

## PUNJABI FARMERS AND CALIFORNIA'S ALIEN LAND LAW

Asian farmers from India's Punjab province were among those affected by California's Alien Land Law. Although it was Japanese success in California agriculture which stimulated passage of the first law in 1913 and its strengthening in 1920 and 1923, the law became applicable to Asian Indians in 1923. Local records and interviews from the Imperial Valley, where these Punjabi farmers were concentrated, show the strategies they employed to continue farming and the patterns of local support and opposition. There were similarities, but also significant differences, between the Japanese and Punjabi responses to the Alien Land Law.

The earliest immigrants from India to California were nearly all men from the Punjab province on British India's northwestern frontier. They came chiefly from castes and communities involved in farming, whether as landowners or laborers. Many had served in the British military or police in India and overseas, but in California most worked in agriculture. While these men originally intended to earn money in the United States and then return to India, after they arrived some applied for U.S. citizenship and tried to bring their families. The laws tightened and eventually barred immigration by Asians, curtailing these attempts, however. The Punjabis remained a small group, numbering only a few thousand, concentrated in rural California.<sup>1</sup> Almost 90 percent of these Indians were Sikhs (members of a sect founded in the fifteenth century combining elements of Hinduism and Islam), and another 10 percent were Muslims, but in California they were all called "Hindus."

In 1923 the Asian Indians' battle for U.S. citizenship was lost. Bhagat Singh Thind had appealed the rescinding of his citizenship to the U.S. Supreme Court, but the justice's decision held that while persons from India were Caucasian, they were not "white persons" in the popular

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<sup>1</sup>*Population Review* 25 (1982) is a special issue on Asian-Indian immigration to the United States. The journal editor, S. Chandrasekhar, has published this issue as a paperback entitled *From India to America* (La Jolla: Population Review Publications, 1982).

meaning of the term.<sup>2</sup> Therefore Asian Indians were “aliens ineligible to citizenship,” like the Japanese and other nonwhites. The most significant consequence of this ruling for the Punjabis was the application to them of California’s Alien Land Laws, devised to prevent the rapid Japanese progress in agriculture by prohibiting the leasing and owning of agricultural land by noncitizens.<sup>3</sup>

Following the application of the Alien Land Law to the Punjabis, several local governments in counties where they had been acquiring land moved against them. The District Attorney of Sutter County in northern California announced that he would sue East Indian landholders in the Yuba City–Marysville region.<sup>4</sup> Many Punjabis had settled in Imperial County, along the border with Mexico. The acreage they leased there was slightly more than one-third of the acreage leased or owned by Punjabis throughout California in 1919; the other two-thirds were scattered in thirteen other counties.<sup>5</sup>

The impact of the Alien Land Law on Punjabis was heaviest in the Imperial Valley. This new agricultural region had developed rapidly after the 1911 inauguration of the western hemisphere’s largest irrigation system. Local records and interviews show that many Punjabi men continued to farm there successfully. They had help from both local and absentee landowners. The Alien Land Law was unpopular with big farmers, and particularly with absentee landowners. An absentee landlord with a very favorable opinion of the men working for him in the Imperial Valley commented on the implications of the land law for him:

They [Punjabis] are excellent farmers, very industrious, willing to work under trying conditions, and I have found them scrupulous in the performance of their agreements.

These men are Sikhs and come from the Punjab district of India, where they have had experience in growing the kind of crops we grow in the Valley. They especially favor the growing of cotton and when it comes to work, they are the original “men with the hoe.” In the heat of summer they get up at 4 o’clock, work with their teams until about 10 a.m., then with the hoe until say 4 p.m. and then with their teams until 9 o’clock in the evening. This, however, is when they

<sup>2</sup>Harold Jacoby, “More Thind Against Than Sinning,” *The Pacific Historian* 11 (November 1958): 1–2, 8.

<sup>3</sup>Yuji Ichioka, “Japanese Immigrant Response to the 1920 California Alien Land Law,” *Agricultural History* 58 (April 1984): 157–78.

<sup>4</sup>*Appeal Democrat*, 20 February 1923, for Sutter County.

<sup>5</sup>Although early portrayals present the Punjabis as illiterate peasants with beards and turbans (Sikhs) engaged in agricultural labor, they moved into leasing and ownership rapidly. They leased 32,380 acres in the Imperial Valley, and they leased 53,955 acres and owned 2,097 acres elsewhere in the state [California State Board of Control, *California and the Orientals* (Sacramento: California State Printing Office, 1920)].

are working for themselves. As day laborers I do not suppose they would do more than a day's work for a day's pay.<sup>6</sup>

In every region where Punjabis farmed, there was a pattern of prejudice against them, even before the Alien Land Law was applied to them. Selected court cases before and after 1923 illustrate the way supporters and opponents lined up in the Imperial Valley. In the first of these cases, a Sikh rancher was accused of raping a black girl from the town of El Centro. The case was filed in 1919 by her father on behalf of his fifteen-year-old daughter; he asked for damages of \$20,000 for his daughter's injured honor and for her maintenance.<sup>7</sup>

The Punjabi rancher immediately asked for a change of venue for the trial, giving as his reason the bias and prejudice against "Hindus" in the Imperial Valley. Some thirty citizens testified on this issue. On the side of the young girl and her father, four merchants from El Centro testified that a local trial would not mean bias against the defendant: Punjabis were leasing considerable land in the Valley and were well regarded. The same men also testified that the plaintiff's family was poor and so were all her supporters; they could not easily go elsewhere for the trial.

On the other side, twenty-five men testified that there was such prejudice and hostility that it was impossible for a Punjabi to have a fair trial in the county. These men were officers of the local banks: the Holtville National Bank, the Bank of Calexico, the First National Bank of Brawley, the Farmers and Merchants Bank of Imperial. The list of prominent local citizens testifying for the Punjabi rancher also included the Secretary of the Chamber of Commerce, lawyers, and leading local merchants and farmers.

The lawyer O. V. Wilson, testifying on behalf of the Sikh in this alleged rape case, stated that in the last two years he had defended twenty-five Punjabis in criminal cases in Imperial County. General prejudice had reached such a stage, he maintained, that it was impossible to acquit a Punjabi. Another spokesman, from Los Angeles, argued that prejudice against Punjabis was greater in Imperial County than in San Diego, Riverside, Pomona, Ontario, or Los Angeles, and he attributed

<sup>6</sup>E. E. Chandler, letter to Mr. George Gleason, 2 May 1924, in the *Survey of Race Relations* Collection, Hoover Institute, Palo Alto, Ca., file B-408. Dr. Sucheng Chan, UC Santa Cruz, located this and other relevant files in the collection for me.

<sup>7</sup>Just a few days later, the father amended his complaint to state that his daughter was eighteen years old, the rape had occurred in 1917 at the end of August rather than November, and she had delivered a child at the end of July 1918, as a result of the rape (Imperial County, Civil Court Cases 5007 and 5008 filed in February of 1919). A birth certificate was issued for a stillborn boy, with the Punjabi rancher named as the father in July of 1918 (County Recorder, El Centro Courthouse).

that to the imminence of land legislation which aroused prejudicial feelings on the part of competitors in farming.

In the lettuce harvest season of 1925 immediately following enforcement of the Alien Land Law in Imperial County, one Punjabi farmer, Pahkar Singh, murdered the two white men who took his crop. O. V. Wilson became his defense attorney and again argued for a change of venue due to prejudice against Punjabis in Imperial County. Pahkar Singh's defense, prepared by Wilson and Edgar B. Hervey, directly attributed the murders to the Alien Land Law legislation. Singh had been growing lettuce with a cropping contract or verbal lease with Anglo shippers. They broke the agreement and refused to pay him, so he killed them.<sup>8</sup> The attorneys for Pahkar Singh stated in their brief:

That a few days ago all the newspapers of the said County of Imperial bitterly criticized the Hindu portion of the population of the said County for their frequent appearances in the Courts of said County, both civil and criminal, and since the passage of the "Anti-Alien Land Law" of California there has been wide adverse criticism of the Hindu population for their failure to stop cultivating the lands of said County, and it is a matter of common discussion among the American citizens of said County, in connection with the aforesaid homicide, that the nonenforcement of the "Anti-Alien Law" aforesaid was the direct cause of said homicide, thus bringing the defendant, Pahkar Singh into the public limelight as a law-breaker, as well as a murderer of white American citizens.<sup>9</sup>

Few Punjabis resorted to violence, however, for they developed several effective strategies to deal with the land law. One was to work through family members who were citizens or were eligible for citizenship. There were only a few families where the wife was from India and the children were fully Indian. The sons of one such couple from India, born in California and U.S. citizens, held land for other Punjabis for a commission of \$1 per acre.<sup>10</sup>

Some three to four hundred Punjabi men married Hispanic women, and some of these Punjabi farmers did lease land in their wives' names.<sup>11</sup> One such Punjabi said defiantly: "Two years ago I married a Mexican woman and through her I am able to secure land for farming. Your land

<sup>8</sup>See Karen Leonard, "The Pahkar Singh Murders: A Punjabi Response to California's Alien Land Law," *Amerasia Journal* 11 (1984): 75–87.

<sup>9</sup>From the transcript and trial records, Riverside County courthouse, Criminal Case 14575, filed in 1925.

<sup>10</sup>Paul Taylor field notes, Bancroft Library, University of California, Berkeley; interview, Teja and Kay Dillon, Fresno, Ca., 1982. The Dillon family was one of only six I traced in rural California where the Indian wife had been able to enter the United States.

<sup>11</sup>I have argued that legal subterfuge was not the motivation for these marriages in "Marriage and Family Life Among Early Asian Indian Immigrants," *Population Review* 25 (1982): 67–75.



law can't get rid of me now; I am going to stay."<sup>12</sup> His statement was technically incorrect, since a married woman's legal status was that of her husband. Although persons from Mexico were aliens eligible for United States citizenship, according to the Cable Act (1922) any woman who married an ineligible alien lost her citizenship or became ineligible for it herself. Such a legal technicality appears to have been unknown or overlooked, however, since in the county record offices there are instances of Mexican wives holding land on behalf of Punjabi farmers.

A strategy using members of these "Mexican-Hindu" families was seldom utilized, however, because of the fragility of many Punjabi-Hispanic marriages.<sup>13</sup> After the first few divorce cases in which California's community property law was invoked by the wives, the Punjabi men tried to avoid this obvious danger. The wives of a few men were considered dependable, however. These women and often their daughters held land on behalf of many other Punjabi men. One man picked out the Mexican-Hindu daughter he wanted to marry here and put his land in her name. But she married a Mexican man, so he shifted his land to the wife of another Punjabi. Then his wife in India died, so he married another Mexican-Hindu daughter and put his land in her name. Finally, in 1946 he was able to become a citizen himself and hold the land in his own name!<sup>14</sup>

The Punjabi men seldom turned to their Hispanic male relatives or other Mexican men for help. After the imposition of the Alien Land Law, when one man found it necessary to turn to a Mexican brother-in-law and put the lease in his name, he gave an Anglo storeowner a second mortgage on the property. Then, when the brother-in-law tried to take over the property, the second trust deed was invoked to prevent the takeover. Another man had a Mexican-American partner in whose name the property was held. When the partners went bankrupt, the Mexican charged that the property was the Punjabi's, but later on the Mexican claimed it was his.<sup>15</sup>

Most Punjabis in the Imperial Valley preferred to work out verbal understandings with Anglo farmers, bankers, and lawyers. Bank directors and lawyers held land for Punjabi clients. The Director of the Holtville National Bank did this, earning for his bank the name "Hindu

<sup>12</sup>Interview with Inder Singh, 31 May 1924, El Centro, Ca., by W.C.S., Box No. 29, no. 273, in the *Survey of Race Relations* Collection.

<sup>13</sup>See Karen Leonard and Bruce LaBrack, "Conflict and Compatibility in Punjabi-Mexican Immigrant Families in Rural California, 1916–1965," *Journal of Marriage and The Family* 46 (August 1984): 527–37.

<sup>14</sup>Lal Singh Rai: interview with his widow Mary Rai, Yuba City, Ca., 1982.

<sup>15</sup>Interview with Mola Singh, Selma, Ca., 1983. I heard about the second case, a court dispute which went on for years, from Judge William Lehnhardt, Brawley, Ca., 1982.

Bank"; he also became guardian for the sons of one of Holtville's biggest Punjabi farmers.<sup>16</sup> Anglo companies dealt directly with the Punjabi farmers and Anglo landowners fronted for them, handling all checks and banking on their behalf. Even the judges in the Imperial Valley sometimes held land for Punjabi farmers or leased land for them. Those who helped the Punjabis often were rewarded with live chickens at Christmas, deposited in gunny sacks under their Christmas trees; at least once, a judge was rewarded with a sack of money as well.<sup>17</sup>

Sometimes unanticipated problems arose from use of this "front man" strategy. In northern California, as in the Imperial Valley, Punjabis bought land and put it in the names of Anglo friends and businessmen. Around Chico and Butte City a group of Punjabi Muslim partners did just that. They were farming rice, however, one of the crops which came under the 1933 Production Controls enacted under President Roosevelt, and it became necessary to show production records for the past five years to establish an acreage history. A local Board had to certify on the basis of those production records that one was an actual producer of rice and then award an acreage allotment. Leases in the name of another person were useless in that situation. At least half the rice growers in Colusa and Butte counties were Punjabis with leases, if they had written ones, in the names of others. Unable to continue growing rice because of this situation, many men left the north for the Imperial Valley where they started over again in different crops.<sup>18</sup>

Borrowing a strategy pioneered by the Japanese all over California, the Punjabis formed corporations with Anglos, often outsiders to the Valley, who arranged for them to farm the land. The Punjabis set up nonprofit corporations after 1925. There were at least four such corporations in the Imperial Valley: one was fronted by a Judge and two other Anglos in Los Angeles, one was set up by Dalip Singh Saund (later elected to Congress), one by the Ghadar party (by then a Sikh organization), and one by Punjabi Muslims. These corporations were the first step in forming a coalition of the better-educated, urban Indians and

<sup>16</sup>Interviews with Keith Savage, Joe Anderholt, Bob and Karmen Chell, all in Holtville, Ca., 1981.

<sup>17</sup>Inder Singh travelled to Los Angeles to ask a dairy owner to give him management of the Imperial Valley concern; Mola Singh went there to confront a big cotton company and demand that he, not the man in whose name the lease was written, be given the money. Interviews with Pancho Singh, Selma, Ca., 1982, about his father, Inder Singh; with Mola Singh, Selma, 1982; with Betty Harris and Bob and Karmen Chell, Holtville, Ca., 1981; and with Laura Lee Jacobson (whose father was Judge Griffin of Brawley), Brawley, Ca., 1982.

<sup>18</sup>Interview with Bob Mohammed, Yuba City, Ca., 1982, talking about Naby Box who worked with T. S. Johnson; for Babu Khan, who moved to the Imperial Valley in the early 1930s, Salim Khan, "A Brief History of Pakistanis in the Western United States" (M.A. thesis, History, California State University, Sacramento, 1981), 39.

the Punjabi farmers to work together to change the citizenship law. When the Punjabi farmers had been approached regarding the need to lobby for U.S. citizenship, they had argued that earning their livelihood was the first priority, and the corporations were founded.<sup>19</sup>

The final strategy, one employed after 1933 when an Imperial County Grand Jury indictment imperiled the corporations, was to put land in the name of one's minor children and manage it through the probate court as legal guardian. The 1933 case against four Punjabis and several Anglo farmers who had formed a corporation was ultimately lost by the county, but most Punjabis with property in the Valley registered immediately as guardians of their children who had been born in the United States and were therefore citizens. The lawyers and court cooperated by hearing all the Punjabi probate reports at one time. Once a year, for fifteen minutes, these reports were delivered in the El Centro courthouse by the lawyers who acted for the Punjabis.<sup>20</sup>

The guardianship strategy worked well in most cases, although as the children reached legal age tension increased in some families. The strategy backfired dramatically in one case, where a man had put his property in his daughter's name. She married another older Punjabi, and she and her husband claimed the property. Her father filed as her guardian to reclaim his land, saying she was still a minor, but her lawyer established that her marriage overrode that claim.<sup>21</sup>

While some Anglos helped the Punjabis and other Asians evade the full consequences of the law, others took advantage of their vulnerable situation. There were instances throughout the state of crops seized at harvest time and payments not made as agreed upon. In a few cases, Anglos who had held land for Punjabi farmers for years refused to turn it over in 1946 when the men finally became eligible for citizenship.<sup>22</sup>

It was not only Anglos who took advantage of the situation. In one case in Butte County, two Punjabi partners acquired agricultural land in 1919. After 1923, they evaded the Alien Land Law for over twenty years by "conveying the land from time to time to third persons, taking back

<sup>19</sup>Later the same coalition worked to organize the India League and the Hindustan Congress Association and the farmers donated money regularly to maintain lobbyists. Interview with Bagga S. Sunga, El Centro, Ca., 1981.

<sup>20</sup>The Imperial County Register of Actions Probate shows one Punjabi petitioning for guardianship in 1928, and then many from 1933 on. For the reporting procedure, interview with former Sheriff Herbert Hughes, Holtville, Ca., 1982 (with Prof. C. M. Naim).

<sup>21</sup>*Post Press*, 13 August 1939. (The Cable Act was repealed in 1933.)

<sup>22</sup>Interviews with Chenchel Rai, Yuba City, Ca., 1982; Isabel Singh Garcia, Yuba City, Ca., 1981; Mary Garewal Gill and Bob and Karmen Chell, Holtville, Ca., 1981; Elizabeth Deen Hernandez, Los Angeles, Ca., 1981; Teja and Kay Dillon, Fresno, Ca., 1982; and Mola Singh, Selma, Ca., 1983. For the citizenship issue and final passage of the Luce-Celler bill, see Brett Melendy, *Asians in America* (New York: Hippocrene, 1981).

ficentious notes, mortgages and deeds of trust, thus lending a semblance of validity to their possession, use and ownership of the land." Unfortunately, in 1945 one partner conveyed the property to the Anglo wife of another Punjabi; whether or not he meant this to be a bona fide sale is unclear. He then died. At any rate, she and her husband contended that it was a bona fide sale and succeeded in establishing clear title to the land, although the surviving partner fought the case to the District Appellate Court after the death of the "seller" and the seizure of the property by the "new owners."<sup>23</sup>

Despite the successes of the Punjabi farmers at making local arrangements to stay in farming, prejudice against them remained strong and legal action often was taken against them. In the Imperial Valley, the climactic case was the one filed in 1933 against four Punjabis and several Anglos for conspiracy to evade the Alien Land Law. Following a Grand Jury investigation, the District Attorney charged that through an arrangement made with the California-Nevada Farming Corporation, the four alien farmers had illegally "enjoyed, cultivated and occupied the said land . . . for agricultural purposes." As in earlier cases, much of the crucial argument concerned the specific arrangements for the trials. Several of the Anglos filed for separate trials, arguing that "as joined with Hindus it cannot be fair."

The Anglos who filed for separate trials were absentee landowners. Suddenly subject to local justice, they used the same ten points in their petitions, realizing that prejudice against the Punjabis would be brought to bear on them. These ten points graphically illustrate the bias and ignorance which produced the Alien Land Law:

1. Hindus are not Caucasians or white but are members of the Aryan race of India and ineligible for citizenship.
2. Hindus are in competition with Imperial Valley citizen farmers who will form the jury.
3. The Hindus of the Imperial County are clannish and associate entirely with their own people; they are not friendly with the white people.
4. Hindus have lower standards of living.
5. Hindus are not Christians like the majority of the citizens but practice Hinduism.
6. Imperial County Hindus have the reputation of being cheap labor; they work for less.
7. In general, the Hindus of Imperial County have a poor reputation for truth, honesty, integrity and fair dealings.
8. When [the Anglo defendant] appeared for the first time in the Imperial Valley in response to the subpoena, he was informed that the Alien Land Law was being violated by Hindus there.

<sup>23</sup>*Laboo Singh vs. Clara Banes*, 6 December 1954, cited in 129 CA 2d 395, Civ. No. 8012, 3rd District, 277 P2d 89.



9. The popular opinion is that Hindus are repugnant to Imperial Valley residents.
10. The defendants save one speak little or no English; they speak Hindustani and their trial must be conducted with an interpreter.<sup>24</sup>

The four Punjabis stood trial together, and they were defended by a lawyer from Brawley.<sup>25</sup> Some of the Anglos initially charged were dropped from the case. After a month-long, highly publicized jury trial, the four Punjabis were found guilty and sentenced to prison, three to San Quentin and one to the county jail; of the five Anglos, three were fined and two acquitted.<sup>26</sup> Having rebuffed offers to bribe the jury on their behalf, the Punjabis confidently sought a retrial, charging a technical violation. They had refused to state their race, nationality, and place of birth at any point during the trial and appeals for probation, and the prosecution had failed to establish their ineligibility for citizenship—the entire basis of the charges against them! Their appeal was accepted and a new trial was ordered; the county never set the retrial and the men went free.<sup>27</sup>

Despite this victory, or perhaps what should be termed this loss for the county's efforts at law enforcement, there is no doubt that the 1933 prosecution succeeded in driving some Punjabis out of farming in the county. All four of the men charged in this indictment moved out of Imperial County, two to the Fresno area, one to Yuba City, and one back to India.<sup>28</sup> Afterwards, local Anglo farmers filed cases against other Punjabi farmers. One Anglo filed for recovery of his acreage and the cancellation of the lease to the California-Nevada Farming Corporation, the same corporation involved in the 1933 case.<sup>29</sup> And in nearby Arizona, cases were filed in the Salt River Valley against Japanese and Punjabi farmers in 1934.<sup>30</sup> In these instances, the Phoenix Chamber of

<sup>24</sup>Imperial County, Criminal Cases, case 2731 filed 25 May 1933; the Grand Jury records, like those of 1925, have been lost. A legislator allegedly absconded with them about 1946, when citizenship was finally extended to Asian Indians. Interviews with Harry Free, County Clerk, El Centro, Ca., and Joe Anderholt, Holtville, Ca., 1982.

<sup>25</sup>This was Harry Horton, who represented many Punjabi clients over the years. Mola Singh and his father got financial help from Brawley's Judge Griffin (Mola Singh, Selma, Ca., 1983).

<sup>26</sup>*Morning Valley Farmer*, 3 November 1933.

<sup>27</sup>*Singh vs. People*, 1 CA 2d 729, 37 P. 2d 481 (1934) for the Superior Court appeal of 2 November 1934; and Harold Jacoby, personal communication, 1983, cited in interview he conducted in the 1950s with a Punjabi farmer from Holtville.

<sup>28</sup>Interview with the last surviving defendant, Mola Singh, Selma, Ca., 1983.

<sup>29</sup>*Brawley News*, 3 January 1934, Harry D. Granas against Juella (Jawala) Singh.

<sup>30</sup>*Arizona Republic*, 16, 17, 18, 21, 22, 27 August 1934. These articles specified that many of the offending Asian farmers had moved over from the Imperial Valley recently because of the drought there.

Commerce opposed those who tried to intimidate the Asian farmers.<sup>31</sup> The son of a Yuba City Punjabi Muslim remembers driving several California Muslim farmers over to Phoenix to help defend their countrymen; he has a vivid memory of the angry Anglos gathered outside the meeting held by the Asian farmers there.<sup>32</sup> As in the Imperial Valley, it was the small white farmers who pressed to enforce the law.

Prejudice even affected the issuing of marriage licenses in Imperial County at this time. Marriage licenses required a declaration of race, and miscegenation laws in California required persons marrying each other to be of the same race. In 1933–1934, Hispanic women marrying Punjabis suddenly began putting “Indian” on their applications and filing affidavits of “Indian descent”—an indication that the County Clerk’s office was trying to make marriages more difficult for these farmers.<sup>33</sup>

The increasing prejudice and attempts to enforce and even strengthen the Alien Land Law must be placed in a broader context. They followed upon the cotton bankruptcies after World War I and then the Depression. These were hard years for farmers and competition from noncitizens was resented. The Pahkar Singh murders in 1925 dramatized the potential for violence inherent in the high risks and profits in California agriculture.

The backing of bankers, big farmers both local and absentee, and local lawyers and judges had not been able to prevail against rising prejudices in the 1930s. In that decade, feelings against the Punjabi farmers intensified greatly in the Valley. In 1931 a Grand Jury report had stated that “there is no doubt in the minds of the Jury that the Alien Land Law is being broken repeatedly in this Valley, but, due to the indifferent feeling toward sustaining this law, we doubt the wisdom of spending any money in attempting convictions that are not likely to be sustained.”<sup>34</sup> But the indictments of 1933 followed, and after that abortive trial, a 1937 Grand Jury report recommended that the violation clause of the Alien Land Law be strengthened. The report urged presentation of an amendment to the legislature that required not just a penalty but a penal provision, to make violation a felony punishable by imprisonment in a state or county prison.<sup>35</sup>

<sup>31</sup>*Arizona Republic*, 24 August 1934.

<sup>32</sup>Interview with Bob Mohammed, Yuba City, Ca., 1982.

<sup>33</sup>Office of the Recorder, Imperial County Courthouse, marriage licenses of Punjabis, 1933–1935. The repeal of the Cable Act in 1931 may have contributed to this effort.

<sup>34</sup>Report of the Grand Jury of the County of Imperial, State of California, for the year 1930–1931, filed 20 November 1931, in the County Clerk’s office, El Centro, Ca., p. 5.

<sup>35</sup>Report of the 1936–1937 Grand Jury of the County of Imperial, State of California, 26 October 1937, in the County Clerk’s office, El Centro, Ca., p. 7.

In addition to the general economic depression, several years of labor agitation led to political and economic realignments. Attempts to organize the Mexican workers in the Imperial Valley in 1928, 1930, and 1934 refocused the interests of the big growers and their allies in local government. These attempts spurred the founding of the statewide Associated Farmers in 1933, solidifying class divisions in rural California. The tension and violence in the Imperial Valley has been written about in considerable detail.<sup>36</sup> In fact, the failure of Imperial County's District Attorney to re prosecute the four Punjabi farmers for conspiracy to evade the Alien Land Law undoubtedly was due to the higher priority put upon breaking the labor organizing effort which culminated in the violent confrontations of 1934. In these confrontations, both Punjabi and Japanese farmers tended to stand with the Anglo establishment, not with the largely Hispanic labor force and its organizers.

Comparison of the Japanese and Punjabi responses to the Alien Land Law shows some interesting differences. A recent author on the Japanese response has concluded that the land law seriously limited Japanese expansion in California agriculture, revising an earlier assessment that the Japanese improved their tenure status from 1920–1940.<sup>37</sup> Although comparable local-level data on the Japanese farmers has not been published yet, the material on the Punjabis suggests that they were relatively more successful at evading the Alien Land Law. Yet the Japanese were a far more highly educated group of immigrants than the Punjabis and already a very successful group in California agriculture. The Punjabi farmers, far fewer in number and largely illiterate in English (if not in Punjabi too), may have appeared less threatening. However, they, too, were conspicuous and often successful farmers, arousing strong prejudice in the regions where they settled.

One explanation of the hypothesized greater Punjabi success in working around the Alien Land Law might lie in the extent to which members of each group interacted with others in their local communities. The Japanese farmers may have interacted with non-Japanese significantly less frequently than the Punjabis interacted with non-Punjabis. There are some obvious demographic reasons for this. The Japanese formed a much bigger, more self-sufficient community. They

<sup>36</sup>Carey McWilliams, *Factories in the Field* (Boston: 1939); Devra Anne Weber, "The Organizing of Mexicano Agricultural Workers: Imperial Valley, and Los Angeles 1928–34, an Oral History Approach," in *Aztlan* 3 (1972): 302–47; Cletus E. Daniel, *Bitter Harvest* (Berkeley: University of California Press, 1982); and James Gray, "The American Civil Liberties Union of Southern California and Imperial Valley Agricultural Labor Disturbances: 1930, 1934" (Ph.D. dissertation, History, UCLA, 1966).

<sup>37</sup>Ichioka, "Japanese Immigrant Response"; Robert Higgs, "Landless by Law: Japanese Immigrants in California Agriculture to 1941," *Journal of Economic History* 38 (March 1978): 223.

numbered 71,952 in California in 1920, while Asian Indians numbered 1,723. There was also a big difference in the sex ratio and in the nature of family life. Again in 1920, there were 171 Japanese men for every 100 Japanese women, while for the 1,723 Indian men there were fewer than 30 Asian Indian women in California.<sup>38</sup> Japanese immigrants established families and raised children; they often founded supplementary Japanese language schools for their children to preserve their culture. The men from India entered the United States slightly later and had little opportunity to bring wives from India before immigration restrictions on Asians tightened. Hundreds of Punjabis married Hispanic women, a few married Anglo or black women; their wives and children linked them to other, diverse communities in California.

The interaction of the Punjabis or lack of it with others in rural California proved most crucial to working around the land law, however, with respect to the mens' economic activities. There are some similarities between Japanese and Punjabis here, particularly at the level of the migratory laborers (who were least affected by the Alien Land Law). "Hindu" and "Jap" bosses recruited crews and supervised labor camps for their own countrymen. But the two groups of settled farmers showed different patterns of interaction with others. Partly because of their greater numbers, the Japanese farmers more often tended to dominate certain crops and set up vertical linkages, working with other Japanese to produce, distribute, and market their crops. Business was carried on largely within the Japanese community.<sup>39</sup> The Punjabi farmers, in contrast, did not dominate any one crop and did not form shipping or marketing organizations themselves. These contrasting practices probably owed something to the differences in literacy. Many Punjabi farmers had to sign with an "X" or depend on friends and clerks to sign their checks. The Japanese men, well-educated immigrants, could organize and conduct their business affairs without assistance from Anglos.<sup>40</sup>

An important consequence of these differences concerned access to sources of credit. While duration of settlement in one locality proved to be the single best predictor of Japanese tenant farming success, imply-

<sup>38</sup>U.S. Bureau of the Census, *Fourteenth Census of the United States, Population, 1920*, vol. III, 106, 128; U.S. Bureau of the Census, *Fifteenth Census of the United States, Population, 1930*, vol. II, 58–59.

<sup>39</sup>Masakazu Iwata, "Japanese Immigrants in California Agriculture," *Agricultural History* 36 (January 1962): 33–35, particularly.

<sup>40</sup>Japan had achieved nearly universal literacy by 1900; the 1920 Census shows only 8.3 percent of Japanese men in California over 21 were illiterate: U.S. Bureau of the Census, 1920, III, 129. In contrast, the Asian Indian immigrants were thought to be one-half or three-fifths illiterate (H. A. Millis, "East Indian Immigration to the Pacific Coast," *Survey* 28 [June 1912]: 382).



ing the establishment of local relationships such as we have seen with the Punjabis,<sup>41</sup> the Japanese farmers may have been less able to get loans from local American banks.<sup>42</sup> The Punjabi farmers in the Imperial Valley had large loans from local banks from the start, as both oral accounts and the federal bankruptcy records covering the cotton failures after World War I make clear.<sup>43</sup> Bankers were leading supporters of the Punjabi farmers in the Imperial Valley, before and after the imposition of the land law.

The Punjabis also used the American legal system vigorously. This aroused some animosity, but it also made some lawyers and judges their sympathetic allies. While the Japanese showed considerable legal sophistication in selecting cases to fight for citizenship and legal rights and in setting up corporations, it is not clear that individual Japanese farmers formed close relationships with local lawyers and court officials as the Punjabis did. In many instances, too, the Punjabis used the courts to fight each other. The extent to which this happened with California's Japanese farmers is unclear; there is little evidence for such conflict in county civil case records. Here further study is needed to contrast the Japanese use of institutions to resolve conflict, in Japan and in the United States. The Punjabis brought this practice with them—they were notably more litigious than people of other regions in British India.<sup>44</sup>

Another obvious contrast lay in the Japanese and Punjabi relations with their respective consulates. The Japanese farmers were in close touch with their Consulate and relied on it heavily; they also looked frequently for support from Japanese firms in the United States. While the Japanese Consul ultimately was unable to influence the U.S. court decisions and the Japanese banks failed to extend the loans they needed, Japanese farmers in California spent a great deal of time working with institutions based in Japan. The Punjabi farmers, after some initial intervention on their behalf by the British Consul,<sup>45</sup> were more

<sup>41</sup>Robert Higgs, "The Wealth of Japanese Tenant Farmers in California, 1909," *Agricultural History* 53 (April 1979): 488–93; Higgs in his 1978 article "Landless by Law," indicated that Japanese farmers allied with large white landowners (p. 224), possibly (I would suggest) absentee ones.

<sup>42</sup>Ichioka, "Japanese Immigrant Response," 160, 171.

<sup>43</sup>Interviews with Keith Savage, Holtville, Ca., 1981; and Carl Jacobson, Brawley, Ca., 1982, former heads of the Holtville and Brawley banks, respectively. The Bankruptcy Records, L. A. District Court, Indexes 1 and 2 (1917–29) record some 70 "Hindu" cases, almost all from the Imperial Valley (Laguna Niguel Federal Archives).

<sup>44</sup>Malcolm Darling, *The Punjabi Peasant in Prosperity and Debt* (New York: 4th Ed., 1947), 68.

<sup>45</sup>In 1908 the British Consulate in San Francisco protested when Punjabi workers in Yuba City were attacked by a mob and succeeded in obtaining reimbursement for the money taken (*The San Francisco Call*, 2 February 1908).

often in an adversary position with the British Consulate in San Francisco because of the formation and rapid development in California of the revolutionary anti-British Ghadar party; almost all Punjabi farmers in the state supported it in one way or another. Some donated money, others returned to India to engage in anti-British activities. Many Ghadar party members were arrested and executed by the British Indian government there.<sup>46</sup> One consequence of their militant opposition to British colonial rule was that the Punjabis in California turned directly to U.S. officials, institutions, and individuals for patronage and support.

It is clear that the Punjabis in rural California applied the political skills developed through dealings with the British in colonial India. After all, as mentioned earlier, most of them were from farming castes and communities in India, and, in addition, a high proportion had served in the British military or police service. Accustomed to working with Anglo land revenue officials, the British legal system, and people of diverse racial, religious, and linguistic affiliations, the Punjabis seem to have been quite successful at moving into California's regional agricultural systems despite the formidable legal barriers.

Given the legal constraints on Punjabi farmers which prevailed until 1946, it is surprising to see the Punjabi-owned land on the 1955 land ownership map for Imperial County. Before 1946, few of these Punjabi names appeared on the official records and maps. Nor was there evidence of the Punjabi farmers in a detailed study of ownership and tenure in the Imperial Valley published in 1942.<sup>47</sup> Yet in 1955, some 13,000 acres were listed as owned by Punjabis, and most of these old men had farmed those very acres for decades.<sup>48</sup> As with the Japanese, these successful Punjabi farmers persisted despite California's Alien Land Law. Their descendants speculate about how much of the Valley they would own today if there had been no Alien Land Law.

<sup>46</sup>See the articles on the Ghadar party by Emily Brown and Mark Juergensmeyer in *Population Review* 25 (1982).

<sup>47</sup>U.S. Department of Agriculture, *Land Ownership and Operating Tenure in Imperial Valley, California* (Berkeley, 1942) contains no hint in its detailed figures and discussion of the arrangements through which the Punjabis farmed.

<sup>48</sup>Harry Free, Imperial County Clerk, showed me the 1943 Blackburn's Map of the Imperial Valley; Joe Patzlof loaned me the earliest Blackburn's Map I could find after 1946, property of the old Holtville National Bank, now the Wells Fargo Bank. This figure and the conclusion about persistence come from my own compilation from the 1955 map, comparisons with copies of Dr. Sucheng Chan's notes on the early leases, and my interviews with Mexican-Hindu and other Imperial Valley farmers.