these sentiments did not translate into a desire to import Fascism into the United States.\textsuperscript{68} Historian Oscar Handlin argued that “among some Italians in the New World, admiration for Mussolini implied not so much approval of Fascism as gratitude for the


\textsuperscript{65} Diggins, \textit{Mussolini and Fascism}, 70.

\textsuperscript{66} Diggins, \textit{Mussolini and Fascism}, 166-167.

\textsuperscript{67} Diggins, \textit{Mussolini and Fascism}, 79.

\textsuperscript{68} Nelli, \textit{Italians in Chicago}, 239-242.
achievement of having earned the respect and fear of the great powers of the earth.”\footnote{Handlin, \textit{The Uprooted}, 264.} The middle and working classes were united in endorsing \textit{Il Duce} for dealing with homeland problems of church-state relations, the Mafia, and radicalism, and hoped that their glorification of Italy would defend against American contempt for new immigrant groups.\footnote{Nelli, \textit{From Immigrants to Ethnics}, 156.} Jerre Mangione, a journalist and the director of the public relations program of the Immigration and Naturalization Service during World War II, recalls that his relatives believed Mussolini “would bring increasing glory to Italy and respect to all Italians, even to those in the United States.”\footnote{Mangione, \textit{An Ethnic at Large}, 115. Arguments with his Sicilian family over politics are one example of the phenomenon that he describes of the children of immigrant parents feeling the tension between their parents’ Old World traditions and what they learned in school, leaving them with “confused impressions of identity that were never resolved.”\footnote{369} Note that not all Italian immigrants stayed in this country. Mangione estimates that more than one million men and women returned to their native land.}

When Franklin D. Roosevelt became president in 1933, he had to be aware that his relations with Mussolini were under close scrutiny by Italian Americans. By his own admission, President Roosevelt miscalculated the course that Mussolini and Fascism would take. In 1932 he believed Fascism was a political experiment akin to Communism in Russia. Reflecting on his initial analysis in a memo, he said that “‘during those years Mussolini still maintained a semblance of parliamentary government, and there were many, including myself, who hoped that having restored order and morale he would, of his own accord, work toward a restoration of democratic processes.’”\footnote{Diggins, \textit{Mussolini and Fascism}, 279, quoting Memorandum, Franklin D. Roosevelt to Early, January 10, 1939, OFF 5763, Franklin D. Roosevelt Papers, Roosevelt Presidential Library, Hyde Park, New York.} Roosevelt’s initial regard for Mussolini affected the reputation that Italians enjoyed in the United States. Even the majority of non-Italian American citizens admired Mussolini for his charisma and plans for Italy. During the early 1930s, accounts reached Americans of “trains running on time, of vast public enterprises, of the ‘tremendous’
building projects,” as well as the elimination of slums and beggars from Italy’s streets.\(^7^3\)

Mussolini’s appeal crossed religious lines in the United States; Catholics credited Mussolini with the “‘resurrection’” of Italy, while Protestants liked his anticlericalism.\(^7^4\)

President Roosevelt and his party could not forget that Mussolini had widespread support in Italian American urban districts on which they depended for the Italian vote. After Roosevelt’s private appeals to Mussolini to halt the invasion of Ethiopia and to submit to arbitration failed, the president persuaded oil shippers in 1936 to restrict their trade with Italy. Italian Americans vociferously opposed Roosevelt’s shift from neutrality to a moral embargo and economic sanctions. During the election that fall, hostility toward Roosevelt lingered in Italian neighborhoods in the face of the government’s refusal to recognize Italy’s annexation of Ethiopia.\(^7^5\) For example, the effect of Italy’s war in Ethiopia on Chicago’s Italian-American community was generally one of mobilization in support of the homeland, as this community understood the Fascist campaign in terms of racial and national identity.\(^7^6\) Some Italians, however, who had initially turned to the Fascist doctrine for strength at a time when they needed a prop in their adopted homeland, where many people treated them as inferior, became disillusioned by Italy’s attack on Ethiopia. Writing contemporaneously with these events, Constantine Panunzio said that “Italian Americans all over the land, beginning to realize the full

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\(^7^3\) Constantine Panunzio, “Italian Americans, Fascism, and the War,” The Yale Review (June 1942): 776.


\(^7^5\) Diggins, Mussolini and Fascism, 290-291, 304-305.

\(^7^6\) Guglielmo, White on Arrival, 128.
significance of fascism” withdrew from Fascist groups, took out their naturalization papers and arranged to have their families join them in the United States.\textsuperscript{77}

The United States persisted in refusing to recognize Italy’s African conquest, although it followed a pattern of diplomatic leniency toward Mussolini and Fascism. Roosevelt continued corresponding with Mussolini, but after 1937, he did not allow his press secretary to publicize his relationship with \textit{il Duce}.\textsuperscript{78} This behavior was in keeping with Roosevelt’s “evasive and political cautious” style, as seen in his later partnership with Winston Churchill.\textsuperscript{79} In March 1938, the German annexation of Austria and the Nazi occupation of the Brenner Pass met with “tacit acceptance” from the Fascists, and in May, Hitler marched into Italy at the invitation of the Fascists.\textsuperscript{80} Roosevelt’s administration also was deeply troubled by Italy’s anti-Semitism, and would not defer to Mussolini’s policies. In January 1939, after Roosevelt learned of the fate of Jewish refugees in central and southern Europe as a result of Fascist pogroms, he proposed to Mussolini that they be resettled in Ethiopia, a plan Mussolini rejected.\textsuperscript{81}

By 1940, Roosevelt was convinced that Mussolini would bring Italy into the war on Hitler’s side. Angered by Italy’s decision to enter the war with the Axis powers even as France fell, Roosevelt added the famous line to his University of Virginia commencement speech about “the hand that held the dagger striking its neighbor in the back.” He ignored objections from the State Department that adding this phrase would complicate the relations of the United States with Italy and instead followed his conscience. Believing that the two countries were “long past the

\textsuperscript{77} Panunzio, “Italian Americans, Fascism, and the War,” 775, 779.

\textsuperscript{78} Diggins, \textit{Mussolini and Fascism}, 352, 360.

\textsuperscript{79} See Brinkley, \textit{Franklin Delano Roosevelt}, 80.

\textsuperscript{80} Panunzio, “Italian Americans, Fascism, and the War,” 780.

\textsuperscript{81} Diggins, \textit{Mussolini and Fascism}, 354.
stage of diplomacy when we could curry the favor with any of the Nazi nations,” Secretary of
War Henry Stimson told Roosevelt that he had no objection to the phrase because “[t]he only
language that they understood was force.” Roosevelt boldly risked offending Italian American
communities, but stood firm in America’s posture with respect to Italy.

The actual number of Italian Americans who actively supported and participated in
Fascist activities in the United States in the years leading up to World War II has been the
subject of wide debate. While Italy’s aggressive military activities in Ethiopia during 1935 and
1936 turned American public opinion against Italy, Italian American support remained strong as
tens of thousands turned out for mass rallies in New York, Chicago, Philadelphia, and Boston,
and communities collected gold wedding rings, watches, and other items to help finance the war
effort. Italian Americans vociferously opposed Roosevelt’s change of position from neutrality
to a moral embargo and later support of economic sanctions upon Italy. Yet Gaetano
Salvemini, a political exile from Mussolini’s Fascist dictatorship and Harvard lecturer, estimated
that in 1940, only five percent of Italian Americans were “out and out Fascists.”
California State Senator Tenney, in hearings before the Commission on Un-American Activities in 1943,
estimated that a much higher figure of ten percent of this population at that time was under the
influence of Fascism.

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83 Diggins, Mussolini and Fascism, 302.

84 Diggins, Mussolini and Fascism, 304-305, 290.


86 Diggins, Mussolini and Fascism, 106-107, citing Commission on Un-American Activities in California: Executive Hearing (Sacramento, 1943), III, 1447.
In pure isolationist rhetoric, U.S. Congressman Martin Dies from Texas once wrote that “we invited the evils of the old world’s social, political and economic disorders by offering our fertile lands and priceless resources, which our fathers designed as a heritage for their children’s children, as a refuge for the problems and malcontents of Europe.”

Included in his list of undesirable aliens were Italians, many of whom he believed were Fascist. In evaluating testimony before the House Un-American Activities Committee (HUAC) in 1940, Dies, the chairman of the committee, estimated that there were approximately 10,000 members of the Italian Black Shirts in the United States, and that approximately 100,000 people of Italian descent participated in meetings of Fascist organizations. Dies’ greatest concern with the Italian community was that Fascist ideology and support for Mussolini were “concealed behind the barrier of the Italian language.” Even though Dies admitted that this factor cast an air of mystery over meetings of Italian societies at which Italian consular officials addressed members, he maintained that “Italian consular officials and secret Fascist agents are spreading Fascist propaganda throughout the ranks of many Italian-American organizations in the United States.”

He also believed that the seven dailies published in the Italian language in the United States were “Fascist publications under direct guidance from Rome.” Additionally, radio stations and the film industry were supposedly promoting Fascist propaganda.

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89 Dies. *The Trojan Horse in America*, 346.

90 Dies, *The Trojan Horse in America*, 337.


92 Dies, *The Trojan Horse in America*, 343.
lurked in the younger generation of Italians after testimony before HUAC that American children of Italian extraction were indoctrinated in Fascist ideology under the guise of education both in the United States through the Dante Alighieri Society and in Italy during vacations at Fascist camps.\(^\text{93}\)

Despite these “findings” on Fascism in America, the Dies Committee was harshly criticized for not broadening its investigation of Fascism and Nazism to include homegrown elements of these movements. Like its counterpart in the 1930s, the Special Committee to Investigate Communist Activity in the United States headed by Congressman Hamilton Fish, Jr., the focus of the Dies Committee was Communism and its frequent target the American Civil Liberties Union (ACLU).\(^\text{94}\) Finding fault with its “un-American” methods of relying upon rumors and encouraging character assassination and libel without providing fair hearings, attorneys of the ACLU argued that the Dies Committee spent most of its efforts on exposing Communism, condemning every progressive cause as such, and relatively little time on uncovering the operations of native organizations that took on a Fascist character.\(^\text{95}\) The ACLU believed that “vigilante” groups, such as the Silver Shirts, the Black Legion, and the Ku Klux Klan, were “vastly more active in the United States than other movements aimed at our

\(^{93}\) Dies, *The Trojan Horse in America*, 336-37, 340. See Patricia Cayo Sexton, *The War on Labor and the Left: Understanding America’s Unique Conservatism* (Boulder, CO: Westview Press, Inc., 1991), for a discussion of how Dies set the “rules of attack” which were carried into postwar hearings: “denial of due process and the right to confront accusers, unsupported charges, charges relating to beliefs (often from the dim past) rather than acts, and guilt by association,” 148. See my discussion of alien enemy hearings in chapter 4 which highlights the same violations of civil liberties.


\(^{95}\) See, e.g., Roger N. Baldwin, Director, American Civil Liberties Union, “Should the Dies Committee Die?” speech delivered on WEAF, New York, January 29, 1939, and Arthur Garfield Hays, Counsel, American Civil Liberties Union, “The Dies Committee and the American Civil Liberties Union,” speech delivered on WABC, New York, January 19, 1939, Series IV, Research Files, Folder “Research Dies Committee Folder #1,” Box 59 (Anti-Fascism – N.L.R.B.), Marcantonio Papers.
democratic liberties” since they “arose in almost every strike to serve the interests of employers against the interests of law and order.”

Still another Fascist organization with considerable influence in the Southwest and Midwest during the late 1930s and early 1940s that threatened the U.S. government was the Union Nacional Sinarquista (the National Union of Sinarchistas) which exploited the racial discrimination suffered by Mexican Americans to advance the fascist cause.

United States Senator Huey P. Long from Louisiana, who embodied the politics of economic protest and was a champion of the common man, and Father Coughlin, the Detroit priest who rose to national popularity through his radio sermons denouncing concentrated wealth in the hands of the few, allegedly represented early forms of American fascism. During the 1930s when the United States was recuperating from the Great Depression in the latter part of its transformation from a rural, fragmented society to an urban, industrial one, accompanied by a new mass culture, the charismatic personalities of Long and Coughlin appealed to a population seeking social justice.

As Alan Brinkley explains, “[t]here is nothing to suggest that either man ever communicated with or even thought much about Hitler, Mussolini, or any other European fascist leader.” Indeed, those fascists in the United States who tried to organize popular movements on the German and Italian models did not follow Long and Coughlin. But there was a group of intelligent and well-educated men who believed that these popular leaders could be

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96 See Roger N. Baldwin, “Should the Dies Committee Die?” Series IV, Research Files, Folder “Research Dies Committee Folder #1,” Box 59 (Anti-Fascism – N.L.R.B.), Marcantonio Papers.


99 Brinkley, Voices of Protest, 274.
vehicles for their ideas. Coughlin did begin to discuss fascism in 1938, but neither he nor Long openly approved of fascism or showed interest in connecting with fascist movements or thinkers. In his exploration of whether Long and Coughlin were implicitly counterparts to the movements of Hitler and Mussolini, Brinkley draws similarities in their appeal to the traditional community and “hostility toward ‘internationalism’ in politics and economics.” But there were sharp contrasts in the openly racial and religious hatred and commitment to “a belligerent super-nationalism” of European fascists as compared to the less defined social philosophies of Long and Coughlin who espoused greater sharing of wealth, power, and influence. Despite debate over forms of fascism, homegrown fascist-like movements with roots in American populism preceded most Fascist organizations formed by Italian immigrants in the United States.

Until the summer of 1940 when Italy attacked France, “there was no question that Italian-Americans in general were solidly behind Mussolini,” although the basis of that support seemed driven by love for their homeland rather than a belief in Fascist ideology. After this invasion, however, they found it essential to their acceptance into American society to abandon patriotic nostalgia for Italy for loyalty to their adopted homeland. There were 122 Italian organizations in New York alone that pledged allegiance to the United States in approval of President Roosevelt’s resolutions condemning the invasion and his characterization of Mussolini as a “backstabber.”

100 Brinkley, *Voices of Protest*, 274-276.
101 Brinkley, *Voices of Protest*, 278.
102 Brinkley, *Voices of Protest*, 280-282. Brinkley says that the label “fascism” has mistakenly been attached to Long and Coughlin because of the confusion surrounding the concept of fascism, and due to the difficulty in finding a more suitable label for their movements. He attributes their simultaneous leanings to the left and right of the political spectrum to the contradictions of populism from which their ideals derived, 282.
103 Diggins, *Mussolini and Fascism*, 349.
104 Diggins, *Mussolini and Fascism*, 350, referring to President Franklin D. Roosevelt’s June 10, 1940 University of Virginia commencement speech in which, expressing his anger over Italy’s decision to enter the war with the Axis powers, he characterized Mussolini as a “backstabber.”
At the Supreme Convention of the Order of the Sons of Italy in America in August 1941 before the United States’ declaration of war, members unanimously adopted a resolution pledging its loyalty and resources to America and its unity, which Roosevelt warmly acknowledged. One historian has described Italian American sentiment from June 10, 1940 until December 7, 1941 as “hung suspended between hope and fear”; hope that the United States would remain out of the war, and fear that if it entered, Italian Americans would be forced to fight against their homeland.

The Italian community was aware of how the American population perceived them. The association of aliens generally with criminal activity was unmistakable in 1941. That year Congress debated the Hobbs Bill concerning the detention and deportation of alien criminals and proven Nazis, Communists, and Fascists. One editorial cited a Justice Department estimate of “at least 100,000 aliens illegally in this country,” a number which included “Nazis and Fascists sent here to swell the fifth column.” The author traced the “alien-criminal situation” to the practice of the INS, when it was under the Department of Labor led by the “misplaced sympathy” of Secretary Frances Perkins, to free deportable aliens and make them legal residents. According to testimony at a Senate hearing in 1939, “nearly 6,000 mandatory deportations were suspended by Secretary Perkins in six years.” The editorial also cited the failure of the Justice Department to impose an immigration statute making re-entry of deported aliens a felony,

105 Hon. Felix Forte, Superior Court of the Commonwealth of Massachusetts, to Hon. Edward Hassan, Assistant United States Attorney, December 15, 1942, with attached “Draft of Resolution” of Sons of Italy in America and Reply of President Roosevelt, in Erwin Griswold Papers, 1925-1994, Folder 7, Box 73, Harvard Law School Library (hereafter “Griswold Papers”).

106 Diggins, Mussolini and Fascism, 350-351.

107 Donald E. Keyhoe, “Deport Criminal Aliens?” (unidentified paper or journal), reel 38 (1941), La Guardia Papers.
punishable by five years of prison.108 Thus, the author argued that a lax INS in the 1930s set the stage for the presence of law-breaking and potentially subversive aliens in the United States at the start of the war.

Anti-alien sentiment varied by regions of the country. A government report issued in April 1942 indicates that nationally, discrimination against Italians and Germans took the form of discrimination in employment opportunities. The perception of Italians, as reported in newspapers, state by state, was most negative in Massachusetts where skepticism toward the alien population was “directed especially toward Italians, those naturalized as well as those of alien status.” In this respect, Massachusetts differed from other Northeast states such as Rhode Island where “[n]o real feeling exist[ed] against Italians, a substantial proportion of State’s population,” and New York, where the average citizen thought that “we should try to avoid hurting innocent aliens,” and labor groups felt that aliens should not be set aside as a class. Pennsylvania reported few instances of discrimination against Italians and Germans.109

In some communities, employers adopted blanket policies of not hiring persons of Italian, German, and Japanese extraction, and government departments and war industry contractors made efforts to weed out potentially dangerous persons from their work forces pursuant to Army and Navy regulations on the employment of aliens in defense production.110 Non-citizens already employed in a defense or related industry could lose their jobs unless their employer

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108 Keyhoe, “Deport Criminal Aliens?” Many of these cases fell under the 1917 Immigration Act’s “hardship” provisos. For example, the Seventh Proviso allowed the Secretary of Labor to readmit an alien who had lived in the United States seven consecutive years.


submitted an affidavit to the Naval or Army authorities stating that he believed the enemy alien to be loyal to the United States. If an employer was not willing to do this, the only recourse that an Italian alien had was to write to the President’s Committee on Fair Employment Practices and claim discrimination on the basis of ancestry.\footnote{111}{See Law Aide to Mayor LaGuardia to Nick Giacomino, May 5, 1942, reel 40, La Guardia Papers.} One Italian language newspaper decried employers who discriminated against aliens, saying that the United States needed the skill of every able and loyal person, citizens and foreigners, to participate in the war effort.\footnote{112}{“L’Attorney General Biddle Stigmatizza il falso patriottismo di certi datori di lavoro – Rifiutare lavoro agli stranieri, significa creare disunione nella nazione – afferma il Ministro della Giustizia,” (Attorney General Biddle stigmatizes the false patriotism of some employers – Refusing work to aliens means creating disunity in the nation – affirms the Secretary of Justice), \textit{La Tribuna}, January 15, 1942, 7, Folder “ACTIVITIES Alien Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,” Box 33, Corsi Papers.}

In order to combat “fear, hysteria and rumor-mongering – three weapons of the enemy that are as deadly as bombs, or tanks or guns,” James Rowe Jr., Assistant to Francis Biddle, spoke on the radio, urging listeners to leave the handling of suspects to the government, particularly agents of the FBI who were trained in matters of espionage and sabotage. To assure the public of its safety in the able hands of the Justice Department, Rowe claimed that it was “significant that nearly half of the alien enemies that have been apprehended by the Federal Bureau of Investigation since the war began were taken into custody within 48 hours after the start of the war.” The public’s job, then, was to stay “level-headed” and not to take matters into their own hands, thereby “engendering a spirit of national unity which no one can ever break.”\footnote{113}{“The Problem of Alien Enemies,” Address by Joseph Rowe, Jr., Assistant to the Attorney General, Broadcast over the Mutual Broadcasting System, Friday, February 20, 1942, Folder 1 (“Enemy Aliens, 1942-1945”), Box 17, American Committee for the Protection of Foreign Born Records.}

Sensing the discrimination and anti-alien sentiment in Boston prompted some organizations to urge tolerance of aliens and American born citizens of Italian, Japanese, and German descent. At the annual dinner of the International Institute in Boston, the executive
secretary told members that citizens should leave it to the FBI to handle the subversive individuals and to be sympathetic and tolerant of the rest. A consul of Czecho-Slovakia and lecturer from the Tufts School of Law and Diplomacy said that the “only solution for international cooperation is cultural pluralism,” an acceptance that this is “a world of the many.”

Tolerance was also the message of Attorney General Biddle’s address on “Democracy and Racial Minorities,” before the Jewish Theological Seminary of America in New York City. Biddle reminded attendees that “[o]ur sons today are fighting side by side with the sons of Italians, of Germans and of Japanese. . . . For this is the essence of our democracy in practice.” Ultimately, the war solidified Italians’ loyalty to the United States, as many families sent their sons to fight in the U.S. armed forces and many Italians worked in the war industries. Some families with one or more members of alien status sent several sons to war, such as the Massaglis of the Humboldt Bay area in California who had four sons in different divisions of the armed services. Gino Massagli described “a little flag, a little banner with four stars” on his parents’ front door while he and his brothers were serving. When encountering Italian soldiers overseas, he recalled that his Italian heritage did not divide his loyalty.

The war also strengthened Italians’ appreciation of democracy, which in turn caused more Americans to accept them as fellow citizens. Don Rafaelli’s parents were not alone in their disapproval of Mussolini’s building of a military state and their decision to sever their ties with

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116 Gino Massagli, interview by Stephen Fox, Eureka, California, July 30, 1986, in *Uncivil Liberties*, 140.
the old country. Rafaelli remembered how his father spoke out against Mussolini which was a reason why “he tried to assimilate so readily into the American community.”117 Another example of political assimilation was the transformation experienced by Joseph Maniscalco’s father in San Francisco. Mr. Mansicalco idolized Mussolini until he saw “that the Italian people were very deeply offended by Mussolini’s actions,” and realized that “Mussolini did make a big mistake,” causing him to feel “very pro-American, even more pro-American than before.”118

The absence of Italian American disloyalty during the war and the Italian American newspapers’ swift repudiation of Mussolini and Fascism after the Japanese attack on Pearl Harbor suggest that pro-Fascist sentiment, regionally concentrated in northeastern metropolitan areas, resulted from pride in Italy, rather than ideology.119 Government suspicion of Italian aliens with ties to Fascist organizations remained, however, and led to plans for removing them from their neighborhoods, some for the entire duration of the war. Those plans took root well before the formal U.S. declaration of war in 1941.

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Building an extensive domestic intelligence operation requires balancing the need for secrecy in national security plans with the right of citizens in a democratic society to know what their government is doing. Several years prior to the restrictive wartime programs imposed on the Italian population, plans were already under way for security measures against particular

117 Don Raffaelli, interview by Stephen Fox, Eureka, California, November 3, 1987, in Fox, Uncivil Liberties, 36.
119 Diggins, Mussolini and Fascism, 108.
alien groups. In 1936, the FBI began collecting information about any Communist, Fascist, or subversive individuals or organizations.\textsuperscript{120}

When President Roosevelt in 1936 asked the FBI for “a broad picture” of the effects of Communism and Fascism on “the economic and political life of the country as a whole,” he did not appear much concerned with public accountability. His request went beyond investigations of violations of law, and therefore, lacked the legislative authority for the type of intelligence activity that he wanted the FBI to undertake. For a legal basis, he resorted to the Appropriation Act which allowed the FBI to investigate matters referred to it by the State Department. Thus, Secretary of State Cordell Hull asked that such investigation be conducted.\textsuperscript{121} Although there was no evidence that Congress or the Attorney General had intended the appropriations statute to authorize the type of permanent domestic intelligence structure that FBI Director J. Edgar Hoover envisioned, that is, broadly sweeping activities from the steel and coal industries to Fascism and Nazism, organized labor, and the activities of African Americans, Roosevelt approved Hoover’s plan in 1938 for a joint FBI-military domestic intelligence program.\textsuperscript{122}

The need for referrals from the State Department for FBI investigations ended in June 1939 when Roosevelt issued a directive that “investigation of all espionage, counterespionage, and sabotage matters be controlled and handled by the Federal Bureau of Investigation, the Military Intelligence Division of the War Department, and the Office

\textsuperscript{120} DOJ Report, 2.


\textsuperscript{122} Senate Intelligence Report, 399-400.
One analyst suggests that the relationship of trust and loyalty between Roosevelt and Hoover “erased any limit set by custom or law to the requests the president might make of the FBI director, or to the favors the director might do for the president.” The fact that Roosevelt gave Hoover assignments directly maintained their covert nature, giving Hoover the ability to direct investigations of Communist and Fascist activities without Roosevelt formally notifying Congress. The domestic intelligence program became public in September 1939 when war broke out in Europe. In January 1940, Hoover formally announced to a House subcommittee that the FBI had revived the General Intelligence Division of the Palmer Days and that it was operating a general index.

In 1939, the FBI’s domestic intelligence program had the dual purposes of supplying Roosevelt and his executive officers information for decision-making and developing governmental policies, and of gathering “preventive intelligence” to be used in the case of an emergency or war. FBI field offices were tasked with obtaining information on a variety of categories of persons: “persons of German, Italian, and Communist sympathies,” including subscribers of German and Italian language newspapers and officers of these newspapers in the United States and newspapers published by Communist Party or its affiliates, as well as members of German and Italian societies and other organizations whether they be “of a fraternal character

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123 Senate Intelligence Report, 403, citing Confidential Memorandum of the President, 6/26/39.
124 Powers, Secrecy and Power, 216.
126 Senate Intelligence Report, 403.
127 Goldstein, Political Repression in Modern America, 248.
128 Senate Intelligence Report, 412-13.
or of some other nature” and other organizations with “pronounced Nationalistic tendencies.” Persons in these categories went on to what became the FBI’s Custodial Detention List, the sources for which were “public and private records, confidential sources of information, newspaper morgues, public libraries, employment records, school records, et cetera.” Those persons in “Class 1” were to be apprehended and interned immediately, while “Class 2” persons were to be carefully watched. The primary subjects in mid-1940 were active Communists, the German-American Bund, Italian Fascist organizations, and American Fascist groups. Unlike pro-Fascist activities of the late 1920s and early 1930s which were confined largely to propaganda, analysts believed that espionage agents joined propagandists in the following decades.

By 1939, the FBI had lists of Italians organized both alphabetically and geographically. In clarifying instructions two years later, Hoover requested his offices across the country to submit names of “[m]embers of all definitely identified Italian Fascist organizations,” as well as persons reported as “pro-Italian, or pronouncedly disloyal or hostile to the United States, or loyal or sympathetic to any foreign country.” Investigations of such individuals were to focus on the nature of their occupations and activities, whether they held leadership positions in subversive organizations, their military and criminal background, and information on whether

129 Senate Intelligence Report, 413, citing Memorandum from Hoover to Field Offices, 9/22/39.
130 Senate Intelligence Report, 413-14, citing Memorandum from Hoover to Field Offices, 12/6/39.
131 Senate Intelligence Report, 414.
they had relatives in the armed forces of a foreign country. They could appear on the FBI’s list if they had been members of the Italian War Veterans, subscribed to or were associated with Italian newspapers or magazines, listened to Italian radio broadcasts, or taught Italian in schools sponsored by the Italian Consulate.

Well before the Japanese attack on Pearl Harbor, the FBI had created a special list of individuals, aliens and citizens, to be arrested in case of war. The “ABC list,” which further defined persons in Class 1 by categorizing their level of security risk, was to be applied equally to persons of Japanese, German, or Italian descent: A, the most dangerous category, was comprised of “aliens who led cultural or assistance organizations”; B were “slightly less suspicious aliens”; and Category C “were members of, or those who donated to, ethnic groups, Japanese language teachers and Buddhist clergy.” All those on the ABC list were promptly arrested in early December 1941.

There were in fact Italian Fascist organizations and individuals at work within the United States, many of which were identified by the FBI with the help of Gaetano Salvemini, who consulted with government officials. Constantine Panunzio reported that from the early 1930s, Fascists had worked through organizations already established in this country, chiefly the

134 J. Edgar Hoover to SACs, April 30, 1941, in German-Americans in the World Wars, ed. Tolzmann, 1529-30.


137 See Salvemini, Italian Fascist Activities in the United States. See also FBI report by R.J. Flynn, 01/05/42, in File of Ubaldo Guidi-Buttrini (with aliases Ubaldo Guidi, Ubaldo Buttrini, Ubaldi Guidi, Ubaldo Bianco, Jean Ducoz), File No. 146-13-2-36-24, Box 293, General Records of the Department of Justice, “WWII Alien Enemy Internment Case Files, 1941-1951, Record Group 60; National Archives at College Park, College Park, MD (hereafter “DOJ Litigation Files, NARA”). The FBI report says that Professor Salvemini told agents that Guidi-Buttrini was the “outlet for Fascist propaganda,” at 9.
Italian Embassy, Italian consulates, the Dante Alighieri Society, Fasci Abroad, and the Sons of Italy. Other Italian organizations that appeared in intelligence files, some considered inherently dangerous and others seemingly innocuous in character, were as follows: Casa Coloniale, Cenacalo Club, Combattenti (Italian War Veterans), Council of Marconi, Italian American Chamber of Commerce, Italian Language Schools, Mario Morgantini Circle, Italian Fascists, and the Italian National Tourist Information Bureau. The FBI targeted members of certain Italian social groups believed to be fronts for Fascist organizers. But often agents’ suspicions were based on vague information. For example, FBI informants reported that Aldo Ghirardi was espousing Fascist beliefs within the Sons of Italy, based on evidence such as his membership in the Fascist Party, a photo of him and the Black Shirts at the March on Rome in 1922, and his donation of silver medals for the Ethiopian War.

In addition to concern about these organizations, the government feared that the foreign-language media had the potential to sway Italian communities toward allegiance to Italy. On the FBI’s list of suspicious Italian publications, distributors, and book stores were: L’Italia, L’Italia Press Company, Italian Chamber of Commerce, Il Grido della Stirpe (newspaper published by the Italian Lictor Society), Fair Play (magazine published by the Lictor Society), Sons of Italy, and La Voce Del Popolo. Assistant Secretary of War John McCloy recommended that Italian


140 File of Aldo Ghirardi, File No. 146-13-2-11-138, Box 39, DOJ Litigation Files, NARA.

publications not be prohibited categorically, but rather reviewed individually.\textsuperscript{142} Publications considered subversive were to be reported to the FBI and then referred to the Postmaster General for investigation by a committee that included the Attorney General and Secretary of War.\textsuperscript{143} Also on the FBI’s radar were Italian radio stations and their announcers who broadcast Fascist propaganda directed at New York and Boston Italian neighborhoods where an unassimilated and mostly illiterate audience listened to broadcasts on their short-wave radios, particularly to maintain contact with the “old country.”\textsuperscript{144}

The FBI targeted many individual Italian aliens for their involvement in the media. For example, Mario Giovanni Favoino, an Italian newspaper and magazine editor, author, and radio commentator who went by numerous aliases during his almost twenty-year residence in the United States, was the subject of a report from a “highly confidential informant” saying that he “scorned democracy and exalted Fascism” as a radio announcer for a New York City station. The FBI had transcripts of radio programs on multiple dates reflecting “that the Subject presents Fascism most favorably under every condition, even to insinuating that the system of government in the United States has broken down, and when a machine has broken down, the thing to do is to ‘get a good mechanic’ to repair the damage and operate the machine.”\textsuperscript{145} Such expressions of political ideology did not receive First Amendment protection, as it was seen as

\textsuperscript{142} Memorandum, John McCloy, Asst. Sec. of War, to Assistant Chief of Staff, G-2, April 22, 1942, enclosing letter from DeWitt re: publication in German, Italian and Japanese Languages prohibited, in \textit{American Concentration Camps: A Documentary History of the Relocation and Incarceration of Japanese Americans, 1942-1945}, Vol. 4., ed. Roger Daniels (New York: Garland Publishing, 1989) (hereafter \textit{American Concentration Camps}).

\textsuperscript{143} Memorandum, John McCloy, Asst. Sec. of War, to Assistant Chief of Staff, April 22, 1942, in \textit{American Concentration Camps}, ed. Daniels.


\textsuperscript{145} FBI report by R.A. Johnson 12/15/41 in File of Mario Giovanni Favoino (aka Favoino Di Giura, Giovanni Favoino Di Giura, and Giovanni Mario Favoino), File No. 146-13-2-51-81, Box 394, DOJ Litigation Files, NARA.
dangerous propaganda, unfavorable to the Allies’ cause. Favoino, among the first Italians apprehended on December 9, 1941, spent almost two years interned before being paroled. He did not receive his order of release from the Justice Department until November 15, 1945.  

The aim of the Custodial Detention Program was to allow the government to make individual decisions about the threat posed by individual aliens or U.S. citizens instead of basing internment decisions on race or ethnicity alone so as to avoid the discrimination of a race-based policy of internment. The primary problem with the method of identifying suspect individuals was that it created a risk that mere affiliation with an organization for social purposes or otherwise harmless reasons like ethnic solidarity could be used as proxies for disloyalty, a weak justification for detention and further violations of civil liberties. Perhaps the gravest violations were experienced by those Italians who had become naturalized American citizens before the war but were nevertheless interned as if enemy aliens. Although the United States Senate’s 1976 Report on Intelligence Activities states that “the plans for internment of potentially dangerous American citizens were never carried out,” the Provost Marshall General’s internee files indicate that a number of American citizens were actually interned in different locations.147 In July 1943, Attorney General Biddle expressed grave concerns about the Custodial Detention Program.148 Although Biddle informed Hoover that the lists generated through this program lacked legal

146 File of Mario Giovanni Favoino, File No. 146-13-2-51-81, Box 394, DOJ Litigation Files, NARA.

147 Senate Intelligence Report, 417; PMG Records of Italian Civilian Internees, NARA. With respect to citizens, Attorney General Biddle insisted that there be probable cause that a crime had been committed before the FBI arrested them. U.S. Commission on Wartime Relocation and Internment of Civilians, Personal Justice Denied, 54-55.

148 DOJ Report, 8, citing Memorandum, Attorney General Francis Biddle to FBI Director J. Edgar Hoover, July 16, 1943. In the memorandum, Attorney General Biddle stated: “... it is now clear to me that this classification system is inherently unreliable. The evidence used for the purpose of making the classifications was inadequate; the standards applied to the evidence for the purpose of making the classifications were defective; and finally, the notion that it is possible to make a valid determination as to how dangerous a person is in the abstract and without reference to time, environment, and other relevant circumstances is impractical, unwise, and dangerous.”
justification, that the FBI’s classification system was flawed, and that the lists should not be
used, Hoover persisted in using it, calling it a “Security Matter” instead of “Custodial Index.”
Hoover directed his agents to continue researching and maintaining lists.\textsuperscript{149}

According to historian Robert Justin Goldstein, Roosevelt’s record on civil liberties
during World War II “began to seriously disintegrate during the early months of 1942.”
Goldstein explains that “[f]ears of invasion, bombardment, and enemy sabotage and espionage
seized the minds of the public and government officials . . . reflected in increasing and hysterical
demands for action against Japanese-Americans and other alleged pro-fascist forces.”\textsuperscript{150} He says
that from 1942 to 1945, the FBI installed “over six hundred ‘bugs’” by “surreptitious entry or
other techniques . . . not formally approved by the Attorney General until 1954,” and “placed
over eighteen hundred wiretaps on phones during the war.”\textsuperscript{151} Confusion over what Roosevelt
actually authorized by his directive was reflected in Biddle’s September 1942 order describing
the duties of the FBI as “‘investigating’” criminal offenses against the United States and acting
as a “‘clearing house’” for the handling of “‘espionage, sabotage, and other subversive
matters.’”\textsuperscript{152} It was not until the Allies began to believe victory was certain that the FBI began to
limit its general intelligence investigations.\textsuperscript{153}

Simultaneous to the FBI’s pre-war intelligence collection of information on persons of
Italian descent and others in preparation for an emergency was the establishment of internment

\textsuperscript{149} Goldstein, Political Repression in Modern America, 248; See also Stone, Perilous Times, 250.

\textsuperscript{150} Goldstein, Political Repression in Modern America, 265.

\textsuperscript{151} Goldstein, Political Repression in Modern America, 273.

\textsuperscript{152} Senate Intelligence Report, 406, citing Attorney General’s Order No. 3732, 9/25/42.

\textsuperscript{153} Goldstein, Political Repression in Modern America, 273.
policies and programs which were first applied to Italian seamen in American waters. In March 1941, the U.S. government’s anxiety over Italians and the threat that they posed domestically heightened when intelligence reports reached the Secretary of War’s office indicating that if Congress passed the Lease and Lend Bill for aid to the Allied forces, a large Italian liner anchored in the Panama Canal since June 1940, would be sunk.\(^{154}\) There was a plan by the Italians to sabotage vessels in U.S. harbors, including two ships at Panama, and to obstruct the channel. The large Italian liner in the Canal was the *Conte Biancamano*, a luxury liner of some 23,000 tons, which the Army seized before it could be damaged.\(^{155}\) In early 1941, President Roosevelt ordered the Coast Guard to impound all Axis ships stranded in U.S. ports upon the suspicion that the crewmen were sabotaging their own ships, by setting fires and jamming the ships’ gears, on the orders of Axis governments who feared the United States was going to take control of the vessels and use them against the Axis powers. The *Conte Biancamano* had been stranded in the Panama Canal Zone for almost eighteen months.\(^{156}\) The United States issued warrants to over 1,200 Italian seamen in 1941, but since most of their ships were damaged and could not provide a means of deportation, they were turned over to the INS for detention at Ellis Island and eventual internment at Fort Missoula in Montana.\(^{157}\) The seamen were charged with

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\(^{154}\) Stimson Diaries, Vol. XXXIII, reel 6, March 7, 1941.

\(^{155}\) Stimson Diaries, Vol. XXXIII, reel 6, March 31, 1941.


numerous violations of immigration law at hearings before the Board of Special Inquiry on Ellis Island.\textsuperscript{158} The INS operated Fort Missoula, a former army post as well as internment camps at Fort Stanton, New Mexico and Fort Lincoln in Bismarck, North Dakota, both of which were utilized for German seamen taken from vessels in American ports and the Panama Canal.\textsuperscript{159}

The legal status as enemy aliens and the form of hearings afforded the seamen set the precedent for the treatment of resident Italian aliens who were arrested after the United States declared war on Italy, some of whom were interned alongside the seamen at Fort Missoula. In contrast to the seamen, most of the resident Italian aliens were permanent legal residents, with the exception of those who failed to register under the 1940 Alien Registration Act. Secretary of War Stimson raised the question of how to classify individuals who were citizens of enemy nations with Assistant Secretary of War John McCloy, indicating that reference should be made to Article XIII of the Hague Convention X of 1907, which specified that such persons be treated as internees rather than prisoners of war.\textsuperscript{160} Although Italy was not a party to the Convention, Stimson explained that “the provisions referred to may be regarded as a criterion as to the action that may be taken in such circumstances.”\textsuperscript{161} The International Committee for the Red Cross had already proposed to belligerent states on September 4, 1939 that there be a general statute

\textsuperscript{158} The grounds for exclusion were as follows: (1) “an immigrant not in possession of an unexpired immigration visa as required by Section 13(a) (1) of the Immigration Act of 1924”; (2) Executive Order 8430 of June 6, 1940, as an immigrant not in possession of a valid passport”; (3) “second paragraph of Section 30 of the Alien Registration Act of 1940 as an immigrant not in possession of any visa, reentry permit or border crossing card”; (4) “Section 3 of the Act of Feb. 8, 1917 as a person likely to become a public charge.” Transcript of Board of Special Inquiry, Ellis Island, New York, April 14, 1941, File of Luigi Olzai, Fort Missoula, Box 37, Records of the Immigration and Naturalization Service, World War II Italian Seamen Internment Files, Record Group 85; National Archives at Washington, D.C.

\textsuperscript{159} General Research Unit, Immigration and Naturalization Service, Administrative History, 283-84, 288, 297.

\textsuperscript{160} Letter, Sec. of War Henry Stimson to Asst. Sec. of War John McCloy, Nov. 6, 1941, in Daniels, ed., American Concentration Camps, Vol. 1.

\textsuperscript{161} Sec. of War Henry Stimson to Asst. Sec. of War John McCloy, Nov. 6, 1941, in American Concentration Camps, Vol. 1, ed. Daniels.
applicable to enemy civilians to afford them protections at least comparable to those given to prisoners of war under the Geneva Convention of July 27, 1929, since individual civilians, like civilian populations, were not explicitly afforded protection under any treaties.\(^{162}\) Thus the terms of the 1929 treaty, signed by the United States and forty-six other countries including Italy and Germany but not Japan, was read to apply to civilian internees by states who chose to do so, but there was no formal mandate.\(^{163}\) Although a majority of the state governments agreed to grant legal status and treaty guarantees to those enemy civilians residing in the territory of a belligerent at the outbreak of war, the terms unfortunately did not apply to civilian nationals in an enemy-occupied country.\(^{164}\) The treaty permitted “Protecting Powers” or neutral powers, on behalf of the warring states, to inspect internment camps and to report to the governments the extent to which the Detaining Power was abiding by the treaty’s terms.\(^{165}\) A typical inspection report commented on the ethnic and gender composition of the camp, the physical structure, medical care, food services, and activities of the internees.\(^{166}\) As discussed in Chapter 5 which details life

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\(^{163}\) General Research Unit, Immigration and Naturalization Service, *Administrative History*, 381. Although Japan did not ratify this treaty, the State Department reached an agreement with the Japanese government whereby Japan would apply the treaty’s terms to civilian internees and prisoners of war.

\(^{164}\) International Committee of the Red Cross, *Report on Its Activities During the Second World War*, 569-571. There were approximately 160,000 civilians of 50 nationalities who fell in this category. Note that the absence of a provision for *civilians nationals of a country occupied by the enemy* resulted in no legal protection for civilians who were eventually executed or sent to concentration camps.

\(^{165}\) General Research Unit, Immigration and Naturalization Service, *Administrative History*, 381. Switzerland was the Protecting Power for Italy and Germany.

\(^{166}\) Document 49(b)i, *Inspection Report of Ellis Island Camp, Visited by Mr. Alfred Cardinaux on December 3, 1943*, in *German-Americans in the World Wars*, ed. Tolzmann, 2078-79
in the camps, the United States decided to apply prisoner of war provisions to internees and instructed its internment camp commanders accordingly.  

The INS records of the Italian seamen interned at Fort Missoula beginning in April 1941, and continuing until 1944, indicate the type of risk that the government perceived this group of Italians presented. Shortly after being taken into custody at ports such as Ellis Island in New York Harbor or Savannah, Georgia, they were required to complete an Alien Enemy Questionnaire which sought a variety of information, including names of family members, dates of entrances into the United States, criminal background, residences, property ownership, years of schooling, employment history, military service, financial portfolio, outstanding applications for U.S. naturalization, languages spoken, whether they read any foreign language newspapers, and memberships in organizations whose purpose was to overthrow the United States government. Those seamen who were not deported were transported to Fort Missoula. After a period at the camp they underwent an evaluation before an alien enemy hearing board to assess their “appearance, testimony and demeanor.” The Justice Department asked the board to give “as full a description of the man as possible together with [an] evaluation of his potential danger

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167 See U.S. Department of Justice Immigration and Naturalization Service, Instruction No. 58 “To The Immigration and Naturalization Service: Subject: Instructions concerning the treatment of alien enemy detainees” from Lemuel B. Schofield, Special Assistant to the Attorney General, April 28, 1942, in German-Americans in the World Wars, ed. Tolzmann, 1580-89.

168 Declassification Review Project, 775033, Immigration and Naturalization Service, World War II Internment Files, Record Group 85, Fort Missoula, Box 37, National Archives at Washington, DC. It has been explained to me by Marian Smith, Chief, Historical Research Branch, US Citizenship & Immigration Services, that when the internment camps closed after the war, the camp files were sent to the INS headquarters in Washington, D.C., and combined with the official INS files or “A” files. Telephone conference with Marian Smith, February 9, 2009 (notes on file with author).

169 This questionnaire resembled that administered to all adult Japanese internees in 1943 by the War Relocation Authority in conjunction with the military to determine whether to grant the internees release or impose stricter confinement. See Eric Muller, American Inquisition: The Hunt for Japanese American Disloyalty in World War II (Chapel Hill: The University of North Carolina Press, 2007), 35. In addition to biographical and citizenship information, affiliations with Japanese and non-Japanese organizations, the questionnaires asked questions concerning willingness to serve in the American armed forces, to promise to abide by the laws of the United States, and not to interfere with the war effort of this country.
to the internal security.” The board’s recommendation of parole or continued internment had to go before Attorney General Biddle for his approval.

During this same period before the United States entered World War II, domestic plans were in place to handle persons of enemy nations residing in the United States. On July 18, 1941, Acting Secretary of War Robert Patterson and Francis Biddle, who was acting Attorney General at the time, entered a Joint Agreement concerning the internment of all alien enemies within the United States or its territories in the event of war. Pledging to make efforts to avoid “(a) Over-internment, . . . (c) Interference with labor through reckless internment, and (d) The internment of persons solely for careless statements made prior to the outbreak of war,” the Joint Agreement anticipated cooperation between Army Corps Area Commanders and U.S. Attorneys in the transferring of alien enemies into the custody of the military for permanent detention. The Attorney General was to issue warrants for the apprehension of persons “believed to be dangerous to the public safety” based on information submitted to the U.S. Attorney’s Office by an FBI agent or other informant. The Joint Agreement called for a report from the U.S. Attorney concerning information on the alien enemy’s “citizenship, immigration, alien registration, and selective service status, his age, loyalty, and activities” to be forwarded to the Attorney General with his recommendations for either internment, parole (with or without

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172 Joint Agreement of the Secretary of War and the Attorney General, par. 3.
bond), or conditional or unconditional release. 173 Each alien enemy assigned to permanent detention would be required to fill out a questionnaire about his life, activities, and associations and to obtain affidavits from persons who have known him before review of his case before a review board. 174 Provision for a committee comprised of two representatives from the War Department and two representatives from the Justice Department indicated a plan to coordinate the handling of alien enemies. 175

As the following chapters reveal, however, the course of relations between these departments throughout the war was characterized by power struggles. In particular, they disagreed over the implementation of President Roosevelt’s Executive Order 9066 regarding the exclusion of persons of Japanese, German, and Italian descent from military zones. While the Justice Department insisted on a policy of considering each case on an individual basis, the War Department believed that the exigencies of the national security crisis demanded a more practical and more sweeping approach by the military to ensuring the safety of the nation. 176

173 Joint Agreement of the Secretary of War and the Attorney General, par. 4.

174 Joint Agreement of the Secretary of War and the Attorney General, par. 11.

175 Joint Agreement of the Secretary of War and the Attorney General, par. 14.

CHAPTER 3: THE FACE OF SELECTIVE INTERNMENT AND HOW OTHER GOVERNMENTAL POLICIES AFFECTED THE ITALIAN POPULATION

On the night of December 7, 1941, the very day of the attack on Pearl Harbor, Attorney General Biddle authorized the FBI to take several hundred persons into custody without warrants due to the emergency. In a message to FBI Special Agents in Charge, Hoover ordered the arrest of all German and Italian aliens previously classified in Groups A, B, and C on the FBI custodial detention lists and those not previously classified in the above categories whose arrest was “necessary for the internal security of this country,” and turn them over to the nearest INS office. Most aliens were not told the specific reason for their arrest and subsequent detention or where they were going, only that President Roosevelt had ordered their arrest. Filippo Molinari, a forty-eight year-old agent for the daily newspaper L’Italia in San Jose, California described the abruptness and mystery of his capture:

I was the first one arrested in San Jose the night of the attack on Pearl Harbor. At 11 p.m. three policemen came to the front door and two at the back. They told me that, by order of President Roosevelt, I must go with them. They didn’t even give me time to go to my room and put on my shoes. I was wearing slippers. They took me to prison . . . and finally to Missoula, Montana, on the train, over the

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1 DOJ Report, 5. Later the general procedure was that the FBI would make arrests with warrants issued by the Justice Department. With respect to Italian aliens, as of December 15, 1941, 223 warrants were issued, 41 executed, and 85 individuals were arrested without a warrant. Copy of Memorandum For The File, W.F. Kelly, Chief Supervisor of Border Patrol, December 15, 1941, in German-Americans in the World Wars, ed. Tolzmann, 1572.


snow, still with slippers on my feet, the temperature at seventeen below and no coat or heavy clothes!4

Thus, four days before the United States declared war on Italy, government agents had already begun arresting Italian aliens and detaining them at INS facilities for processing before internment. On December 8, President Roosevelt, pursuant to authority under the Alien Enemy Act of 1798, issued Presidential Proclamation No. 2527, declaring the approximately seven hundred thousand Italian immigrants without American citizenship “alien enemies,” and making them subject to regulations and immediate apprehension or deportation if determined dangerous by the Attorney General or the Secretary of War.5 Similar to the regulations in the Presidential Proclamations against the Japanese and Germans, the status of alien enemy made Italians subject to restraints and multiple regulations including those pertaining to geographical location, the possession of contraband articles, travel, and membership in certain organizations.6 Alien enemies did not enjoy constitutional rights and privileges such as freedom from home invasions and seizure of one’s possessions without probable cause, according to the guidelines of the INS.7 Under the proclamations, duties and authority in executing the regulations rested with both the Attorney General and the Secretary of War.

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4 Scherini, “When Italian Americans Were ‘Enemy Aliens,’” 13, citing Filippo Molinari to Carlotta [surname unknown], Arcadia, CA, July 25, 1985. Mr. Molinari did not receive an order for release until April 20, 1945. Folder of Philip Molinari, Box 14, PMG Records of Italian Civilian Internees, NARA.

5 Alien Enemy Act of 1798, 50 U.S.C. ch. 3, §§ 21-24 (1918), enacted along with the Alien and Sedition Acts (current version at 50 U.S.C. § 2) (allowing that whenever the U.S. has declared war on a foreign nation, all citizens of the hostile nation, fourteen years old and older, can be apprehended, restrained, secured, and removed as alien enemies if they have not become naturalized U.S. citizens); Presidential Proclamation No. 2527, Federal Register 6 (December 8, 1941): 6324.

6 Presidential Proclamation No. 2527, Federal Register 6 (December 8, 1941): 6324.

By all accounts there was a flurry of arrests in the days and weeks following the Japanese attack on Pearl Harbor. By 11:00 a.m. on December 9, approximately eighty-three Italian aliens were in custody.\(^8\) On December 10, 1941, Attorney General Biddle promised that the government would make every effort to protect aliens from “discrimination or abuse” and would not “engage in wholesale condemnation of any alien group.”\(^9\) The *New York Times* reported 222 Italians arrested as of December 12.\(^10\) This number is significantly higher than the 169 Italian aliens cited by Biddle in his press release, “Remember Pearl Harbor.”\(^11\) Many Italians arrested had no chance to speak with family members before leaving home for several years. For example, Carmelo Ilacqua, a forty-six year-old alien employed by a poultry company who also served as a local officer of the Italian Consulate, was arrested at his home in San Francisco on the evening of December 17, 1941 and had to leave without saying good-by to his family. As was customary when apprehending Italian aliens, FBI agents searched Ilacqua’s home for contraband items such as guns and ammunition. Although the agents found nothing incriminating, they still arrested him and took him to a local INS facility for detainment. His wife and six year-old daughter did not know what had happened to him until he could telephone them before boarding a train to Fort Missoula with other Italians and Japanese Americans under


\(^11\) Press Release by Department of Justice, “Remember Pearl Harbor,” December 13, 1941, in *German-Americans in the World Wars*, ed. Tolzmann. Citing a report from J. Edgar Hoover, Biddle said that from December 7 through 11, FBI agents had taken into custody 1002 German aliens, 169 Italian aliens, and 1370 Japanese aliens. He also reported that the FBI took 43 American citizens into custody in Hawaii.
armed guard. Angelina Farese was likewise kept in the dark about the circumstances of her husband’s arrest, believing that it was all a mistake that would quickly be straightened out and that he would return home the day after his arrest.

Although Presidential Proclamation 2527 covered only alien enemies, a few American citizens of Italian extraction also were included in the FBI lists of persons to arrest. In fact, arrests of Italians, both aliens and American citizens, were reported in New York and California. In an effort to resolve the confusion over suspect American citizens of Axis origin, Hoover instructed officers to provide to FBI headquarters a list of such persons, emphasizing that “each recommendation must be justified by substantial evidence or information indicating actual danger to our internal security during present war effort.”

The social profile of the subject group of civilian internees reveals that the U.S. government believed that individuals holding positions where they might influence the Italian population, such as members of the media and leaders of Italian organizations and businesses, posed the greatest security risk. As indicated above, government agents began to arrest individual Italian aliens as early as December 7, 1941 and continued to do so through mid

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12 Scherini, “When Italian Americans Were ‘Enemy Aliens,’” 13-14; File of Carmelo Ilacqua, Box 11, PMG Files of Italian Civilian Internees, NARA. Ilacqua, an admitted past member of the Fascist Party which was a requirement of his consulate position in the 1930s, was interned in camps in Montana, Oklahoma, Tennessee, and Texas before receiving parole in 1943 and final release on June 29, 1945.


15 DOJ Report, 5-6.

16 Instructions from J. Edgar Hoover, Director, Federal Bureau of Investigation, to all Officers except Honolulu, December 17, 1941, Papers of U.S. Commission on Wartime Relocations and Internment of Civilians, Part 1, Numerical File Archive, University Publications of America, Inc., in German-Americans in the World Wars, ed. Tolzmann, 1573.
October 1944.\textsuperscript{17} This chapter then proceeds to develop arguments introduced in Chapter 2 about the Italians’ political maturity by the 1940s through a discussion of testimony from politicians in Congressional hearings in February and March 1942, which ultimately saved Italians from mass internment. The third section analyzes the diverse experiences of Italians on the East and West Coasts. I argue that the factors of the location of wartime industries and strategic military installations, the different philosophies of the military commanders on each coast, and the varying size of the Italian population resulted in geographic differences in the implementation of policy, with the first factor being most influential. I also draw comparisons among the treatment of the Japanese, German, and Italian groups, emphasizing that the various interpretation of executive orders and proclamations with respect to each group reflected racial prejudices as well as economic and logistical considerations.

The following chronology, beginning on December 8, 1941 when the U.S. government declared non-citizens of Italian descent enemy aliens, provides a framework for understanding how the government policies affected the lives of Italian aliens and some naturalized citizens. By mid-December 1941, with commercial traffic in and out of the San Francisco harbor already suspended, the U.S. Navy requisitioned dozens of fishing boats of Italians on the West Coast, to be followed by similar requisitions in the following months. The commercial fishing industry felt an acute blow when Attorney General Biddle’s January 30, 1942 order prohibited fishermen who were Italian aliens from taking their boats out and denied them access to wharfs and piers out of concern over the threats of sabotage and invasion by the enemies.\textsuperscript{18} On the previous day, the attorney general had issued the first of several orders establishing prohibited zones on the

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\item[\textsuperscript{17}] PMG Files of Italian Civilian Internees, NARA.
\end{itemize}
West Coast which all enemy aliens had to evacuate by February 24.\textsuperscript{19} Evacuation of more than 10,000 Italians from prohibited zones on the West Coast and relocation to areas outside these zones occurred from February to June 1942, when Lieutenant General John DeWitt, Commander of the Western Defense Command, allowed them to return to their homes.\textsuperscript{20} In February 1942, the attorney general also announced restricted areas on the West Coast in which more than 50,000 Italian aliens had to observe curfews and travel restrictions.\textsuperscript{21} In late April, Commander of the Eastern Defense Command, General Hugh A. Drum, established prohibited and restricted areas for the Eastern Defense Command along the Atlantic seaboard and inland, which affected sixteen states.\textsuperscript{22} Beginning in September 1942, the military instituted the process of “individual exclusion” for suspicious Italian aliens and naturalized citizens which resulted in their removal from military areas.\textsuperscript{23} All regulations other than selective internment and individual exclusion were in effect until the termination of alien enemy status for persons of Italian descent on October 12, 1942.\textsuperscript{24}

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Although Attorney General Biddle was uncomfortable about internment, he felt Roosevelt simply believed that it must be done to defend the country.\textsuperscript{25} Jerre Mangione, who

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  \item \textsuperscript{19} DOJ Report, 19.
  \item \textsuperscript{20} DiStasi, ed., 	extit{Una Storia Segreta}, 316-17.
  \item \textsuperscript{21} DOJ Report, v, 25.
  \item \textsuperscript{22} Memorandum For The President (Draft), Subject: East Coast Military Areas, April 14, 1942, in American Concentration Camps, Vol. 4, ed. Daniels.
  \item \textsuperscript{23} The process of exclusion was pursuant to Act of March 21, 1942, 56 Stat. 143 (1942).
  \item \textsuperscript{24} DOJ Report, 22-24.
  \item \textsuperscript{25} Joseph Persico, 	extit{Roosevelt’s Secret War: FDR and World War II Espionage} (New York: Random House, 2001), 169.
\end{itemize}
was the director of the public relations program of the INS, which had initial custody of all enemy aliens and ran several internment camps, later suggested that it was Biddle who decided upon a policy of selective internment for Italians and Germans. According to Mangione, Biddle was influenced by the realization of the British government that its indiscriminate mass internment of German and Austrian refugees had victimized active enemies of the Nazi regime. He believed Biddle convinced Roosevelt to institute selective internment of German and Austrian nationals rather than wholesale internment. He also pointed to the likely role of letters from anti-Nazi refugees, including Thomas Mann, Albert Einstein, and Bruno Frank, in influencing the president.\textsuperscript{26} Undoubtedly Biddle was troubled by many concerns raised by the prospects of interning an entire population, including the difficulties of evaluating the loyalties of each individual and affording procedural due process, even though the law did not require it with respect to enemy aliens. It is important to keep in mind that many more Italians passed through the alien enemy control program of the INS than were actually interned. Some were released before a hearing, some after a hearing, while others were paroled. By the end of the war, the total number of Italians that the INS had processed was 3,278. This number was less than one-third of the Germans (10,905) and about one-fifth of the Japanese (16,849) (although the Japanese were of course interned on a mass basis in much greater numbers).\textsuperscript{27}

\textsuperscript{26} Mangione, \textit{An Ethnic at Large}, 320, providing 85,000 as the number. See also Stone, \textit{Perilous Times}, 285, who argues that Biddle’s determination to avoid mass internment and consider enemy aliens individually was based upon his aversion to the British experience of internning all 74,000 German and Austrian nationals residing in Great Britain. Note that these numbers are much higher than numbers reported in other sources. See, e.g., “My dad, sent to a prison camp for being Italian,” BBC News Magazine, accessed October 26, 2013, \url{http://www.bbc.co.uk/news/magazine-22278664} which cites 30,000 as the number of Germans and Austrians interned.

\textsuperscript{27} W. F. Kelly, Assistant Commissioner, Immigration & Naturalization Service, to Mr. A. Vulliet World Alliance of Young Men’s Christian Associations, August 9, 1948, in \textit{German-Americans in the World Wars}, ed. Tolzmann, 1513. These numbers include those received from outside continental United States and those who were voluntarily interned to join the internee-head of the family. The other nationalities represented were as follows: Hungary (53), Romania (25), Bulgaria (5), and other (161).
Turning to the social profile of the Italian internees reveals the nature of the Justice Department’s selective internment process. The 343 Italians profiled in this section were those Italian aliens and a few naturalized citizens who had resided in the United States for many years before the outbreak of World War II and who were apprehended in the United States based on FBI reports identifying them as suspect, were immediately detained, and subsequently interned after a hearing. In addition, this group includes forty-six Italian nationals residing in Latin America and apprehended there who were the subjects of an agreement entered into by the State Department of the United States and Latin American countries which provided for the internment of these individuals in exchange for Americans held by Axis powers, as explained below. The approximately 1300 seamen, introduced in Chapter 2, that is, merchant sailors working aboard luxury liners in the Panama Canal and American ports who were suspected of sabotaging their ships beginning in 1939, are not included in my study. Also interned beginning in March 1941 at Fort Missoula, and not part of my study, are Italian nationals employed at the 1939-1940 World’s Fair in New York. Although legally in a similar position to those long-term resident aliens apprehended beginning on December 7 in that they were also classified as enemy aliens, interned, and eventually went before alien enemy hearing boards, the seamen were charged with violations of immigration law which provided the grounds for holding them in custody since the war prevented their deportation. In contrast, most of the resident aliens apprehended once the United States entered World War II had permanent legal residence status and were arrested under presidential warrant based on criteria established by the FBI in coordination with the Justice Department.

Of those 343 long-term U.S. residents and Latin Americans interned, the average age in 1941 was forty-three. There were thirteen females of whom two were interned on their own
account, that is they did not volunteer to be with a male family member. The group included six naturalized American citizens, although three of them were denaturalized or had an uncertain legal status at the time of internment. Of the 268 subjects for whom marital status was recorded, 165 were married. Of the 254 internees from the United States and its territories with known home residences, approximately 82 percent hailed from the East and West Coasts, consistent with data on geographical regions where the Italian population was most dense and the government’s perception of where the greatest dangers were. The breakdown of regions was as follows: East - 112; West - 97; South - 11; Midwest - 24; Southwest - 4; Hawaii - 3; Alaska – 2; Puerto Rico - 1. Of this group of U.S. residents, 33 internees reported having lived in the United States for ten years or more before internment, although not continuously in some cases. The subject group includes forty-six internees from Latin America, five of whom were children.

An important factor in comparing internment and restrictions on the East Coast with those on the West Coast was the much larger Italian population on the East Coast, making any large-scale evacuation and restrictions more problematic. In 1940, the Middle Atlantic states had 390,068 Italian aliens, with New York having the highest number at 247,837; New England had 106,658 with Massachusetts having the most at 53,531; the East North Central states had 84,431, with Illinois having the most at 34,678; and the Pacific states had 57,797, with California having 51,923.28 The FBI field offices reported the following cities as having the highest number of Italian aliens and naturalized citizens arrested: San Francisco (453 aliens, 5 citizens), New York City (401 aliens, 5 citizens), New Orleans (233 aliens), Miami (212 aliens), and Los Angeles.

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(141 aliens, 1 citizen). A comparison of East and West Coast cities indicates that there were 36 percent more arrests on the East Coast than on the West Coast, which is far less of a difference than one might expect given that the population of Italian aliens on the East Coast was more than eight times greater. 29 The number of subject internees in my study from states in the East was only 13 percent greater than those from West Coast states. 30 According to this data, Italian internees from the West Coast were a greater percentage of the West Coast population of Italians, although still negligible, than East Coast internees were of the East Coast population. However, variables such as the compositions of alien enemy hearing boards which decided the fates of these individuals, discussed in Chapter 4, would prevent drawing any conclusion that the number of Italians interned from any one particular defense command was influenced solely by the philosophy of that region’s military commander.

For the 259 internees for whom there is a date of apprehension recorded, about 77 percent of them were taken in the first six months of the war. There were sixty-five subject internees detained in both the United States and Latin America in advance of the United States’ declaration of war on Italy on December 11, 1941, although Presidential Proclamation 2527 permitting the apprehension of Italian aliens was only issued on December 8. An additional seventeen subjects were apprehended before December 31, 1941 and eventually interned. By the end of February 1942, the total was 135; by the end of May, 182. The greatest spike in numbers of subjects ordered interned occurred in December 1941.

29 Document 44, Federal Bureau of Investigation “Apprehensions By Field Offices, December 7, 1941 to June 30, 1945" in German-Americans in the World Wars, ed. Tolzmann, 1740-49. In my comparative analysis, the following are the cities on the East Coast: Albany, Atlanta, Baltimore, Boston, Buffalo, Charlotte, Huntington, Miami, Newark, New Haven, New York, Norfolk, Philadelphia, Pittsburgh, Providence, Richmond, Savannah, and Springfield. The cities on the West Coast are as follows: Los Angeles, Portland, San Diego, San Francisco, and Seattle.

30 In my study, there were 112 from cities on the East Coast and 97 from cities on the West Coast.
An examination of occupations reveals a broad range of skills and educational levels. In my study, there were twenty-nine persons, or approximately 8.5 percent, employed in the media, some exclusively and others as a second job either as newspaper editors or radio announcers. Based on the type of testimony elicited in the HUAC hearings and the Tenney Committee hearings in California, the national and state governments were concerned with the potential influence that members of the media could have on Italian communities whose ties to their motherland were strong and whose loyalties to the United States were just developing.

In addition to the 8.5 percent of my subjects employed in the media, the following are the occupational categories and approximate percentages of representation in the subject group: unskilled – 31 percent; professional – 23 percent; skilled – 13.4 percent; business owner – 5 percent; student – 2.9 percent; homemaker – 2.6 percent; unemployed – 1.5 percent; and unknown – 12 percent. The two largest categories were either unskilled laborers (107) such as fishermen and farmers or professionals (79). Included among the subject internees categorized as professionals are the following: lawyers – 2; medical doctors – 2; teachers/professors (including some in the Italian language) – 8; engineers – 7; business executives – 5; accountants – 3; and employees of the Italian government – 4. Persons who worked in the financial industry in roles such as accountants or credit managers in banks were of particular concern since the FBI believed they were in positions where they could assist the Italian government in raising money for the war. Perhaps most noteworthy in this subcategory is Prince Boncompagno.

31 Note that for those subjects who had multiple occupations including the media, I only counted them in the media category in my analysis of occupations.

Boncompagni-Ludovisi, an export broker residing in New York City who was allegedly involved in an illegal exchange of Italian currency. The government was also concerned with intellectuals who might have possessed special knowledge that could be used against the United States. For example, Dr. Vincent Anthony Lapenta, a surgeon and chemist who invented synthetic plasma to treat shock, was of particular interest. He reportedly shared his invention with the U.S. Army.

Persons employed in positions where they might have access to U.S. military information, like Pericle Chieri, a mechanical engineer employed by the Italian Embassy who is profiled in Chapter 4, presented a risk of sharing confidential information with the Italian government and were the subjects most legitimately detained and questioned.

The high representation of unskilled laborers among the subject group (almost one-third) indicates that the U.S. government had reason to believe that such persons could influence fellow workers or members of their Italian communities who were in a similar social and economic position. Given that they were in a lower income bracket, the government also might have perceived such persons to have been willing to engage in subversive political activity against the United States because they had little to lose, except of course their ability to remain in this country.

Only twelve of my subjects appear to have had prior arrests or convictions, either in the United States or Italy, and three more were undergoing criminal proceedings during internment. Most of those with a criminal record had committed minor offenses such as petty larceny or public drunkenness and disorderly conduct. There was only one internee implicated in a murder in Italy, one arrested in Rome for political reasons, and one brought up on two charges of suspicion in the United States in the 1930s, meaning that the arrest was for no specific offense and the suspect was released without formal charges. Another internee had eighteen prior arrests
for narcotics violations. One of the two women interned on their own account was arrested multiple times for keeping a house of prostitution. Furthermore, there is no mention in the FBI files of any involvement in organized crime. Given its prevalence in the decades preceding World War II, some of them may have been members of mobs, particularly those who owned their own businesses and sought protection of their property, but they were not identified as such, meaning that it was not necessarily a factor in their arrest. At least ten had undergone deportation proceedings by the time they were interned or were labeled a “criminal deportable alien enemy.”

There were five possible outcomes after internment: outright release by the Alien Enemy Control Unit after a hearing at the internment camp; parole with release or internment again later; repatriation on the basis of exchange for American citizens held abroad; voluntary repatriation; and involuntary repatriation after a determination that internee was deportable under immigration law. The average duration of internment, calculated from the date of apprehension until the date of release, based on 155 internees for whom both dates were recorded, was two years and four months. For these 155 internees, the following are the numbers released by the dates specified: nine by June 30, 1943; forty-four more by December 30, 1943; twenty-five more by June 30, 1944; twelve more by December 30, 1944; fifty-nine more by June 30, 1945; and six more by February 21, 1946. Although most of the group of

33 See Francis A.J. Ianni, “Familialism in the South of Italy and in the United States,” in Perspectives in Italian Immigration and Ethnicity, ed. S.M. Tomasi, 105-107. “Throughout the 1920s and increasingly in the period prior to the second world war, the existence of organized crime in America which included gambling, the sale of illegal alcohol and narcotics, usury, prostitution, and the violence and corruption which surrounded these vices was attributed to an Italian American Mafia or, as it was later called, La Cosa Nostra,” 105.

34 For a description of the possible dispositions, see General Research Unit, Immigration and Naturalization Service, Administrative History, 414.

35 Note that for many internees, the release date came after a period of parole.
155 internees was released after Italy surrendered in September 1943, the majority of all Italian internees were released by the end of 1943. Two internees entered the U.S. Army upon their release. The fact of there being so few may be related to their average age being above that allowed for registration with the armed forces. There were at least fifty-one internees in my study group who repatriated. There were eight men among those studied who were diagnosed with psychosis and committed to mental institutions during internment. At least seven died in camp.

As indicated above, included in my study are forty-six individuals from Latin America. The countries of origin were Peru, Costa Rica, Honduras, Colombia, Guatemala, Panama, Ecuador, Nicaragua, and Mexico. They came from all socio-economic backgrounds, ranging from laborers to professional businessmen and academics. Most of the men were born in Italy and were Italian citizens, accompanied in some cases by women and children who volunteered for internment with their husbands, sons or fathers, called “voluntary detainees.” In addition to being Italian citizens, they were all citizens of the Latin American countries from which they were sent. Local Latin American police apprehended a majority of this group of internees in December 1941 or January 1942 and subsequently turned them over to INS officials. These individuals were the subjects of a resolution drafted by the U.S. State Department and the Justice Department for the deportation of dangerous Axis nationals and adopted by a Conference of

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37 See J. Gregory Sidak, “War, Liberty, and Enemy Aliens,” *NYULR* 67 (1992): 1402, 1424, for a discussion of how the Alien Enemy Act applied to persons who were natives of an enemy country and had become citizens of a nation friendly to the United States. Sidak cites Ex parte Gregoire, 61 F. Supp. 92, 93 (N.D. Cal. 1945) where the court’s distinction between nativity and citizenship resulted in the internment of a German native who had obtained French citizenship before World War II. Note that the Alien Enemy Act applies to “all natives, citizens, denizens, or subjects of the hostile nation or government,” 50 U.S.C.A. ch. 3. § 21 (1918).

38 PMG Records of Italian Civilian Internees, NARA.
Foreign Ministers of the American Republics held in January 1942 in Rio de Janeiro. A justification for the program was the absence of adequate local detention facilities. This group, called the Emergency Committee for Political Defense, was an inter-American agency tasked with organizing “hemispheric security measures” in light of the perceived threats to continental security. The State Department offered to include in this arrangement any official and civilian nationals of participating republics in exchange for the return of Americans held by Axis powers.  Although the committee did not approve Resolution XX, entitled “Detention and Expulsion of Dangerous Axis Nationals,” until May 21, 1943 and did not transmit it to the governments until June 4, 1943, the United States and Peru engaged in a deportation-interment program in 1942. In general, in most Latin American countries, the chief executive had sole authority to expel an alien, which could be done summarily and in the absence of an individual’s right to judicial proceedings. This executive control allowed Latin American countries to enter a deportation-interment program with the United States outside of legislative oversight or public awareness.

The first vessel to sail from South America, the *Etolin*, left from Callou, Peru on April 5, 1942, with 173 Germans, 141 Japanese, and 11 Italians, and proceeded up the western coast to pick up additional passengers. By late August, 1942, there were 3,300 American citizens in China, 3,000 in the Philippines, and 700 in Japan, seeking return to the United States, prompting Secretary of State Hull to call for continued efforts “to remove all the Japanese from these [Latin] American Republic countries for internment in the United States . . . [and] all the


dangerous Germans and Italians still there, together with their families. Deportees from Latin America under this agreement came to the United States by plane or ship into the Gulf Coast with no legal status, that is, illegally, since deportees held no visa or passport, putting them at the mercy of American authorities. This program violated U.S. and international law which recognized humanitarian rights even before the codification of international human rights law after World War II. As Jerre Mangione pointed out, once the Latin Americans were brought over the U.S. border, they ironically were charged with illegal entry. The government did not afford any of these Latin Americans a hearing prior to internment.

In early 1943, Attorney General Biddle noted the irony that these individuals were being held under the Alien Enemies Act even though many were not citizens of the Axis powers but nationals of the various Latin American countries, and therefore aliens of a friendly nation. There was also scant evidence that the deportees were dangerous. Biddle maintained his

42 Weglyn, Years of Infamy, 62-63, citing Cordell Hull to Roosevelt, August 27, 1942, OF 20, FDR Library.

43 Gardiner, Pawns in a Triangle of Hate, 29.


45 Mangione, “Concentration Camps—American Style,” in Una Storia Segreta, ed. DiStasi, 119. He also stated that camp commanders believed impoverished peasants were paid to act as substitutes for “potentially dangerous” Germans and Japanese. Just as Mangione could not find any official verification of this, my review of the government files indicates that most of the Latin American Italians had professions.

46 Since the State Department wanted to bring the Latin Americans into the United States in an expedient way because of the national security situation, they did not undergo a process to obtain visas or passports beforehand. The Immigration and Naturalization Service had to take these individuals into custody even though they had not entered the United States under the ordinary terms of immigration law. Since these individuals had no visas or passports, it was very difficult for the Commissioner of Immigration to figure out a way to get them out of the country once the war was over. The intermediate solution before they could repatriate was to create a special category for them as “internees-at-large.” Many former internees were placed into the custody of Deerfield Farms in southern New Jersey. Telephone Conference with Marian Smith, Chief, Historical Research Branch, US Citizenship & Immigration Services, October 25, 2013 (notes on file with author).

47 Weglyn, Years of Infamy, 62-63, citing Francis Biddle to Secretary of State, January 11, 1943, Department of State File 740.001 15 Pacific War/1276, RG 59, National Archives. But as pointed out above, the Alien Enemy Act extended to “natives” of a hostile nation which included the Latin Americans who were natives of Italy.
department’s right to review cases even though Latin American internees did not undergo proceedings before alien enemy hearing boards.48 Biddle’s challenge to the State Department’s criterion of “dangerousness” eventually led to on-the-spot reviews of pending deportee cases by Raymond W. Ickes of the Central and South American division of the Alien Enemy Control Unit. Ickes was able to halt deportation of individuals where evidence failed to support claims that they threatened security.49

The INS used camps at Kenedy, Seagoville, and Crystal City in Texas for the internment of these Latin Americans and their families pending repatriation. Swollen with passengers from countries north of Peru, the Etolin arrived in San Francisco on April 20, 1942.50 The first Latin American internee group at Kenedy was comprised of 456 Germans, 156 Japanese, and 14 Italians. Over 2600 more individuals were received from Latin America later in 1942.51 The disposition of these cases could be one of the following: repatriation to Italy; return to their Latin American country; detention until arrangements were made for return to Latin America; liberty in the United States but subject to the jurisdiction of the INS until a final decision on their case was reached; and “internment-at-large,” which, similar to parole procedure, required periodic reports to the internee’s sponsor and the INS.52 To be “interned-at-large” meant that the internee met INS standards for parole but could not be officially paroled because of agreements

48 Gardiner, Pawns in a Triangle of Hate, 70.
49 Weglyn, Years of Infamy, 63.
50 Weglyn, Years of Infamy, 29.
51 General Research Unit, Immigration and Naturalization Service, Administrative History, 300. Crystal City housed approximately 1,293 internees from Latin America and the West Indies, 304.
52 General Research Unit, Immigration and Naturalization Service, Administrative History, 412.
between the Department of State and the aliens’ countries of origin.\textsuperscript{53} As of July 1, 1945, Italians fell into the following classifications: seventeen were interned in camps; thirty-two were “interned at large”; and four were voluntary internees.\textsuperscript{54}

Even as hundreds of resident Italian aliens were hastily detained and sent to internment camps and the first groups of Latin Americans arrived at INS camps, federal and state legislative committees debated how to handle the perceived threat presented by the large population of Italian aliens. The main policy for consideration was the evacuation of Italians from military areas.

President Roosevelt’s issuance of Executive Order 9066 on February 19, 1942 marked a shift in the delegation of power from the Attorney General to the Secretary of War, with a resulting change in the execution of government policies.\textsuperscript{55} Many of the regulations in Presidential Proclamation 2527 were incorporated by reference into the order’s military proclamations. Under 9066, President Roosevelt authorized Secretary of War Stimson and military commanders to exclude “any or all persons” from designated military areas and declared that “the right of any persons to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate military commanders may impose in their discretion.”\textsuperscript{56}

\textsuperscript{53} Zack Wilske, Historian, Historical Research Branch, US Citizenship & Immigration Services, e-mail message to author, December 4, 2012. Wilske explained that since these individuals had to officially remain “internees-at-large,” even though they posed no threat to the United States, they were subjected to restrictions similar to those imposed on internee parolees (enemy aliens whose “loyalty was in doubt”).


\textsuperscript{55} Executive Order No. 9066, \textit{Federal Register} 7, no. 38 (February 25, 1942): 1407. The designation of the military areas was to “supercede the responsibilities and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.”

\textsuperscript{56} Executive Order No. 9066, \textit{Federal Register} 7, no. 38 (February 25, 1942): 1407.
The order did not distinguish either alien from citizen or among ethnic groups, and thus could potentially have applied to all Japanese, Germans, and Italians regardless of their citizenship, although it is doubtful that this policy was ever intended indiscriminately for all groups.\footnote{Peter B. Sheridan, \textit{The Internment of German and Italian Aliens Compared with the Internment of Japanese Aliens in the United States during World War II: A Brief History and Analysis} (Congressional Research Service, The Library of Congress, November 24, 1980), CRS-8 (hereafter “\textit{Sheridan Report}”).}

Although the Western Defense Command imposed evacuation orders from the military zones only on aliens in the Italian and German populations, often family members who were citizens accompanied them. In contrast, both Japanese aliens and Japanese American citizens were forced to leave their homes.

Only days after President Roosevelt issued Executive Order 9066, the House of Representatives Select Committee Investigating National Defense Migration formed for the purpose of conducting public hearings on the situation of European aliens and for issuing periodic reports of its findings and recommendations.\footnote{Stephen Fox, “General DeWitt and the Proposed Internment of German and Italian Aliens during World War II,” 419.} Unlike the case of the Japanese, there was no proposal before the committee “that the millions of second generation Germans and Italians, born in this country be treated differently from other American citizens.”\footnote{U.S., Congress, House Select Committee Investigating National Defense Migration, \textit{Preliminary Report and Recommendations on Problems of Evacuation of Citizens and Aliens From Military Areas, 77\textsuperscript{th} Congress, 2nd sess., H. REP. NO. 1911, March 19, 1942} (Washington: U.S. Government Printing Office, 1942), 22 (hereafter “House Select Committee, \textit{Preliminary Report}”).}

In its Preliminary Report, the “Tolan Committee,” named for Chairman John H. Tolan of Oakland, California, determined that the numbers would be much larger than the Japanese exodus “if we generalize the current treatment of the Japanese to apply to all Axis aliens and their immediate families.”\footnote{House Select Committee, \textit{Preliminary Report}, 24. Presumably the Tolan Committee was contemplating that “immediate families” would necessarily include American citizens, both naturalized and native born.} The Tolan Committee debated the strain that “tax[ing] the facilities of public

\begin{quotation}

58 Stephen Fox, “General DeWitt and the Proposed Internment of German and Italian Aliens during World War II,” 419.


60 House Select Committee, \textit{Preliminary Report}, 24. Presumably the Tolan Committee was contemplating that “immediate families” would necessarily include American citizens, both naturalized and native born.
\end{quotation}
agencies” for the duration of the war would put on the federal budget and resources.\textsuperscript{61} Certainly the prospect of establishing enough military camps to house this large population that was widely dispersed across the country was a logistical nightmare and therefore, something to be avoided. Because the Japanese population was concentrated in identifiable communities on the West Coast, relocation was much more feasible.\textsuperscript{62}

Parts 29, 30, and 31 of the National Defense Migration Hearings regarding the evacuation of enemy aliens and others prohibited from military zones were held in February and March 1942 in San Francisco, Portland, Seattle, and Los Angeles.\textsuperscript{63} Since Congressman Tolan was sensitive to the plight of the Italian community, he set a positive tone in the hearings. Personally familiar with leaders of the community who appeared to testify before the panel, he elicited testimony from them designed to evoke sympathy for the Italians from committee members and the War Department.\textsuperscript{64} At the start of the hearings held in San Francisco on February 21, 1942, Chairman Tolan stated the purpose of the hearings to be a fact-finding mission to assess how the evacuation orders affected the economic life of various communities, what labor evacuees should undertake, where they should be located, and whether any exceptions should be made to a wholesale evacuation order.\textsuperscript{65} Mayor Rossi captured public sentiment in testifying that: “It is the well-considered opinion of many that most of these people are entirely loyal to this Nation;

\textsuperscript{61} House Select Committee, \textit{Preliminary Report}, 25.

\textsuperscript{62} Fox, \textit{Uncivil Liberties}, 227. The halting of Asian immigration, beginning with the Chinese Exclusion Act of 1882, had limited the number of Japanese in the United States at this time.

\textsuperscript{63} See Boston Public Library Interstate Migration/National Defense Migration Online Collections, accessed November 5, 2013, \url{http://www.bpl.org/online/govdocs/interstate_migration.htm}.

\textsuperscript{64} Fox, \textit{Uncivil Liberties}, 134.


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are in accord with its form of government, believe in its ideals and have an affection for its traditions and that under no circumstances would they engage in any subversive activities or conduct.” Rossi expressed a particular concern for persons essential to the community - “fishermen, janitors, garbage collectors, produce and vegetable workers in markets” – whom he suggested be given special permits to engage in their activities after the 9 p.m. curfew. Rossi advised the committee that “in order to avoid injustice being done, the investigation of each individual case of German and Italian aliens is absolutely necessary.” The mayor specifically suggested that federal authorities establish a system of appeal in tribunals where aliens and citizens could petition to have their loyalty verified, enabling their return to civilian occupations.66

Another persuasive spokesperson for the Italian community was Ottorino Ronchi, former professor of Italian at the University of California and editor of La Voce Del Popolo, a newspaper that appeared on the FBI’s list of suspicious publications. Ronchi testified about interviews he conducted of alien families in northern California whose sons were serving in the armed forces to impress upon the committee that Italians were loyal to the United States and should not be considered dangerous. He retold a conversation that he had with a sixty-year old widow facing evacuation from Monterey whose son died in the attack on Pearl Harbor and whose second son enlisted the next day. She told Ronchi: “‘I wish I had a couple of more children. I will send them to fight. My interest is in America.’”67


Fearing that all non-American citizens of Italian descent were unfairly classed as enemy aliens regardless of their loyalties, the Secretary of the San Francisco Chapter of the Mazzini Society submitted a report to the Tolan Committee explaining the distinct factions among Italian society. He identified three distinct groups: (1) the “Fascist Italian” devoted to Hitler and Mussolini and therefore legitimately interned or placed on bail or parole; (2) the “decent Italian, who out of ignorance, stupidity or misguided feeling of loyalty to the old country” hoped for a Fascist victory, although he did not commit any unlawful action against the United States, but who nevertheless presented a potential security risk that this country had to guard against; and (3) the “Italian anti-Fascists” devoted to the struggle against Fascism who abandoned Italy only to face the injustice in the United States of bearing the label of enemy aliens, which carried restrictions in their movement and exclusion from the armed forces. The report from the Mazzini Society’s secretary raised the irony that “champions of nazi-ism and fascism” could produce naturalization papers and “wrap themselves in the American flag” while they continued their subversive activities.

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68 An Appeal in Behalf of Anti-Fascist Aliens by Charles H. Tutt, Secretary, San Francisco Chapter, Mazzini Society, San Francisco, CA, February 22 and 23, 1942, National Defense Migration, Hearings, Part 29, 77th Congress, 2nd sess., 11267-68, accessed October 22, 2013, http://archive.org/details/nationaldefense29unit. The Mazzini Society, named after Giuseppe Mazzini, a nineteenth-century politician who espoused republican nationalism, was founded in 1940 by Italian exiles who were dedicated to the principles of the Risorgimento. Diggins, Mussolini and Fascism, 7, 344-45. Comprised of American citizens and aliens of Italian lineage who were anti-Fascist, its aims were as follows: “To spread democratic education among the population of Italians and those of Italian origin in the United States; cooperate with the nations fighting for the victory of the democratic ideals in the struggle against nazism and fascism; to keep the American public informed about the true conditions in Italy; to strengthen the faith of the American people in the future of a free Italy.” Testimony of Attilio Boffa, of the Mazzini Society, Los Angeles, CA, March 6, 7, and 12, 1942, National Defense Migration, Hearings, Part 31, 77th Congress, 2nd sess., 11759-60, accessed October 22, 2013, http://archive.org/details/nationaldefense31unit. But see Issel, For Both Cross and Flag, 147, for evidence that the Mazzini Society was anti-clerical and Communist.


The committee elicited testimony from long-time resident aliens of San Francisco concerning illiteracy as a bar to citizenship. For example, Luciano Maniscalo, mother of twelve children, four of whom were serving in the armed services, testified to financial difficulties after her husband’s alien status barred him from fishing after December 7. He had no education in Italy and could not even write his name. Mrs. Maniscalo said that his illiteracy was the only thing preventing him from becoming a citizen.\footnote{Testimony of Luciano Maniscalo, February 23, 1942, National Defense Migration Hearings, Part 29, 77th Congress, 2nd sess., 11121-123, accessed October 22, 2013, http://archive.org/details/nationaldefense29unit.} Later testimony from the Assistant District Director of the INS in March 1942 that in the San Francisco area alone, there were about 2,000 people who were classified as alien enemies because the government had not gotten around to processing their petitions, further emphasized to the committee that the legal status of citizen alone was not determinative of loyalty.\footnote{Testimony of Paul Armstrong, Assistant District Director, Immigration and Naturalization Service, United States Department of Justice, San Francisco, CA, March 12, 1942, National Defense Migration Hearings, Part 31, 77th Congress, 2nd sess., 11901, accessed October 22, 2013, http://archive.org/details/nationaldefense31unit.}

Demographic reality was one reason why the military and the general public considered Italians “potentially less dangerous,” than Japanese and Germans, the phrase used by Secretary of War Stimson. As a general rule, the Committee concluded, Italians who had not become U.S. citizens were those who were illiterate and were often “elderly people, 50 to 60 years old” who had “raised large families, and frequently one or more of their children [were] in the armed services of the United States.”\footnote{House Select Committee, Preliminary Report, 22.} Months into U.S. involvement in the war, military officials came to understand that the younger generation of Italians, citizenship notwithstanding, particularly those born shortly after World War I, were the most dangerous.\footnote{Memorandum of Conversation between Alfred Jaretzki, Jr., and Captains J. Perry, J. Lansdale, and N. Stepanovich, April 8, 1942, in American Concentration Camps, Vol. 4, ed. Daniels. Jaretzki (also spelled Jaretski),} By this time,
General DeWitt agreed with other military leaders that “the older Italians and the refugees were harmless as a group.”

Professor Gaetano Salvemini and Carmelo Zito who was the editor of *Corriere del Popolo*, an anti-fascist newspaper, assisted the FBI in its determination that there was more danger among American citizens, particularly younger Italians, both foreign and native born, than among the alien enemy groups.

Zito testified in May 1942 before the California State Assembly Fact Finding Committee on Un-American Activities in California, chaired by Assemblyman Jack B. Tenney (“the Tenney Committee”) about Italian newspapers, radio stations, and fund raising prior to the U.S. entry into World War II. In contrast to the Tolan Committee hearings, the tone of the hearings before the Tenney Committee, which had begun in January 1941, was one of fear and suspicion. In this respect, they were similar to hearings of HUAC before Congressman Martin Dies described in Chapter 2. In scathing testimony before the California assembly, Zito described the pro-Fascist element in San Francisco from the early 1920s as “instrumental to drug the public opinion among the Italian Americans to the point they are not capable any more to understand the benefits of democracy and the blessings of the land in the country of their adoption.”

He a corporate attorney, was an advisor to the U.S. delegation at the International Refugee Conference in 1938, responsible for helping Jewish and other refugees after the Anschluss. Fox, *Uncivil Liberties*, 246, fn 164.


Memorandum of Interview of Carmelo Zito, taken by Alfred Jaretzki, Jr., April 10, 1942, in *American Concentration Camps*, Vol. 4, ed. Daniels; Memorandum of Conversation between Alfred Jaretzki, Jr., and Mr. Pieper (Regional Head of F.B.I.), April 14, 1942, in *American Concentration Camps*, Vol. 4, ed. Daniels.

See Goldstein, *Political Repression in Modern America*, 256. The committee was tasked with investigating the Communist Party, fascist organizations, the Nazi bund and any other organization which it believed might affect California’s defense effort or state agencies.

identified Fascist sympathizers among radio announcers and newspaper editors, most of whom the FBI had already apprehended for internment, and claimed that San Francisco Mayor Angelo Rossi rendered the Fascist salute in public demonstrations. Zito explained that the Italian Chamber of Commerce received subsidies from the Italian government and promoted Fascism through its newspaper, *La Ressegna Commerciale*, while Italian language “Fascistic” schools opened in 1932 indoctrinated young people into Fascism through textbooks filled with propaganda.\(^{79}\)

Mayor Rossi called his summons to testify before the Tenney Committee “political assassination” and the result of “religious and racial bigotry” against him. Claiming ignorance of the curriculum of the Italian language schools and propaganda promulgated by the Italian Chamber of Commerce, Rossi affirmed his complete loyalty to the United States, evidenced by his decision to remove a signed photo of Mussolini from his office prior to the declaration of war against Italy.\(^{80}\) Both Mayor Rossi and Mayor LaGuardia had received decorations from Italy’s King Emmanuel, a gesture the Tenney Committee understood to be sanctioned by Mussolini, but only LaGuardia decided to destroy the decoration by melting it into bullets.\(^{81}\) Testimony of pro-

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Fascist sentiment among San Francisco’s Italian community may explain Mayor Rossi’s acceptance of multiple Italian decorations in the 1930s and his failure to recollect ever publicly denouncing Mussolini. He did not want to risk offending his supporters. Even after the start of war when public sentiment had changed, as reflected in the pledge of loyalty to the United States by formerly Fascist-oriented newspapers, outright condemnation of Mussolini seems to have remained taboo.

While California was investigating suspicious individuals in its state, the legislative and executive branches of the national government reached a consensus on how to handle German and Italian aliens. In May 1942, when the Tolan Committee released its Fourth Interim Report reiterating the statement from its Preliminary Report that any mass evacuation of German and Italian aliens was “out of the question if we intend to win this war,” Roosevelt, in consultation with the War Department, finalized his recommendation on the Germans and Italians. The repercussions that the implementation of a full-scale program of evacuation would have on this population concerned the executive office. On May 5, 1942, Roosevelt wrote to Stimson, expressing concern that General Drum’s plans for creating a military zone on the East Coast caused a “state of confusion” among German and Italian people worried that they would face evacuation like those on the West Coast. Roosevelt said that he was “inclined to think

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[evacuation of German and Italian aliens] may have a bad effect on morale."\textsuperscript{85} Certainly the president had to be concerned about losing a political base, as Italian Americans gravitated toward the Republican Party. Attorney General Biddle agreed with the president that any German or Italian evacuation on the East Coast would weaken war morale since it would alienate persons of those nationalities, and he was also concerned with potential consequences to the nation’s economy.\textsuperscript{86} The president approved the extension of the military area system to all continental defense commands, but only after assurance that it was necessary to enforce dim-out and air defense regulations, primarily along the Eastern seaboard. He did not understand this measure to be granting the military control over alien enemies.\textsuperscript{87} His perception that the Justice Department maintained authority over aliens of European enemies is evident in his statement to Stimson that “[t]he control of alien enemies seems to me to be primarily a civilian matter except of course in the case of the Japanese mass evacuation on the Pacific Coast.”\textsuperscript{88}

Contrary to the president’s understanding, however, the military did in fact treat the evacuation of Italian families from prohibited zones on the West Coast and restrictions upon enemy aliens in restricted areas as matters within its command. Executive Order 9066 had placed authority in the hands of the War Department to determine military areas and policies of exclusion and restrictions upon enemy aliens in these zones. Although Biddle expressed disagreement with the War Department’s handling of the mass evacuation of persons of Japanese

\textsuperscript{85} Memorandum, President Franklin D. Roosevelt to Secretary of War, May 5, 1942, in \textit{American Concentration Camps}, Vol. 5, ed. Daniels.

\textsuperscript{86} Conn, Engelman, and Fairchild, eds., \textit{Guarding the United States and its Outposts}, 145.

\textsuperscript{87} Memorandum, President Franklin D. Roosevelt to Secretary of War, May 5, 1942, in \textit{American Concentration Camps}, Vol. 5, ed. Daniels.

\textsuperscript{88} Memorandum, President Franklin D. Roosevelt to Secretary of War, May 5, 1942, in \textit{American Concentration Camps}, Vol. 5, ed. Daniels.
descent, Stimson was certain that Biddle should have no “hopes of getting a change made in the
powers which the President had given to me.” Stimson informed the president that “the problem
of the Germans and the Italians was arranged . . . to handle those in a different way from the
Japanese and to do it individually with reference to the danger to key positions rather than by any
block evacuations on a ratio basis.” The president was satisfied with this federal policy.

The power of public opinion in the disparate treatment for persons of Japanese descent
cannot be underestimated. The Japanese perceived to present the greatest danger, specifically
leaders of nationalistic organizations, those who had spent many years in the enemy nation, and
those who had made substantial gifts to their homeland, had been apprehended within days after
the attack on Pearl Harbor. Yet public sentiment about the special dangers of the Japanese
population as a whole and fear of economic competition called for mass evacuation of this group
alone. There was no comparable anti-German or anti-Italian agitation among the public which
would have persuaded the War Department to press President Roosevelt to treat these ethnic
groups similarly to the Japanese. As Martin Grodzins pointed out in the late 1940s, charges
such as a low rate of naturalization, frequent trips to the homeland, and separate language
schools and churches leveled against the Japanese as indicators of “a low degree of
Americanization” could equally have been raised against the larger foreign-born population of
Italians. Likewise, there was a strong case for evacuation of Germans on the East Coast who in


90 Morton Grodzins, Americans Betrayed: Politics and the Japanese Evacuation (Chicago: The University of

91 U.S. Commission on Wartime Relocation and Internment of Civilians, Personal Justice Denied, 287. Note,
however, that the government was cognizant that if Germans and Italians were relocated en masse, they would have
to be in relocation camps since residents of the heartland would not tolerate the aliens’ integration into Southwest
communities. See ibid at 286, citing Telephone conversation, Jaretzki to Bendetsen, April 27, 1942, National
Archives and Records Service, RG 338 (CWRIC 5226-32).
the state of New York alone outnumbered all persons of Japanese descent on the entire West Coast. Writing more than half a century later, Joseph Persico remarks that what distinguished the treatment of Germans and Italians from that of Japanese was that there had to be some basis in law for declaring an individual potentially dangerous, while the Japanese and Japanese Americans were relocated en masse because of the color of their skin, regardless of the status of their loyalty. As documents cited in the following section reveal, racial prejudice is among several factors explaining the disparate treatment of the Japanese as opposed to Italians and Germans.

Military policy with respect to the various government restrictions differed in the Eastern and Western Defense Commands. The most important factor was the location of important wartime industries that could have been targeted by enemy forces. Four days after the attack on Pearl Harbor, the Adjutant General declared the Western Defense Command a “theatre of operations” and gave the commanding general special instructions for facilitating the transfer of personnel and materiel to accommodate the creation of new air units for dispatch to Panama and Hawaii. By January 1942, the commanders of each defense command were assigned distinct missions. General Drum of the Eastern Defense Command, was “charged with the defense against hostile attack by land, sea, or air, of United States bases in Newfoundland, the North Atlantic Coastal Frontier, that portion of the Southern Coastal Frontier east of the rear boundary

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93 Persico, *Roosevelt’s Secret War*, 169.

94 Memorandum, D. R. VanSickler, Adjutant General, December 11, 1941, to the Commanding General, Western Defense Command, “Supplementary Directions for Western Defense Command,” Records of the Office of the Provost Marshal General, Subject Correspondence, Executive Division, Legal Office, 1942-1945, Folder “Executive Order 9066,” Box 10, Record Group 389; National Archives at College Park, College Park, MD (hereafter “PMG Legal Correspondence, NARA”).
of the command, and all facilities and installations within the limits of his command."^95 The concern on the Atlantic and Gulf Coasts was submarine, surface or air attacks by the Germans, although the latter two appeared improbable by the end of December 1942.96

In addition to responsibility for protecting the Pacific Coastal Frontier - including Alaska, General DeWitt of the Western Defense Command, was “further charged with the protection against sabotage or other internal threat of the Boeing, Douglas, and Consolidated aircraft factories, since these critical installations are so intimately associated with his coastal defense mission.”^97 The United States considered the 1,300 miles along the West Coast vulnerable to Japanese attack by air until June 1942. Of greatest concern were the military aircraft factories in Los Angeles and San Diego in the south and in Seattle in the north. Naval yards and ship terminals in the Puget Sound, Portland, San Francisco Bay, Los Angeles, and San Diego areas, as well as the California oil industry were also crucial to the war effort.98 Secretary of War Henry L. Stimson noted DeWitt’s anxiety about these areas where the “most important airplane factories and naval shipyards” were located.99 As revealed below, the different levels of

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^95 Memorandum, Mark W. Clark, Brigadier General, G.S.C., Deputy Chief of Staff, to the Adjutant General (Thru Secretary, General Staff), “Eastern and Western Defense Commands,” January 29, 1942, 2, PMG Legal Correspondence, NARA (hereafter “Eastern and Western Defense Commands Memo”). Note that on December 24, 1941, the defense of the Gulf Coast from Florida westward came under the direction of the Southern Defense Command, with its own small, separate defense command staff. Conn, Engelman, and Fairchild, eds., Guarding the United States and its Outposts, 95.


^97 Eastern and Western Defense Commands Memo, 2.

^98 Conn, Engelman, and Fairchild, eds., Guarding the United States and its Outposts, 82.

perceived security threats on the two coasts help explain the stricter restrictions in the Western Defense Command as compared to those in the Eastern Defense Command.\textsuperscript{100}

In a succession of press releases from the end of January 1942 until early February, Attorney General Biddle, on recommendations from the War Department, announced the designation of prohibited areas in the western United States from which all enemy aliens were to vacate by February 24 for the purpose of aiding the national defense and protecting the aliens.\textsuperscript{101} After announcing the first two prohibited areas – one on the San Francisco waterfront and one including the Municipal Airport of Los Angeles, Attorney General Biddle announced 135 additional prohibited areas in California, Washington, Oregon, and Arizona “in the vicinity of airports, hydroelectric dams and power plants, gas and electric works, airfields, pumping stations, harbor areas, and military installations.”\textsuperscript{102}

It is widely understood that the perception of greater danger on the West Coast because of its proximity to Hawaii and the probability that it would be the location for the Japanese Navy to attack the continental United States contributed to General DeWitt’s imposition of stricter restrictions.\textsuperscript{103} From the United States’ entry into World War II in December 1941, General

\textsuperscript{100} Four defense commands were established in the United States prior to America’s entry into World War II: Western, Eastern, Central, and Southern. It is significant to note that the commanders of the Eastern and Southern Defense Commands were not given the authority to protect against sabotage or other internal threats in their respective regions, but to rely upon troops assigned by the War Department. Draft Memorandum, Maj. J. W. Brabner-Smith to the Provost Marshal General, “Prescribing military areas under Executive Order 9066 for the purpose of protection against sabotage and internal threats,” 12-26-42, 2, PMG Legal Correspondence, NARA (hereafter “Draft Memorandum Prescribing military areas”). The commander of the Central Defense Command had authority for the security of the Sault Ste. Marie Locks and Canal. Draft Memorandum Prescribing military areas, citing Instructions of March 18, 1942, “Defense of Continental United States,” par. 8.

\textsuperscript{101} DOJ Report, 18-19.

\textsuperscript{102} Grodzins, Americans Betrayed, 241, referring to Department of Justice, Press Releases, January 29, 31 and February 2, 4, and 7, 1942. Grodzins explained that most areas were circles of 1,000-feet radii or rectangles of several city blocks.

\textsuperscript{103} See DOJ Report, 25.
DeWitt intended to remove all enemy aliens from the area known as the Pacific Slope, stretching from the Pacific Ocean to the Sierra Nevada Mountains, starting by evacuating the Japanese, then the Germans and Italians.\textsuperscript{104} In January 1942, DeWitt conceived of a program under which all aliens of the Japanese, German, and Italian populations and Japanese Americans would be subject equally to evacuation from prohibited areas and resettlement outside these zones, limited access to restricted areas, and internment.\textsuperscript{105} He also believed that the assets of all alien enemies should be taken over by the federal government and liquidated while the aliens, including persons of Japanese and Italian descent who held dual citizenship in their native country and the United States, would work in internment camps “to earn their own keep.”\textsuperscript{106}

As a result of the evacuation program in the Western Defense Command in February 1942, more than 10,000 Italians were forced to leave their homes and businesses in prohibited zones and to relocate to areas outside the prohibited zones.\textsuperscript{107} Estimates of the number of Germans moved inland during the war are close to that of Italians.\textsuperscript{108} DeWitt seemed much more concerned with carrying out the evacuation plans concerning these most sensitive zones as efficiently as possible than determining if any one individual actually posed a security threat to the country. He was adamant that there be no exceptions to this evacuation program, even in the case of Italians whose loyalty was not suspect, such as the father of baseball legend, Joe

\textsuperscript{104} DOJ Report, 9.


\textsuperscript{107} See DOJ Report, v, 19, 26.

\textsuperscript{108} See, e.g., Persico, \textit{Roosevelt’s Secret War}, 169. Persico says that “[o]ver 11,000 American residents of German ancestry were held in custody or moved inland during the war.”
DiMaggio. DeWitt claimed that “preferential treatment . . . destroys everything that we have done in the past and have been working so hard to accomplish.”

On March 2, 1942, DeWitt issued Public Proclamation No. 1, which designated Military Area No. 1 – a coastal strip of land comprised of western portions of California, Oregon, and Washington, and the southern half of Arizona. If the Western Defense Command had followed through with its original plan of a mass evacuation of Italians aliens in this much wider zone than the prohibited zones from which 10,000 had already been evacuated, 52,000 people would have had to evacuate. However, under the Western Defense Command’s “Individual Exclusion Program of Non-Japanese,” only particular German and Italian aliens and naturalized citizens found to be potentially dangerous could be excluded from critical areas in Military Area No. 1.

In contrast, persons of Japanese descent were evacuated en masse; about 107,500 lived in Military Area No. 1, approximately 5,000 of whom left this area under a “voluntary” program. Eventually, the rest were removed from this ocean to mountain zone. Also pursuant to Public Proclamation No. 1, any Japanese, German or Italian alien or person of Japanese lineage changing residence had to register the change.

Unlike the February evacuation from prohibited zones which indiscriminately affected all Italian aliens living and working there until June, the purpose of the exclusion program was to

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identify individuals, regardless of citizenship status, whom the government deemed suspicious to undergo a process to determine if they should be prohibited from military areas across the country. The program was also meant to exclude individuals who resided in militarily sensitive areas.\textsuperscript{114} At hearings held in major West Coast cities before a board of three military officers of field grade, subjects were informed of the general nature of the evidence against them and questioned about matters contained in intelligence reports. The hearing boards made recommendations which were sent to the Commanding General of the Defense Command for his final decision. Subjects of exclusion orders were given a date by which they had to depart the specified area.\textsuperscript{115} As will be discussed in Chapter 4 with respect to alien enemy hearings, subjects complained of due process violations at exclusion hearings. Retired U.S. Army Colonel Angelo de Guttadauro recalls that his father Nino had short notice of the hearing and was not allowed to have an attorney represent him at the hearing.\textsuperscript{116} Nino Guttadauro, a naturalized American citizen who worked as an accountant for the Italian Consulate in San Francisco, was excluded from military areas in thirty states. Like many persons excluded from San Francisco, Guttadauro went first to Reno, Nevada with his family but was unable to secure work in his profession due to his legal status which branded him as untrustworthy to potential employers. His exclusion lasted from the end of September 1942 until mid-March 1944. His son believed

\textsuperscript{114} DOJ Report, 10, citing John McCloy, Assistant Secretary of War, to Lt. General DeWitt, July 20, 1942, in “Individual Exclusion Order Procedure Correspondence.”


that the economic hardship and psychological scars of exclusion remained with his father for the remainder of his life.\textsuperscript{117}

There is inconsistency in the government reports concerning the number of Italian aliens and naturalized citizens who underwent the individual exclusion process. The Justice Department reports that between September 1942 and April 1943, the Western Defense Command heard 335 exclusion cases. The result was the exclusion of 174 individuals, 24 of whom were of Italian descent, most from northern California with a few cases from Los Angeles and San Diego.\textsuperscript{118} It also reports that at least 47 persons of Italian ancestry nationally were ordered to move from designated areas, and another 12 individuals appeared before individual exclusion boards although the outcomes are unknown.\textsuperscript{119} A 1980 report of the Congressional Research Service has slightly different data for the Western Defense Command. It reports that from August 1942 to July 1943, 174 citizens and enemy aliens received exclusion orders, many of whom were German-born or Italian-born American citizens. With respect to the Eastern Defense Command, this latter report states that 59 individuals received exclusion orders, as did 21 in the Southern Defense Command.\textsuperscript{120} According to the Justice Department, by August 1943, there were a total of 417 exclusion cases reviewed or in process nationwide.\textsuperscript{121}

\begin{footnotes}


\footnote{DOJ Report, See Appendix E.1. The DOJ admits that its list may be incomplete.}

\footnote{Sheridan Report, CRS-9; see also U.S. Wartime Commission, \textit{Personal Justice Denied}, 288. As stated in the Introduction, Stephen Fox cites “a wartime report” for his data: 88 naturalized Italians and an unknown number on the West Coast; and some of the 69 East Coast exclusions and the 16 exclusions in the Southern Defense Command were issued to persons of Italian descent. Fox, \textit{Uncivil Liberties}, “Foreword to Revised Editions.”}

\footnote{DOJ Report, 13, citing Alien Enemy Control Unit, \textit{Preliminary Report on Study of Individual Exclusion Order Cases}, August, 1943, 2-3.}
\end{footnotes}
referring to “a wartime report,” indicates that the government excluded higher numbers of Italians. According to Fox, there were approximately 88 naturalized Italians and an unknown number of Italian aliens excluded from the West Coast. Italians were also included in the 69 East Coast exclusions, as they were in the 16 exclusions from the Southern Defense Command.¹²²

The exclusion cases caused much controversy between the Justice Department and the War Department concerning which cases to prosecute. Attorney General Biddle decided not to prosecute numerous exclusion cases of individuals who, after being sent away from their residences and jobs in military areas, returned in violation of military orders. Biddle claimed discretionary power in determining whether to enforce exclusion orders, often finding “no overt acts of disloyalty” to warrant prosecution.¹²³ At the heart of his decision not to prosecute cases was his disagreement with the effectiveness of the FBI’s Custodial Detention Index of dangerousness in designating individuals who might actually threaten the country’s security. He found the evidence upon which the classifications were based “inadequate,” the standards for the evidence “defective,” and claimed that a determination of “how dangerous a person is in the abstract and without reference to time, environment, and other relevant circumstances is impractical, unwise, and dangerous.”¹²⁴ Thus, without knowledge of the context in which a subject made a statement or participated in an activity giving rise to suspicion, hearing boards could not make well-informed decisions.


¹²⁴ DOJ Report, 8, citing Memorandum, Attorney General Francis Biddle to FBI Director J. Edgar Hoover, July 16, 1943.
There was a shared perception among War Department officials and General Dewitt that there were varying levels of danger posed by each enemy alien group. Despite his initial conception of a policy that applied equally to these groups, DeWitt expressed a discriminatory attitude toward persons of Japanese descent based upon physical appearance and public animosity:

All Japanese look alike and those charged with the enforcement of the regulation of excluding alien enemies from restricted areas will not be able to distinguish between them. . . . the very definite war consciousness of the people of California, as far as pertains to the Japanese participation in the war, the question of the alien Japanese and all Japanese presents a problem in control, separate and distinct from that of the German or Italian.125

Correspondence between General DeWitt and the War Department indicates that Secretary of War Stimson and Assistant Secretary of War McCloy also believed that persons of Japanese descent presented a far greater danger to national security than Italians. Stimson requested that DeWitt “not disturb, for the time being at least, Italian aliens and persons of Italian lineage except where they are, in your judgment, undesirable or constitute a definite danger to the performance of your mission to defend the West Coast.” The reasoning was that Italians were “potentially less dangerous, as a whole, than those of other enemy nationalities.”

Exemptions from evacuation orders illustrate the greater fear of persons of Japanese descent. Only German and Italian aliens of seventy years of age or over would not be required to move, unless they were individually suspected. Parents, wives and children of Germans and Italians in the U.S. armed forces would not have to move due to their financial dependence on

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125 Telephone conference between Gen. DeWitt and Asst. Sec. of War McCloy, Feb. 3, 1942, memorialized in a memorandum, in American Concentration Camps, Vol. 2, ed. Daniels. Present at the meeting were the following: Mr. Clark of the Office of the Attorney General; Mr. Thompson of the Department of Agriculture; Mr. Cecil, the Director of Agriculture of California; General DeWitt’s Judge Advocate and Assistant Chief of Staff.
the military. There were also exemptions for German and Italians based on illness and disability and for those whose American citizenship had been held up by the backlog in the offices of the INS. However, testimony from aliens and their families (discussed below) indicates that government officials in charge of evacuations did not always adhere to these exemptions.

The government also showed preference for Italians and Germans with respect to letting alien enemies back into prohibited zones. In discussing who had access to prohibited zones around military installations, Assistant Secretary of War McCloy suggested letting some persons, particularly Italians, back into the zone if there was certainty that they were free of suspicion and they were necessary to the community. DeWitt responded that he could conceive of Germans and Italians being allowed back in “because you don’t have to worry about them as a group . . . purely as individuals” while “a Jap is a Jap to these people now.” Apparently DeWitt believed that the public would be much more receptive to returning Germans and Italians if the government determined that they were not dangerous than it would be to the Japanese.

According to plans discussed between McCloy and DeWitt on February 20, 1942, Italian aliens, designated as “Class 4” alien enemies in the Western Defense Command, would be allowed to remain in prohibited military areas “during good behavior” unless they were individually suspect.


127 Sheridan Report, CRS-4. An exemption was carved out for those who had begun the naturalization process because West Coast officials of the Immigration and Naturalization Service testified that many offices were over a year behind in processing applications. House Select Committee, Preliminary Report, 22.

and fell under “Class 5,” meaning they were “actually or potentially dangerous either as saboteurs, espionage agents, fifth-columnists or subversive persons.”

California politicians and publishers and editors of the state’s leading newspapers shared DeWitt’s feelings about the greater threat posed by the Japanese and the need for full-scale evacuation and relocation. In a radio address in early February 1942, California Governor Culbert Olson expressed similar racist sentiment in distinguishing the Japanese from Italians and Germans. He said that identification and registration did not help in determining loyalty or disloyalty among Japanese but that these processes were effective with respect to the other alien groups. California Attorney General Earl Warren believed the inclusion of Italians and Germans in evacuation would be “‘disruptive of the national unity’” and “‘cruel’” because in his opinion, first-generation Italians and Germans were “‘no different from anybody else, regardless of what the German government or the Italian government may think about their citizenship.’”

Logistics also figured into the plan for dealing with enemy aliens. Stimson stated that due to practical considerations “of the size of the Italian population and the number of troops and facilities which would have to be employed to deal with them, their inclusion in the general plan

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130 Kevin Starr, Embattled Dreams: California in War and Peace, 1940-1950 (New York: Oxford University Press, 2002), 92. Starr refers to the “official history of the evacuation” issued by the Center of Military History of the United States Army as portraying DeWitt influenced by the following political leaders in his decision to intern Japanese and Japanese Americans: Governor Culbert Olson, Attorney General Earl Warren, San Francisco Mayor Angelo Rossi, Los Angeles Mayor Fletcher Bowron, Senators Hiram Johnson and Sheridan Downey, and the California House of Representatives. On a national level, the opinion of the California politicians was seconded by Secretary of War Henry Stimson, the columnists Walter Lippmann and Westbrook Pegler, as well as New York Mayor Fiorello La Guardia.


132 Grodzins, Americans Betrayed, 96, citing “Minutes,” Meeting of California Joint Immigration Committee, February 7, 1942, 37-38,
would greatly overtax our strength.”\(^{133}\) It was General DeWitt’s plan for the Italians, including both aliens and citizens, to be the last group to leave the military strip along the Western coast, after the Japanese and Germans.\(^{134}\) On the question of whether the military legally had the power to prohibit entry into military areas by any particular class of persons or citizens, the Joint Evacuation Board determined that such power existed. It determined that no infringement of constitutional rights would occur as long as the “classification of persons or citizens is reasonably related to a genuine war need and does not under the guise of national defense discriminate against any class of citizens for a purpose unrelated to the national defense.”\(^{135}\) The board justified the disparate treatment among the alien enemy groups by stating that “to bar the millions of persons of German or Italian stock from either seacoast area” would “present an insuperable problem of administration, not to mention the consequent disruption of defense production.”\(^{136}\)

Thus, in addition to logistical concerns about moving and housing such large populations, such a proposition would potentially harm the economy. The California Department of Agriculture felt that Italian and German aliens were more essential to agriculture than the


\(^{134}\) Telephone conversation between General DeWitt and Colonel Bendetson, February 20, 1942, in *American Concentration Camps*, Vol. 3, ed. Daniels; see also Address by Tom C. Clark, Chief, Wartime Civilian Control Administration Western Defense Command, to Los Angeles Advertising Club, Biltmore Hotel, March 17, 1942, in *American Concentration Camps*, Vol. 3, ed. Daniels. The “A strip” of Military Area No. 1, from which area DeWitt indicated he would order all German and Italian aliens removed, extended from Canada to San Diego and was some fifty miles wide in some parts.

\(^{135}\) Memorandum from Meeting of Joint Evacuation Board, February 25, 1942, in *American Concentration Camps*, Vol. 3, ed. Daniels. The Joint Evacuation Board had representatives from the following organizations: War Department; Navy Department; American Red Cross; U.S. Office of Education; Office of Civilian Defense; U.S. Public Health Service; U.S. Department of Labor; Federal Security Agency; and Division of Defense Housing Coordination, Executive Office of the President.

Japanese in Area No. 1A along the coast, particularly in the grape, dairy, and deciduous fruit industries which produced by-products and medicinal commodities needed by the armed forces. Director W. J. Cecil felt an exception from alien evacuation for Italian and German fruit laborers was justified because “the grouping of all Japanese without respect to American citizenship seems to dispel any particular consistency in the program.”

Italian Americans in government positions made great efforts to spare Italian communities the disruption of evacuation. John Molinari, who had served as an Assistant District Attorney in California during World War II, was personally familiar with many of the Italians affected by wartime restrictions. Molinari, as a member of Citizens’ Committee to Aid Italians Loyal to the United States, a group created to forestall any efforts to evacuate the Italians, met with a subordinate of General DeWitt at the Presidio in San Francisco to argue that the movement of the Italian population would create a much greater logistical problem than that posed by the Japanese.

We reminded the general that, particularly in this area, up through northern California, the Italians were very active in many industries and commercial endeavors: the garbage collection, the farmers. We talked about A.P. Giannini being the president of Bank of America. And we impressed upon the general that if you moved all of these people, . . . it would have included people of Italian descent who were born in this country. And we impressed upon him strongly that it certainly would disrupt the productive industrial and commercial endeavors in the community. We had already had some indication of commercial activities.

The arguments of Attorney Molinari, however, did not delay the evacuation of approximately 10,000 Italian aliens from their homes and businesses from February 1942.

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138 John Molinari, interview by Stephen Fox, San Francisco, California, February 6, 1987, in Fox, Uncivil Liberties, 142. Molinari said that this group would have supported aliens as well as citizens “because the aliens – so many of them never got around to getting citizenship – had been here for thirty, forty, fifty years,” 17.
through June 1942. Some like Celestina Stagnar Loero were given only forty-eight hours to leave their homes. Loero, an elderly woman who spoke little English, had lived in the coastal community of Santa Cruz for over forty-one years when Justice Department agents came to her door in late February 1942 to tell her that she had to move inland of Highway 1 or otherwise face arrest. She had no choice but to comply. Often the evacuation orders resulted in the separation of one or more family members from the rest of the family. A resident of Arcata, California, related both the hardship and illogic of this program:

My mother, who lived here too, was born in France, so she was able to stay in her house, even though she was Italian. I was able to stay because I was born here. But my dad and husband had to go across the street. They both lost their jobs. . . . My dad had been here since 1902; nobody ever bothered you, so you didn’t become a citizen.

Italian families who moved as a unit went to cramped, makeshift homes. Alien residents from Pittsburg, California moved to Oakley, a town fifteen miles inland, where they lived in little shacks built for migrant laborers who harvested fruit in the summers. The community of about twelve “little huts” resembled an army camp. In recalling the difficulties of uprooted families in Oakley, such as the lack of transportation to shop for groceries and unfamiliar schools for their children, Frank Buccellato emphasized the confusion experienced by Italian aliens who had married American citizens and sent their sons to war to fight for the United States.

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139 See DOJ Report, v.


141 Nida Vanni, interview by Stephen Fox, Arcata, California, July 7, 1986, in Fox, Uncivil Liberties, 79.

142 Frank Buccellato, interview by Stephen Fox, Pittsburg, California, February 3, 1987, in Fox, Uncivil Liberties, 135-36.
These experiences on the West Coast reflected the harsher interpretation of threat and resulting stricter implementation of what was an open-ended proclamation in Executive Order 9066. The language of 9066 gave military commanders great discretion to determine the extent of the military zones and who were to be excluded or restricted within those zones. As a result, the East Coast produced different wartime programs. In contrast to General DeWitt, whose original intentions to remove all German and Italian aliens indicated a belief that nationality alone was the appropriate measure of a threat to national security, General Drum stated that his implementation of the government’s plan would be based on evidence of disloyalty or dangerousness. Drum never contemplated mass evacuation as DeWitt had for the Western Defense Command. In late April 1942, General Drum publicly announced his intention for the East Coast to establish prohibited and restricted areas along the entire Atlantic seaboard and inland, which were to affect sixteen states. However, he defined military areas narrowly so as to avoid displacing people. Drum thought in terms of individual action against dangerous aliens and citizens, rather than excluding groups.

….the fundamental policy embodied in the plan is not to interfere in any manner whatever with the lives of the great mass of loyal Americans in the States included in the military areas, or with the economic life of the area, but it does express the determination of the military authorities to prevent any enemy sympathizer, whether alien enemy, alien of other nationality, or disloyal American, if any exist, from committing any act detrimental to the national security. Those persons whose conduct reflects their patriotic motives will not be affected by this administration.

143 Memorandum For The President (Draft), Subject: East Coast Military Areas, April 14, 1942, in American Concentration Camps, Vol. 4, ed. Daniels; DOJ Report, 9.


Drum’s approach of separating the potentially dangerous from the “mass of loyal Americans,” regardless of citizenship or ethnicity but rather based on an individual’s conduct, stood in stark contrast to General DeWitt’s policy of associating a particular heritage with suspicion, which resulted in the evacuation of thousands of Italians from their homes for approximately four months. Unique to the East Coast was General Drum’s order to dim lights at night.\(^{147}\) Drum believed it was necessary to control lights in such places as Coney Island and the Florida coast.\(^{148}\)

Secretary of War Stimson confirmed the adoption of separate coastal policies in discussing Attorney General Biddle’s concern over a rumor about “various drastic steps in the eastern seaboard for mass evacuation of aliens – Germans and Italians.” Stimson allayed Biddle’s fears by assuring him, as well as the president, that “we are not going to have any mass evacuations on the east coast but are going to do it very carefully with very small numbers.”\(^{149}\) As mentioned above, the application of an individual exclusion plan was also far less extensive in the Eastern Defense Command than in the Western Defense Command, both in terms of the total number of persons and the percentage of the alien population affected in those regions. Only 59 individuals in the Eastern Defense Command and 21 in the Southern Defense Command received exclusion orders, compared to 174 individuals from the Western Defense Command.\(^{150}\)


\(^{149}\) Stimson Diaries, Vol. XXXVIII, reel 7, April 15, 1942; see Stimson Diaries, Vol. XXXIX, reel 7, May 15, 1942 (“General Drum has publicly announced that he had no such evacuations in contemplation.”).

In addition to zones designated prohibited to alien enemies, in February 1942, the Attorney General announced restricted areas on the West Coast in which more than 50,000 Italians had to observe curfews and travel restrictions. Unlike prohibited zones, from which the government barred enemy aliens, they could remain in restricted areas. FBI agents searched the homes of aliens for contraband items, such as firearms, short-wave radios, cameras, and other items deemed possible instruments of espionage, and confiscated these items. The Justice Department reported that searches were conducted in approximately 2,900 Italian homes nationwide; approximately two-thirds of these searches occurred in New York, Pennsylvania, California, and Louisiana. Many Italians promised the return of their possessions at the end of the war were sorely disappointed when the government did not return items to them. Benito Vanni, whose father turned over two shotguns, two rifles, a handgun, a saber, and a pair of binoculars before he was sent to an internment camp, recalled his father’s futile efforts to reclaim the property after his release since he did not have a receipt, leading him to believe that the arresting officers took them. Harry Massagli’s father, who lost his radio, three rifles, and a shotgun during a search at his house, was particularly offended that the government made no

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151 DOJ Report, v, 25. One was a large area that spanned the entire coastline of California from the Oregon border south to fifty miles north of Los Angeles, extending inland from thirty to 150 miles. Other restricted areas surrounded hydroelectric generating plants. DOJ Report, 20-21.

152 DOJ Report, 23. The confiscation of such contraband, authorized by Proclamation 2527, included firearms, weapons, ammunition, bombs, explosives, short-wave radio receiving sets, transmitting sets, signal devices, codes or ciphers, cameras, and documents of military facilities, etc. See Presidential Proclamation No. 2527, Federal Register 6 (December 7, 1941): 6324, incorporating provisions from Presidential Proclamation No. 2525 Federal Register 6 (December 7, 1941): 6321 (pertaining to Japanese).

153 DOJ Report, 24. The Report states that 1,907 searches resulted in 1,077 confiscations of contraband and that a majority of searches occurred on the East Coast.


155 Benito Vanni, interview by Stephen Fox, Daly City, California, June 24, 1987, in Fox, Uncivil Liberties, 74-75.
exception since Massagli’s children were American citizens. Confiscations from Italian homes on the East Coast occurred in a similar fashion – police confiscated items by subpoena and did not provide the aliens a receipt to reclaim the items later. Joseph Carroccia, a prominent member of the Lenolese Society, a social club of Italian immigrants in Farmington, Connecticut, never saw the return of his short-wave radio and flashlights which were taken from his home at the start of the war.

What appear to have been equally damaging to Italian aliens from Boston and Gloucester, Massachusetts to Eureka, California and down the West Coast to San Diego, and New Orleans as well, were restrictions placed upon fishermen. Although the exact terms varied from port to port, the attorney general’s order of January 30, 1942 told fishermen where and when they could fish; they could not take their boats out and had no access to wharfs and piers, which were manned by armed guards in some locations. Many fishermen affected by the restrictions had been in the United States for up to 50 years, but they had not become naturalized because they were too busy working or were afraid of the examination since they were illiterate and could speak very little English. More importantly, in the fishing community, there was little or no pressure to obtain American citizenship. The Italian fishermen worked with paesani or relatives who spoke Italian

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156 Harry Massagli, interview by Stephen Fox, Eureka, California, July 13, 1987, in Fox, *Uncivil Liberties*, 75-76.

157 Conference with Angela Carroccia Basile, Bristol, Connecticut, December 28, 2012 (notes on file with author). Basile explained that her father, Joseph Carroccia, may have come to the government’s attention because he made nine trips back and forth to Italy and even served in the Italian army on one of his return trips.


and followed the same lifestyle.\textsuperscript{160} In such insular communities, the Italians did not need to speak English or acculturate to the United States.

The effect of wartime restrictions on the fishermen’s livelihood was dramatic, as was the impact on the commercial fishing industry as a whole. Many fishermen lost their boats for the duration of the war through purchase by the government or a lease arrangement.\textsuperscript{161} Here too, “[t]he most severe application of these restrictions occurred in the Western Defense Command and represented, at times, a conflict between the services” because the Navy was concerned with minimizing the impact on the fishing industry, while the Army was intent on ensuring security.\textsuperscript{162} According to Salvatore Ferrante, a naturalized citizen, the Army and Navy requisitioned the best fishing boats in Monterey and San Pedro for patrolling along the Pacific Coast down to Latin America and along the Atlantic Coast as well. The Navy requisitioned his canning plant in Port Hueneme along with the entire harbor to use as “an assembly port to ship war material and men to strategic places.” Ferrante did not believe that the armed forces took the fishermen’s boats because they were Italian. Rather, “they just had to have boats, and they wanted the best ones that were in the fleet. It didn’t matter whether a man was a citizen.”\textsuperscript{163}

While Ferrante seemed satisfied with the government’s compensation for his plant, other fishermen felt that the government had not treated them fairly. Giuseppe Spadaro, also a U.S. citizen, lost his boat for two years while the government used it for patrolling. The government paid him $600 a month for using it and covered the expenses of insurance and taxes. Along with


\textsuperscript{161} DOJ Report, 27.

\textsuperscript{162} DOJ Report, 34.

other fishermen, he went to Seattle to charter boats in order to earn a living. When the government returned his boat, it was in such bad shape that he had to continue fishing with the rented boat. Spadaro ended up selling it to the shipyard for $4,000, considerably less than its original value, because he could not fix it himself.\textsuperscript{164} Compliance with the government’s requests for their boats did not win the fishermen favor with respect to other government restrictions. Neither the requisition of John Russo’s purse seiner by the Navy on February 23, 1942 nor the fact that his brother had been drafted into the Navy prevented the evacuation of his parents from their home in Monterey the very next day.\textsuperscript{165} As was the case with evacuation from the West Coast, the government made no exceptions for families who had contributed significantly to the war effort.

On Columbus Day on October 12, 1942, Attorney General Biddle announced the removal of Italians from the category of alien enemies. As of this date, 653 Italians had been brought before alien enemy hearing boards, and of these, 232 had been ordered interned. The proclamation removing alien enemy status set forth the following terms: Italians could travel without restriction throughout the United States; they could change their employment or residence without notice to the U.S. Attorneys’ Office; alien enemy certificates of identification were no longer required; the prohibition against the use of cameras, short wave radios, and signaling devices was lifted; and permits and curfews in military zones were dissolved.

\textsuperscript{164} Giuseppe Spadaro, interview by Stephen Fox, Monterey, California, January 9, 1988, in Fox, \textit{Uncivil Liberties}, 102-03.

However, there would be no change in the status of Italian aliens who had already been interned or paroled by the Attorney General.166

After showing the immediacy with which the FBI arrested Italian aliens deemed the greatest security risks and detained them for the internment process, this chapter traced the debates among the three branches of government that ultimately saved the Italian alien population from mass evacuation and internment. Instead, the military imposed short-term evacuation of approximately 10,000 Italians from prohibited zones along the West Coast and instituted individual exclusion of aliens and naturalized citizens from military areas across the country. In implementing policies and affording exceptions to restrictions, the perception of threat, the philosophies of military commanders, and racial distinctions among the enemy aliens were all decisive factors. The following chapter continues the discussion of how the U.S. government assessed the threat posed by aliens and naturalized citizens of Italian descent, but focuses on the hearings before alien enemy hearing boards in the selective internment process. Despite no legal mandate to do so, Attorney General Biddle upheld a policy throughout the war of affording hearings to enemy aliens before internment, yet struggled to maintain consistency in the initial hearings across federal districts and in rehearings during the aliens’ internment at the military camps.

166 “Explains Benefits to Italian Aliens: Justice Department Lists Four Restrictions From Which 600,000 Will Be Freed,” New York Times, October 14, 1942, 27. According to my data set, 231 had received internment orders by this date.
CHAPTER 4: “I WAS GIVEN A SO-CALLED HEARING”: INCONSISTENCIES IN THE INTERNMENT PROCESS

Dear Mr. President:

Last night I listened to the “I Am an American” broadcast, sitting in a primitive barrack in an internment camp, and I could not help feeling sadly disillusioned.

I had come to America as a poor young boy, thirteen years old, and have lived in this country ever since. In 1918 I became an American citizen and served with the A.E.F. [American Expeditionary Force] in France. I received an honorable discharge. . . .

I have always lived an honorable family life and am a businessman, head of the contracting establishment which I have created, of excellent standing. . . .

In Honolulu, I was given a so-called hearing which lasted five minutes. No formal accusation against which I could have defended myself was ever brought against me, nor were the reasons for my arrest ever disclosed to me. . . .

. . . I would consider it an honor and a privilege to serve in the most exposed and dangerous spot, on an oil tanker, anywhere. I would gladly sacrifice my life for my country.

But I find it profoundly shocking to be treated in my own country like an enemy alien and to have been subjected to proceedings unworthy of American administration.

Hoping that you will believe in my sincerity and that you will give orders so that the wrong done to my family and myself will be straightened out,

I remain, Mr. President,
very respectfully yours,
Mario Valdastri

Although it was rare for a non-Japanese naturalized citizen like Mario Valdastri to face internment during World War II, the shock over how he was treated by the U.S. government and his resulting disillusionment exemplify the feelings of many Italian internees that the hearings

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1 Mario Valdastri to the President of the United States, May 28, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA. The letter bears a handwritten note, “no further action necessary,” which leads one to conclude that Valdastri’s letter went unanswered. Valdastri was not the only naturalized citizen taken from Hawaii. Gildo (Tony) Marta, a former waiter in Honolulu and U.S. citizen since 1932, was interned with Valdastri at Camp McCoy in Wisconsin and returned to Hawaii at the same time. During his internment, Marta wrote to Secretary Stimson stating that he could not understand why he was not released given that his hearing was favorable. Gildo Tony Marta to Henry L. Stimson, Secretary of War, June 1, 1942, Folder of Tony (Gildo, Egildo) Marta, Box 13, PMG Records of Italian Civilian Internees, NARA.
process was unjust. Since government officials did not notify aliens of specific charges of misconduct, disloyalty, or even of suspicious activity, they did not know what they did wrong. The absence of formal charges did not afford them an opportunity to defend themselves at hearings before alien enemy hearing boards by presenting evidence that might have explained the activity that came under suspicion and saved them from internment. The Justice Department’s litigation files reveal the types of behavior that would convince a hearing board that a subject deserved internment, specifically reports of proclamations of loyalty to the Fascist cause or worse, statements to that effect during the actual hearing. But it is far more difficult to discern a pattern in the types of favorable information that would result in a subject’s parole or release. Avowing entire sympathy with the United States could work to one’s favor. Yet Valdastri’s futile attempt to prove his loyalty to the United States through a willingness to fight in the armed forces against the Axis powers echoes the efforts of other civilian internees in alien enemy hearings who tried unsuccessfully to provide evidence of their potential to be good citizens as a way of overcoming FBI reports of Fascist sympathies and anti-American

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2 In my review of the civilian internee files in the Provost Marshal General Records, I have identified four more naturalized U.S. citizens who were interned: Pasquale DeCicco whose legal status was before the federal district court in 1943; Frank Membrini whose citizenship was terminated; Arturo Pasquini who was ordered interned upon release from the Northeastern Penitentiary; and Domenico Trombetta who was denaturalized in September 1942. Folder of Pasquale DeCicco, Box 7, Folder of Frank Membrini, Box 13, Folder of Arturo Pasquini, Box 15, Folder of Domenico Trombetta, Box 19, PMG Records of Italian Civilian Internees, NARA.

3 See, e.g., Allesandro Fabbri to Mr. Matthias Corres, U.S. District Attorney, August 26, 1942, in which he wrote: “Since I was never told the reason of my present internment, I can only guess at its causes. It is, at all times, difficult to fence against the unknown . . .” Folder of Allesandro Fabbri, Box 8, PMG Records of Italian Civilian Internees, NARA. See also Mario Ricciardelli to Hon. Edward J. Ennis, Sept. 14, 1942, stating: “Since my apprehension as an alien of enemy nationality nine months ago, I have honestly surveyed my past life during my long residence in this Country, in order to find out what activity or action of mine could have been the cause of my internment here.” Folder of Mario Ricciardelli, Box 17, PMG Records of Italian Civilian Internees, NARA.

4 See, e.g., File of Augusto Charles Mauro, File No. 146-13-2-52-476, Box 495, General Records of the Department of Justice, “WWII Alien Enemy Internment Case Files, 1941-1951,” Record Group 60; National Archives at College Park, College Park, MD. (hereafter “DOJ Litigation Files, NARA”), where a Special Hearing Board recommended release after about a year because Mauro had become “entirely sympathetic with the United States.” The Attorney General decided to parole him instead and released him eight months later after he stated in an interview that he hoped the United States would win the war by defeating the Axis powers.
dispositions. Thus tribunals had considerable discretion to credit certain aspects of an investigative record and to discredit others in reaching a decision on a subject.

Examining the Justice Department’s litigation files for alien enemies, chosen for particular factors such as the internee’s legal status, profession, age, or gender, and the files of hearing board members in Boston and New York City, reveals the inconsistencies in the hearings process. Complaints about the process eventually led the Justice Department to issue a series of remedial instructions to the hearing boards, beginning in February 1942 and continuing through 1943. Those instructions are in many ways the best evidence that the alien enemy hearings could have been uniformly fairer. Unfortunately, for the majority of Italian internees already interned within the first six months of the alien enemy hearing program, the attempt to improve due process did not affect the earlier determinations of internment.

Some of the case studies below illustrate the types of defective process that the Justice Department addressed, such as the lack of formal charges against the subjects, while others exhibit the failure of the board to admit testimony favorable to the subject. In other instances, cultural biases of board members and the political influence of witnesses compromised institutional standards and prevailed over objectively measurable threats, sometimes serving to disadvantage a subject and at other times positively affecting outcomes, such as cases where Italian American hearing board members or government attorneys were involved. Still other cases, like that of Ubaldo Guidi-Buttrini below, offer narratives of a more thoughtful process, of hearing boards grappling with the meaning of due process as it pertained to enemy aliens and

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5 See, e.g., File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA, where overwhelming evidence that Fragale held allegiance to the United States did not accelerate his parole, as discussed below.
striving for a contextualized adjudicatory process, and the Justice Department carefully reviewing board recommendations. Cases where multiple hearings were held, particularly when individuals were interned longer, not only gave subjects the opportunity eventually to address the government’s concerns, but also allowed boards to more thoroughly examine the behavior and mindset of the subjects.

In addition to setting forth discrepancies between what the Justice Department expected hearing boards to do and how they actually functioned, this chapter reveals the tension between what internees felt was a just process for deciding whether they posed a danger to society and the then-existing legal guarantees for enemy aliens. The fact that hearings were provided at all when neither U.S. nor international treaty law required them for nationals of countries at war with the United States indicates a commitment, even in the atmosphere of war, to the democratic ideals of justice.

As a naturalized citizen in the Territory of Hawaii, Valdastri presents a case unique from the other internees profiled in this chapter and gives us an opportunity to understand civil-military relations during war time. The U.S. government’s treatment of U.S. citizens in Hawaii relied upon the pronouncement of martial law there after the attack on Pearl Harbor and the declaration of the Hawaiian Islands as a war zone. Since it was a potential target for invasion and a place that agents of the enemy might infiltrate, the territorial governor had suspended the writ of habeas corpus. This meant that there was no constitutional protection for U.S. citizens against imprisonment or detention without judicial order. During the period of martial law, which lasted until October 1944, the military oversaw the Hawaiian legal system, resulting in the trial of cases in military courts, even those not involving national security.6

Valdastri was born in Italy in 1896, and as a teenager in 1909 came to the United States where he then resided continuously. In 1918, he became an American citizen when he enlisted in the U.S. Army to serve in France during World War I, receiving an honorable discharge the following year. Upon his return to civilian life, he married an American citizen of Italian origin, had two children, and built a successful contracting business in Honolulu, Hawaii. When FBI agents arrested Valdastri on December 8, 1941 in Honolulu, he was in ill health.

At his hearing at Fort Shafter on Hawaii before a board of Army officers and civilians, Valdastri appeared without counsel. While Valdastri was out of the room, an FBI agent gave testimony that upon his return from a trip to Europe in 1933, “he expressed himself as quite pro-Fascist, which attitude has become more pronounced since the start of the recent war” as well as pro-Nazi, and even held meetings of local Italians at his home “to forward the cause of Fascism in the Islands.” Most suspicious was his allegedly close friendship with the former secretary to the Italian Consul in Honolulu who was suspected of espionage activity. After the president’s closure of Italian consulates, it was believed that the Italian Consul asked Valdastri to carry on some of the activities of the consulate. In response to questioning by the board, Valdastri admitted to expressing pro-Fascist leanings until 1935 and stated that since then he “detested the movement of Fascism” and had “nothing to do with the Germans” or Nazism. He admitted to his acquaintance with the consul’s secretary, but characterized the nature of his meetings at the consulate as relating to the development of commerce and the financial business of the Italian

the writ of habeas corpus was only suspended within Hawaii and therefore, martial law would not have followed Valdastri to the mainland. As several amicus briefs to the Supreme Court in Boumediene v. Bush, 553 U.S. 723 (2008) have argued, the writ applies to the status of the jailor, not the citizenship of the jailed. See, e.g., Brief of Legal Historians as Amici Curiae In Support of the Petitioners, accessed October 28, 2013, http://www.scotusblog.com/movabletype/archives/probono_Boumediene_FINAL.pdf. Thus, there is an argument that the “jaillors” at internment camps in the United States would have been subject to the writ.

7 Mario Valdastri to the President of the United States, May 28, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.
Club which he later disbanded for political differences, rather than representing the actions of the
governments of Germany and Italy.\footnote{Record of the Hearings of a Board of Officers and Civilians, Hawaiian Department, 14 December 1941, Folder of Mario Valdastri, Box 2643, Records of the Office of the Provost Marshal General, Subject File, 1942-46, Hawaii, Civilian Internees, Record Group 389; National Archives at College Park, College Park, MD. Apparently Lawrence DiStasi was not aware of this transcript which provides reasons for Valdastri’s internment. In his book of essays, Una Storia Segreta, he cites to an interview with Valdastri’s son, Mario Valdastri, Jr., which offers his father’s dispute with a powerful businessman on Oahu and mistaken identity when the elder Valdastri first arrived in Hawaii as the most likely reasons for his internment. DiStasi dismisses such evidence as “tenuous and circumstantial.” See DiStasi, “A Tale of Two Citizens,” in Una Storia Segreta, DiStasi, ed., 150-51.} The hearing board clearly felt that Valdastri’s ties to Fascist government officials and his former leadership of the Hawaiian Italian Club with its Fascist leanings were too recent for the U.S. government to trust his loyalty to the United States. Since Valdastri fit the profile of someone capable of inciting others because of his prominence in business and political circles, U.S. authorities chose not to take a risk with him.

After three months of detention at the Honolulu Immigration Station and a facility on Sand Island (within Honolulu proper), during which time he was not allowed to have visitors, he was transferred to two army camps for internment, first Fort McDowell on Angel Island in San Francisco and then Camp McCoy, Wisconsin. In an appeal to the ACLU in New York, Valdastri spoke of the injustice he experienced, stating that he had never been formally charged and that, as an American citizen, he felt that he was entitled to “an opportunity of having my case brought before a regular court and of assuring my defense.”\footnote{Mario Valdastri to American Civil Liberties, New York, NY, May 10, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.} There is no evidence in Valdastri’s file that the ACLU came to his defense.

Upon his return to Sand Island in June 1942, Valdastri’s daughter Frances wrote to Allen Gullion, the Provost Marshall General during most of World War II. She requested his release
after Valdastri’s own letter to Gullion went unanswered. Major General Gullion assured Frances Valdastri that her father had undergone a hearing before a board comprised of three civilians before his internment, under the jurisdiction of the Commanding General of the Hawaiian Department. In fact, contrary to Gullion’s representation of Valdastri’s hearing, the transcript of his December 1941 hearing at Fort Shafter indicates that the board was comprised of both military officers and civilians. Speaking of Valdastri as if he were an alien enemy instead of a naturalized U.S. citizen, Gullion explained that the hearing was “not held as a matter of right but was allowed in order to avoid injustice.” Gullion cited “[c]onsiderations of national security, dependent upon the military factors involved” as governing the decision to intern Valdastri. His release was dependent upon a determination by the Hawaiian Department that “such release would in no way endanger the public safety of the United States or be detrimental to the war effort.”

Valdastri was released in late February 1943 after a second hearing board concluded that he was not a danger to the United States. One of the factors contributing to his release at that time was that the military needed Valdastri’s skills in construction. In 1967, he chose to retire with his wife in Italy and lived to be eighty-two. Of the Italian internees in my study, Valdastri’s prominence and apparent connections to Fascism placed him among those that gave the U.S. government the most concern, which raises the issue, addressed in the Conclusion, of

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10 Frances Valdastri to Allen W. Gullion, Provost Marshall General, July 18, 1942; Mario Valdastri to Allen W. Gullion, Provost Marshall General, June 1, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.

11 Major General Allen W. Gullion to Frances Valdastri, July 28, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA. The label “Aliens Div.” which appears in the upper right-hand corner of the letter indicates that Valdastri was categorized as an alien despite his American citizenship.

whether the government was justified in grouping naturalized American citizens together with Italian aliens.\textsuperscript{13}

In contrast to Valdastri’s situation in Hawaii, where being under martial law made a critical difference, in the matter of the internment of Italian aliens who had been residents on the mainland, the wartime detention plans envisioned entirely civilian proceedings from the arrest, as authorized by Presidential proclamation, to the issuance of warrants by the Attorney General for searches of enemy aliens’ homes, through the alien enemy hearings. The Justice Department could also consider prosecution under the Smith Act of 1940 or denaturalization proceedings for naturalized American citizens not subject to internment who were suspected of subversive activities, specifically urging military insubordination or the violent overthrow of the government.\textsuperscript{14}

As discussed in Chapter 2, the INS based its entire internment program on various articles of the 1929 Geneva Convention and its camp commanders interpreted the convention’s provisions to apply to civilian internees. Thus, an internee who had grievances would have relied upon the Convention in making arguments for his case.\textsuperscript{15} Part III of Chapter 3 of the 1929 Convention, entitled “Penal sanctions with regard to prisoners of war,” concerns judicial proceedings which followed the laws, regulations, and orders of the armed forces and were to be applied if a prisoner violated such a law and regulation and was brought up for punishment. Unfortunately for the internees, these provisions, akin to procedural protections for criminal

\textsuperscript{13} Valdastri is the only subject in my study for whom there remains a classified file of the Justice Department at NARA at College Park, MD.

\textsuperscript{14} See Senate Intelligence Report, 419-20. Other statutory tools were the Foreign Agents Registration Act and the Voorhis Act of 1941 requiring organizations with foreign ties advocating the violent overthrow of the government to formally register.

\textsuperscript{15} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 382.
defendants, were not interpreted to have any applicability to the alien enemy hearings. The provisions of Article 60, paragraph (c) which required that prisoners of war receive a “Statement of the charge or charges, and of the legal provisions applicable” were not construed to apply to interned enemy aliens, most likely because they had not been charged with any criminal offenses. Not surprisingly, internees habitually complained that they were not notified of any charges against them and that the government did not explain the legal ramifications of their statements in the hearings. As will be shown in the following section, unlike prisoners of war who had the right to an attorney in proceedings and the right of appeal, enemy aliens were not afforded the same procedural guarantees.

The hearings before the alien enemy hearing boards during World War II more nearly modeled on deportation hearings of the same time period. The deportation process consisted of both a preliminary hearing and a formal hearing. In the preliminary hearing, an inspector conducted an examination of the alien to obtain information in order to make out a prima facie case, and the warrant for arrest was based on this information. At such preliminary hearings, the alien was rarely represented by counsel and usually was not acquainted with the charges against him because the purpose of the hearing was to discover evidence to be used against him.


17 See International Committee of the Red Cross, Report on Its Activities During the Second World War, 574-75.

18 Report of the Secretary of Labor’s Committee of Administrative Procedure, Department of Labor, The Immigration and Naturalization Service, Washington, D.C., Miscellaneous Documents Vol. 587, c. 1 of “Unclassified Collection.” (1940) (hereafter “Labor Committee Report”), 26. The purpose of the report was to explain the present state of exclusion and deportation hearings and to suggest methods for improving the fairness of such hearings. Article 62 of the 1929 Geneva Convention provides the right to an attorney and Article 64 the right of appeal.

19 Labor Committee Report, 26.
The more formal hearing in the second stage of deportation proceedings better comported
with due process in a court of law. For instance, the alien had a right to counsel and to hear the
charges against him before the inspector questioned him about his background and the particular
circumstances of his case.\textsuperscript{20} Additionally, the alien or his counsel had the opportunity to cross
examine government witnesses.\textsuperscript{21} Inspectors admitted hearsay evidence since they did not
follow any formal rules of evidence or procedure.\textsuperscript{22} Finally, there was a record of the hearing,
often prepared by the inspector himself.\textsuperscript{23}

The hearings before the alien enemy hearing boards resembled the informality of the
preliminary hearings in deportation, and the minimal protections of the alien’s rights were also
comparable. The hearings lasted from twenty minutes to half an hour and were conducted
without adherence to the rules of evidence: a U.S. attorney presented each case to the board; the
FBI agents read their reports which could be challenged by the U.S. attorney when opinions
rather than facts were put forth; the alien answered questions from the agents and the board
members and presented affidavits or called witnesses in special cases.\textsuperscript{24} Circumstances such as
the use of translators and the desire of busy hearing board members to hear as many cases as

\textsuperscript{20} Labor Committee Report, 27.

\textsuperscript{21} Labor Committee Report, 27.

\textsuperscript{22} Labor Committee Report, 27. Note that hearsay is the report of someone’s words by a witness which cannot be
substantiated and therefore, is inadmissible as evidence in a court of law. For example, an anonymous informant
might have attended a meeting of the Sons of Italy and reported to an FBI agent that a subject alien spoke with
fervor about Fascism. Such occurrence could not be verified but was acceptable evidence for the proceedings
discussed here.

\textsuperscript{23} Labor Committee Report, 27.

\textsuperscript{24} Fox, \textit{Uncivil Liberties}, 200.
possible on any given evening, even if it meant going late into the night, prevented comprehensive, fair hearings in many instances.\(^{25}\)

Unlike deportation hearings where transcripts were regularly kept, the absence of transcripts or records with justifications from hearing boards often prevented Attorney General Biddle from fairly determining whether or not to uphold or overrule the board decision. Thus, although both types of proceedings lacked the due process of a criminal hearing, there were some procedural mechanisms in place in deportation hearings to afford aliens of non-enemy countries greater protections than alien enemies.\(^{26}\) In the alien enemy hearings, board members could base their recommendations for internment on information in FBI reports which subjects were not given the opportunity to refute.

The case of Biagio Farese, a radio announcer born in Italy in 1897 who was among the first aliens to be apprehended in Boston, illustrates the differences between deportation and alien enemy proceedings, and how they operated separately within the Justice Department. As indicated in the statistical portion of Chapter 3, at least ten of the subject internees had undergone deportation proceedings by the time they were interned or were labeled a “criminal deportable alien enemy.” Farese simultaneously underwent deportation proceedings through the INS and alien enemy hearings through the Alien Enemy Control Unit. His case shows how the legal distinction between an alien and an enemy alien affected the procedural rights afforded him.

Farese’s story is also important because it illustrates the long reach of the Alien Enemy Act and highlights the complicated issues that holding multiple citizenships caused Italians who


\(^{26}\) See Labor Committee Report. For a recent reinterpretation of how courts should draw the line between regulatory deportation procedures and punitive ones requiring constitutional protections like those afforded alleged criminals, see Daniel Kanstroom, \textit{Deportation Nation: Outsiders in American History} (Cambridge, MA: Harvard University Press, 2010).
migrated to the United States through other locations on the American continent. Since the Alien Enemy Act applies to “all natives, citizens, denizens, or subjects of the hostile nation or government,” it did not matter that Farese had more recently become a citizen of either Canada or Great Britain, both friendly nations. All that mattered was that he was born in Italy, a country at war with the United States at the time.

Farese came to the attention of the FBI because of his uncertain citizenship status as well as his associations with organizations and individuals in Canada and in the Boston area believed to be promoting Fascism. In 1929, seven years after illegally entering Canada by deserting an Italian ship, Farese became a naturalized citizen of that country. There he was an editor of an Italian newspaper printed in Montreal called Il Cittadino, a pro-Italy paper alleged to have spread Fascist ideology. He entered the United States in 1936 by train into upper New York under the temporary status of a visitor, that is, without a visa, certificate or other documentation, but ended up residing first in New York and then in the Boston area where he registered as an alien under the Alien Registration Act of 1940. In Boston he engaged in the radio advertising business with a fellow Italian, which allegedly allowed him to broadcast pro-Fascist propaganda, and produced a comedy portraying an Italian family.\(^{27}\)

How Farese proceeded to navigate the immigration system, claiming three different citizenships at separate hearings, shows how the war context created difficulties for individuals who followed a transmigratory path to the United States. When war between Great Britain and Italy made his return to Canada unfavorable, Farese sought the assistance of U.S. Congressman Thomas A. Flaherty to obtain a visa from Cuba to permit his migration to the United States from

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\(^{27}\) FBI Reports re. Biagio Farese, with aliases Biagio Faresa and Blaise Farese, 1-14-42 and 1-16-42, Farese’s A-File.
that country.\textsuperscript{28} That effort never came to fruition because in October 1940 Farese was arrested for illegal entry and for overstaying his leave from Canada, initiating multiple deportation hearings. At the first hearing in December 1940, with the representation of counsel, he claimed to be a Canadian citizen. The outcome was a recommendation of deportation to Italy.\textsuperscript{29} At the second hearing held in May 1941 to consider his application for suspension of deportation or for voluntary departure, topics of questioning included his presidency of the Federation of Italian World War Veterans (\textit{Associazione Nazionale ex-Combattenti}) in Boston and his association with the Italian Consul. He denied all allegations of Fascist or “un-American” activities, stating that his solicitation of funds on behalf of the Federation was to benefit innocent women and children who were the victims of war in Italy.\textsuperscript{30} Believing that he had lost his Canadian citizenship due to his absence from Canada for over a year, and anxious not to return to Canada where he was certain that he would be interned along with his Italian comrades, he stated that he was an Italian citizen.\textsuperscript{31} A third hearing was held in October 1941 to allow Farese to answer certain allegations made by the Royal Canadian Mounted Police and the FBI regarding potentially Fascist activities. Again with the assistance of counsel, he denied joining the Italian army to engage in the Italian-Ethiopian War and denied ever being a member of the Fascist

\textsuperscript{28} Telegram, U.S. Congressman Thomas A. Flaherty to Edward J. Shaughnesssey, Deputy Assistant, Department of Immigration and Naturalization, August 28, 1940, Farese’s A-File.

\textsuperscript{29} FBI Report re. Biagio Farese, 1-14-42, Farese’s A-File.

\textsuperscript{30} Transcript of Deportation Hearing in the case of Biagio Farese, May 14, 1941, Farese’s A-File.

\textsuperscript{31} Transcript of Deportation Hearing in the case of Biagio Farese, May 14, 1941 and FBI Report re. Biagio Farese, 1-14-42, Farese’s A-File. See FBI Report re. Biagio Farese, 2-20-42, Farese’s A-File, citing Immigration Act and Regulations, issued June 1937 by the Minister of Mines and Resources, Ottawa, Canada, confirming that Canadian domicile was lost in Farese’s situation: “…When any citizen of Canada who is a British subject by naturalization or any British subject not born in Canada having a Canadian domicile shall have resided for one year outside of Canada, he shall be presumed to have lost Canadian domicile and shall cease to be a Canadian citizen . . . .”
Party.\textsuperscript{32} The outcome of the three hearings was a recommendation for deportation to Italy since he appeared to be “inimical to the welfare of this country.”\textsuperscript{33}

While Farese’s immigration status was pending final determination by the immigration headquarters in Washington, he came within the custody of the Alien Enemy Control Unit when he was arrested under Presidential warrant on December 8, 1941, underwent a hearing on January 17, 1942, and received his internment order on January 31.\textsuperscript{34} At his alien enemy hearing, he claimed British citizenship. Even though he had lost his Canadian citizenship due to his absence from Canada for six years, he remained a British subject under Canadian immigration law.\textsuperscript{35} As in the deportation hearings, at issue were his prior military service for Italy, his employment history, and his involvement in the Federation of Italian World War Veterans.\textsuperscript{36} Although both alien enemy and deportation proceedings were under the jurisdiction of the Justice Department, the hearing boards were separate judicial bodies and apparently did not share information for the purpose of affecting the outcome of the cases concerning the same individual. In Farese’s case, a favorable camp record based principally upon his time at Fort Missoula, where he remained until May 1943 before being transferred to Ellis Island, had no positive bearing upon the status of his deportation case. The record indicated that “he remained aloof from the known ardent Fascists” and cooperated with questioning from camp officials.

During the course of Farese’s internment in August 1943, the Board of Immigration Appeals

\textsuperscript{32} Transcript of Deportation Hearing in the case of Biagio Farese, October 22, 1941, Farese’s A-File.

\textsuperscript{33} FBI Report re. Biagio Farese, 1-14-42, Farese’s A-File.

\textsuperscript{34} Folder of Biagio Farese, Box 8, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{35} FBI Report, 1-14-42 re. Biagio Farese, Farese’s A-File.

\textsuperscript{36} FBI Report, 1-16-42 re. Biagio Farese, Farese’s A-File; see Transcript of Deportation Hearing in the case of Biagio Farese, May 14, 1941 and Transcript of Deportation Hearing in the case of Biagio Farese, October 22, 1941, Farese’s A-File.
determined that “because he [was] being interned as an alien enemy,” he should be deported to Canada based on his violation of the Immigration Act of 1924 by remaining in the United States for longer than permitted.37 This logic was reversed some months later when the Board of Immigration Appeals suggested to the Attorney General that if he continued Farese’s internment, his deportation would be deferred until the end of the war.38

Through good camp demeanor, favorable performance on work projects off the camps, and association with known anti-Fascists in the camps, Farese eventually earned parole in August 1944. At a hearing on Ellis Island before a Special Alien Enemy Hearing Board in the summer of 1944, he asserted his disgust with Mussolini and loyalty to the United States which made his continued internment not required for the protection of the internal security of this country. His parole was conditioned on close supervision by the Immigration Service and his not accepting employment in radio broadcasting. Farese told his district parole officer that while interned he delved into the principles of the Fascist government and came to the realization that the progress claimed by Mussolini’s government toward improving Italy was a sham, leading him to appreciate democracy and to hope for Italy to have a similar form of government some day. He claimed that his support of Italy had been out of pride for his homeland. Farese’s only complaint was that the terms of his parole kept him from finding employment in his line of work, and due to his being interned during the war, he had difficulty convincing people that he was


38 Handwritten notation of Attorney General’s agreement on Memorandum, Thomas G. Finucane, Chairman, U.S. Department of Justice Board of Immigration Appeals, to the Attorney General, April 15, 1944, Farese’s A-File.
anti-Fascist. Farese was finally released from the custody of the Alien Enemy Control Unit in November 1945, six months after the end of the war in Europe.

With internment behind him, Farese’s deportation case was reopened in May 1947 for further consideration of his application for discretionary relief based on the economic detriment that his deportation would cause his wife, a naturalized citizen, who was in poor health. As an alien in the deportation proceedings, Farese could assert family circumstances as a reason to avoid deportation, an opportunity that was not available to him as an enemy alien in the internment process. By this time, Farese and his wife were living in New York City where he was employed as a radio script writer and part-time actor on a radio station. In July 1947, the presiding inspector of the Immigration and Naturalization Service issued an opinion proposing that Farese’s outstanding warrant of deportation be withdrawn and that he be given an opportunity to depart voluntarily from the United States on the basis of discretionary relief due to his wife’s circumstances. Thus, after multiple hearings at which Farese could address the allegations against him and through various procedural mechanisms, Farese was able to obtain suspension of the deportation order and ultimately relief. Farese eventually became an American citizen in 1951 in Boston, and was residing in New York at the time of his death in 1969.

While these case studies reveal the process at work, it will also be useful to try and outline the attitudes of Justice Department officials and legislators about the process they were

39 Memorandum, Edward J. Ennis to Mr. W. F. Kelly, Assistant Commissioner for Alien Control, August 26, 1944, Farese’s A-File; Parolee Report of George S. Ader, District Parole Officer, December 1, 1944, Farese’s A-File.

40 Folder of Biagio Farese, Box 8, PMG Records of Italian Civilian Internees, NARA.


creating. Those attitudes created the policy, although they did so in dialogue with the relevant legal precedents regarding constitutional protections for aliens.

**The Long Reach of the Alien Enemy Act of 1798 and “Courtesy” Alien Enemy Hearings**

Director Edward Ennis of the Alien Enemy Control Unit established the procedures for hearing and reviewing cases of resident Italian aliens who had been arrested. The hearing board in every federal judicial district was to consist of “three citizen civilians at least one of whom should be an attorney, appointed by the Attorney General.”\(^{43}\) The hearings were adversarial in nature. A U.S. Attorney was to act as “the administrative officer of the Board [to] present to it the facts bearing on the alien enemy’s case,” and representatives of the INS and FBI were to be present with the board.\(^{44}\) The boards counted university presidents, deans and professors of law schools, newspaper publishers, and prominent businessmen among their members.\(^{45}\) Hearing board members received a token $1.00 a year plus travel expenses.\(^{46}\) It was considered an honor

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\(^{43}\) Francis Biddle, Attorney General, Department of Justice “Instructions To Alien Enemy Hearing Boards,” December 13, 1941, 1, Folder 8, Box 73, Griswold Papers. Note that some districts, such as the Southern District Court of New York, had more than one hearing board due to the large numbers of aliens in the district. “Rulings on Aliens Speeded by Biddle: He Names Boards for 22 of the 92 Judicial Districts to Decide Disposition,” *New York Times*, December 21, 1941. See also Annual Report of the Attorney General of the United States for the Fiscal Year Ended June 30, 1941 (Washington, D.C.: Government Printing Office, 1942), 14-15. The report states that there were 100 alien enemy hearing boards.

\(^{44}\) Francis Biddle, “Instructions To Alien Enemy Hearing Boards,” December 13, 1941, 1, Folder 8, Box 73, Griswold Papers.

\(^{45}\) “Corsi Heads Board on Enemy Aliens: Cases Here Will Come Before Former Commissioner of Immigration at Port,” *New York Times*, December 23, 1941. For example, in the Federal District of Connecticut, the hearing board members were as follows: James L. McConnaughy, president of Wesleyan University; Harry Shulman, Professor at Yale Law School; Francis S. Murphy, publisher of *The Hartford Times*; and George C. Long, Jr., president of the Phoenix Fire Insurance Company of Hartford.

for “respected and outstanding men in each federal judicial district” to serve the country in this capacity.47

A typical case file assigned to an Assistant U.S. Attorney consisted of a summary report on the subject alien from the FBI, the alien’s INS file, and an “Alien Enemy Questionnaire.”48 Aside from hearing the facts of each case presented by the Assistant U.S. Attorneys, the board was authorized to interrogate the alien and to decide whether to recommend internment, parole, or release on the basis of affidavits from the alien, witness statements, documents, and statements of the INS officer and FBI agent.49 The instructions stated that the alien could not have attorney representation and was not permitted to object to the hearing or any questions asked of the alien or other evidence adduced.50 In his memoir, Francis Biddle explained that the exclusion of attorneys from the proceedings “greatly expedited action,” and put the hearing on a “common-sense basis.”51 The board was to transmit its recommendations to Attorney General Biddle who made the final decision on each case. Its recommendations were to follow general guidelines: internment was for one of “dangerous character”; those “considered not so dangerous” were granted parole with or without bond and had to report periodically to a parole officer where they lived; and release from government custody was for those “found to be

47 Edmund J. Brandon, U.S. Attorney, to Professor Erwin Griswold, December 18, 1941, Folder 8, Box 73, Griswold Papers; Telegram from Washington D.C. to Erwin Griswold, Harvard Law School, December 17, 1941, Folder 8, Box 73, Griswold Papers.

48 “General Instructions in re: Alien Enemy Cases” to United States Attorneys, December 15, 1941, Folder “ACTIVITIES Alien Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,” Box 33, Corsi Papers.

49 Francis Biddle, “Instructions To Alien Enemy Hearing Boards,” December 13, 1941, 1, Folder 8, Box 73, Griswold Papers.

50 Francis Biddle, “Instructions To Alien Enemy Hearing Boards,” December 13, 1941, 2, Folder 8, Box 73, Griswold Papers.

harmless to the public safety.”52 While such nebulous categorizations left much discretion in the hands of hearing board members, the standard to be followed by the hearing boards dictated that any doubts about an alien’s loyalty were to be resolved in the government’s favor.53 As of May 1942, the disposition in approximately 42 percent of Italian alien enemy cases was internment.54

The following discussion among Dr. W.G. Everson, the chairman of the Alien Enemy Hearing Board in Oregon, and members of the Tolan Committee explains how the alien enemy hearing boards were to be conducted in each federal judicial district. It raises the issue of the type of procedure owed an enemy alien and how proceedings would differ from court trials.

**DR. EVERSON.** The responsibility rests with the Attorney General in Washington. The various boards conduct the hearings. The boards consist of three members – United States attorney, a representative of the naturalization immigration department, and a representative of the F.B.I., the three members, after hearing the case, send in through the United States attorney a recommendation to the Attorney General in Washington, and he only has the final disposition.55

**THE CHAIRMAN.** Doctor, is there anything obligatory on the Justice Department to turn these cases over to you?

**DR. EVERSON.** No.

**THE CHAIRMAN.** In other words, can they intern them without coming to you at all?

52 Francis Biddle, “Instructions To Alien Enemy Hearing Boards,” December 13, 1941, 2, Folder 8, Box 73, Griswold Papers. Note that a person on parole had to sever ties with any organizations that fostered the “spirit, culture, political or social ideas of any nation other than the United States” and could not communicate with any person in a foreign country. U.S. Attorney file No. M 68, Recommendation of Conditions of Parole by Alien Enemy Hearing Board, Folder 140.2, Box 140, Nicholas Kelley Papers, Manuscripts and Archives Division, The New York Public Library, Astor, Lenox, and Tilden Foundations (hereafter “Kelley Papers”).


54 Department of Justice Release to Morning Papers, June 3, 1942, Folder 2 (“Enemy Aliens, 1942-1945”), Box 17, American Committee for the Protection of Foreign Born Records. The statistics for parole and release were approximately 33 percent and 23 percent respectively.

55 Note that Dr. Everson appears to be mistaken. As indicated above, Attorney General Biddle was to appoint three civilian citizens to the hearing board in every federal judicial district, at least one of whom was to be an attorney.
DR. EVERSON. Yes. The alien is not entitled to hearing; it is not a trial. It is a courtesy that is granted to the enemy alien by the Government. The Government is under no obligation to conduct a hearing in any of these cases.

THE CHAIRMAN. What you are trying to fix is the loyalty or disloyalty of the particular aliens who come before you?

DR. EVERSON. We are trying to determine their present loyalty to the United States, or possible subsequent acts of disloyalty.

MR. SPARKMAN. And these people who are interned so far, are what might be classed as dangerous enemy aliens, aren’t they?

DR. EVERSON. We feel that they have done things that indicate they are disloyal to the United States Government, or, perhaps they have done things that would lead us to believe that they would be dangerous if left in their communities. 56

The Tolan Committee was cognizant that rights under the Constitution endure in wartime, stating that “suspension of this writ [of habeas corpus in cases of rebellion or invasion] does not abrogate the fifth and fourteenth amendments, which provide for due process and equal protection of the laws” because “[e]ven aliens are guaranteed certain protection afforded by the Constitution.” 57 Yet Attorney General Biddle recognized a distinction in the treatment of alien enemies, that is, citizens of countries at war with the United States, as opposed to any alien, arguing that “[a]ll alien enemies are subject to detention and internment for the duration of the war without hearing” since it is “not a matter of right.” He nonetheless decided that hearings were to be provided “in order to permit them to present facts in their behalf.” 58 This was

56 House Select Committee, Fourth Interim Report, 249.
57 House Select Committee, Preliminary Report, 14.
58 Francis Biddle, Attorney General, Department of Justice, “Circular 3616, Supplement No. 1, Instructions To Alien Enemy Hearing Boards,” January 7, 1942, Folder 8, Box 73, Griswold Papers; see J. Edgar Hoover, “Alien Enemy Control,” Iowa Law Review 29 (1943-1944): 398 (stating that an alien enemy arrested under 50 U.S.C. § 21 cannot defend himself on ground he was deprived of liberty without due process of law, citing Minotto v. Bradley, 252 F. 600 (D.C. Ill. 1918)).
consistent with the policy established by the Justice Department and the War Department in November 1941 that there be a hearing before internment “under alien enemy proceedings.”

Before considering what constituted a fair hearing in the context of alien enemies, a look at developments in the law’s treatment of aliens is informative. Under the plenary power doctrine, the federal government had substantive power to exclude and deport aliens, which was not subject to judicial review. However, in cases in the late nineteenth century and early twentieth century, the U.S. Supreme Court interpreted the Constitution as protecting all “persons,” that is, citizens and non-citizens, who were in the territorial United States. It considered aliens “persons” within the meaning of the Fourteenth Amendment in cases involving state action.

With respect to the procedural rights of aliens, the law made a distinction between proceedings for deportation which is not punishment for a crime and criminal proceedings in which aliens could benefit from the protections afforded by the Due Process Clause of the Fifth Amendment. But in 1903, the Supreme Court questioned the plenary power doctrine in the


60 Chae Chan Ping v. United States, 130 U.S. 581 (1889) (upholding the validity of the Chinese Exclusion Act of 1888, prohibiting Chinese laborers who had departed before the passage of the Act from entering the United States, as falling within Congress’ sovereign power to exclude foreigners if deemed within the interests of national security).


62 Yick Wo v. Hopkins, 118 U.S. 356 (1886) (law concerning laundry businesses that was facially race-neutral but administered in a prejudicial manner found to violate the Equal Protection Clause of the Fourteenth Amendment, as equally applied to aliens); United States v. Wong Kim Ark, 169 U.S. 649 (1898) (holding that all native-born Chinese would be U.S. citizens under the Fourteenth Amendment’s birthright clause).

63 See Fong Yue Ting v. United States, 149 U.S. 698 (1893). In this case involving the validity of summary procedure before judicial officers for an alien with an established domicile, the Supreme Court indicated that an alien is not entitled to a judicial hearing on an issue of exclusion or expulsion. Compare Wong Wing v. United States, 163 U.S. 228, 237 (1896), finding that “imprisonment at hard labor” of any Chinese national illegally in the United States could not be imposed without a judicial trial.
context of deportation as well, holding that the Due Process Clause of the Fifth Amendment applied to deportation proceedings to determine an alien’s right to remain in the United States. 64

As legal historian Kunal Parker suggests, with this decision the “Court recognized that over time, territorially present immigrants might acquire a stake in American society and slowly become insiders themselves.” 65 However, as the Department of Labor’s Committee of Administrative Procedure reported in 1940, the Supreme Court had not been able to summarize the “elementary standards of fairness and reasonableness,” because no specific precedents existed, thereby leaving administrative agencies with little guidance on how to conduct hearings. The Committee was also concerned that the Labor Department assumed “that any hearing which may be accorded an alien is a privilege and not a right.” 66

Attorney General Biddle made this distinction when calling hearings for enemy aliens a “courtesy” rather than a right, but the treatment of enemy aliens has a statutory grounding. Biddle’s justification relied upon a different status with respect to the Constitution for aliens of enemy countries as opposed to aliens of countries not at war with the United States. The Alien Enemy Act of 1798 allows the government to detain and deport aliens of enemy countries without any hearing or lawyers for the suspect. No individualized finding of culpability, dangerousness, or suspicion is required; the government need only prove citizenship of a nation

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64 The Japanese Immigrant Case, Yamataya v. Fisher, 189 U.S. 86 (1903) (finding that procedural defects, such as the plaintiff’s language barrier, did not make the hearing constitutionally deficient).


66 Labor Committee Report, 45; see Lloyd Sabaudo Societa v. Elting, 287 U.S. 329 (1932) (holding that courts may determine whether administrative action is within statutory authority, whether there is evidence to support the determination, and whether the procedure is fair).
at war with the United States.\textsuperscript{67} Congress has not narrowed the provisions of this Act despite earlier Court rulings, including those cited above, that the Constitution affords certain protections to persons who are in the United States but are not citizens.\textsuperscript{68}

The first wave of examinations of Italians arrested by alien enemy hearing boards for a determination of internment, parole, or release fell short of the minimal expectations of Attorney General Biddle. He did not believe that the hearing boards assisted him in the way that he had intended. On several occasions, Biddle had to ask the hearing boards to provide him with more data on which they based their opinions regarding whether or not to intern the alien enemy because the reports forwarded to him were too sketchy for him to make a fair assessment of the board’s recommendation. He called for a “sufficiently full summary of the testimony or other matters brought out at the hearing . . . [to] be set forth to permit [him] to make that independent judgment on the facts which the regulations require.”\textsuperscript{69} Deficiencies in the records transmitted to him not only jeopardized the fairness of the internment process but slowed down the processing of subjects awaiting an order from the Justice Department while in detention facilities.

A factor contributing to the ad hoc nature of the proceedings was the variance in the backgrounds and attitudes of board members.\textsuperscript{70} For instance, in regions of the United States

\begin{itemize}
\item \textsuperscript{68} J. Gregory Sidak, “War, Liberty, and Enemy Aliens,” \textit{New York University Law Review} 67 (1992): 1402. Sidak explains that “the President is authorized by statute to arrest, detain, and deport enemy aliens according to rules of his own making-subject . . . to virtually no check from the courts through judicial review,” 1408.
\item \textsuperscript{69} Francis Biddle, Attorney General, “Circular 3616, Supplement No. 2, Instructions To Alien Enemy Hearing Boards,” January 9, 1942, at 1, Folder 8, Box 73, Griswold Papers (hereafter “Francis Biddle, Circular 3616, Supplement No. 2”).
\item \textsuperscript{70} See Eric L. Muller, \textit{American Inquisition: The Hunt for Japanese American Disloyalty in World War II} (Chapel Hill, NC: The University of North Carolina Press, 2007), 139-140, in which Muller compares the attitudes and agency pressures that came to bear upon the approaches of various hearing boards adjudicating the loyalty of Japanese Americans.
\end{itemize}
where there were larger populations of Italians and board members lived and worked among Italians, they could contextualize information from FBI reports better than board members who only encountered Italians in the adversarial setting of the hearings. This observation helps explain how the Alien Enemy Hearing Board in Boston functioned, as shown below. This is not to say, of course, that all boards did not feel the pressures of their important role in helping to ensure the security of the nation, which necessarily infused fears into the process of determining the loyalties of the aliens before them.

Another issue in analyzing how hearing boards conducted proceedings is the extent of background information provided to them on the Italian American organizations in which membership or affiliation often formed the basis of recommendations for internment. According to one historian relying upon an army report, the hearing boards, the army, its intelligence division, and the commanding generals of the defense commands did not have sufficient information on Italian American organizations until “many months after war started.”

With respect to such organizations, Attorney General Biddle guarded against unfair presumptions based on membership alone in instructing that “the activity of the individual rather than the nature of the organization” should be scrutinized. The citizenship and standing in the community of witnesses who spoke on behalf of the alien were also to be noted for purposes of credibility and the precise nature of their relationship with the alien. But barring evidence of

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71 Scherini, “When Italian Americans Were ‘Enemy Aliens,’” 25-26. Scherini does not cite the Army report that she references but it is likely that of the Western Defense Command. See U.S. Commission on Wartime Relocation and Internment of Civilians, *Personal Justice Denied*, 286-87, citing Western Defense Command, *Supplemental Report on Civil Controls Exercised by the Western Defense Command*, Jan. 1947, p. 859, NARS, RG 338, stating that there was “not available anywhere prior to Pearl Harbor, a record of German, Italian and Japanese organizations in the United States, with some knowledge of their structure, purposes, and connections with their homelands . . . “.

72 Francis Biddle, Circular 3616, Supplement No. 2, 2; see also Edward J. Ennis, “Circular No. 3616, Supplement No. 4, Instructions To Hearing Boards,” April 3, 1942, Folder 7, Box 73, Griswold Papers, stating that “[e]very effort should be made to prove the alien enemy’s personal character and activities, especially in cases where membership in the organization appears to be based upon a single contribution and no activity.”
specific acts of disloyalty or threats to the public’s safety, the board’s determination of loyalty through interrogation of the alien enemies was necessarily flawed.

Erwin Griswold, a professor at Harvard Law School at the time and later the law school’s dean, served as chairman of the Alien Enemy Hearing Board for the District of Massachusetts in Boston in December 1941. In numerous cases of Japanese, German, and Italian aliens, Griswold expressed his views on whether evidence of the alien’s past activities or contacts were indicative of future espionage or subversive activities. For example, in the case of Albert Matthew Di Cillis, a forty-eight year old alien who had lived in the United States for thirty years, and was believed to have associated with Fascist sympathizers, Griswold recommended parole as opposed to internment because there was no evidence that Di Cillis was or had been “an agent or operative of the Italian or any other government” or had frequented the Italian Consulate. Griswold stated that Di Cillis was not unlike other Italians in the United States who not long before the outbreak of World War II were “pro-Italy” as opposed to “anti-America.” Griswold appreciated the difference between having associations with the enemy and active participation in initiatives against the United States and took a cautious approach in recommending internment only for those enemy aliens who fell in the latter category. In this manner, he upheld the spirit of due process standards in the hearings in which he officiated.

The matter of Ubaldo Guidi-Buttrini, a sixty-four year-old accountant turned Boston radio show host and correspondent for the Italian newspaper *Il Progresso*, exemplifies the unpredictability of the hearings process. Griswold’s board carefully weighed evidence, going so far as to give Guidi-Buttrini the benefit of the doubt concerning his loyalty to the United States.

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73 Statement by Mr. Griswold, Alien Enemy Hearing Board For Massachusetts, Case of Albert Matthew Di Cillis, January 6, 1942, Folder 8, Box 73, Griswold Papers (hereafter “Griswold Statement re. Di Cillis”).

74 Griswold Statement re. Di Cillis.
Their approach ran counter to the standard that the Alien Enemy Control Unit expected of deciding doubtful cases in favor of the government, effectively providing Guidi-Buttrini greater rights than the law owed him. At the time of Guidi-Buttrini’s arrest on December 9, 1941, he expressed his love for Italy and indicated that he had no intention of becoming an American citizen. The findings of Griswold’s board in Boston after hearings on January 7 and 10, 1942 were that Guidi-Buttrini had been “an ardent advocate of Fascism” who, as a member of the media, posed a threat in “the effect his utterances may have upon his fellow countrymen residing here.” Astonishingly, board members had reservations about internment and recommended parole with supervision. This decision was overruled by Attorney General Biddle who ordered internment on February 19, 1942.75

By Guidi-Buttrini’s second hearing on December 14, 1942, which occurred upon motion of the board in Boston, additional FBI reports were put into evidence. In this rare instance where the file contains a transcript of the rehearing, we are provided some insight into the standard of review applied by this board. The board felt that reports of Guidi-Buttrini’s efforts at gathering Italians in New England to protest the League of Nations’ sanctions against Italy during the Ethiopian campaign and his organization of a program to collect gold for the Italian government pointed to his leadership in subversive activities, but that favorable witnesses outweighed this evidence. Members were impressed with the stature of the witnesses who spoke to his fine character in the community, which included two Massachusetts Superior Court judges and a City of Boston official. One of the judges was Massachusetts Superior Court Judge Felix Forte who was “supreme venerable” of the Order of the Sons of Italy, a position that very likely put him in

75 File of Ubaldo Guidi-Buttrini (with aliases Ubaldo Guidi, Ubaldo Buttrini, Ubaldi Guidi, Ubaldo Bianco), File No. 146-13-2-36-24, Box 293, DOJ Litigation Files, NARA. A summary of allegations and the hearing board decisions are contained in “Memorandum to the Chief of the Review Section,” May 6, 1945. See also Folder of Ubaldo Guidi-Buttrini, Box 11, PMG Records of Italian Civilian Internees, NARA.
the same social circles as Guidi-Buttrini. The board viewed Guidi-Buttrini’s speeches in Italian over the radio and at public events as indications of pride in his Italian descent and love of his homeland, rather than opposition to democracy or ill will toward the U.S. government, supported by the fact that two of his sons and both of his sons-in-law served in the U.S. armed forces. It was only out of “abundant caution” that the board recommended parole because it believed that “the alien’s absolute release would involve no danger to our war effort.” Griswold challenged the government on the charge that Guidi-Buttrini received payments from the Italian Consul by pointing out that the allegation lacked evidentiary support, particularly since Guidi-Buttrini and his daughter had already explained the sums of money deposited in their Boston bank account as funds for advertising.

Although the political clout of the Massachusetts judges and Boston city official may have influenced the Boston hearing board to decide in Guidi-Buttrini’s favor, it did not persuade the Office of the Attorney General that he was not dangerous. In this, as in many internee cases, Attorney General Biddle exercised his power to overrule the decision of the local hearing board. Despite two findings by the Boston hearing board that Guidi-Buttrini should not be interned, Biddle decided that he should remain interned through the duration of the war. It appears that the most damaging allegations against him were that he was involved with Mussolini’s secret police force, OVRA (Opera Voluntaria Repressione Anti-Fascista), an allegation first heard

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77 See “Memorandum to the Chief of the Review Section” May 6, 1945, File of Ubaldo Guidi-Buttrini, File No. 146-13-2-36-24, Box 293, DOJ Litigation Files, NARA.

before the Dies Committee in the late 1930s, and charges that he was a Fascist propagandist paid by the Italian Consul. Unfavorable reports from Army camp officials and immigration inspectors indicating that he subjected other internees to his ardent Fascist views must have also convinced the Justice Department that he continued to be a security risk. 79 In the last two years of internment, inquiries by his son who was serving overseas and appeals from his state representative and a director from the National Catholic Welfare Conference failed to change Guidi-Buttrini’s fate. 80 Ultimately, even the support of many prominent politicians did not guarantee a favorable outcome for Guidi-Buttrini because the government believed that he was in a unique position to persuade other aliens to be pro-Italy and anti-America. The Alien Enemy Control Unit did not believe that it was safe to parole him until May 1945, by which time relations between the United States and Italy had changed dramatically. In addition, the factors of his advanced age and his family of loyal citizens convinced them that he no longer presented a security risk.

There were miscommunications between the hearing boards and Attorney Biddle’s office with respect to how their duties were to be performed, as verified by Griswold’s correspondence with the Alien Enemy Control Unit pertaining to the enemy alien cases in general. In response to complaints directed at the Boston hearing board about the form of the recommendations, namely that evidence was not discussed in full, Griswold explained that he and other board members understood that the cases were to be heard within ten days, and mistakenly thought that the

79 See “Memorandum to the Chief of the Review Section” May 6, 1945, File of Ubaldo Guidi-Buttrini, File No. 146-13-2-36-24, Box 293, DOJ Litigation Files, NARA.

hearing board in each district made final decisions which were relayed to the Justice Department only for a stamp of approval.  

Although the final authority on the outcome of each case rested with the Justice Department, the alien enemy hearing boards appeared to have discretion in the form and substance of the questions posed to the aliens which meant that the experience of the hearings could vary drastically across the federal districts. A transcript from a hearing before Alien Enemy Hearing Board No. 1 for the Southern District of New York, chaired by Edward Corsi, who had a long career in the government in the areas of immigration, labor relations, and social welfare, indicates that board’s efforts to understand the alien’s views on Italy’s government versus that of the United States. First, it is worth mentioning that Corsi was an Italian immigrant who had been naturalized. It is surprising that the government was unconcerned that a naturalized citizen of Italian origin might have sympathized with the persons he was examining and jeopardized the fairness of the hearings process. That fact aside, Corsi’s aim in the hearings was sensible. He stated that the purpose of the hearing was “to determine the measure of [the alien’s] views toward America” and one’s “attitude toward our own democratic system in the United States and . . . the very important fact that these two systems are at war at this time.”

Questions investigated the hearts and minds of the alien by asking what membership in the Fascist Party meant to him, his hopes for the future of Italy, and whether he intended to become

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81 Erwin Griswold to Thomas M. Cooley, Esq., Alien Enemy Control Unit, Department of Justice, February 2, 1942, Folder 8, Box 73, Griswold Papers.

82 Transcript In the Matter of the Detention of Riccardo Martinolich (Martinoli), Alien Enemy File No. M-68-252, January 26, 1942, 19, Folder “ACTIVITIES Alien Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,” Box 33, Corsi Papers (hereafter “Martinoli Transcript”). The board’s more open-ended questions to the alien followed leading questions from the Assistant U.S. Attorney designed to efficiently present all background information on the alien before the board.
an American citizen.\textsuperscript{83} This board’s approach of searching the mindset of the alien included considering lying to be evidence itself which had a bearing on the alien’s character and the ultimate question of how great a danger he was to public safety.\textsuperscript{84}

The Alien Enemy Hearing Board No. 4 in New York City chaired by Nicholas Kelley, a former secretary in the U.S. Department of Treasury and a lawyer specializing in arbitration and labor law, was primarily interested in political activities and affiliations both in Italy and the United States.\textsuperscript{85} This board’s questions also probed the alien’s ties to family members in Italy, why they did not come to the United States, and the nature of communications with the alien’s homeland.\textsuperscript{86} In some cases, the board asked the alien if he would do anything to harm the United States if requested to do so through Italian channels.\textsuperscript{87} Without the benefit of transcripts, however, there is no way to surmise how the alien’s answers to specific questions may have affected the outcome of the hearing.

In mid-February 1942, after more than 100 Italians had been interned, the Alien Enemy Control Unit addressed this problem through supplemental instructions to the alien enemy hearing boards to take a transcript “of all the testimony,” particularly “in doubtful cases.” It also requested that instead of merely summarizing reports, the board “should attempt to transmit its impressions on matters arising at the hearing, such as the demeanor of the alien, its judgment on

\textsuperscript{83} Martinoli Transcript, 20-21.

\textsuperscript{84} Robert M. Benjamin, Alien Enemy Hearing Board member, to Thomas M. Cooley, II, Esq., Alien Enemy Control Unit, May 17, 1943, 4, Folder “ACTIVITIES Alien Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,”, Box 33, Corsi Papers.

\textsuperscript{85} See Summary and Recommendation In re. Francesco Scarfi, In re. Rome Bisson, Folder 140.5, Box 140, Kelley Papers.

\textsuperscript{86} See Summary and Recommendation In re. Giuseppe Mario Brancucci, In re. Romeo Bisson, In re. Francesco Scarfi, Folder 140.5, Box 140, Kelley Papers.

\textsuperscript{87} See Summary and Recommendation In re. Francesco Scarfi, In re. Rome Bisson, Folder 140.5, Box 140, Kelley Papers.
the testimony of the witnesses and specific grounds which form the bases for its recommendation.”

Thus, Edward Ennis emphasized the importance of a record for Attorney General Biddle’s proper assessment of cases. The Justice Department even went so far as to remove hearing board members whom it believed did not apply a strict enough standard of review to alleviate what it perceived as a problem of lenient decisions.

By late August 1942, when over 200 Italians had already been interned, the Justice Department adopted a policy by which alien enemy hearing boards would rehear cases if authorized by the director of the Alien Enemy Control Unit or the U.S. Attorney responsible for the alien. The granting of a new hearing could be based upon several factors. The first factor addressed concerns of abuse or misconduct at the first hearing, namely disallowing witnesses to testify. Other factors to be considered in granting a rehearing were as follows: giving insufficient notice of the hearing; pertinent evidence not produced at the first hearing; lack of uniformity in how early cases were conducted as compared to later cases; illness of the alien making internment difficult and the danger of parole or release less likely; and age of the alien. For those aliens already in internment camps, a rehearing could occur in their absence since the procedure was “a matter of grace and not of right.”

Undoubtedly the practice of not giving some internees the chance to provide personal testimony at their rehearings must have contributed to their feelings of injustice.

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88 Edward J. Ennis, Director, Alien Enemy Control Unit, Department of Justice “Circular 3616, Supplement No. 3, Instructions To Alien Enemy Hearing Boards,” February 16, 1942, 1, Folder 7, Box 73, Griswold Papers.


90 Edward J. Ennis, Director, Alien Enemy Control Unit, Department of Justice, “Circular No. 3589, Supplement No. 12, To United States Attorneys and Alien Enemy Hearing Boards Re: Rehearing of Alien Enemy Cases,” August 21, 1942, Folder 7, Box 73, Griswold Papers.
As late as March 1943, the Justice Department reported to all alien enemy hearing boards that after a review of 10,000 cases, it determined “that the source of complaint most frequently encountered is the fact that alien enemies are not sufficiently informed of the charges against them.” In some cases, this procedural deficiency resulted in internment that could have been prevented if the subject understood the circumstances that the board deemed suspicious and had an opportunity to refute the allegations. In response to this problem, Director Ennis notified all alien enemy hearing boards that in future hearings “full and detailed disclosure of all charges against the alien enemy” were to be made, and if requested by the alien, “an opportunity to rebut the charges by direct evidence” was to be afforded. The board was to withhold the names of informants and any other information that might jeopardize the FBI’s investigation, but it retained discretion in deciding when to disclose the charges since it might obtain more truthful responses if disclosure did not occur until after the alien’s testimony.91

Beginning in August 1943, pursuant to instructions of Attorney General Biddle, a Special Hearing Board, comprised of persons from the pool of approximately 400 members of the alien enemy hearing boards across the judicial districts, convened at the internment camps to rehear cases of internees when there were a sufficient number of cases at any one camp to warrant the time and expense.92 At the conclusion of the rehearing, the Special Hearing Board was required to submit its report and recommendation with a transcript of the rehearing to Biddle and the U.S. Attorney for the district where the case originated. The original hearing board then had the

91 Edward J. Ennis, Director, Alien Enemy Control Unit, Department of Justice, “Circular No. 3589, Supplement No. 14, To All Alien Enemy Hearing Boards,” March 8, 1943, Folder 140.1, Box 140, Kelley Papers.

opportunity to review findings made in the rehearing and consider it along with any new
evidence before submitting its report to the Attorney General.\textsuperscript{93} Thus the final recommendation
rested with the original hearing board. This new protocol would of course delay a final decision.
When Edward Ennis altered the protocol by advising that orders could be entered based solely on
the Special Hearing Board’s recommendation because the original hearing boards could offer
value to the reconsideration of an alien’s status only if they had relevant information concerning
that alien’s local community, he met with some resistance from hearing board members who
wanted to retain some control over internees initially before them.\textsuperscript{94} For example, the U.S.
Attorney in the Southern District of New York pointed out that good conduct at an internment
camp was not “a sufficient guaranty against a clever alien’s working later to undermine the
firmness of our people in carrying on the war.”\textsuperscript{95} Ultimately, it was left within the discretion of
the U.S. Attorney whether to consult the original board.\textsuperscript{96}

The case of Angelo Gloria, a radio personality and one of the most vocal Fascists among
the internees, exemplifies the extended role that an original hearing board could play. The
Justice Department paid heed to Edward Corsi’s opinion that Gloria was “just one of those
fellows who may have done things that might now indicate an attitude of disloyalty to the
Country but who fundamentally are harmless and innocuous.”\textsuperscript{97} Gloria was paroled a few days

\textsuperscript{93} Circular No. 3589, Supplement No. 15.

\textsuperscript{94} Memorandum, Edward J. Ennis to All United States Attorneys and Alien Enemy Hearing Board Members Re.
Special Alien Enemy Hearing Board, December 18, 1943, Folder 140.1, Box 140, Kelley Papers.

\textsuperscript{95} Letter, Hon. James B. McNally to JWB, February 11, 1944, Folder 140.1, Box 140, Kelley Papers.

\textsuperscript{96} James P. McGranery, Assistant to the Attorney General, “Circular No. 3589, Supplement No. 20, To All United
States Attorneys and Alien Enemy Hearing Board Members Re: Special Alien Enemy Hearing Board,” March 25, 1944, Folder 7, Box 73, Griswold Papers.

\textsuperscript{97} Edward Corsi, to Honorable Ugo Carusi, Department of Justice, February 11, 1944, Folder “ACTIVITIES Alien
Enemy Hearing Board Correspondence to cases 7 May 1941 to 11 Feb. 1944,”, Box 33, Corsi Papers.
later after almost two years of internment, and died shortly thereafter. Given Gloria’s reputation, his release before the end of the war speaks to the influence that Corsi had. Regardless of whether Corsi’s Italian heritage allowed him to better evaluate Gloria’s mindset and the likelihood that he would commit sedition or it unfairly influenced the decision about Gloria’s internment, the outcome in Gloria’s case is just another example of inconsistencies in the internment process.

The Justice Department’s continual reevaluation of the structure of the hearings and the method for reaching decisions shows an effort to create a uniform system of justice for evaluating the loyalty of the Italian aliens. However, the majority of Italian internees who underwent initial hearings in the first six months of the United States’ entry into the war were not afforded the benefit of the perfected hearing process. Instead, my study reveals that they were forced to await rehearings by special hearing boards that did not occur until after they had spent at least a year in internment, and, as the case of Francesco Fragale illustrates below, there was the risk that biases of the initial alien enemy hearing board would continue to taint the process.

**The Hearing Boards Provide Rough Justice for Italian Enemy Aliens**

Turning from issues of process, the specific case files of Italians who came before the alien enemy hearing boards provide valuable insight into how the boards at both the local district level and the special boards in the internment camps reached individual determinations of disloyalty and national security risk. In most cases, as evidenced by the series of remedial instructions which the Justice Department sent to the hearing boards, the hearing board’s decision-making process was flawed because there was not an opportunity for a full development of facts and circumstances surrounding government allegations. As Pericle Chieri’s case

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98 Folder of Angelo Gloria, Box 10, PMG Records of Italian Civilian Internees, NARA. Gloria was paroled on February 16, 1944.
exhibits below, subjects could not rebut charges that were not revealed to them. Boards relied upon FBI reports of anonymous informants who had gathered information about the aliens’ affiliations and employment, leading to presumptions about an individual’s connections to Mussolini’s government and beliefs in Fascism. The hearings failed to base decisions upon evidence of specific acts of disloyalty, and in some instances did not take into consideration letters and affidavits attesting to the internee’s good character and loyalty. In the cases of aliens employed in the media, hearing boards often had the benefit of translations of editorials and radio shows that they could scrutinize for pro-Fascist and anti-American rhetoric that might stir up the national pride of Italian immigrants and turn them against the United States, but information was not necessarily contemporary. For example, sources from the mid 1930s when the United States’ views of Mussolini’s government were favorable might not have presented an accurate picture of the alien’s sentiment at the time of his hearing.

The following case studies also illustrate the extent of influence that appeals of politicians, religious leaders, and family and friends had on decisions of hearing boards which contributed to discrepancies in the rendering of justice across the districts. For members of the media, such as Guidi-Buttrini, who were under the greatest suspicion, such patronage proved to be of minimal help in accelerating an alien’s release date. Many former Italian newspaper editors and radio announcers who were interned or paroled throughout the war were released by the Justice Department only after Italy’s position in the war had weakened so much that the government believed they no longer had any sway over the sentiment of Italian communities. For Italian aliens of less high-profile professions, that is, owners of local businesses such as a baker in San Francisco’s North Beach or a butcher in Boston’s North End, the good word of a
city official or district attorney about the alien’s membership in the community and commitment to his family could go a long way in saving him from internment.

As detailed in Chapter 3, the professions of the Italian internees ran the gamut from unskilled laborer to sophisticated and highly successful businessman. The case of Pericle Adriano Carlo Chieri, a thirty-seven year-old mechanical engineering professor who was interned for nine months in 1943, shows the sort of employment activity and expertise that could bring someone to the attention of federal authorities and draw suspicion from the hearing board.\(^9^9\) It also provides an example of how the government’s failure to state charges against a subject could have prejudiced his case. Like Farese, Chieri was simultaneously undergoing deportation proceedings due to his alien status. He came to the attention of authorities as a result of an arrest upon an immigration warrant. Chieri’s initial internment hearings occurred in December 1942 and January 1943, before the Justice Department’s pronouncement several months later that subjects were to be informed of charges against them. Chieri maintained that he was unaware of the grounds for internment, and therefore could not have known what information to provide in his defense.\(^1^0^0\) If he had been given this opportunity in the initial alien enemy hearing, his internment of approximately nine months might have been avoided.

A native of China and a citizen of Italy, Chieri was admitted to the United States on July 20, 1939 as a non-immigrant alien under Sec. 3(1) of the Immigration Act of 1924. In deciding upon his request for a change in his immigration status and his application to be employed, the State Department considered him a “dangerous enemy alien.” The alien enemy hearing board


\(^1^0^0\) See Testimony of Pericle Adriano Carlo Chieri, “Resumed Hearing” in Deportation case, February 10, 1943, in which he stated “I do not know on what grounds my internment has been ordered.” Chieri’s C-File.
had the following information about his history: he worked as a technical secretary-clerk at the Italian Embassy in Washington D.C. from 1939 to 1941 under the direction of the Italian Air Attache, compiling information concerning aviation matters in the United States; he served in the Engineer Corps of the Italian Air Force as a lieutenant in 1937 and from 1938 to 1939; and in 1933, he became a member of the Fascist Party in Italy, and last paid dues to the party in 1938, which he explained was a requirement for his job with a shipping company in Italy. The government’s concern appears to have been that Chieri had access to blueprints of air bases in the United States and could copy them for the Italian government.\footnote{Report in re: Pericle Adriano Carlo Chieri, Petition for Naturalization No. 27886, May 3, 1948, Chieri’s C-File. See Exhibit A.}

The Alien Enemy Hearing Board in Detroit decided in early February 1943 that internment was in order. Board members believed that the circumstances of Chieri’s departure from the Italian Embassy were not clear, and wondered why he kept a job at the Embassy when he claimed he did not want to do anything contrary to the interests of the United States. In particular, it felt that “his experience as an officer of an Italian-Chinese aircraft company makes it clear that his professional careers have been in competition with American interests.” Instead of allowing Chieri the opportunity to explain aspects of his employment history that gave board members concern, they appeared to rely upon adverse reports of other departments of the government, leading it to conclude that he was an agent of a foreign country and “potentially dangerous to the security of the United States.”\footnote{Report and Recommendation in re: Pericle Adriano Chieri, January 20, 1943, Chieri’s C-File. Note that there is no transcript of the hearings in the file.} Chieri had been under FBI surveillance for several years since he was suspected of espionage. As revealed in later proceedings, Chieri’s employment at the Italian Embassy merely required him to translate technical articles into Italian.

\footnotesize
\begin{itemize}
  \item \footnote{Report in re: Pericle Adriano Carlo Chieri, Petition for Naturalization No. 27886, May 3, 1948, Chieri’s C-File. See Exhibit A.}
  \item \footnote{Report and Recommendation in re: Pericle Adriano Chieri, January 20, 1943, Chieri’s C-File. Note that there is no transcript of the hearings in the file.}
\end{itemize}
for the press and technical magazines, none of which were of a confidential nature concerning national defense, which information he gave to the Air Attache at the Embassy. He claimed never to have obtained information on foreign planes for the Italian government. 103

In his request for a rehearing, Chieri expressed his plan to remain in the United States so that he could be with his wife, an American citizen, in South Carolina. Upon rehearing Chieri’s case in June 1943, despite favorable testimony from his wife, the Detroit board again recommended internment. 104 It believed that Chieri sought American citizenship only when it became evident that it would be to his best advantage after release from service of the Italian Embassy. 105 Chieri was held in detention facilities in Detroit, transferred to Chicago, then Camp McCoy in Wisconsin, and ended up in Fort Missoula, Montana where in September 1943 he went before a Special Hearing Board. Chieri testified that his sympathies were with the policies of the United States in the months preceding hostilities with Italy, which led the board to conclude that he was a man of integrity. In light of his favorable record from Camp McCoy and Fort Missoula, his demeanor, general attitude, and disposition towards the United States, his marriage to an American-born citizen, and the responsible character of his sponsors, the board recommended his release the following month. 106 The surrender of Italy on September 8 likely

103 Statement of Pericle Adriano Carlo Chieri, December 20, 1946, re. naturalization proceedings, Chieri’s C-File.


106 Summary of Facts and Opinions in re: Pericle A. Chieri, September 23, 1943, Chieri’s C-File. See also Folder of Pericle A. Chieri, Box 6, PMG Records of Italian Civilian Internees, NARA.
played a role as well in Chieri’s release. After a long battle, Chieri finally obtained his American citizenship in 1952.\textsuperscript{107}

Like Chieri, Aldo Ghirardi, who was taken from his San Francisco home on the day after the attack on Pearl Harbor, had been under FBI surveillance which led to his arrest.\textsuperscript{108} Ghirardi’s case exemplifies the problem of a hearing board’s reliance upon evidence of Fascist sympathies from many years earlier that may not have accurately reflected the alien’s state of mind by the time of the hearing. On February 12, 1942, he was brought before the Alien Enemy Hearing Board for the Northern District of San Francisco on charges of dangerousness. Ghirardi, an elevator operator and building manager, was apprehended on the basis of reports from FBI informants that he was a member of the Fascist Party and was promoting Fascism through his affiliation with the Sons of Italy. Among evidence of his Fascist views was a letter from the Italian Consulate acknowledging his donation of three silver medals for the Ethiopian War, an application for a medal from Mussolini for participating in the March on Rome in 1922, and a photo of Ghirardi with the Black Shirts on the march. Despite the passage of time since these events, the San Francisco hearing board noted that “[t]he subject appears to be an enthusiastic Fascist and speaks of Fascism with pride and loyalty.” On September 24, 1943, after close to two years of internment, a Special Alien Enemy Hearing Board at Fort Missoula recommended unconditional release based on reports of favorable behavior and cooperation in the camp as well as Ghirardi’s expressed desire to remain in the United States and to become a citizen and serve in

\textsuperscript{107} Chieri was naturalized on December 29, 1952 at the U.S. District Court in Newark, New Jersey. See Chieri’s C-File.

\textsuperscript{108} File of Aldo Ghirardi, File No. 146-13-2-11-138, Box 39, DOJ Litigation Files, NARA. Unless otherwise indicated, all facts in the paragraphs concerning Mr. Ghirardi are derived from his DOJ file.
the armed forces. After living in the United States as an alien for over twenty years, Ghirardi became an American citizen in 1947.\textsuperscript{109}

In some instances, the alien enemy hearing board did not consider available letters of recommendation and affidavits of the alien enemy’s character in the initial hearing. Like numerous other Italian internees, Mario Giovanni Favoino was employed in the media as an Italian newspaper and magazine editor, author, and radio commentator.\textsuperscript{110} Apprehended in Mount Vernon, New York on December 9, 1941, Favoino was the subject of FBI reports from a “highly confidential informant in June 1940” which stated that he “scorned democracy and exalted Fascism” as a radio announcer for a New York City station. As mentioned above, transcripts of his radio programs in his file indicate that he “insinuat[ed] that the system of government in the United States has broken down, and when a machine has broken down, the thing to do is to ‘get a good mechanic’ to repair the damage and operate the machine.”\textsuperscript{111} Also considered suspicious were his memberships in the Squadristi, a Fascist militia in Italy, and in the New York branch of the Italian Fascists Abroad in which he served as secretary. A note in Favoino’s case file indicates that the Alien Enemy Hearing Board of the Southern District of New York did not make letters of recommendation and affidavits concerning his character part of his record when it examined him on January 7, 1942. After Favoino received an order for internment on January 26, 1942, he made the usual circuit of camps, first interned on Ellis Island and Camp Upton in New York, then Fort Meade in Maryland, and finally Fort Missoula in Montana. Edward Ennis promised Favoino’s wife that the Review Section of the Alien Enemy

\textsuperscript{109} Folder of Aldo Ghirardi, Box 10, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{110} File of Mario Giovanni Favoino (aka Favoino Di Giura, Giovanni Favoino Di Giura, and Giovanni Mario Favoino), File No. 146-13-2-51-81, Box 394, DOJ Litigation Files, NARA. Unless otherwise indicated, all facts concerning Mr. Favoino are derived from his DOJ File.

\textsuperscript{111} FBI report by R.A. Johnson, 12/15/41.
Control Unit would examine the additional evidence concerning her husband, but it is unclear from the file whether it was actually considered. On September 14, 1942, the Review Section recommended continuing Favoino’s internment, reporting that the hearing board had formed a bad opinion of Favoino when he asked for an interpreter since he claimed that he did not speak English well. The Review Section found that Favoino was a “dangerous alien enemy who has been actively engaged in the distribution of propaganda unfavorable to the cause of the Allies and the prosecution of the present war.”

The absence of the letters and affidavits, at least in the initial hearing, certainly gave the subject and his family the impression that the process was unjust, but there is no telling whether they were positive enough to outweigh the damaging information already before the hearing board. Favoino was paroled in November 1943, two months after Italy’s surrender, and was not fully released until two years later, on November 15, 1945, after the war had ended.112 Favoino was never naturalized. He repatriated to Italy where he died in 1967.113

The case of Francesco (Frank) Laurencesco Fragale illustrates how a poor first impression on the hearing board could follow an internee through the duration of the war despite favorable affidavits from military officers and personal friends arguing for a change of heart and patriotism toward America. A twenty year-old waiter when he was apprehended by FBI agents in Milwaukee, Wisconsin on December 9, 1941, Fragale became one of the youngest Italian civilian internees.114 The hearing board that examined Fragale on January 13, 1942 had an FBI

112 Folder of Giovanni Mario (Mario Giovanni, Favoino, Giovanni Favoino) Favoino (Di Giura), Box 9, PMG Records of Italian Civilian Internees, NARA.


114 File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA. Note that Fragale’s file was found with files of German internees in a box labeled “Closed Legal Case Files, 146-13-2-85-19 to 146-13-
report indicating that he was a member of the Fascist Youth Movement in Italy, worked for his uncle who was the former Italian Consul in Milwaukee upon his arrival in the United States, and corresponded with the Fascist government in Rome concerning his organization of Fascists in Milwaukee. In his “enemy alien questionnaire,” he claimed to have owned and operated an Italian newspaper, *Il Corriere Italiano*. When FBI agents had questioned him about the articles’ extreme Fascist views, he claimed that they were copied from other sources. Despite a reference from his manager at the Hotel Astor in Milwaukee that he never showed pro-Axis tendencies nor spoke against the United States, Fragale gave the hearing board the impression that he was the “‘cocky’ type,” and “a witness of shiftiness and evasiveness.” The board reached a unanimous decision: Fragale “was an opportunist who was willing at one time to follow the ‘party line’ and try to keep the Italians of Milwaukee lined up with the fatherland. He seems a willing tool, and potentially dangerous.” The first report of his conduct at McAlester Internment Camp confirmed board’s impression as military officers gave him “unfavorable” ratings in the following categories: “Character of associates or groups of associates among internees”; “Expressed views with respect to the position of the United States in the present war”; “Reaction to war news favorable to the United States.” Such reports indicate that camp officials observed internees carefully for any signs of disloyalty or behavior unbefitting of a potential American citizen.

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115 Department of Justice Alien Enemy Hearing Board, Eastern District of Wisconsin In the Matter of the Detention of Francesco Larencesco Fragale, alias Frank Fragale, “Report and Recommendation” (signed by the three hearing board members and Assistant U.S. Attorney); “Memorandum to Chief of Review Section” from Alien Enemy Hearing Board, E.D. Wisconsin re: Francesco Larencesco Fragale, January 30, 1942. File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

116 McAlester Internment Camp, “Information on Internee Behavior Desired by the Department of Justice” for Frank Fragale, March 5, 1943. The remarks on the back of the report were as follows: “Fragale is outspoken against the United States and for Italy. He associates with the extreme Fascist group, which includes Gloria, Membrini, E.
At the time that the alien enemy hearing board considered his request for a rehearing in September 1943, apparently the only document before it was a report of camp conduct with a notation about an army report stating that he was a “good worker,” but “liable to passing information he obtains to other internees.”\textsuperscript{117} The board unanimously denied Fragale’s request for a rehearing because his anti-American statements and association with an extreme Fascist group in camp were consistent with activities that warranted his internment in the first place.\textsuperscript{118} Fragale pursued the matter with the Department of Justice. He wrote that he hoped to obtain parole and to go live with a relative, claiming that he had done nothing “that may have been considered harmful to the safety of this Nation” nor made statements that could be considered “against the principle and the Constitution” of the U.S. government. He had in fact received his first citizenship papers in January 1943 while interned.\textsuperscript{119} He had also produced numerous affidavits from military officers from the camps where he was interned attesting to his trustworthy and cooperative character as well as confirmations of his loyalty to the United States from school administrators and relatives, but they did not effectuate parole.\textsuperscript{120} Despite a Fort

\textsuperscript{117} Department of Justice, Immigration and Naturalization Service, Fort Missoula, Montana, “Summary Report on Internee Behavior Desired by Alien Enemy Control Unit” for Frank Fragale, September 1943. On this report, all categories of behavior were noted as “Neutral or Unobserved.” File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

\textsuperscript{118} Memorandum for the Chief of the Review Section, November 3, 1943; Hubert O. Wolfe, Chairman, Alien Enemy Hearing Board No.2 to Hon. Edward J. Ennis, Chairman, Alien Enemy Control Unit, Department of Justice, September 24, 1943. File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

\textsuperscript{119} Letter, Frank Fragale to Hon. Ugo Carusi, Assistant U.S. Attorney General, Department of Justice, October 21, 1943. File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

\textsuperscript{120} Letter, C.E. Lamiell, Major, CAV, Executive Officer, Headquarters, Aliceville Internment Camp, Aliceville, Alabama, To Whom It May Concern, 9 July 1943; J.T. Carlisle, Captain P.A., Intelligence Officer, Headquarters, McAlester Internment Camp, McAlester, Oklahoma, To Whom It May Concern, May 19, 1943; Rev. John J. Foley, S.J., Principal, Marquette University High School, To Whom It May Concern, July 22, 1943; August D. Leo and Amelia Leo, To Whom It May Concern, July 22, 1943; Rev. Mark J. Gross(?), S.J., Regis College, To Whom It May Concern, July 8, 1943; A.I. Rickel, Shop Superintendent, United States Department of Agriculture, Forest

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Missoula parole officer’s recommendation in May 1944 that Fragale be paroled because he was an honest and dependable worker off station and that he expressed loyalty to the United States and a willingness to fight in the armed forces, he did not receive a parole order until November 30, 1944. Given Fragale’s former Fascist activities, he was paroled under the strictest supervision on the condition that he agree not to work for a newspaper or radio station. Once paroled, Fragale showed himself to be true to his expressed intentions by joining the U.S. armed services. He finally received his release order on July 3, 1945. He served in the Army from 1945 to 1947, receiving his American citizenship in Seoul, Korea in 1946. He died in Milwaukee in 1988.

What is remarkable about Fragale’s case is the delay in his parole, despite overwhelming testimony from military officers and members of the community that he held allegiance to the United States. He could not overcome the impression that he left on the initial hearing board that he was of the “‘cocky’ type” and that he espoused Fascism when the United States was on the brink of entering war against the Axis powers. His close associations with Mussolini’s government are likely what kept him interned for so long, as he was one of a few internees who received two successive internment orders. Successive hearing boards seemed to view his case

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123 Marian Smith, Chief, Historical Research Branch, US Citizenship and Immigration Services, e-mail message to author, June 7, 2013, citing U.S. Department of Veterans Affairs BIRLS Death File, 1850-2010. His was an “administrative naturalization” since it was based on his service in the US Armed Forces. The Second War Powers Act of 1942 (56 Stat. 182, 186) (1942) exempted noncitizen service members from naturalization requirements.
through the lens of the initial board, specifically that there was a sizeable Italian population in Milwaukee at the time, approximately 25,000, whom Fragale could potentially influence. They continued to believe that Fragale was in a strategic position, as a writer and as the nephew to the former Italian Consul, to turn many Italian immigrants away from the American cause, despite evidence that his views had changed.\textsuperscript{124}

Pauline Tedesco was one of a couple of women interned on her own account, that is, she did not volunteer to be with a male family member. A middle-aged Italian alien from Scranton, Pennsylvania who identified herself as a housekeeper separated from her husband, Tedesco was ordered interned in March 1942.\textsuperscript{125} Her case is not only interesting for the fact of her being a woman interned for over a year, but for the insight that it provides into the government’s perception of proper female roles and the connections that officials made between morally objectionable behavior and the likelihood for committing sedition against the United States.

Tedesco, who went by numerous aliases, came to the attention of the government for several reasons, the most important of which was her practice of prostitution and operation of houses of prostitution in at least six locations in the late 1930s, for which she paid fines and served short-term jail sentences. Her business reportedly made her a wealthy woman, but she admitted to never paying income taxes. She also admitted to violating the 1940 Alien Registration Act by failing to register as an alien and travelling without a permit, and to possessing a short-wave radio in violation of wartime restrictions on Italian aliens. In addition to


\textsuperscript{125} Folder of Pauline Tedesco, Boxes 19 and 24, PMG Records of Italian Civilian Internees, NARA. The other woman in my study who was interned of her own accord was Mrs. Celia Iaculla Ventrella, whose Provost Marshall General File indicates that she was a housewife/tailor who was apprehended on December 8, 1941, held on Sand Island, Territory of Hawaii, and paroled in October 1942. Folder of Celia Iaculla Ventrella, Box 20, PMG Records of Italian Civilian Internees, NARA.
citing all of these legal violations and FBI reports of her alleged un-American statements and pro-Italian sympathies as grounds for Tedesco’s internment, the Alien Enemy Hearing Board in Nanticoke, Pennsylvania found her undocumented marriage to a man from whom she had been estranged for over twenty years and more recent cohabitation with a man as factors contributing to their opinion that her “underworld associations” made her “potentially dangerous.”

Tedesco was detainted at the Gloucester City Detention Center in New Jersey until September 1942 when her threat to commit suicide unless she was released caused the INS Border Patrol to transfer her to the internment camp at Seagoville, Texas. She remained there in better facilities until her parole in May 1943. Despite favorable testimony from neighbors that Tedesco appeared to be loyal to the United States and did not associate with any subversive organizations, at the re hearing of her case in October 1943 the Alien Enemy Hearing Board in Scranton determined on the basis of her past criminal record that she should not be unconditionally released. She continued to be paroled. When interviewed by an INS inspector almost a year later, Tedesco, who had obtained a job at a carpet company as a parolee in an attempt to rehabilitate her former reputation, believed that the U.S. government “unjustly persecuted” her because of her past reputation which she felt “in no way reflect[ed] against her loyalty to this country.” Ultimately, in December 1944, Tedesco was released from alien


127 See Memorandum, W.F. Kelly, Chief Supervisor of Border Control, to Mr. Edward J. Ennis, Director, Alien Enemy Control Unit, September 10, 1942, File of Pauline Tedesco, File No. 146-13-2-63-33, Carton 567, DOJ Litigation Files, NARA.

128 Report of Michael Surgent, Special Inspector, to Acting Inspector in Charge, Immigration and Naturalization Service, October 26, 1943, File of Pauline Tedesco, File No. 146-13-2-63-33, Carton 567, DOJ Litigation Files, NARA.

129 Report of Michael Surgent, Special Inspector, to Officer in Charge, Wilkes-Barre, Pa., September 11, 1944, File of Pauline Tedesco, File No. 146-13-2-63-33, Carton 567, DOJ Litigation Files, NARA.
enemy parole but subject to regulations of the immigration authorities as a deportable alien.\footnote{ Memorandum to Chief of the Review Section, November 21, 1944, File of Pauline Tedesco, File No. 146-13-2-63-33, Carton 567, DOJ Litigation Files, NARA.}

She did eventually obtain her American citizenship in 1962 in Brooklyn, and was living in Manhattan at the time of her death in 1990.\footnote{ Marian Smith, Chief, Historical Research Branch, US Citizenship and Immigration Services, e-mail message to author, June 7, 2013, citing Certificate No. 8444981 and Ancestry.com, Social Security Death Index. Marian Smith confirmed that Tedesco’s date of birth was actually September 10, 1896, not September 10, 1903, which she stated both on her Alien Registration Form and on her Basic Personnel Record filed with the Provost Marshal General.}

In evaluating her case, it appears that the facts that her siblings had obtained their U.S. citizenship and that she had family members serving in the war did not convince the Justice Department that she too could be a loyal American citizen. Despite her efforts at rehabilitation, Tedesco could not erase the immoral nature of her prior crimes. In addition, the hearing board placed undue significance upon her marital status and liaison with another man, betraying an assumption that a woman who was not lawfully married to a man was suspect.\footnote{ See discussion of the case of the Shitara sisters in Colorado for interesting parallels in Eric L. Muller, “Betrayal on Trial: Japanese-American ‘Treason’ in World War II,” North Carolina Law Review 82 (2004): 1759-1798.}

In order to test this theory, as well as the possibility that the government underestimated women’s agency in the national security state, it would be necessary to view the files of other women whom the government detained for questioning to compare their backgrounds as well as to analyze the examiners’ perception of their potential for danger.\footnote{ See Jennifer Guglielmo, Living the Revolution: Italian Women’s Resistance and Radicalism in New York City, 1880-1945 (Chapel Hill: The University of North Carolina Press, 2010) (portraying women in the needle and textile trades in New York City and Paterson, New Jersey who helped shape transnational, radical political culture in the United States by drawing on traditions of protest in peasant uprisings in southern Italy). Guglielmo counters the popular notion that women were marginal players in immigrant politics.}

In cases of individuals who did not have a prior criminal history, the involvement of an Assistant U.S. Attorney or Assistant District Attorney in submitting affidavits attesting to their good character may have accelerated their parole or release. Calogero Carolo, a fruit peddler in

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New York City for close to twenty years who had intentions of returning to Sicily, was apprehended on a presidential warrant on June 19, 1942. His file with the Justice Department indicates that he was affiliated with the Lictor, a member and vice president of Circulo Francesco Crispi, a branch of the Italian Blackshirts, and that he had no strong bonds to the United States. He had a small farm in Sicily where his family lived and made two trips back and forth to Italy even though he had permanent residence status in the United States. In the Summary and Recommendation issued by the alien enemy hearing board in New York, a “salient fact” in their evaluation was that Carolo’s sole purpose in the United States was making money to send back to Italy and eventually returning. Thus, Carolo’s lack of interest in obtaining American citizenship made an unfavorable impression on the board. FBI agents thought it was significant to a determination of his loyalty to America that he had a copy of the Italian newspaper, Il Grido della Stirpe (The Cry of the Ancestry), as well as the sheet music of a Fascist hymn. After being interned for over a year, he had a rehearing at Fort Missoula on September 25, 1943 at which time the board considered affidavits that had been sent to the U.S. Attorneys’ Office regarding Carolo’s honorable character and hard-working attitude. The favorable reports appear to have sped up his parole order, issued on November 4, 1943, but he was not ordered released by Attorney General Biddle until June 28, 1945. Carolo never became an American citizen. He repatriated to Italy where he died in 1978.

134 File of Calogero Carolo (aka Calogero Carollo, Charlie Carolo, Charles Carolo), File No. 146-13-2-51-1361, Box 417, DOJ Litigation Files, NARA. Unless otherwise indicated, all facts in the paragraphs concerning Mr. Carolo are derived from his DOJ file as well his folder in Box 5, PMG Records of Italian Civilian Internees, NARA.

135 Summary and Recommendation In re. Calogero Carollo, Folder 140.5, Box 140, Kelley Papers.

The oral histories of two government attorneys in San Francisco confirm the extent of influence that persons with political clout had on the fate of the internees. Those interviewed by Stephen Fox were of Italian descent and were able to convince the boards that certain Italian aliens with whom they were familiar were upstanding citizens who retained no allegiance to Italy, thereby saving them from internment. In recalling his involvement in these proceedings, Alfonso Zirpoli, who had been an Assistant U.S. Attorney during World War II, said that he presented the cases of aliens detained at Sharp Park, an INS facility. “Some of those who testified would say, ‘I’m a good friend of Assistant U.S. Attorney Zirpoli. We’re members of the same club – Il Cenacolo.’”

As noted above with respect to Edward Corsi, the familiarity that government employees of Italian heritage had with the Italian community may have helped educate boards about the particular mindset of the Italian immigrant or inform them on matters such as the mission of Italian American organizations or the extent of influence that the Italian media had. But just as likely as these positive aspects of their participation in the process is the possibility that subjects assigned to an Italian American board member or government attorney received an unfair advantage in the internment process.

John Molinari, who was an Assistant District Attorney during World War II, presents still another example of this potential bias in the hearings process. Molinari recalled receiving phone calls from mothers and wives whose husbands and sons had been taken into custody and then going to the Salvation Home in San Francisco to see if he could vouch for people he knew. He described the hearings to examine them as follows: “They had military tribunals to screen them. It was sort of an informal hearing. Some of the hearing officers were reserve lawyers that I

knew, who were reserves in the judge advocate department of the military.”\textsuperscript{138} If Molinari was able to describe the individual being examined as “loyal” or “not a problem,” he was released within a few days.\textsuperscript{139} In comparing modern litigious society to the 1940s, he said: “Nobody ever attacked Hoover on whether the FBI had probable cause [to arrest these people] or not. . . . In those days, you were a little hesitant about taking on the government in wartime. You might be accused of being disloyal if you took the cudgels from one of these persons.”\textsuperscript{140} Molinari’s references to military tribunals and probable cause most likely describe exclusion hearings which were conducted by a board of three military officers for naturalized citizens under suspicion or those who lived in a military zone.\textsuperscript{141} Unlike alien enemy hearings, the military board generally informed individuals of the evidence against them, without disclosure of confidential sources. Suspects were allowed legal counsel to serve solely as a personal advisor, not to examine witnesses.\textsuperscript{142} Regardless of the type of hearing, however, Molinari confirms the power of having a respected government official vouch for a suspect’s loyalty and good character, and attests to the inconsistencies in the process.

There could be a lot of variety in the nature of the hearing across the districts, and over time, and indeed, some internees reported having no hearings at all. In his oral history, Alfredo

\textsuperscript{138} John Molinari, interview by Stephen Fox, San Francisco, CA, Feb. 6, 1987, in Fox, \textit{Uncivil Liberties}, 191. See also Scherini, “When Italian Americans Were ‘Enemy Aliens,’” 14-15, where she describes hearings at an internment camp before a board of “two army officers and two citizens, usually attorneys or professors.” She refers to a report of a board member from the Missoula camp indicating “the board had no written reports about the internees, did not know how the individuals had been selected for internment, and heard only testimony from the military, which they did not question.”


\textsuperscript{141} \textit{DOJ Report}, 10, citing John McCloy, Assistant Secretary of War, to Lt. General DeWitt, July 20, 1942, in Individual Exclusion Order Procedure Correspondence.

Cipolato recalled detainment at Ellis Island before taking the train to Fort Missoula: “There were never any hearings, either in New York, Ellis Island, or later at Fort Missoula, and we were never interrogated.” Since Cipolato was arrested in July 1941, before the United States declared war on Italy, he could not have gone before an alien enemy hearing board since they were formed later. For some persons afforded hearings, the board was not sensitive to their poor command of the English language which necessitated at least a translator, if not representation by an attorney to inquire into exact charges and communicate a defense. There were complaints from members of the alien enemy hearing boards as well who were concerned with the overwhelming numbers of cases that they were expected to hear. They called for as many as 500 boards (as opposed to the approximately 100 boards that existed) nationwide and suggested that the boards would not have to include lawyers or specialists. A proposal for the decentralization of the system would have charged district attorneys with reviewing cases, instead of the Attorney General’s Office, or in the alternative, an appeals board in each district could have been set up. While such changes in the system might have achieved a more expedient resolution for each enemy alien, there would have been even less uniformity in the process across the districts without the input of the Attorney General.

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143 Alfredo Cipolato, interview by Stephen Fox, Missoula, MT, April 17, 1989, in Fox, *Uncivil Liberties*, 47, 202. Although Cipolato was one of the 1939-1940 World’s Fair employees from New York, his name appears on the list of “Italian Seamen Detained at Ft. Missoula,” with attached letter from W.F. Kelly, Chief Supervisor of Border Patrol, U.S. Department of Justice Immigration and Naturalization Service to Lieutenant-Colonel Howard F. Bresee, Alien Enemy Information Bureau, September 2, 1942. Folder “Italians Detained at Fort Missoula,” Box 1, PMG Records of Italian Civilian Internees, NARA.


146 William C. Dennis, Richmond, Indiana, Letter to *The Times*.
In its annual report for the fiscal year that ended on June 30, 1943, the Attorney General’s Office reported that of a total of 599,111 Italian aliens, excluding seamen, 653 had undergone a hearing before alien enemy hearing boards, of which 232 had received internment orders, and 265 were placed on parole.\textsuperscript{147} Italy surrendered on September 8, 1943 and, most of the Italian internees were released by the end of 1943.\textsuperscript{148} Data from my study shows that the exception was the group of Italians identified as the most ardent Fascists and perceived as influential leaders in their community, particularly those in the media, who were also among the first to be apprehended. By March 1944, Director Ennis wrote to the Attorney General, recommending the parole of Italian seamen and civilian internees. With respect to civilian internees, his justification was that “[e]ven the few internees who are not politically demoralized by Italy’s fall know that their Fascist views are completely discredited in their communities and they would not be a danger to their community if returned on parole.”\textsuperscript{149} In the subject group, 64 Italian internees were not released until 1945. Given that most of the members of the subject group were apprehended in the first six months of the war, those remaining had spent at least three years in internment camps. There were only a handful of men who remained in INS custody by the fall of 1945, such as Frank Membrini who had been denaturalized prior to internment and Biagio Farese who was simultaneously undergoing deportation proceedings.

The following chapter explores what life was like on a day-to-day basis for internees in the camps. Many hoped that a rehearing at the camps would once and for all clear their names


\textsuperscript{149} Memorandum from Edward J. Ennis, Director, Department of Justice, Alien Enemy Control Unit, to the Attorney General, March 14, 1944, FBI Report on Custodial Detention, accessed October 25, 2013, http://vault.fbi.gov/Custodial%20Detention/Custodial%20Detention%20Part%203%20of%203.
and restore their normal lives. While some sought to prove their loyal and obedient character through cooperation in camp duties or in work projects off site, others composed letters to Justice Department officials explaining what they believed could have been mistakenly construed by the government as suspicious aspects of their prior lives. Above all, they sought to prove that they were in fact loyal to the United States and would be upstanding citizens if released.
CHAPTER 5: BOCCE BEHIND BARBED WIRE: CHECKS ON GOVERNMENT POWER IN THE CAMPS

All accounts of life in the internment camps, whether in INS reports, memoranda of camp officers, or in the letters of internees, paint a picture of the resiliency of Italian aliens during their course of internment in bleak surroundings. The sense of normalcy that the internees created through volunteering for work projects, participating in musical and sports activities, celebrating their cultural heritage in meals and in holiday traditions, and in forging friendships with fellow internees allowed them to regain their dignity and gave them a sense of agency while confined.

Although their agency was limited by the strictures of the camp environment, that environment was itself ameliorated by U.S. commitments to international law. As explained in Chapter 2, although member states to the 1929 Geneva Convention were not obligated to extend prisoner of war protections in the treaty to civilian internees, the United States followed this proposal of the International Committee for the Red Cross, thereby affording the internees the greatest check on government power in the camps. The 1929 Convention guaranteed safe and humane treatment, a good standard of living, and a means of redressing complaints about their conditions.1 Beyond the treaty, however, the Italians took initiatives to influence their fate so that they might gain freedom. In the face of the government’s preponderance of power -- internment without notice of charges, frequent movement from camp to camp, interference in

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1 See U.S. Department of Justice Immigration and Naturalization Service, Instruction No. 58 “To The Immigration and Naturalization Service: Subject: Instructions concerning the treatment of alien enemy detainees” from Lemuel B. Schofield, Special Assistant to the Attorney General, April 28, 1942, in German-Americans in the World Wars, ed. Tolzmann, 1580-89.
their relationships with their families through censorship of mail and monitoring of visits -- the Italian aliens individually sought to prove that they could be loyal American citizens through their work ethic, their cooperative demeanor, and by expressing their patriotism in camp and in letters to the Justice Department. In some cases, such efforts may have secured an earlier parole or release, while in other cases, the government’s adherence to damaging FBI reports prevented an alien’s explanations for suspicious information about his past from having any positive effect on his fate. Thus, while the Italian aliens frequently challenged the power asserted by Justice Department officials and military personnel, the government ultimately had the upper hand. This chapter tells those stories, and by doing so, narrates the personal consequences of the legal and political manipulations described in the preceding chapters.

This account of camp life draws upon various sources of sometimes dubious reliability. While INS reports provided information on the structure of camp life as well as the administrative history of operational decisions, they better reflect the aspirations and goals of the system than the actual experiences of the internees. The accounts of Jerre Mangione, director of the public relations program for the INS, may be an exception, however, because he had the advantage of visiting every INS camp and speaking with and observing camp officials and internees, and wrote about camp conditions when he was no longer employed by the INS. The letters between internees and their loved ones do a much better job of giving us a picture of how the internees felt and how they spent their time, however the system of censorship and the internees’ desire to paint a rosier picture of camp life to save their wives from worry were both factors that compromised the truth of what they wrote. In contrast, government officials did not censor internees’ appeals to the Justice Department, the State Department, or to the Swiss Legation as the Protecting Power, lending more veracity to their statements about confinement.
Finally, accounts provided in interviews of former internees and their family members many years after internment may be truthful because there was no risk of reprisals for criticizing the government, but the passage of time undoubtedly altered their memory of events.

The INS, under the jurisdiction of the Department of Justice, had detention facilities in almost every large port in the United States and converted space in county jails and other publicly owned buildings for the purpose of holding enemy aliens. It had custody of all enemy aliens until the Alien Enemy Control Unit reached a decision to intern, parole, or release each individual. Those sentenced to internment were turned over to the U.S. Army for detention at their camps, with the exception of women internees who remained in INS custody. For example, Pauline Tedesco, profiled in the previous chapter, was first detained at the INS detention center at Gloucester City in New Jersey before being transferred to Seagoville, Texas, another INS facility. Unlike the other internees, she did not make the circuit of Army camps. As explained below, the Latin American internees also remained at INS facilities.

At the outbreak of the war, the INS was already operating internment camps at Fort Stanton in New Mexico, Fort Missoula in Montana, and Fort Lincoln in Bismarck, North Dakota, all of which had been established to detain Italian and German seamen taken from vessels in American ports and the Panama Canal in 1939 and 1941 and prevent sabotage. Just after the

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2 General Research Unit, Immigration and Naturalization Service, *Administrative History*, 280. The following were the locations of the INS immigration detention centers used to detain enemy aliens: Ellis Island, East Boston, Gloucester City (NJ), Detroit, Seattle, San Francisco, San Pedro, 284. As the war progressed, the INS set up additional temporary detention facilities in the following cities: Portland, Salt Lake City, St. Louis, St. Paul, Kansas City, Cleveland, Houston, Hartford, Niagara Falls, Chicago, Miami, Pittsburgh, Nanticoke (PA), Ft. Howard (MD). Lawrence DiStasi, “Let’s Keep Smiling,” in *Una Storia Segreta*, ed. DiStasi, 215, fn 8; see also General Research Unit, Immigration and Naturalization Service, *Administrative History*, 294-96.

3 General Research Unit, Immigration and Naturalization Service, *Administrative History*, 283-84. In March 1941, Italian seamen were sent to Ft. Missoula and German seamen went to Ft. Stanton and Ft. Lincoln, 288, 297. The war made their deportation at that time too difficult.
United States entered World War II in December 1941, Italians and Japanese from the West Coast were sent to Fort Missoula, formerly an Army post. INS reports indicate that Fort Missoula housed 1,317 Italian seamen in all.

The other permanent INS internment camps or facilities considered suitable for long-term detention were as follows: Santa Fe in New Mexico; Kenedy, Seagoville, and Crystal City in Texas (established for family groups such as those from Latin America pursuant to the State Department’s agreement); Sharp Park outside San Francisco; Kooskia in Idaho; Algiers in Louisiana; Gloucester City in New Jersey; and Ellis Island in New York. In the latter part of 1942, the State Department and the Provost Marshal General requested the INS assume custody of civilian internees being held in Army camps since the Army was preparing to house hundreds of prisoners of war. On February 27, 1943, the Attorney General and Secretary of War agreed to return the civilian internees, numbering approximately 4,200, to INS custody. By June 1943, a total of 4,029 had been transferred back to the INS. In March 1944, the remaining Italian civilian internees were moved to Ellis Island, and the Army regained custody of the camp at Fort

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5 General Research Unit, Immigration and Naturalization Service, *Administrative History*, 298. Compare numbers in Folder “‘Italians Detained at Fort Missoula’ containing letter from W. F. Kelly, Chief Supervisor of Border Patrol to Lieutenant-Colonel Howard F. Bressee, Alien Enemy Information Bureau, dated September 2, 1942, with list showing name and place and date of birth of Italian seamen (about 960) detained at Immigration Detention Station, Fort Missoula, since April, 1941, Box 1, PMG Records of Italian Civilian Internees, NARA with Folder “Detailed Official List No. 84, Cable 164, Italians Ft. Missoula, Mont.” (878 total) (undated), Box 2, PMG Records of Italian Civilian Internees, NARA. It appears from my examination of these lists checked against other sources that Italian workers from the 1939-1940 World’s Fair were mistakenly included under the heading “Italian Seamen.”

6 General Research Unit, Immigration and Naturalization Service, *Administrative History*, 297-84. Tuna Canyon, outside Los Angeles, and Sharp Park, outside San Francisco, resembled permanent internment camps in their structures, but were under the jurisdiction of the District Directors, not the Central Office. See General Research Unit, Immigration and Naturalization Service, *Administrative History*, 285, 294.

Missoula on July 1, 1944.\textsuperscript{8} As late as May 31, 1945, there were twelve persons of Italian
nationality held in Crystal City.\textsuperscript{9}

The Provost Marshal General files for Italian civilian internees indicate that they were
held at the following Army camps: Fort George Meade, Maryland; Fort McAlester, Oklahoma;
Fort Sam Houston, Texas; Camp Forrest, Tennessee; Camp McCoy, Wisconsin; and Fort
McDowell on Angel Island in San Francisco Bay. In most instances an internee stayed at
multiple army camps over the course of his internment, being forced to move every few months.
This appears to be the result of bureaucracy and logistics. As explained above, custody of the
enemy aliens was initially split between the INS and the Army, but the Army’s need for space
for prisoners of war required the shift in custody back to the INS. The shuffling of internees also
occurred as a result of reuniting families from Latin America at the INS camps designed for
family units as well as the staggered parole dates for internees which freed up housing at various
times.\textsuperscript{10} As a general rule, the U.S. government disapproved of American wives joining their
alien husbands in internment camps.\textsuperscript{11}

\textsuperscript{8} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 298-99.
\textsuperscript{9} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 304. The twelve were
comprised of four males, five females, and three female minors.
\textsuperscript{10} Zack Wilske, Historian, U.S. Citizenship and Immigration, Records Division, History Office and Library, e-mail
message to author, March 20, 2013.
\textsuperscript{11} W. de Bourg, Chief of the Department, Legation of Switzerland, to Mrs. Angelina Farese, March 25, 1943,
Farese’s A-File. In my research, I have not come across any evidence that families residing in the United States
were reunited with their husbands and fathers in the internment camps. Presumably these families could visit their
family members, while the Italian families from Latin America would have faced much greater barriers to visitation
and therefore opted to be interned together. The only attempt that I saw of a wife trying to join her husband was that
of Angelina Farese. The Alien Enemy Control Unit denied Mrs. Farese’s request because it reserved the limited
space for the most needy families based on the studies of social workers, and felt that she was adjusting to her
community in New York. See Letter, W. F. Miller, Acting Assistant Commissioner for Alien Control, to Mrs.
The treatment of internees at INS camps differed from that at Army camps. Any differences in protocol may be attributed to the fact that the Army camps functioned under military regulations, while the U.S. Border Patrol operated the INS camps under less stringent standards. However, in his letter to the editor of the *Honolulu Star Bulletin* detailing the experience of Italians and Japanese taken from Hawaii, Mario Valdastri recognized “the considerate attitude and human understanding of the officers” at the Army camp at Fort McCoy, which undoubtedly influenced the mutual respect that internees showed one another.\(^\text{12}\) Valdastri’s entire letter expresses positive sentiment about his camp experience but its reliability is compromised by the filter of censoring that he knew his letter would have to pass. In this respect, the policies for censorship of correspondence entering and leaving the INS and Army camps resembled each other.\(^\text{13}\)

The United States abided by the terms of the 1929 Geneva Convention with respect to the set-up and organization of internment camps, and to all aspects of the day-to-day existence of the internees such as the provision of food, canteens, recreation, and education. The permanent internment camps followed a fairly standard pattern of organization: Headquarters, Internal Security, Surveillance, Services and Supplies, Maintenance, and Medical.\(^\text{14}\) Crystal City, known as the family camp, did not fit this organizational structure because families required additional

\(^{12}\) Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA. This letter is undated, but had to be written between March and June 1942 during his stay at Fort McCoy.

\(^{13}\) There is no record in Valdastri’s Provost Marshal General files that the Honolulu paper ever received the paper and published it. Lawrence DiStasi says that according to Valdastri’s son, Mario Valdastri, Jr., the letter was not published. DiStasi surmises that martial law and restrictions on news may have been the reasons. Lawrence DiStasi, “A Tale of Two Citizens,” 152, fn 14.

services such as a maternity ward, adequate schools for children, a more complex system of
issuing clothing, and more diversified production projects.\footnote{15}

On his tour of internment camps, Jerre Mangione visited Seagoville Internment Camp,
formerly a federal minimum-security reformatory on the outskirts of Dallas, and reported that the
$1.8 million facility on an 830-acre tract resembled a “prosperous college campus.”\footnote{16} The one-
and two-story red brick buildings with cream-colored limestone trim were in the architectural
style of contemporary Southern Colonial and faced on two quadrangles.\footnote{17} Intended as the
internment camp for aliens who would be repatriated at the end of the war, it first housed
families from Latin America, then predominantly single women who lived in comfortable
dormitories and couples who lived in eighteen-foot-square “Victory Huts.” Seagoville had an
auditorium where women performed ballet and theater, a library with an extensive collection of
foreign language books, a weaving room, and a garment factory. Letters screened by staff
censors revealed that internees at least claimed to be pleased with the food and housing at
Seagoville, especially those Latin Americans who had been living in poverty in their native
countries, and many found the American staff “‘considerate’” and “‘gentle.’”\footnote{18}

In sharp contrast to the attractive setting of Seagoville stood Kenedy Internment Camp in
south Texas, which housed mostly Japanese and Germans as well as a diverse group of Latin
Americans, including those Italians, interned in the United States pursuant to a State Department
agreement, as discussed in chapter 2. The first group of internees that arrived in April 1942 had

\footnote{15} See General Research Unit, Immigration and Naturalization Service, 
\textit{Administrative History}, 326.

\footnote{16} Mangione, “Concentration Camps—American Style,” 121-23.

\footnote{17} Gardiner, \textit{Pawns in a Triangle of Hate}, 36.

\footnote{18} Mangione, “Concentration Camps—American Style,” 121-23. Mangione said that Seagoville, unlike the other
internment camps, had a trained dietician on staff who planned healthy meals that conformed to each ethnic group’s
tastes; see also General Research Unit, Immigration and Naturalization Service, 
\textit{Administrative History}, 301-02.
456 Germans, 156 Japanese, and 14 Italians. Kenedy was an abandoned federal facility built by and for the Civilian Conservation Corps which had nine barracks measuring twenty by 120 feet and some smaller structures on twenty-two acres. Remodeling involved the construction of more than two hundred prefabricated huts to house five or six persons, and the building of a dining hall, kitchen, hospital, headquarters, accommodation for officers and nurses, warehouses, and latrines. Mangione, writing after the war, described how the “tall barbed-wire chain fence and guard towers surrounding [the camp] dominated the desolate landscape like a harbinger of doom.” As at the other INS camps, clothes, shoes, and linens as well as toiletries and smoking tobacco were issued to internees pursuant to the terms of the Geneva Convention. Internees could purchase food products and other items at the camp canteen at local market price. The whereabouts of internees at Kenedy were monitored day and night. Elected captains assisted internees in lining up at 9:00 a.m. and 4:30 p.m. for head counts when the sirens sounded, and the staff conducted three or four bed checks nightly. Of all the attempts at escape in the history of the INS internment program, none of which were successful, three occurred at Kenedy. Interestingly, there were no Italian or Japanese enemy aliens who attempted to escape; all twenty

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19 General Research Unit, Immigration and Naturalization Service, Administrative History, 300.

20 Gardiner, Pawns in a Triangle of Hate, 30.

21 Mangione, An Ethnic at Large, 328.

22 1929 Geneva Convention, Part I, Art. 4 (regarding maintenance of internees) and Part III, Sec. II, ch. 2, Arts. 11 and 12.


24 Gardiner, Pawns in a Triangle of Hate, 32.

25 Mangione, An Ethnic at Large, 329.
attempts were made by German nationals.\textsuperscript{26} Despite its bleakness, the camp’s improvised wooden chapel contained a vivid mural depicting the life of Christ and His resurrection, which Mangione found to be “the only visual symbol of hope” in all the camps.\textsuperscript{27}

The third internment camp in Texas, Crystal City, was the largest INS detention facility, housing the families with children from Latin America, including a few Italian families. Wives of interned husbands volunteered for internment here with their children to keep their families intact. Located on a former migrant farm labor camp consisting of 41 small three-room cottages, 118 one-room structures, and service buildings, Crystal City grew with the construction of 219 temporary duplex, triplex, and quadruplex housing units, 15 additional three-room cottages, and 103 plywood huts. The total capacity of the camp was 962 families, most of whom were Japanese. Each housing unit was equipped for cooking, and materials were supplied to the internees to construct furniture and furnishings. Communities were established based on nationality and race.\textsuperscript{28} Mangione described Crystal City’s atmosphere as “almost cheerful” in its resemblance to a bustling southwestern town with a school, hospital, community center, bakery, and stores. Since it contained a polyglot population both in terms of ages and ethnic diversity, it presented challenges in medical services and dietary offerings. Families were provided a weekly allowance to buy their own food.\textsuperscript{29} Mangione was impressed with the community’s self-governance through democratic procedures whereby each language group in the camp elected its own council with a spokesman who served as an intermediary between the internees and the

\textsuperscript{26} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 366, 372. All attempted escapees were intercepted by Border Patrol officers or guards from the camps, 372.

\textsuperscript{27} Mangione, \textit{An Ethnic at Large}, 328.

\textsuperscript{28} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 302-05; Gardiner, \textit{Pawns in a Triangle of Hate}, 59-60.

\textsuperscript{29} Mangione, \textit{An Ethnic at Large}, 330.
administration, and as a liaison to designated foreign emissaries for issues that infringed on internee rights under the Geneva Convention.\textsuperscript{30}

Set in the picturesque mountains of Montana, Fort Missoula had the largest population of Italians among the internment camps. Ironically known as \textit{Camp Bella Vista} by the Italians, Fort Missoula was barricaded by 2400 feet of chain-link fence topped by barbed wire, and had 60-foot guard towers at the north and south gates manned all day and night. A 50-foot iron searchlight tower overlooked the barracks which consisted of housing units, each accommodating fifty men in double bunks, a hospital, a school, a library, a theater, a mess hall, and a recreation hall.\textsuperscript{31} The men woke up at 6:00 a.m., ate breakfast in shifts, and answered roll call at 8:00 a.m. and 8:00 p.m. They were expected to participate in jobs necessary for the operation of the camp, such as serving food, on a rotating basis. Internees could earn eighty cents a day for specialized work such as carpentry, mattress making, sewing, furniture making, and construction work.\textsuperscript{32} The Italian internees had a general council, a governing board of twenty-eight members elected by the men themselves which included a mayor, police chief, parks commissioner, and sanitation commissioner.\textsuperscript{33}

Early reports on Fort Missoula in 1941 when it housed seamen and the foreign employees of the 1939-1940 World’s Fair were positive, conveying the picture of a camp that allowed the

\textsuperscript{30} Mangione, \textit{An Ethnic at Large}, 330-331.


\textsuperscript{32} Van Valkenburg, \textit{An Alien Place}, citing Internment Camp Operation Memo, 5.

\textsuperscript{33} See Van Valkenburg, \textit{An Alien Place}, 28.
internees much autonomy and time for leisure.\textsuperscript{34} Alfredo Cipolato, one of the men who worked at the World’s Fair and one of the first to be interned at Fort Missoula, described life as calm with few disruptions among beautiful facilities such as the library and tennis courts.\textsuperscript{35} After Pearl Harbor, however, when Japanese, Germans, and Italians were interned together at Fort Missoula, conditions seemed to change. Mangione had an opportunity to observe the “lack of love” among these groups of men. While the Japanese ignored the Germans and Italians, the latter two groups showed contempt for the Japanese and dislike for each other, sometimes descending into fist fights.\textsuperscript{36} Another contemporary report of conditions at Fort Missoula confirms Mangione’s impression of animosity among the national groups. A \textit{Wide World} news reporter who visited the camp revealed that the Italians and Japanese shared no camaraderie as fellow members of Axis powers; instead they were known to “glower at each other.” Camp guards observed that the Italians never said so much as “‘good morning’” to the Japanese.\textsuperscript{37} While the Japanese had their own mess hall where the staples were rice, soybeans, and fish, the Germans and Italians shared a mess hall but also maintained separate menus. The Italians turned up their noses at sauerkraut, while the Germans showed their distaste for spaghetti.\textsuperscript{38}

The Italians at Fort Missoula found ways to assert their cultural traditions. In the face of a ban on alcohol, they made their own wine with dried raisins, prunes, apricots, and figs that they

\textsuperscript{34} See Van Valkenburg, \textit{An Alien Place}, 27, citing “News From Montana,” \textit{Time}, August 18, 1941, 24. The Italian media also reported positive conditions. See, e.g., \textit{Corriere D’America-Domenica}, New York, August 17, 1941, reporting “no spirit of a concentration camp or prison camp,” cited in Van Valkenburg, \textit{An Alien Place}, 27.

\textsuperscript{35} Alfredo Cipolato, interview by Stephen Fox, Missoula, MT, April 17, 1989, in Fox, \textit{Uncivil Liberties}, 202-03.

\textsuperscript{36} Mangione, “Concentration Camps—American Style,” 127-28.


saved from desserts after meals.\textsuperscript{39} As a show of national pride, portraits of Benito Mussolini and King Victor Emmanuel III lined one wall of the mess hall.\textsuperscript{40} But even within the Italian population of internees at Fort Missoula, there was friction between Fascists and anti-Fascists that erupted into a riot at the camp in September 1942. Guards had to use tear gas and the threat of submachine guns in order to contain it.\textsuperscript{41}

The impressions that each ethnic group made on camp officials, specifically how “Americanized” they appeared in terms of their work ethic, undoubtedly found their way into reports on each internee for use by hearing boards reconsidering each internee’s status. Upon interviewing the camp commander at Fort Missoula, Mangione learned that Italian internees fit the stereotype of their ethnic group as temperamental but also “‘the most human,’” in the words of the commander, while the Japanese proved to be the most cooperative in participating in menial chores like scrubbing toilets, regardless of social rank.\textsuperscript{42} The fact that the first item on the Alien Enemy Control Unit’s form report for internee behavior at the camp was “General attitude and cooperativeness with Camp authorities” proves the importance of a cooperative attitude in evaluating whether an internee presented a security risk. Camp officials also typically commented on with whom the internee associated and whether the internee was a good influence on other internees.\textsuperscript{43} For example, in a report on Francesco Fragale, the young, brash internee

\textsuperscript{39} Van Valkenburg, \textit{An Alien Place}, 32, citing Alfredo Cipolato, interview by Bill Lang, Missoula, MT, January 9, 1981, tape recording, Montana Historical Society, Helena, MT.

\textsuperscript{40} Van Valkenburg, \textit{An Alien Place}, 26.

\textsuperscript{41} Van Valkenburg, An Alien Place, 25-26.

\textsuperscript{42} Mangione, “Concentration Camps—American Style,” 127.

\textsuperscript{43} See, e.g., Summary Report on Internee Behavior Desired by the Enemy Alien Control Unit and Memorandum for Chief of the Review Section, October 27, 1944, 3, File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.
profiled in the previous chapter, camp officials noted that he “associates with the extreme Fascist
group” and named the individuals of that group.44 Army reports on the behavior of Ubaldo
Guidi-Buttrini, the Boston radio commentator also profiled earlier, indicated that he was a bad
influence on other internees with his Fascist speeches and could be blamed for the Army’s
failure to enlist the seamen with whom he was interned at Fort Missoula to man Allied merchant
vessels or Italian ships bound for Italy.45

From the reports of internees who spent time at numerous Army camps which were
operated by the Provost Marshal General’s Office and the War Department and from accounts of
family members who visited them, we learn that security was comparable to that at the INS
camps. The daughter of a former internee recalled Fort Sam Houston’s intimidating aura upon
visiting her father; the camp was surrounded by “a double-fenced enclosure made of heavy
cyclone fencing with barbed wire across the top,” and under the gaze of two armed guards in
towers at each corner of the camp.46 However, the accommodations at the Army camps were
generally more primitive than those at the INS camps. Living quarters at Fort Meade and Fort
Houston consisted of tents instead of housing structures.47 In Carmelo Ilacqua’s letters home, he
wrote positively of the tent he shared with three other Italians at Fort Houston and commented
that he was treated better there than at Fort Missoula “where authorities attitude was as though

42 McAlester Internment Camp, “Information on Internee Behavior Desired by the Department of Justice” for Frank
Fragale, March 5, 1943, File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.
The Fascist group included “Gloria, Membrini, E. Lucchesi, S. Lucchesi, Beltroni, Grosso and others.”

45 Memorandum to the Chief of the Review Board (Reconsideration), May 6, 1945, 14, File of Ubaldo Guidi-
Buttrini, File No. 146-13-2-36-24, Box 293, DOJ Litigation Files, NARA.


47 Lawrence DiStasi, “Let’s Keep Smiling,” 203-04, regarding Fort Meade; see also Sylvernale, “Alien in Texas,”
197, regarding Fort Sam Houston.
we had broken laws.” Thus the type of treatment internees received most likely colored their feelings about their physical surroundings. Likewise, Valdastri was pleased with the barracks at Fort McCoy. He described how quarters housed forty men each, equipped with beds and linens, cannon heaters, and writing tables, and were kept “immaculately clean” by room service on a rotating schedule.

There appear to have been more restrictions on internees’ movement at the Army camps as opposed to the INS camps where internees wore civilian clothes and could work outside the camps for pay. For example, internees at Fort Meade reportedly had to wear shirts with “POW” printed on the back. At Fort McCoy, internees had to answer to frequent roll calls, as opposed to just morning and evening. But the daily routines and organizational structure at the two types of camps resembled one another. Just as the INS established rules for the daily work routine of the internees, there were work rosters at the Army camps. At Fort McCoy, rosters assigned internees shifts to work in the mess hall or to clean up the camp grounds. Similar to the system of self-governance observed at Fort Missoula and Crystal City, nationality groups at Fort McCoy had elected leaders to represent their respective interests.


49 Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA. Note that Valdastri’s “Basic Personnel Record” indicates that he was held for a few days at Fort McDowell on Angel Island in San Francisco Bay before being transferred to Fort McCoy in Wisconsin. Although Valdastri does not name the camp in his letter, given that his stay at Fort McDowell was so brief, it is more likely that his camp description refers to Fort McCoy. Note that the Honolulu newspaper may not have ever published Valdastri’s letter given conditions in Hawaii.


51 See Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.
Reports of the extent of care for the physical and mental wellbeing of internees varied among the camps. While some camps had medical specialists on hand, others did not. Certain types of illnesses, namely mental insanity, cancer, and tuberculosis, required the removal of afflicted internees to proper medical facilities, often Public Health Service Hospitals. Valdastri described a regimen of frequent physical exams by a staff of three Japanese doctors who prescribed a healthy diet and exercise routine for the men at Fort McCoy, as well as dental examinations. However, at Fort Missoula, getting competent medical care proved to be a continuous problem. After an unsuccessful stint by an Italian doctor from one of the ships, a professionally incompetent and temperamentally unsuitable doctor named Orvall Smiley was assigned to the camp in late 1941. He reportedly conducted “bestial prostate exams” and used medication obsolete for almost forty years. Smiley had contempt for the Italian internees, referring to them as “neurotic, paranoid” and “hypochondriacs.” In addition to problems with Dr. Smiley, camp directors could not get eye doctors or dentists assigned to the camp due to the lack of availability and a lack of interest in working with patients with language barriers and persistent demands.

The Provost Marshal General files indicate that there were at least seven men in my study of 343 Italians selectively interned who died in the camps. Questions remain as to whether these

52 See General Research Unit, Immigration and Naturalization Service, Administrative History, 349.
53 See Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.
55 Van Valkenburg, An Alien Place, 54, citing Memo from Dr. Orvall Smiley to N.D. Collaer, supervisor of alien detentions, February 1, 1942, RG 85, Box 1, National Archives, Washington, D.C.
56 Van Valkenburg, An Alien Place, 28.
men suffered from untreated conditions that were indicated in their medical history or had their first onset of illness in the camps. For example, in the case of Giuseppe Protto, the death certificate in his file from Camp Forrest, where he spent about a couple months, says “Cerebral embolus – cause undetermined.” 57 Mental illness was common, and often marked by frequent complaints of indefinable physical ailments. There were approximately eight men among those studied who were diagnosed with psychosis who were committed to mental institutions during the time of their internment. More common, of course, were cases of depression and anxiety, likely caused by the internees’ frustration at being held against their will and exacerbated by increasingly longer periods of separation from loved ones.

As for the moral and spiritual well-being of the internees, the Geneva Convention granted “complete freedom in the performance of their religious duties, including attendance at the services of their faith.” 58 Army chaplains performed services, and the internees’ own Christian, Buddhist, or Shinto priests were permitted to conduct services in their native tongue. 59 Papers of the National Catholic Welfare Conference (NCWC) indicate that that the U.S.-based Catholic missionaries, the Maryknoll Fathers, Sisters and Brothers, proposed having an actual presence in the internment camps by living on the compounds to carry on religious care of the interned. The Catholic organization particularly expressed a spiritual responsibility to the Japanese while they were confined. But the federal government did not comply with this request. 60

57 Folder of Giuseppe Protto, Box 16, PMG Records of Italian Civilian Internees, NARA. See also Lawrence DiStasi, “Morto il Camerata,” in Una Storia Segreata, ed. DiStasi, 1-9.

58 1929 Geneva Convention, Part III, Sec. II, ch. 4, Art. 16.

59 Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.

were efforts by the NCWC to provide organized Catholic faith services and to make Catholic books in the internees’ languages available on the camps so that men – Germans, Italians, and Japanese alike - could satisfy their spiritual needs. 61 The War Department’s response was favorable; the Provost Marshal General arranged for the office of the Chief of Chaplains to coordinate visits by Catholic clergy and agreed to have camp commanders distribute Catholic prayer books and other religious literature. 62

By all accounts, living conditions were generally good, although the internees judged their treatment relative to their lives prior to internment or what their confinement protected them from, such as service in the Italian Army or life in a war-torn country. The United States took its obligations under the Geneva Convention seriously, which led to some resentment in the American population, as we shall see below. Through the function of reciprocity, the U.S. government had to abide by the Convention’s assurances of safety and humane treatment of internees to protect Americans who were prisoners in enemy countries. As explained in Chapter 2, the monitoring system of neutral protectorate countries made enemy nations that were signatories to the treaty accountable to each other. For example, the United States decided to follow the Convention’s standard for prisoners of war that the food be “equivalent in quantity and quality” to that served to U.S. troops at base camps. 63 This meant that internees were served food that was strictly rationed for Americans, such as meat products. 64


62 Allen W. Gullion, Major General, The Provost Marshal General, to Most Reverend Edward Mooney, Chairman, Administrative Board, National Catholic Welfare Conference, September 2, 1943, Folder 5 (Military Affairs: Prisoners of War, 1941-43), Box 58, NCWC Papers, Catholic University.

63 See 1929 Geneva Convention, Part III, Sec. II, ch. 2, Art. 11.

64 See Van Valkenburg, *An Alien Place*, 27. The internees at Fort Missoula got sugar, oil, and coffee when they requested it, and even enjoyed round steak, which caused resentment among Missoulians, 32.
The INS recognized that internee labor was a good administrative policy for a number of reasons. First, a work program could utilize internee labor without creating competition within the civilian workforce because at the time there was a severe shortage of unskilled labor in some sections of the country. Second, it would reduce internment costs without impacting supervision at the camps. And finally, employment would combat the “psychoneurotic tendencies among internees,” by engaging internees in productive activity that got them away from the camp and took their minds off of their confinement.65

Under the terms of the 1929 Geneva Convention, prisoners of war could be employed in work for which they were physically fit.66 The detaining power was responsible for “the maintenance, care, treatment and the payment of the wages of prisoners of war working for private individuals.”67 According to the Regulations Governing Civilian Internees pursuant to the Convention, internees working outside the camp could earn wages at the rate of eighty cents per day. Money earned was to be credited to the internee’s account and not paid directly to him until his release or repatriation, or in the case of his death, to his heirs. Subject to the approval of the commanding officer of the internment camp, the internee could draw on his account up to ten dollars per month which was issued in the form of canteen coupons.68 Thus pleas by family members who wished for their interned loved one to work in order to help support his family at

65 See General Research Unit, Immigration and Naturalization Service, Administrative History, 353.

66 1929 Geneva Convention, Part III, Sec. III, ch. 1, Art. 27 and ch. 2, Art. 29.


home, like Mrs. Pidala whose husband Anthony was interned at Camp McAlester, were futile because the system did not allow money earned through work projects to leave the camps.69

Under the terms allowed by the Convention, arrangements were made for internees to work for the Western Montana Beet Growers Association which was badly in need of help during the war. Approximately 300 Italian seamen interned at Fort Missoula in 1942 were the first group of internees to be employed on the sugar beet fields, returning nightly to the internment camp.70 Initially, the workers were transported under heavy security to the beet fields, but eventually policies became more relaxed.71 The success of that program both in increasing the productivity of the farms and in improving public relations in Missoula County led to a more expansive program the following year. In March 1943, when funds became available, the INS established a pay-work program whereby internees voluntarily worked both on projects at the internment camps and off site for private employers and other government agencies at the rate of ten cents an hour, not to exceed an eight-hour workday. As internees could only be compelled to perform work that was incident to the administration, management, and maintenance of the camps, any internee who wished to work in the pay-work program had to get approval from the Alien Enemy Control Unit which reviewed issues of internal security.72

Not only did the program put money into the camps, but it had a great effect on the morale of the internees. The establishment of this program coincided with the transfer of all remaining civilian internees from army camps to INS custody. Thus the swollen population of

69 Mrs. Anthony Pidala to Dept. of Justice, September 23, 1942, Folder of Anthony Pidala, Box 16, PMG Records of Italian Civilian Internees, NARA.

70 General Research Unit, Immigration and Naturalization Service, Administrative History, 354.


72 General Research Unit, Immigration and Naturalization Service, Administrative History, 351-54.
internees at INS camps filled a void in unskilled and semi-skilled labor across the country, particularly for farms around Fort Lincoln in Bismarck, North Dakota and those surrounding Fort Missoula in Montana. In addition to work on farms, the projects ranged from Forest Service projects to railroad maintenance to work in hospitals. Alfredo Cipolato recalled being trained as an orderly at St. Patrick’s Hospital in Missoula since most of the orderlies and doctors were in the service. Although it was a unique opportunity, he and his fellow internees were restricted from going beyond one block in each direction from the hospital.

At Crystal City, located in a climate suitable for agriculture, internees had more opportunities than internees elsewhere to participate in a pay-work program. Some planted and kept vegetable gardens while others produced eggs and tended to poultry, cured meats, prepared baked goods, repaired shoes, or manufactured furniture. Internees could also do office work and even served as instructors as part of the work program.

The Justice Department Litigation files for each internee indicate that an internee’s performance and attitude on his job were factors considered by the alien enemy hearing boards on reconsideration of an internee’s status. For example, reports of Francesco Fragale’s cooperative behavior while working for the Forest Service at Missoula, later as a bell boy and waiter at a Missoula hotel, and finally at the factory for the American Crystal Sugar Company where he was described as “hard-working” and “dependable, trustworthy, ambitious,” figured prominently in the decision to parole him in late 1944. As was the case with other internees on a particular work project, Fragale was allowed to live for close to a year off the internment camp at

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73 General Research Unit, Immigration and Naturalization Service, Administrative History, 352-55.
74 Alfredo Cipolato, interview by Stephen Fox, Missoula, MT, April 17, 1989, in Fox, Uncivil Liberties, 203. Cipolato said that instead of receiving cash for their work, they were issued requisitions for purchases at clothing stores and other places.
75 Gardiner, Pawns in a Triangle of Hate, 60.
the Penwell Hotel, and therefore had the benefit of reports from his landlord that he had good manners and was well behaved.\textsuperscript{76} Thus, in some instances, work projects offered internees the opportunity to assert some control over their fate by exhibiting qualities that could positively influence the reviewing board’s opinion of their loyalty to the United States and potential to be good American citizens.

Aside from work opportunities, entertainment and group activities were the best method to combat the “barbed wire sickness” of boredom.\textsuperscript{77} In both the INS and Army camps, internees were allowed to organize musical groups, sports activities, and to engage in educational and cultural activities. Valdastri described evenings of entertainment where there was a cultural exchange of music as part of the social life at Fort McCoy; sounds from the Orient created “a strange mood of baffled amazement to ears which never heard them before.”\textsuperscript{78} Thus, music served to aid in each nationality’s appreciation and understanding of the other. Perhaps the camp with the best music was Fort Missoula since there were a number of famous Italian musicians interned there, including seven violinists, most likely entertainers aboard the Italian luxury liner Conte Biancamano that was seized in the Panama Canal in 1939, as well as musicians from the World’s Fair. Every night after the 5:00 p.m. supper, a band played while other internees sang.\textsuperscript{79} Concerts held at the recreation hall open to the public raised close to $300 for the Italian welfare

\textsuperscript{76} Memorandum for the Chief of the Review Section, October 27, 1944, and Report to D.W. Brewster, District Director, and William F. Howard, Patrol Inspector, October 9, 1944, File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

\textsuperscript{77} See Mangione, \textit{An Ethnic at Large}, 328.

\textsuperscript{78} Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{79} See General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 361; see also Van Valkenburg, \textit{An Alien Place}, 16-17.
Theater was also common among both the Italians, who favored heavy drama, and the Germans who preferred lighter entertainment.  

The activities that were most successful in lifting the spirits of the Italian internees were sports like soccer and bocce ball, particularly in the summer months, and boxing or skating in the winter. But young and old also formed teams with internees of the other nationalities to compete in the all-American sport of baseball. Valdastri captured the spirit of men regaining their dignity through athletics in describing how “[y]oung men showed remarkable feats in beautiful teamwork, old men seemed to be rejuvenated until there was no resemblance to the little heaps of misery beaten down by an unmerciful fate who had left Hawaii mentally and physically broken only a short time ago.” Despite this display of control by the internees, the government had the upper hand even in the arena of sports and other recreational activities. Although the activities were organized and directed by the internees themselves, camp officials could use the opportunity to participate in recreation as a form of disciplining the internees. For example, an internee could be prevented from taking part in sports and leisure activities by failing to cooperate in the camp and perform all expected duties.

The internees also creatively devised ways to pass the time in a variety of hobbies, from handicrafts like sandal making, to building bird nests in empty cans salvaged from the camp, to

80 General Research Unit, Immigration and Naturalization Service, Administrative History, 362; see also Van Valkenburg, An Alien Place, 33-35.

81 See General Research Unit, Immigration and Naturalization Service, Administrative History, 360.

82 Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.

83 See General Research Unit, Immigration and Naturalization Service, Administrative History, 361.
collecting rocks for polishing and painting.\textsuperscript{84} The allotment of space for individual flower gardens must have pleased those Italians accustomed to gardening at home.\textsuperscript{85} Other internees occupied themselves in educational courses in practical skills, such as that for Italian seamen seeking advancement in their careers, as well as language courses in English, Spanish, German, and Italian.\textsuperscript{86} Valdastri reported that “lectures about professional topics and classes of various languages” were offered at Fort McCoy.\textsuperscript{87} Newsletters advertising activities and events which were circulated among internees contributed to a sense of community.

A key morale boost for internees was being allowed off the premises of the internment camps for work projects. Like Francesco Fragale, many used the opportunity to prove that they possessed a work ethic and demeanor worthy of release from government custody and perhaps future American citizenship. At some camps, the internees even got passes on occasion for visits to town, initially accompanied by guards, to shop at places like the Missoula Mercantile where Italians and Japanese were reportedly well received.\textsuperscript{88} But what most internees craved was to see and hear from their families. Visits home were granted only in extreme circumstances, such as a death in the family. More frequent were visits by family members to the camps, but the visits were restricted in number and held under strict surveillance. The military advised internees that

\textsuperscript{84} Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA; see General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 361.

\textsuperscript{85} See Lothrop, \textit{“Unwelcome in Freedom’s Land: The Impact of World War II on Italian Aliens in Southern California,”} 170.

\textsuperscript{86} General Research Unit, Immigration and Naturalization Service, \textit{Administrative History}, 363.

\textsuperscript{87} Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{88} See Van Valkenburg, \textit{An Alien Place}, 59, 62. Internees at INS camps could also buy clothes from mail-order catalogues from Sears, Roebuck, and Montgomery Ward. See Gardiner, \textit{Pawns in a Triangle of Hate}, 37.
they could only have two visitors per month and that each visit could last no longer than twenty-five minutes.\textsuperscript{89}

Lucetta Berizzi Drypolcher’s description of her visit to her father, Louis Berizzi, at Fort Meade shows how uncomfortable these meetings could be: We could only speak English. The meeting room was cold and crowded, and he didn’t look well. He was underweight – just not the same, in a fatigue uniform with “PW” on the back. There was sort of a general room where we met with him. The internees would come from their quarters. They were behind barbed wire, we could see that as we entered. We were very close, so it was very difficult being there.\textsuperscript{90}

Undoubtedly these visits were unsatisfying for both internees and family members. The meetings gave no opportunity for internees to express their feelings about internment or to tell their loved ones how things really were in the camp. Certainly the prohibition against speaking Italian added to the strangeness of visits given that many family members were accustomed to communicating in their native tongue.\textsuperscript{91} Ubaldo Guidi-Buttrini’s daughter Temi merely asked her father \textit{Come stai} (How are you?) before receiving a rebuke from the officer monitoring her visit.\textsuperscript{92}

Mario Valdastri was not allowed to see his family from his detention at the Honolulu Immigration Station in early December 1941 through his first stay on Sand Island in the

\textsuperscript{89} DiStasi, “Let’s Keep Smiling,” 208.


\textsuperscript{91} See Van Valkenburg, \textit{An Alien Place}, 56, citing Sigrid Aren, “Italian, Japanese Internees Won’t Eat Together,” \textit{Wide World}, August 8, 1942, reporting that interpreters were used at meetings with internees who did not speak English.

\textsuperscript{92} DiStasi, “Let’s Keep Smiling,” 205.
Territory of Hawaii and his transport to the mainland. Valdastri’s son recalled visiting his father at Sand Island once he had returned from the mainland in late 1942. After crossing Honolulu harbor by boat, visitors had to walk about a half mile to the camp which was surrounded by double, twelve-foot high, barbed-wire fences. He met his father at a picnic table in a tent that housed Italians. Not long after that, Valdastri’s daughter was killed in an automobile accident. Valdastri was allowed to view his daughter’s body for only an hour in the funeral home with the escort of two armed guards. A short time before his daughter’s death, Valdastri had not been allowed to attend her wedding. Such stories reveal how internment completely disrupted family relationships.

The INS camps utilized a variety of methods for monitoring conversations between internees and their visitors depending upon the size and location of the facility. In camps located near the homes of the internees’ families and friends, such as Ellis Island, where the numbers of visitors were the heaviest, officials were able to reduce the number of guards required for monitoring by requiring that “conversations [be] held across a table which was partitioned to prevent the unseen passage of messages.” At other camps, the internee and his visitor sat on benches facing each other with a space in between for observation, or they were allowed to sit together in the presence of a guard.

Internees were entitled to receive a quota of authorized publications. Once that quota was reached, camp officials had the authority to cancel additional subscriptions. For example,

93 Mario Valdastri to American Civil Liberties, New York, NY, May 10, 1942, Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.


95 General Research Unit, Immigration and Naturalization Service, Administrative History, 395.

96 General Research Unit, Immigration and Naturalization Service, Administrative History, 395-96.
Mario Ricciardelli, a china and glassware repairman who was also a journalist for the weekly Italian newspaper *Grindo della Stirpe*, believed to be the voice for Fascist propaganda, lost his subscription to the *Washington Sun* when the adjutant at his camp determined that his quota had already been filled. It must have been demoralizing to an internee used to staying abreast of news to have limits placed on his sources to the outside world. Valdastri described the eagerness of internees to get updates on what was happening outside the camps. Since not every internee could obtain newspapers in their native language or knew English well enough to understand news over the radio, a few of the most linguistically talented internees prepared daily news reports.

As internees were not allowed to make or receive telephone calls at the camps, their only form of communication with their friends and family members was the mail system. Internees were permitted to write two letters and one postcard a week. Photos from the camps were prohibited. Officials at the INS internment camps recorded and examined all mail to and from internees for any trace of plans for subversive activity, a method of screening allowed under the Geneva Convention. Mail destined for locations outside the continental United States was sent under seal to the Office of Censorship for additional review by personnel competent in the Japanese, German, and Italian languages. The system of censorship allowed the INS to determine the “general attitude, possible improper plans, conditions of health and morale, and

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97 Leroy Kostenbauder, Captain, F.A. Adjutant, to Subscription Department, *Washington Star*, August 18, 1942, and Mario Ricciardelli, to Hon. Edward J. Ennis, Sept. 14, 1942, Folder of Mario Ricciardelli, Box 17, PMG Records of Italian Civilian Internees, NARA.

98 Mario Valdastri to Mr. Riley H. Allen, Editor of the “Honolulu Star-Bulletin,” Folder of Mario Valdastri, Box 20, PMG Records of Italian Civilian Internees, NARA.


100 See 1929 Geneva Convention, Part III, Sec. IV, ch. 5 (“Relations of Prisoners of War with the Exterior”), Arts. 35-41. Article 40 mandates as follows: “The censoring of correspondence shall be accomplished as quickly as possible.”
identity and addresses of close relatives and friends of the internees.” If any suspicious excerpts were found in an internee’s correspondence, they were forwarded to the INS Central Office and the Director of the Alien Enemy Control Unit of the Justice Department, and in special cases, to the FBI, Military and Naval Intelligence, and to the Special War Problems Division of the State Department. Regulations published on April 15, 1942, which were designed to standardize the censorship practices between the INS and other agencies, directed that “malicious and false complaints regarding conditions of detention” should be deleted from letters, but there would be no censorship of letters addressed to the Justice Department, the State Department, or to the Protecting Power. Thus, internees did enjoy the freedom of speech with respect to communicating their feelings about their confinement to government authorities.

The file of Mario Ricciardelli presents an example of an uncensored letter. In a letter to H.E.N.D. Borgus, the Swiss Minister, Ricciardelli wrote of the “abuse and humiliation” of being handcuffed on the train when being transferred from Fort McAlester to a re hearing at an INS facility to determine whether he might be released from internment. He demanded to know whether such treatment of a civilian internee was in violation of the Geneva Convention. As Lawrence DiStasi points out, the presence of this letter in Ricciardelli’s file indicates that it was either forwarded to or intercepted by the War Department. The fact that Ricciardelli received a second order of internment on December 30, 1942 and was not paroled until September 15,

101 General Research Unit, Immigration and Naturalization Service, Administrative History, 396.
102 General Research Unit, Immigration and Naturalization Service, Administrative History, 398.
103 Idiomatic Translation of an Italian letter from Mario Ricciardelli, to H.E.N.D. Borgus, Swiss Minister, Folder of Mario Ricciardelli, December 9, 1942, Box 17, PMG Records of Italian Civilian Internees, NARA.
1943 confirms that his rehearing was not successful.\textsuperscript{105} One can only speculate whether his letter to the Swiss Minister hurt him in this respect.

Family members tried to keep their interned loved ones abreast of all events at home, important ones like births, marriages, and deaths, and updates on the development of the internees’ children, and other more mundane issues like how productive the gardens were at home. They sent items that they thought the internees might enjoy like candy, cigarettes, and books. In turn, internees reported on the state of their health and diet at the camps as well as musical or sports events. However, the internees were prevented from relating any negative accounts of internment as indicated in numerous examples of deleted messages in correspondence. Notes of camp officials reviewing internees’ correspondence indicated the sender and intended recipient and the deleted passages in Italian, with rough translations. For example, a note in the file of Anthony Tribuiani, a news reporter apprehended on December 8, 1941, indicates that camp officials deleted Tribuiani’s sentiments about the conditions of his internment from a letter to Adele Tribuiani, presumably his wife. Tribuiani wrote that conditions at his internment camp were better “than Gloucester (Gloucester City detention facility in New Jersey), but altogether the lack of LIBERTY oppresses one’s spirit and heart.”\textsuperscript{106} Similarly, the following thoughts of Filippo Romano, a journalist for Popolo Italiano, written in a letter to his loved one, Mrs. Maria Romano, were deleted: expressions of \textit{il nostro dolore} (our grief) and \textit{l’umanita} (inhumanity) of censorship of letters which has \textit{aggravando la nostra tragica situazione} (aggravated our tragic situation). In an earlier letter, deletions included his resentment that the

\textsuperscript{105} Folder of Mario Ricciardelli, Box 17, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{106} Note by camp official that passage was deleted from letter from Angelo[sic] B. Tribuiani, to Mrs. Adele Tribuiani, Wilmington, Delaware. Author’s translation of \textit{di Gloucester, ma pur tutto era la mancanza della LIBERTA opprime l’anima e il cuore}. Folder of Alfredo B. Tribuiani, Box 19, PMG Records of Italian Civilian Internees, NARA.
government interned “the barons, dukes, counts, artists, and professional people who represent the Flower of Italy, who have come here I know not why, while the true criminals continue to amass millions of dollars.”

It would make sense that camp officials gave particular attention to the correspondence of internees in the media profession since they feared the influence of these internees who were adept at expressing their opinions, and as public figures, probably still had a following outside the camps.

Letters coming into the camp were scanned for sentiments, whether of emotional attachment or complaints about their loved ones’ fate, out of fear that they might negatively affect the morale of internees. In some cases, the deletions were understandable in view of this concern. For example, Velleda Guidi’s complaint to her father - “it was very mean that we were allowed only 25 minutes with you . . . Imagine, we traveled 30 hours straight to be allowed only 25 minutes with you” - might have served to anger Guidi-Buttrini and make him less obedient toward military officials.

On the other hand, some deletions by military officials censoring letters seemed to work against this purpose. Censors deleted verse in a letter written to Alfredo Tribuiani entitled “Let’s Keep Smiling,” which spoke of brighter days and the need to keep courage up, presumably positive sentiment for an internee, for the reason that it had “possible hidden meaning.” Similarly ambiguous was the deletion of Mariana Fabbri’s cartoons of herself and her dog in letters to her husband Alessandro, a business manager from New York.

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107 Notes by camp official that passages were deleted from letters from Filippo Cipri-Romano[sic] to Mrs. Maria Cipri-Romano[sic] Philadelphia, Pennsylvania, July 6, 1942 and 4-27-42 (translation of camp officer since Italian missing from the file). Folder of Filippo Cippi Romano, Box 17, PMG Records of Italian Civilian Internees, NARA.


109 See the Verse “Let’s Keep Smiling” in a letter written to Tribuiani from Ralph Ottaviano on or about August 10, 1942 and analysis in DiStasi, “Let’s Keep Smiling,” 209.
City and a veteran of the Italian Army who spent about a year and a half in internment. Most likely the government’s concern for hidden meaning affected the Fabbris’ correspondence as well. What is certain is that censoring violated the personal relationships of internees and their loved ones and made both sides wonder what information was kept from them.

The internee letters did not always express despair about their confinement. For example, in his conversations with Dr. Amy N. Stannard, the officer in charge of Seagoville who received information from the staff censors, Jerre Mangione learned that many of the Latin Americans who had been living in poverty expressed gratitude in their letters for the good food and housing at Seagoville. However, what these letters had in common with the letters Italian aliens sent to their friends and family in the United States was anguish over being parted from loved ones. Many, like Carmelo Ilacqua, a business man and employee at the Italian Consulate in San Francisco, assured their loved ones that they were fine and that there was no need to worry because they were “meeting this storm with courage and fortitude, we will be able to withstand it and we, too, will see the sunshine again.”

Many families of internees were not only worried about the welfare of their loved ones in camp, but also about how they were going to survive. Without the income of their husbands, many wives faced severe financial problems during their husbands’ internment. We know from the file of Giovanni Maiorana, a fisherman from San Francisco, that in some cases the Federal Reserve Bank, pursuant to the direction of the Secretary of the Treasury, could arrange for the

110 Folder of Alessandro Fabbri, Box 8, PMG Records of Italian Civilian Internees, NARA. See also discussion about the prohibition of Mrs. Fabbri’s drawings and any others in DiStasi, “Let’s Keep Smiling,” 213-14.

111 See Mangione, “Concentration Camps—American Style,” 123.

accounts, safe deposit boxes, and securities of internees to be blocked. Such restrictions would affect family members. However, the fact that the “Basic Personnel Record” for each internee in the Provost Marshall General files indicates the “Number of dependents and relationship,” suggests that some provision of financial aid for wives and children was intended. There was an assistance program, officially called “Service and Assistance to Enemy Aliens and Others Affected by Restrictive Governmental Action,” established through Presidential Allotment in February 1942, which continued until June 1944. The intention of the program was to assist enemy aliens and their families affected by the government’s relocation of families from military areas and detention and internment. The Bureau of Public Assistance administered the program through state public assistance agencies which operated on behalf of the Social Security Board.

As previous scholars have discovered, however, the number of enemy alien families who actually received government aid and the amount of that aid is unclear, suggesting that the program was not regularly administered to families in need. Rose Scherini asserted that the families of internees “were given no financial assistance by the U.S. government, although there were reports that the American Red Cross and the Federal War Relief Agency would help families.” Stephen Fox was unable to retrieve detailed records of assistance to Italian and

113 Raymond W. Hall, Vice President and General Counsel, Federal Reserve Bank of Kansas City, to First National Bank, McAlester, Oklahoma, February 3, 1943, File of Giovanni Maiorana, Box 12, PMG Records of Italian Civilian Internees, NARA. Restrictions on access to one’s property and the conduct of one’s business could occur if an internee were subject to the Freezing Order (Executive Order No. 8389) or Trading with the Enemy Act (12 U.S.C. sec. 95a et seq.) prohibiting certain transactions on behalf of nationals of certain foreign countries. See U.S. Department of Justice, “Questions and Answers on Regulations Concerning Aliens of Enemy Nationalities,” (Washington, D.C.: Government Printing Office, 1942), Folder 2 (“Enemy Aliens, 1942-1945”), Box 17, American Committee for the Protection of Foreign Born Records.


115 Scherini, “Letters to 3024 Pierce,” 226. Scherini reported that Bruna Ilacqua, internee Carmelo’s wife, sought relief from these agencies but was turned away, requiring her to share her flat with her sister and brother-in-law to
German aliens in 1942, but he determined that payments across counties in California were inconsistent. The fact that some counties disbursed almost nothing explains why most aliens do not recall that the program existed. Further evidence that not every family knew that aid was available exists in the file of Anthony Pidala. Apparently Mrs. Pidala, upon inquiry about receiving the wages from her husband’s work while interned, learned for the first time from the colonel in the Aliens Division that assistance could be sought from the Regional Office of the Federal Security Agency in Chicago. Family members having financial difficulties were also referred to the office of the Commissioner of the INS.

Pleas from internees to politicians and others in positions of influence for help in getting released or at least paroled have already been discussed in the case studies of individuals in the prior chapter. Inquiries by the American Committee for the Protection of Foreign Born to the Alien Enemy Control Unit about the status of alien groups or particular aliens who had been interned indicate that this organization was monitoring the situation throughout the war. The NCWC deserves highlighting because it had a continual role in the handling of the nationals of all three Axis powers, from the government’s announcement of mandatory registration of aliens help out with household expenses. In her July 20, 1942 letter to Carmelo, Bruna said that the Federal Emergency Board denied her assistance and suggested that she work.

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116 Fox, *Uncivil Liberties*, 184-85. To give an idea of the extent of assistance, Fox’s research of ten California counties indicated that the amount of money involved in the program from November 1, 1942 to May 30, 1943 was only $7,589.72. The number of individual cases ranged from twenty-nine during the peak month of January 1943 to six in May 1943.

117 B.M. Bryan, Colonel F.A., Chief, Aliens Division, to Mrs. Anthony Pidala, undated, Folder of Anthony Pidala, Box 16, PMG Records of Italian Civilian Internees, NARA.

118 See Bert H. Fraser, Officer in Charge, Fort Missoula, Montana, to Mrs. Angelina Farese, November 20, 1943, Farese’s A-File.

119 See Edward J. Ennis to Abner Green, Secretary, American Committee for Protection of Foreign Born, March 4, 1943 re. release of an Italian alien seaman, and Abner Green, Secretary, American Committee for Protection of Foreign Born, to W.F. Kelly, Ass’t Commissioner for Alien Control, April 8, 1943, re. status of aliens from Hungary, Rumania, and Bulgaria, Folder 1 (“Enemy Aliens, 1942-1945”), Box 17, American Committee for the Protection of Foreign Born Records.
in 1940 through the relocation and internment of enemy aliens. The papers of the NCWC indicate that this organization was discriminating in determining which Italian internees to aid by considering the particular circumstances of each individual. In the case of Prince Boncompagno Boncompagni-Ludovisi, an export broker interned at Camp Meade, the NCWC refused his request to solicit a letter from an ecclesiastical representative of the pope vouching for his character and good standing. The NCWC would not support Boncompagni-Ludovisi because he was implicated in an allegedly illegal exchange of Italian currency which could only be handled by the Italian government. In the case of Ubaldo Guidi-Buttrini, Bruce Mohler, the NCWC’s Director of the Bureau of Immigration, carefully qualified the organization’s position as not being able “to judge [ ] the innocence or guilt” of Guidi-Buttrini when he presented a favorable letter from the internee’s son, an American serviceman, to Edward Ennis. However, the NCWC was willing to assist a former seaman, Guglielmo d’Amico, interned at Fort Missoula, by supplying favorable information about him so that the Apostolic Delegation could contact Edward Ennis to discuss his parole. It appears that the NCWC could justify coming to the aid of the seamen who were interned solely on the basis of being on the crew of an Italian ship taken by the U.S. government, whereas the Italians selected for internment on the basis of their professions and associations after December 7, 1941 presented a much greater ethical dilemma.

120 Memorandum, Bruce Mohler, Director, Bureau of Immigration, to Monsignor Ready, January 11, 1943, and Memorandum, Bruce Mohler, Director, Bureau of Immigration, to Monsignor Ready, April 28, 1943, Folder 27 (201 Church: Apostolic Delegation), Box 127, NCWC Papers, Catholic University.

121 Bruce Mohler, Director, NCWC Bureau of Immigration to Edward J. Ennis, May 29, 1944, File of Ubaldo Guidi-Buttrini, File No. 146-13-2-36-24, Box 293, DOJ Litigation Files, NARA.

122 Memorandum, Bruce Mohler, Director, Bureau of Immigration, to Monsignor Ready, September 1, 1943, and Letter, A.G. Cicognani, Archbishop of Laodicea, Apostolic Delegate, to Right Reverend Msgr. Michael J. Ready, August 20, 1943, Folder 5 (Military Affairs: Prisoners of War, 1941-43), Box 58, NCWC Papers, Catholic University.
The NCWC also took an interest in the plight of the Latin American internees by assisting their efforts with the Department of State to return to their families and homes in Latin America.\footnote{Letter, HJC, to the Most Rev. William T. McCarty, January 15, 1945[sic 1946], Folder 7 (Military Affairs: Prisoners of War, 1945), Box 58, NCWC Papers, Catholic University.}

Instead of relying on outside organizations to assist them in getting paroled or released, many internees wrote directly to the Justice Department to describe their background and explain any suspicious associations or activities that may have gotten them interned. These internees felt that they could reverse their fate by forcing the government to understand their circumstances and realize that they were in fact patriotic to the United States. For example, Diego Riggio, a tailor originally from Sicily who had lived in the United States for close to twenty years, suspected that his internment was based on his affiliation with Circolo 9 Maggio, a small organization of Italians in his Brooklyn neighborhood. He explained that this group “had never a political character” nor did he hear any “comment unfavorable to the United States,” but in fact it encouraged American citizenship which he had sought through the help of his daughter. To further prove his loyalty to the United States, Riggio claimed membership in the Labor Party, to have participated in the campaign to reelect Roosevelt in 1940, and to have financially contributed to Mayor LaGuardia’s election. Whether this appeal sped up his release in April 1944 is unclear.\footnote{Diego N. Riggio to the Department of Justice, Enemy Aliens Division (undated), Folder of Diego Nando Riggio, Box 17, PMG Records of Italian Civilian Internees, NARA.}

Dr. Domenico Rosati, who was interned for a month, released, and then interned again after a rehearing, tried to convince the Attorney General and the Alien Division of the War Department that his profession was “to serve humanity, more so in time of war than in peace, and it can never be dangerous.” He expressed a willingness to serve at hospitals “under close
surveillance.”\textsuperscript{125} Presuming that his internment was based on his service in the Medical Commission at the Italian Consulate where he examined disabled war veterans, and on his offer of services during the Ethiopian crisis, he explained that he withdrew from colonial activities after 1937 and retained only a “business and social” relationship with the consulate thereafter. When the State Department offered him repatriation, he stated his desire to remain in the United States. As further proof of his loyalty, he registered with the American Medical Association to serve in the Army in September 1940, and later registered with the Procurement Service, listing the Army as his first choice and the Health Service as his second choice.\textsuperscript{126} Unfortunately, Dr. Rosati’s arguments on his behalf were not successful, as he was one of the last internees to be released in June 1945, two years after Italy had abandoned the conflict.

Michael Angelo Scicchitani also touted his refusal to repatriate to Italy as evidence that he had adopted the United States as his home and desired “to observe and respect the laws and principles of this Nation and to become an [sic] useful member of its vast and productive family.” In his letter to Attorney General Biddle, he stated his belief that his internment was due to his involvement in the Ethiopian War. He explained his military service in the Italian Army to the Assistant U.S. Attorney assigned to his case as “the result of a political upheaval of which I was an obedient participant . . . just obeying orders,” which was the circumstance of many other internees who had no choice but to serve a mandatory term in the service. He further explained his membership in the Italian War Veterans, another organization targeted by the U.S. government, as “merely spiritual” since he became a member with “the sole intention of bringing

\textsuperscript{125} Letter, Domenico Rosati to Alien Division, P.M.G. Office, War Department, January 14, 1943, Folder of Domenico N. Rosati, Box 17, PMG Records of Italian Civilian Internees, NARA.

\textsuperscript{126} See Memorandum, Brief Resume of the Case of Dr. Domenico Rosati of Pittsburgh, Pa, Folder of Domenico N. Rosati, Box 17, PMG Records of Italian Civilian Internees, NARA.
closer ties between the Italian War Veterans and those of the former comrade-in-arms from America."  

What probably kept Scicchitani interned until June 1945, however, was his alleged involvement as a squad leader for the Fascist Party, his solicitation of members for the Spanish Civil War, and commendation by Fascist leaders for his devotion to the cause for which he offered no explanation. 

In a system based on mere appearances of Fascist sympathies based on the associations that an alien had, no matter how far back they occurred and regardless of whether they were meant to be social rather than political, explanations of the exact nature of such affiliations were not given fair consideration. Such appeals to the Justice Department may have made the aliens feel empowered, but in reality the government had the upper hand. As the following section reveals, the Geneva Convention provided the aliens an instrument for their grievances regarding their living conditions in camp, but did not provide grounds for protesting the fact of their internment without notice of charges and without a hearing that conformed with due process guarantees.

At the start of the war, public knowledge of the conditions of internment of enemy aliens was limited. Generally the media abided by the Justice Department’s warning that publicity would interfere with the government’s adherence to the terms of the 1929 Geneva Convention,

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127 Michelangelo Scicchitani, to the Hon. George L. Grobe, U.S. District Attorney, June 9, 1942, Folder of Michael Angelo Scicchitani, Box 18, PMG Records of Italian Civilian Internees, NARA.

128 See George L. Grobe, United States Attorney, to Michael Angelo Scicchitano (sic), May 26, 1942, Folder of Michael Angelo Scicchitani, Box 18, PMG Records of Italian Civilian Internees, NARA.

129 See, e.g., Gardiner, Pawns in a Triangle of Hate, 61, describing the sparse local press coverage of the launching of Crystal City Internment Camp. Neither the number of internees nor their nationality was made public.
as well as threaten national security.\textsuperscript{130} Thus the INS felt that it was best to follow an overly cautious policy of no publicity about the camps out of concern that the average person would think that the internees were being pampered while American prisoners abroad were being treated very poorly. Camp officials enlisted the cooperation of the local press and influential people in the surrounding communities to squash criticisms and rumors. Their compliance was assured by the fact that the camps boosted their towns’ economies.\textsuperscript{131} In the special case of Fort Missoula, public relations with the town were strengthened by the opening up of musical and theatrical performances at the camp to the public.\textsuperscript{132}

Ellis Island’s location in New York Harbor, visible by binoculars on a clear day from Battery Park or the Staten Island ferries, presented an exception to the low profile of internment camps. In an article accompanied by a photo of Axis nationals boarding a boat for Ellis Island, a New York Times reporter wrote of hundreds of Italians, Germans, and Japanese “inside the wire of their bleak and treeless exercise ground” marching in endless circles on the island, “the trademark of a concentration camp.” Presumably based on firsthand encounters with them, the reporter described the internees as having “faces of small professional and business people,” among whom there were a few Germans and Italians who would be at home “behind the counters of corner delicatessen shops or plying shaving brushes in barber shops.” The privileges granted to internees, namely visits and correspondence with family and friends and access to books in any language caused the author to remark that the island’s “concentration camp” was “as humane as such places can be made, far more humane than German and Italian camps.”\textsuperscript{133} Despite the

\textsuperscript{130} Mangione, “Concentration Camps—American Style,” 119-20.

\textsuperscript{131} General Research Unit, Immigration and Naturalization Service, Administrative History, 391-92.

\textsuperscript{132} See Van Valkenburg, An Alien Place, 24.

reporter’s caveat, even using this comparison must have angered the families of American
servicemen held as prisoners of war overseas.

There were, in fact, complaints from the public that the U.S. government was pampering
alien enemies. Negative sentiment for the internees can be traced in *The Boston Daily Globe*
towards the end of World War II. A July 26, 1944 article expressed the outrage of the State
Commander of the American Legion members who, responding to news of outbreaks of Italians
from internment camps, called for the treatment of Italian prisoners “as prisoners of war rather
than guests enjoying the hospitality of a nation.” Particular resentment was felt among American
veterans of World War I who had been held in Italy under much less desirable circumstances and
treated with much less leniency. The Legion presented a resolution to the Veterans of Foreign
Affairs “deploiring the coddling of foreign prisoners,” while Natick mothers of servicemen being
held as prisoners of war abroad demanded a ban on the entertainment of Italian internees in that
town. ¹³⁴ Such complainants were most likely unaware of the Geneva Convention guarantees,
guarantees that the United States extended to the internees. The International Committee for the
Red Cross and Protecting Powers supervised the treatment of internees. Their records indicate
that delegates made regular visits to the Ellis Island and Crystal City camps to inspect the
internees’ living conditions and to confirm that they met required standards. ¹³⁵ A typical
inspection report indicated whether improvements had been made since the last visit as well as
the state of medical care, food, opportunities for work, amusements, and education. Inspectors

that the terms “prisoner of war” and “internees” are used interchangeably implies reference to the subjects of this
dissertation.

¹³⁵ International Committee of the Red Cross, *Report on Its Activities During the Second World War*, 611. Note that
Ellis Island qualified under the Geneva Convention for long-term internment and that many internees requested this
location to be closer to family members. General Research Unit, Immigration and Naturalization Service,
*Administrative History*, 307.
held interviews with the camp chiefs to determine the relationship between camp authorities and the internees.\textsuperscript{136} There were also charges by the public that camp officials were excessively lenient in their discipline of the internees.\textsuperscript{137} Under the Geneva Convention, the Detaining Powers reserved the right to supervise and discipline internees for minor infractions at the camps as they saw fit, with the understanding that the law of the detaining state would supply the applicable rules of law, even for civilians of enemy status.\textsuperscript{138}

From his discussions with internees at Fort Missoula, Mangione determined that the least likely group of Italian internees to complain was the seamen, who arrived before the Italian aliens apprehended by the FBI and lived alongside this latter group. While the long-term resident Italians questioned their misfortune at being chosen from among the six hundred thousand Italians living in the United States at the time and labeled Fascist, the seamen did not question the U.S. government’s right to intern them during the war, “an attitude which enabled them to accept their detention with far more grace than the civilian Italians.” Many were openly supportive of the United States and hoped to become permanent American residents after the war.\textsuperscript{139} The seamen were generally young men used to being away at sea for long periods and living in cramped quarters, which made them appreciate the more favorable conditions at Fort Missoula as well as the distance from the war.\textsuperscript{140} Their positive experience at Fort Missoula has been chronicled by Umberto Benedetti, a former crewman on the \textit{Conte Biancanamo}, who

\begin{footnotes}
\item[136] Inspection Report of Ellis Island Camp, Dec. 3, 1943, in \textit{German-Americans in the World Wars}, Vol. IV, ed. Tolzmann, 2078-79. The report indicates that the last inspection was performed on April 12, 1943.
\item[139] Mangione, “Concentration Camps—American Style,” 126.
\item[140] See Van Valkenburg, \textit{An Alien Place}, 107.
\end{footnotes}
claimed that accommodations at Missoula “far exceeded the guidelines set down by the Geneva Convention”; there was no food rationing at the camp, and “the internees were accepted by the community,” many choosing to make it their home once released.  

In contrast, the Italian aliens who had been pulled away from their established homes and professions in the United States complained vociferously about the conditions of their confinement. Under the terms of the Geneva Convention, a prisoner of war, and by extension, an internee could not be punished for submitting a complaint either to military authorities or to representatives of the Protecting Power about the conditions of his captivity.  

At INS camps, the mayor handled grievances by serving as the spokesman for the entire group in communications with camp officials. When the Swiss legation became aware of complaints, such as those about medical and dental service, they would investigate the situation during periodic visits to the camps. Other than medical issues, the most common complaints were those regarding the mail system – the limitation on the number of pieces of mail that internees could send and the delays experienced by internees and their family members in receiving mail due to censorship. Francesco Panciatichi, a newspaper editor from Long Island, served as a spokesman for the Italians at his military camp, appealing to Attorney General Biddle to eliminate mail delays as long as thirty-eight days. He not only described the uneasiness and worry of the men in his group on account of not hearing from their loved ones, but also the

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142 1929 Geneva Convention, Part III, Sec. V, ch. 1, Art. 42.


“torturing anxiety” of “our families whose members are mostly American by birth.” In response to Panciatichi’s appeal and a letter from Panciatichi’s wife regarding delays on her end, Edward Ennis suggested to Brigadier General Bryan that the War Department adopt the same procedure as INS camps of using their own personnel to censor domestic mail instead of the longer process through the Office of Censorship which already screened international mail.

Common complaints of Latin American internees concerned their treatment. Older internees complained that their work was too strenuous, but they were only allowed relief from their duties if they had a medical reason. Some Italians who had been under the impression in Latin America that they would receive the same treatment as diplomats insisted that they should be lodged in hotels where they would not be expected to operate kitchens and provide their own janitorial and maid service. Such complaints proved futile as accommodations were not altered to suit the desired status of any internee. Other complaints, such as those about the high prices for items at the canteens and a lack of variety of merchandise, eventually subsided as camp administrators made improvements to increase the popularity of the canteens.

Many internees complained to the Justice Department of their inability to have a rehearing at the camps. In one appeal to Attorney General Biddle, Frank Caracciolo, a sewing machine mechanic who had lived in the United States for over twenty years, asked for reconsideration of his case and a chance to prove his sincerity and devotion to the United States. Caracciolo explained that he was never “mixed up in any political movements,” but was a member of an Italian Society only to gain Italian clientele when he sold olive oil after losing his

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145 Francesco Panciatichi to Hon. Francis Biddle, Attorney General, December 25, 1942, Folder of Francesco Panciatichi, Box 15, PMG Records of Italian Civilian Internees, NARA.

146 Edward J. Ennis, Director, to Brig. Gen. B.M. Bryan, Jr., Chief, Aliens Division, War Department, January 1, 1943, Folder of Francesco Panciatichi, Box 15, PMG Records of Italian Civilian Internees, NARA.

job. He argued that the greatest testament to his loyalty to the United States was his refusal to repatriate when the Swiss Legation, unbeknownst to him, placed him on a repatriation list.

Caracciolo begged for a rehearing so that he might have “an occasion to further demonstrate [his] fidelity to this Nation, the Country of [his] adoption, the Country of [his] children.”

Likewise, Ilidio Di Bugnara, a tailor from Brooklyn, wrote to Edward Ennis and the U.S. District Attorney in Savannah, Georgia from Fort McAlester for an opportunity to have another hearing to demonstrate that he was not an enemy of the United States but willing to participate in the American war effort if he were to be released on parole.

In some instances, internees filed joint complaints. When a group of men at Fort Missoula witnessed the release of approximately 130 of their fellow Italians by the end of 1943, they presented a petition to the Honorable Ugo Carusi of the Justice Department for clemency in view of the upcoming holidays. Expressing their discouragement “at the sudden slowing down of further releases,” and perplexity over why rehearings expected in the prior month had not occurred, they claimed inconsistency in the Justice Department’s handling of cases. They believed that the only factor setting them apart from the released men was that most of them were single. However, it is probably significant that several of the men in this group of petitioners had been identified as unquestionably Fascist.

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148 Frank Caracciolo to Hon. Francis Biddle, July 11, 1942, Folder of Francesco Caracciolo, Box 5, RG 389, PMG Records of Italian Civilian Internees, NARA.

149 Ilidio Di Bugnara to Hon. Edward J. Ennis, January 5, 1943, and Ilidio Di Bugnara to Hon. J. Sexton Daniel, U.S. District Attorney, January 30, 1943, Folder of Ilidio Di Bugnara, Box 7, PMG Records of Italian Civilian Internees, NARA. Di Bugnara had served fifteen months in the U.S. Army but refused to go to the front lines against Italian soldiers, which is the reason he believed he was interned. He had two brothers in the Italian army.

150 Complaint of Vincenzo Beltrone, Spartaco Bonomi, Frank Fragale, Angelo Gloria, Frank Membrini, Italo Silvestrini, Enrico Torino, Biagio Farese, Fort Missoula, Montana, to Hon. Ugo Carusi, Department of Justice, December 9, 1943, File of Francesco Fragale, File No. 146-13-2-85-30, Box 716, DOJ Litigation Files, NARA.

151 See footnote 44 supra on Fascist group.
The most legitimate and best organized complaint that Mangione became aware of during his visits of the camps was a petition to President Roosevelt and Attorney General Biddle by twenty-five Germans at Fort Lincoln who had been interned without a hearing. The objections that the complaint raised with respect to the rights of the interned to be informed of specific charges against them, to face their accusers, to examine the evidence against them, and to prepare a defense with legal counsel were equally applicable to the many Italian aliens who were apprehended by FBI agents and detained in the days following the Japanese attack on Pearl Harbor. The German petitioners eventually were granted hearings before civilian hearing boards, but none of the procedural rights that they claimed were granted for the reasons of executive privilege under the Alien Enemy Act of 1789 and the absence of constitutional guarantees for alien enemies, as discussed in the previous chapter.\(^{152}\)

Although internment frustrated and bewildered them, the internees maintained their spirit by making the most of their time in the camps and retaining their sense of identity. Some even planned for their lives once released, although that time came later than they had hoped. Their greatest concerns were reconnecting with their families and rehabilitating their reputations in their communities. How they would be received upon their return home, however, remained uncertain.

CHAPTER 6: CONCLUSION

The story of internment and other restrictions in the United States during World War II is about how the government categorized persons of belligerent nations based on citizenship and race and thereby made assumptions about their loyalty and the national security risk that they presented. In its May 1942 Fourth Interim Report, the Tolan Committee concluded that it was wrong to equate ethnicity with loyalty. After hearing testimony about the commitment that Italian aliens had to the United States, the committee reported: “This testimony has impressed upon us in convincing fashion the fundamental fact that place of birth and technical non-citizenship alone provide no decisive criteria for assessing the alinement [sic] of loyalties in this world-wide conflict.”¹ The reason why many Italians had not become American citizens by the start of World War II, although resident in the United States for many years, was not their continued allegiance to Italy, but their illiteracy which prevented them from passing the citizenship exams. Yet, their classification as enemy aliens meant that the United States questioned their loyalty and placed restrictions upon them to ensure safety within its borders. Against the backdrop of wartime emergency, the federal government felt constrained to remove from the general population all aliens who could potentially present a security risk. The positive result of the selective internment process for Italians was that only a fractional percent of the 700,000 aliens were interned. However, those who underwent the internment process faced hearings that often failed to provide a fair opportunity for evaluating each subject’s loyalty to the

¹ House Select Committee, Fourth Interim Report, 25.
United States. By the time the Office of the Attorney General corrected problems in the hearings process, it was too late to change the fate of the hundreds of Italians already interned.

It is true that the government applied a policy of selective internment to Italian aliens and a few naturalized citizens and did not engage in mass evacuation and internment like that imposed on persons of Japanese descent. What saved Italians from this fate were the overwhelming logistics of relocating their large population and the drain on government resources that such a plan would have entailed, as well as the comparative absence of racist feeling against Italians. In comparison with the Japanese population, Italians generally had an easier assimilation into American society and by the 1940s had begun to enjoy the public’s favorable perception of their work ethic and allegiance to this country. In contrast, discrimination against persons of Japanese descent, already present before World War II, heightened considerably after Japan’s attack on Pearl Harbor. General DeWitt’s racist statements regarding the Japanese in his correspondence with the War Department and Governor Olson’s assertion in his radio address that the alien registration process could only determine the loyalty of Italians and Germans reflected a common attitude among military officials, California politicians, and the media. Unlike the attitude toward Italian aliens, the U.S. government and the American public believed that persons of Japanese descent, regardless of their citizenship status, did not deserve the same protection of civil liberties.

While the government did not treat Italians on the whole as poorly as persons of Japanese descent, there was a noticeable difference in the treatment of Italian aliens on the West Coast as compared to those on the East, mostly resulting from the perceived threat in those regions of the country. The location of crucial airplane factories and naval shipyards, and proximity to Pearl Harbor were all important factors in the placing of greater restrictions on Italians on the West
Coast. It was only on the West Coast that Italians, numbering close to 10,000, were relocated for a period of time without first being given the chance to undergo a loyalty hearing. Their nationality and residence in what the military designated as prohibited zones, rather than any finding of disloyalty, were the reasons that they were forced to uproot their families for a time and move to an unfamiliar area. But as suggested in Chapter 3, the different philosophies of the defense commanders, the more stringent philosophy of General DeWitt versus the individualized approach of General Drum, also accounted for the greater disruption of Italian communities on the West Coast than on the East Coast. Data from the social profile of internees shows that proportionately more Italians from the West Coast were interned than from the East Coast where the population of Italians was eight times greater than on the West Coast. This varying implementation of government policy reflected the crisis in which decisions had to be made quickly by one sector of government and put into action in an ad hoc manner by another.

Equally important to the government’s policies with respect to Italians was the economic and political clout that the Italian community enjoyed, as made apparent at the Tolan Committee hearings. Fellow Italians who were citizens in positions of prominence, such as San Francisco Mayor Angelo Rossi, vouched for Italians’ value to the war effort, both in terms of contributing soldiers and working in war industries. But perhaps the greatest demonstration of how politics influenced government policy was the choice of Columbus Day on October 12, 1942 as the day for Attorney General Biddle to announce the removal of Italians from the category of alien enemies. Columbus Day is the only American holiday that commemorates the accomplishment of an Italian and is celebrated in Italian American communities across the country. The proclamation removing alien enemy status put an end to travel restrictions, notification requirements for changes in residence or employment, and prohibitions against cameras, short
wave radios, and signaling devices. Permits and curfews in military zones were also dissolved. Obviously, this announcement did not affect the status of Italian aliens already interned or paroled by the Attorney General.²

The motives for the October 12, 1942 change in policy for Italian aliens appear to have been largely political, as pressure from Italian American politicians and trade union leaders was mounting. The government sought this community’s support for the war, particularly considering the prospects of an invasion of Italy in the following spring and the need for the Italian community to supply troops for the U.S. armed services. More importantly, Congressional elections were to be held the following month, and candidates relied upon the voting bloc of the largest immigrant population.³ In its annual report for the fiscal year that ended on June 30, 1943, the Attorney General’s Office explained that “[o]fficial recognition of the loyalty of Italian aliens” in the removal of alien enemy status for persons of Italian nationality was “an act of justice,” as well as “an important weapon in the field of psychological warfare” which was proven in subsequent military operations in Italy.⁴

Historians have debated whether reclassification of Italian aliens was the idea of Edward Ennis or the Office of War Intelligence, but all agree that it was a clever political strategy to soften resistance from Italy to an Allied invasion.⁵ Although Roosevelt had not been particularly concerned that Italians posed a real threat to national security even though he agreed with

² “Explains Benefits to Italian Aliens: Justice Department Lists Four Restrictions From Which 600,000 Will Be Freed,” New York Times, October 14, 1942, 27.


⁴ Annual Report of the Attorney General of the United States for the fiscal year ended June 30, 1943, available at HeinOnline - - 1943-1946 Att’y Gen. Ann. Rep. 1 1943-1946, 10. The report stated that of a total of 599,111 Italian aliens, excluding seamen, 653 had undergone a hearing before alien enemy hearing boards, of which 232 had received internment orders, and 265 were placed on parole.

Biddle’s suggestion of selective internment for suspect Italians, the morale of the Italian community had been a constant concern for him. The Columbus Day pronouncement that Italian aliens were no longer “enemy aliens” gave him an opportunity to lure back to the Democratic Party those who had been angered by his 1940 commencement speech accusing Mussolini of striking his neighbor with a dagger in the back.

The lifting of alien enemy status only applied to the Italian alien population and suggests their preferential treatment among the enemy alien groups in the United States. Indeed a comparison of the number of Italian persons received by the INS under the alien enemy program throughout the war (3,278) with those of Germans (10,905) and Japanese (16,849), when the population of persons of Italian descent far outnumbered the populations of Germans and Japanese, further supports this conclusion. Beyond the perspective that a comparison of the alien enemy groups within the United States during World War II provides for assessing the justice of the process of selective internment of Italians, it is also instructive to consider what internment was like overseas. The example of Great Britain that was foremost in Attorney General Biddle’s mind, where approximately 85,000 German and Austrian refugees were interned without process, many of whom were Jews persecuted by the Nazi regime, makes the American style of individually determining who should be interned seem relatively fair. At the time, approximately 19,000 Italians lived in Great Britain, some of whom had been there for

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6 W. F. Kelly, Assistant Commissioner, Immigration & Naturalization Service, to Mr. A. Vulliet World Alliance of Young Men’s Christian Associations, August 9, 1948, in German-Americans in the World Wars, ed. Tolzmann, 1513. These numbers include those received from outside continental United States and those who were voluntarily interned to join the internee-head of the family. The other nationalities represented were as follows: Hungary (53), Romania (25), Bulgaria (5), and other (161).

7 See Mangione, An Ethnic at Large, 320; see also Stone, Perilous Times, 285, who gives 74,000 as the number of German and Austrian nationals interned. Note that these numbers are much higher than numbers reported in other sources. See, e.g., “My dad, sent to a prison camp for being Italian,” BBC News Magazine, accessed October 26, 2013, http://www.bbc.co.uk/news/magazine-22278664 which cites 30,000 as the number of Germans and Austrians interned.
decades. Most of the 4,000 Italians interned in Great Britain were sent to the Isle of Man. Likewise, in the other Anglo countries of Canada and Australia, internment affected a much greater percentage of the Italian population than in the United States. In 1939 when World War II broke out in Europe, approximately 600 of the 31,000 Italians residing in Canada were arrested and interned on suspicion of Fascist leanings. After Italy entered World War II in June 1940, just over twenty-one percent of Australia’s Italian population was interned on suspicion of Fascist sympathies or the subject’s occupation. Although there were tribunals established to hear petitions in late 1940, releases from Australian internment camps came slowly. Aside from the seemingly fairer process for evaluating the status of internees, as indicated in Chapter 5, conditions in the American internment camps were also more favorable given that the United States chose to abide by the 1929 Geneva Convention’s provisions for prisoners of war in its treatment of internees and instructed its camps accordingly.

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12 See U.S. Department of Justice Immigration and Naturalization Service, Instruction No. 58 “To The Immigration and Naturalization Service: Subject: Instructions concerning the treatment of alien enemy detainees” from Lemuel B. Schofield, Special Assistant to the Attorney General, April 28, 1942, in German-Americans in the World Wars, ed. Tolzmann, 1580-89.
While the above comparisons indicate that Italians elsewhere during World War II may have suffered much worse situations, Italians in the United States faced injustice from the inconsistent and ad hoc implementation of policies as much as the substance of the policies themselves. As my analysis in Chapter 4 shows, the urgency of the perceived wartime security threats and the necessity of the Justice Department’s delegation of authority to approximately one hundred hearing boards nationwide through a series of often contradictory instructions created an imperfect process. My case studies raise questions that continue to have relevance today. How should the U.S. government assess the loyalty of individuals – what role do various categories of citizenship play, what types of evidence are productive and predictive, and how do cultural biases factor into the final determination?

The evaluation of alien enemy hearing boards conducted here suggests that the greatest source of injustice in the adjudicatory process was the unreliability of the FBI’s Custodial Detention List for identifying persons and the evidence collected by the FBI on each subject. The FBI’s list cast a wide net among Italian aliens, often based on mere membership in an Italian organization, pointing to men who had lived for many years in the United States, were loyal to their adopted country, and cherished democracy, but simply never took the time to learn English in order to pass the citizenship examination. Well into the alien enemy program, Attorney General Biddle came to believe that the FBI’s classification system was flawed in how it designated individuals who might threaten the country’s security, and that the FBI’s list should not be used for any purpose. The hearing boards’ reliance upon FBI reports of anonymous informants alleging Fascist affiliations or activities when making their recommendations of internment led to the greatest deprivations of civil liberties, specifically the freedoms of speech and association. Boards often did not have information on the particular context in which a
subject made a seemingly anti-American or pro-Fascist statement, or in which he associated with
certain organizations, or participated in political activities giving rise to suspicion. In doubtful
cases where there was no conclusive evidence of subversion, the policy set by the Alien Enemy
Control Unit was to decide in favor of the government which led to the internment of persons
based on assumptions rather than information that had been vetted.

Examination of individual cases in Chapter 4 revealed inequities in the alien enemy
hearings. The system of having the Attorney General oversee hearing boards in approximately
one hundred districts nationwide naturally led to inconsistencies in the implementation of the
hearings process and much frustration on the part of both the internees and hearing board
members. As indicated in debates among members of the Tolan Committee about what alien
rights under the Fifth and Fourteenth Amendments might survive in wartime, the same
evidentiary standards of criminal trials in courts of law did not have to be applied to enemy
aliens because the Alien Enemy Act of 1798 allowed the government to detain and deport aliens
of enemy countries without any hearing or lawyers for the suspect. Thus the hearings, which
followed ad hoc form procedures similar to administrative hearings for deportation, were merely
a courtesy for enemy aliens, rather than a right. They met statutory requirements and even
contained some semblance of due process in their inclusion of an attorney on the board to assess
evidence. Yet the case files reveal that the procedure set by the Justice Department did not allow
the aliens, many of whom were illiterate, to answer to suspicions of disloyalty, by prohibiting
attorney representation in the hearings and not routinely providing translators. The result was
that the hearings before alien enemy hearing boards did not consistently function in a manner
that would get at the truth behind allegations or anonymous tips that appeared in FBI reports.
To its credit, the Justice Department’s continual reevaluation of the structure of the hearings and the method for reaching decisions shows an effort to create a uniform system of justice for evaluating the loyalty of the Italian aliens. Attorney General Biddle took great efforts to correct the mishandling of justice by communicating to the alien enemy hearing boards the necessity of evaluating each alien’s particular activity and by maintaining for himself the right to render the final decision in each case. However, Biddle could not remedy the misjudgments that hearing boards made because they lacked information on the mission of many Italian American organizations and the particular role that each suspect Italian alien played in that organization, or based their recommendation of internment on evidence of a subject’s Fascist leanings from the prior decade. Biddle’s efforts to make the adjudicatory process fairer -- by advising boards to arrange for transcripts of the hearings and to state specific grounds in their recommendations, by granting rehearings where the original hearings were defective in not admitting witness testimony for instance, and by directing boards to state charges against subjects and allow rebuttal evidence – came much too late to effectively insert greater due process into the internment proceedings. By the time internees had rehearings by special hearing boards, they had already spent at least a year in internment, and in some cases, the biases of the initial alien enemy hearing board continued to taint the process.

Also supporting my theory of inconsistencies in the hearings process were the varying approaches to national security that the hearing boards took. I have suggested that in regions of the United States where there were larger populations of Italians and board members lived and worked among Italians, particularly the East Coast, boards could contextualize information from FBI reports better than board members who only encountered Italians in the adversarial setting of the hearings. However, there were instances where familiarity could turn into unfair bias, as in
the case of Ubaldo Guidi-Buttrini in Boston, in which the hearing board afforded him greater
rights than what the law owed and allowed politically influential witnesses to outweigh the FBI
evidence. In still other cases on both the East and West Coasts, the presence of Italian American
hearing board members and government attorneys who presented cases to the boards placed
doubt upon the hearing boards’ ability to engage in unbiased adjudication.

Perhaps the best test of the effectiveness of the government’s policy in identifying
dangerous Italians is the number of individuals actually proven to have been involved in
subversive activities in the United States or to have provided aid or threatened to give aid to Italy
in support of Fascism. The Justice Department did not prosecute any alien enemy for engaging
in such activities, but of course the removal of suspect Italians from the general population
arguably could have prevented the commission of seditious acts. As for naturalized citizens, no
Italian American who was under exclusion orders lost his citizenship. Neither fraud in the
naturalization process nor disloyalty during the war could be shown. 13 There were undoubtedly
Fascist sympathizers in the United States who could have given the federal government
legitimate reason for concern, if they had been able to amass sufficient support. As seen in
Chapters 3 and 4, several internees in the subject group who had worked in the Italian media
made anti-American and anti-democracy statements that understandably alerted the government
to a potential risk. Given the ability of this group of approximately thirty aliens to influence
other members of the Italian community, they were perhaps the most dangerous among the
subject internees. The fact that radio transcripts and newspaper and journal articles provided

Eugene Rostow for the proposition that in court “exclusion can be sustained only on a showing of ‘clear and present
danger’ of an imminent threat to public safety, or of aid to the enemy.” This is admittedly a high standard.
evidence of their anti-American sentiment distinguishes members of the media from most of the other subject internees for whom evidence of a subversive mentality was speculative.

Months into the alien enemy program, government officials began to question whether reliance on the FBI’s Custodial Detention List yielded the identification of the greatest security risks. It was not until April 1942, after many Italian aliens had been interned and many more had been relocated from their homes on the West Coast, that the military began to realize that they might not have targeted the most potentially dangerous elements of the Italian communities, namely members of the younger generation, alien and citizen. At that time, Fascist experts explained to FBI officials that the younger generation of Italian Americans, that is, first-generation Italians who had obtained American citizenship by birth but whose parents were aliens, were the most militant Fascists. The fact that the average age of my subject internees was forty-three indicates that the government focused on older, more established members of the Italian communities who could more easily be identified through employment and membership in Italian organizations than the younger generation. The business, educational, and social leaders of the Italian communities seemed like the most obvious suspects, but they might not have been in fact.

In addition to the potential miscalculation of the age of persons who might present a security risk, there is also the question of whether the government overlooked persons because they were American citizens. As explained earlier, through the process of exclusion, suspicious naturalized citizens were identified and ordered to move from designated areas of the country, but the Justice Department chose to prosecute few of these cases. If persons who were

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14 See Memorandum of Interview of Carmelo Zito, taken by Alfred Jaretzki, Jr., April 10, 1942, in American Concentration Camps, Vol. 4, ed. Daniels; Memorandum of Conversation between Alfred Jaretzki, Jr., and Mr. Pieper (Regional Head of F.B.I.), April 14, 1942, in American Concentration Camps, Vol. 4, ed. Daniels.
potentially greater security risks were shielded by their legal status of citizenship, then should citizenship be taken into account in formulating law and public policy designed to investigate and prevent terrorism? The case of Mario Valdastri, the naturalized citizen interned in the Territory of Hawaii and on the mainland, for whom there still exists a classified Justice Department file in the National Archives, may provide the strongest evidence that the legal status of citizenship is not synonymous with loyalty to the United States. Indeed, FBI reports concerning a number of the subject internees associated them with out and out pro-Fascist naturalized citizens.\(^\text{15}\) The irony of a policy that distinguished citizens from non-citizens is that aliens intent on committing sabotage could have pursued naturalization so that they might gain access to areas, such as the California coast, that were off limits to aliens.\(^\text{16}\) Although using non-citizenship as the primary indicator of a potential national security risk was flawed, isolated cases do not make for sound policy. If the U.S. government had not made distinctions based on citizenship, then it would necessarily have made the process of becoming an American citizen meaningless and undervalued the rights that come with citizenship.

An overriding reality throughout these events was the integration of Italian Americans into the fabric of American society by the start of World War II. That Italians were politically mature, that is, they constituted a substantial voting bloc and were represented in the legislative and judicial branches on the state level and even nationally, influenced the government’s policies. Supportive testimony from prominent Italian American politicians at hearings before the Tolan Committee attested to this influence. Further, the government had come to perceive Italians as loyal sons of America. The fact that the Justice Department trusted an Italian

\(^\text{15}\) See, e.g., FBI Report re. Biagio Farese, 1-16-42, 17, Farese’s A-File.

\(^\text{16}\) See Howard Williams (pseudonym), interview by Stephen Fox, Arcata, California, February 6, 1986, in Fox, *Uncivil Liberties*, 45.
naturalized citizen, Edward Corsi, to chair an alien enemy hearing board in New York City, a
district with one of the heaviest caseloads of Italian aliens, is perhaps one of the greatest
examples of the government’s perception of Italians’ assimilation into American society.

World War II solidified Italians’ increasing identification as Americans. Italian men
served in the war, and Italians on the home front did their part for the American cause in wartime
industries. The forming of the Italian-American Victory Council, consisting of societies, clubs,
fraternal orders, and trade unions, which held rallies and other supportive programs, signified the
mobilization of Italian Americans behind the war effort, resulting in widespread acceptance of
Italians as “full-fledged Americans.” The war brought Italians full employment and high
wages. Work in war industries and military service drew the younger generations of Italian
Americans out of the “Little Italies” and allowed them to interact with all types of Americans.
Italians’ perception of themselves was undoubtedly reflected in the government’s treatment of
them as less dangerous to national security than persons of Japanese or German descent. Their
outward embrace of democratic ideals and appreciation for the civil liberties that they enjoyed as
U.S. citizens, or hoped to enjoy once naturalized, were important factors in saving the Italian
population from mass internment. Thus, it was their rejection of Italian nationality and adoption
of an American national identity that convinced the government that as a whole, they were a
loyal immigrant group.

17 Thomas Guglielmo, White on Arrival, 172-73.
19 See Gloria Ricci Lothrop, “A Shadow on the Land: The Impact of Fascism on Los Angeles Italians,” California
Angeles in the 1920s and 1930s had a strong sense of ethnic pride, facilitated by newspapers and radio programs,
“all these elements were subservient to the fact that Italo-Americans had entrusted themselves and their futures to
their newly adopted country,” 343.
Yet those Italians who drew the suspicion of the federal government and suffered the disgrace of internment experienced a reversal of the trajectory of the assimilation processes as they felt that the outside world resented them. In their eyes, the general population believed that they were disloyal and that they would have to prove their allegiance to the United States once they resumed their normal lives. This sentiment was reflected in a letter written by Vincent Lapenta, a surgeon and chemist from Indianapolis, to the captain at his internment camp, expressing how internees felt they were perceived by the American population. Lapenta spoke of the grief which placed him “in such a detestable position before [his] fellow citizens.” He hoped to regain his reputation in his community where he had lived for close to thirty years by participating in the war effort, and thereby “vindicate [his] name as a loyal living cell in the glorious body of this nation.”

Fears of a cold reception upon returning home were not merely imagined. Indications of a lasting hatred for nationals of the Axis powers can be seen in an initiative by the Massachusetts American Legion to prevent former Axis soldiers from establishing permanent residents or obtaining American citizenship. Coined the “Alien Hatred Issue,” the resolution stated that it “forever prohibits any individual who at any time bore arms against the United States, from establishing a permanent domicile in this country or obtaining citizenship papers here.” While it is unclear whether such provisions were meant to apply to internees, like Michael Angelo Scicchitani, who had served in the Italian Army during the Ethiopian War before the United States entered World War II, the discriminatory intent against Japanese, Germans, and Italians

20 V.A. Lapenta to Captain, March 31, 1942, to Captain, File of Vincent Anthony Lapenta, Box 11, PMG Records of Italian Civilian Internees, NARA.

was unmistakable. Recognizing it as a form of alien hatred and therefore unacceptable, however, prompted other members of the American Legion to fight against its adoption.22

Ironically, a number of former internees either served in the U.S. armed forces upon their release, like Frank Fragale who was profiled in Chapter 4, or were employed in other capacities domestically. For example, Carmelo Ilacqua, who had been employed by the Italian Consulate in San Francisco before internment, went to work for the U.S. Army as a teacher of the Italian language to officers in training at Stanford University who were assigned to occupy Italy after the war.23 Another example of the government utilizing former internees’ skills was the military’s employing Mario Valdastri in construction which gave him access to military bases and construction areas in Hawaii merely days after his release from internment.24

But the majority of internees, some of whom had been away for several years, had difficulties finding employment and regaining their former lives upon their return home. Prospero Cecconi, a pastry man from San Francisco who spent close to two years in internment, came home emotionally bitter and physically sick from his experience. He suffered from peritonitis, a result of stomach ulcers for which he was hospitalized in the camps. With his family still in Italy, he relied upon his parole sponsor and the Italian Welfare Agency to care for him. His first attempt at obtaining citizenship in 1945 failed, but he eventually became a citizen the following year. In 1951, Mr. Cecconi left the United States for good, choosing to spend his


retirement in his hometown in Italy. Several other former internees, including Mario Valdastri, chose to retire in Italy, even after obtaining the long coveted American citizenship.

Accounts of those Italians and their families who suffered from exclusion or relocation also indicate that the financial and emotional damage from the wartime experiences were permanent. Even though the period of exclusion from his home was temporary, Nino Guttadauro continued to suffer from the economic disruption and hardship to him and his family of being forced to leave his job as an accountant and search in non-prohibited states for an employer who would trust him with financial matters. His first job following exclusion was as a grocery clerk in Salt Lake City. As his son describes it, the psychological scars resulting from his father’s belief that his value to himself, his family, his community and society had diminished remained with him for the rest of his life.

Italian communities also changed because of the events of World War II. After the war, Italians were less likely to join fraternal organizations like the Sons of Italy and other social organizations which had drawn suspicion during wartime. Italian communities such as North Beach in San Francisco became more diffused as families moved out to the suburbs. John Molinari recalled that prior to the war, North Beach was “a homogenous community where . . . you knew what was going on.” He attributed the change after the war to the relative inactivity of the Italian media. Prior to the war, there were “two daily Italian newspapers, two or three Italian radio programs daily, and morning and afternoon papers, in Italian.” But after the war, the San

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25 Lawrence DiStasi, “Morto il Camerata,” 8; see also Folder of Prospero Cecconi, Box 6, PMG Records of Italian Civilian Internees, NARA


Francisco newspapers merged into one and eventually went out of business. Thus Italians’ means of staying connected with their communities in the United States and events in their homeland were drastically reduced. While this may have been the natural result of Italians’ further assimilation into American culture, and the passing of older generations, as well as deflated pride in Italy, the lesson of Italians’ wartime experience was that a showing of loyalty to American ideals and the democratic form of government was not only safer, but more advantageous for the prosperity of their families.

For most Italians, whether they experienced internment, exclusion, relocation, or other restrictions on their freedoms, the entire wartime experience was “blanketed in silence.” It was not spoken of in families because internees were ashamed to have been determined to have done something wrong. Years later when Stephen Fox and Lawrence DiStasi interviewed people affected by the government’s World War II policies, they noted lingering pain but not anger. Although recognizing that the past could not be changed, those Italians involved in the initiative to obtain acknowledgement from the U.S. government that Italian aliens and their families suffered from the events described in this dissertation believed that formal recognition in the Italian American Act could help put the matter to rest.

As we grapple today with the question of what rights are due individuals residing in this country whose ties to nations or non-state actors at war with the United States cast suspicion upon their activities, the process of selective internment during World War II provides valuable lessons. Certainly we felt the resonances of this period in history in the aftermath of the events of September 11, 2001, when the fear of sleeper terrorist cells prevented an effective method of


screening loyal citizens from dangerous terrorists. The vast majority of the greater than 1,200 non-citizens detained were Middle Eastern, Muslim, and South Asian. Identified as suspicious based on perceptions of their racial, religious, or ethnic identity, none could be connected to terrorist activity.\textsuperscript{30} Legal scholars criticized law enforcement tactics for singling out individuals “based on group probabilities, not individualized suspicion of wrongdoing or knowledge.”\textsuperscript{31} Over-zealous investigations placed both U.S. citizens and non-citizens from Arab and South Asian communities in fear of the government.\textsuperscript{32} This is not to say that the Bush Administration was not keenly aware of the problems of interning the Nisei during World War II. He and his staff made concerted efforts to avoid historical mistakes by seeking to learn about the American Muslim culture through reaching out to Muslim leaders and their organizations. Although controversial because of the radical nature of some of the Muslim groups that the Bush Administration befriended, the goal of “Muslim outreach” was to prevent the victimization of Arab Americans and to win the hearts and minds of pro-American Muslims.\textsuperscript{33}

The problem of how to effectively detect subversive elements without violating the rights of innocent people persists. Although the Alien Enemy Act provides for the summary detention and deportation of alien enemies without affording due process or any hearing at all for that


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matter, given the serious consequences of internment and repatriation, we would hope that the extent of procedural guarantees afforded such individuals could be more commensurate with the potential disruption to their lives so that a fairer adjudicatory process might be achieved. We also might expect that the democratic ideals of the inclusive society that the United States strives to be would lead its decision makers to apply the spirit of due process to enemy aliens even though the law does not require it. If the government had made its interpretation of due process, as well as the rationale for its policy with respect to Italian alien enemies known both to the subjects and the general population, then it might have dispelled the sense of injustice and powerlessness that internees experienced. Thus, in addition to hoping that the government might strike the proper balance between ensuring the nation’s safety and guaranteeing civil liberties in times of crisis, we might wish for more transparency in the policies that it chooses to follow.
APPENDIX 1: ITALIANS APPREHENDED PER MONTH
APPENDIX 2: REGIONS/TERRITORIES OF ORIGIN OF ITALIAN CIVILIAN INTERNEES
APPENDIX 3: OCCUPATIONS OF ITALIAN CIVILIAN INTERNEES

- Unemployed: 5
- Business Owner: 17
- Homemaker: 9
- Student: 10
- Professional: 79
- Unskilled: 107
- Skilled: 46
- Media: 29
- Unknown: 41

Pie chart showing the distribution of occupations among Italian civilian internees.
APPENDIX 4: TIMING OF AGO’S REMEDIAL INSTRUCTIONS
BIBLIOGRAPHY

PRIMARY SOURCES

American Committee for the Protection of Foreign Born Records. Joseph A. Labadie Collection, University of Michigan, Ann Arbor, MI.

Andriano, Sylvester, Exclusion Case, Aug. 9, 1943, Box 7, Records of the Office of the Secretary of War, Record Group 107; National Archives at College Park, College Park, MD.


Corsi, Edward, Papers. Special Collections, Syracuse University Library, Syracuse, NY.


Griswold, Erwin, Papers. Harvard Law School Special Collections, Cambridge, MA.


Massaro, Dominic R., Collection. Immigration History Research Center Archives, University of Minnesota, Minneapolis, MN.

Miscellaneous Documents on Italian Internment. Fort Missoula Historical Museum, Fort Missoula, MT.

The National Catholic Welfare Conference Papers. The American Catholic History Research Center and University Archives, The Catholic University of America, Washington, DC.

Records of the Department of Justice, “WWII Alien Enemy Internment Case Files, 1941-1951, Record Group 60; National Archives at College Park, College Park, MD.

Records of the Immigration and Naturalization Service, World War II Italian Seamen Internment Files, Record Group 85; National Archives at Washington, D.C.

Records of the Office of the Provost Marshal General, Alien Enemy Information Bureau, Records Relating to Italian Civilian Internees During World War II, 1941-1946, Record Group 389; National Archives at College Park, College Park, MD.

Records of the Office of the Provost Marshal General, Subject Correspondence, Executive Division, Legal Office, 1942-1945, Record Group 389; National Archives at College Park, College Park, MD.

Records of the Office of the Provost Marshal General, Subject File, 1942–46, Hawaii, Civilian Internees, Record Group 389; National Archives at College Park, College Park, MD.


Stimson, Henry Lewis, Diaries (microfilm edition). Manuscripts and Archives, Yale University Library, New Haven, CT.


LEGAL SOURCES


Alien Registration Act of 1940 (or Smith Act), 18 U.S.C. § 2385 (1940).

Chae Chan Ping v. United States, 130 U.S. 581 (1889).


Executive Order No. 9066, Federal Register 7, no. 38 (February 25, 1942): 1407.

Ex parte Gregoire, 61 F. Supp. 92 (N.D. Cal. 1945).

Fong Yue Ting v. United States, 149 U.S. 698 (1893).


Presidential Proclamation No. 2525, Federal Register 6 (December 7, 1941): 6321.

Presidential Proclamation No. 2527, Federal Register 6 (December 8, 1941): 6324.


Wong Wing v. United States, 163 U.S. 228 (1896).


SECONDARY SOURCES – BOOKS


Dies, Martin. The Trojan Horse in America. New York: Dodd, Mead & Co., 1940.


SECONDARY SOURCES - ARTICLES AND SPEECHES


“Explains Benefits to Italian Aliens: Justice Department Lists Four Restrictions From Which 600,000 Will Be Freed.” *New York Times*, October 14, 1942.


**Electronic Sources**


http://www.bbc.co.uk/history/ww2peopleswar/timeline/factfiles/nonflash/a6651858.shtml.

http://old.nationalreview.com/york/york031903.asp.