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Address
of
Robert H. Jackson
Attorney General of the United States

before the
Common Council for American Unity

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Propagandists of unfriendly foreign powers have said that a conquest of the United States could be an inside job, to be done by playing race against race, religion against religion, and class against class. Such strategy has been vindicated by dramatic successes in Europe. The American's natural first reaction has been a wholesome demand for intensive and critical examination of our own society to expose sources of possible treachery.

I am convinced that the time has come when we should no longer concede the initiative to enemies of our way of life or rely solely upon defensive measures against foreign penetration.

The advantages of a confident, instead of an apprehensive, attitude and of a constructive program instead of a merely defensive one are especially significant in our relations with immigrant aliens. Foreign propagandists specialize in spreading fear that the large number of our foreign born makes the United States an easy victim of their "divide and conquer" strategy.

We all realize that the fact that we are not a distinct and separate race, but rather a mosaic of races, introduces into our public life emotional crosscurrents that are often unfortunate. We know, too, that their very diversity tends to make them cancel each other, and so, while we often disagree on foreign policy, we have never failed to achieve a working unity, especially in the presence of any danger from without.

It will help us to appraise the present threat from abroad to divide our society by reflecting that this is not a new strategy, but is an old and discredited one. Twenty years ago Emperor Wilhelm II planned the same kind of inside job on America and boasted to Ambassador Gerard that he could induce an uprising of such elements in the United States. He counted on certain organizations, such as the German American Alliance, which was then more influential than the Bund is today. He counted on the help of radicals, who were then organized under the I.W.W. and were comparable to present-day Communists. He, too, used secret agents, spies, and propaganda. The Kaiser finally got an American uprising, but it was not of the kind he planned. American unity was not seriously disrupted but on the other hand democratic propaganda did make such inroads on German morale that in spite of rigid censorship and suppression the Kaiser lost his throne as well as the war.

Since the Kaiser's attempt backfired the proportion of aliens to our total population has diminished until it is today only about one-half of what it was then. In World War days we had about seven and one-half million aliens in a population of one hundred and five million. Today we have only about five million aliens in a population that has grown to one hundred thirty million. The proportion of alien population has decreased from about seven per cent in World War time to approximately three and one-half per cent now.

It should also be reassuring to recall that the government is now much better prepared to deal with any disloyal groups than it was in 1917. The country then had neither legislation nor administrative experience appropriate for combating subversive activities.

It had a very limited military intelligence service, and the Department of Justice had only an embryo division of investigation. Today we have effective intelligence divisions in both Army and Navy, and the Federal Bureau of Investigation, with a trained personnel of approximately five thousand men, operated under a substantial body of tested legislation.

Alien control is a conspicuous example of improvement in governmental technique. We have just completed, with excellent cooperation from the aliens themselves, the first real working inventory of our non-citizen population. The registration will soon be classified and tabulated and we will know who our aliens are, where they live, whence they came, and we will be able to sift out those with criminal records. Moreover, we will be able in a matter of hours to identify aliens of any particular nationality, in the whole nation or in any locality, and specify those with military experience or of any selected occupation.

These detailed individual records enable the government to deal with any alien problems on the basis of individual merits, and they take away any excuse for indiscriminating dragnet procedures or mass action.

I do not underestimate the dangerous possibilities nor the sinister purposes of certain subversive groups which have many alien adherents. These groups as a whole require proper policing. They were equally aggressive during the World War. That aliens did not contribute a disproportionate number to such disaffected groups appears from the fact that during the World War, with nearly twice the present number of aliens in this country, it was found necessary to intern only about

twenty-two hundred of them.

In the light of these facts, has the time not come for the American people to supplement the psychological defensive with a real psychological offensive? Should we not now take up constructive measures which would enable our loyal foreign born better to serve the cause of democracy?

A first step is to modernize our immigration laws to permit a firmer but more flexible alien control. Deportation of undesirable aliens has broken down in practice because transportation to most countries has become impossible and because many countries refuse to accept their return. But the law still commands us to issue deportation warrants for many causes and to conduct long and costly proceedings which now usually end in deportation orders that cannot be carried out. Over six thousand persons have been ordered deported who, because of conditions beyond our control, cannot be gotten out of the country. Such a situation breeds contempt for law and government.

I have called this situation to the attention of Congress and have asked in lieu of deportation that an independent board, after hearings, be allowed broad discretion to intern dangerous criminal aliens and to condone mere technical violations of law which would now subject aliens of good character to deportation. This would assure the country of protection against the vicious, which it cannot get from present procedure, and would regularize the status of decent and loyal aliens.

I am speaking only of immigrant aliens who have already cast

their lot with us. Our policy must distinguish sharply their situation from the case of visiting foreigners or future immigrants. Present conditions require sharp scrutiny of all visitors, at least those from beyond our own hemisphere, restriction of visiting permits to persons and purposes clearly of advantage to our own country, and prompt return when temporary permits expire. Some of these visitors develop a sudden attachment for us that is not reciprocal. The tide of immigration has, of course, been largely arrested by war conditions. It seems probable that the easy migration which characterized the past two centuries throughout most of the world is at an end. Certainly our immigration policy will need to be reconsidered and recast to meet the needs of our own society as it appears in the light of the war and post-war conditions.

But whatever discrimination or selection we see fit to make in our future policy, immigrant aliens who are already in the process of assimilation into our society must be given opportunity to be self-supporting and self-respecting members of our community life. It is vital to any program of Americanization that there be no general discrimination against aliens in employment. We do not want to create a class of refugees from work. The dictators would quickly seize upon such mistreatment of aliens here to convince their kinsmen and countrymen abroad that democracy offers them no hope.

Foreign propagandists and domestic fear-mongers deceive themselves when they discount the deep-seated good will toward our institutions which has led the immigrant to tear himself up by the roots and transplant all

his worldly hopes to this country. It is difficult for minds conditioned by European environment to understand the voluntary nature of the relationship of our aliens toward America. They cannot visualize a society made up of successive waves of migrations all bound together by a unifying American dream of liberty and opportunity. Among immigrants, of course, are about the usual run of scamps and traitors, but I see little reason to believe that any threat to our national unity today either originates or is predominantly supported by non-citizens.

I think most Americans, because of their defensive attitude of mind toward the so-called Fifth Column, have failed to realize that real vulnerability to the Fifth Column is Hitler's, not ours. His over-extended domain now includes millions of alien and unwilling subjects - full of revenge and on the verge of insurrection. These are Czechs, Poles, Danes, Norwegians, Hollanders, Belgians, and French. They are held down only by the machine gun and disciplined by the concentration camp. They constitute the greatest Fifth Column opportunity in history.

Hitler's aliens are a sorry contrast to our aliens - other Czechs, Poles, Danes, Norwegians, Hollanders, Belgians, and French - yes, and Germans and Italians, too - the overwhelming majority of whom eagerly became subject to our laws and are devoted to the free institutions they have voluntarily adopted.

Aided by these loyal recruits to our democracy we can, if we will, take the propaganda offensive, out-Fifth-Column the master

Fifth Columnist himself. And if we are to attack this menace at its source, we could have no more effective weapon than the good offices of the alien. In the old world his testimony as to the advantages of democracy over dictatorship will carry more weight than that of native Americans.

Given the help of our immigrants from the recently oppressed countries, we could send in Europe's own tongues from her own native sons messages of their progress and happiness under free institutions that would stir new vitality for democracy in every occupied community of Europe. Loyal aliens are not intruders to be merely tolerated. They are priceless assets for the defense of democracy if we have the wit to cultivate them.

Every person in the reach of my voice owes his presence on this free continent, either remotely or immediately, to the impulse to migrate. Some, like myself, are products of migrations so far back that we have lost any sense of European origin. But that is no excuse for losing our understanding also. Those who stem from the earlier migrations can render no more timely service to our national defense than to join hands with later immigrants to make our common lot of American freedom completely and permanently secure.