

A Mixed-Race Child’s Fate Under the Chinese Exclusion Act: Lawrence Kentwell’s Fight for Inclusion in Local Politics and Legal Profession

*Li Chen**

ABSTRACT

The infamous Chinese Exclusion Act of 1882 ostracized persons of Chinese descent and foreclosed the possibility for Chinese persons who were not born in the United States to obtain naturalization. This Article uncovers the story of Lawrence Klindt Kentwell, a Eurasian of English and Chinese descent who spent his formative years in Hawaii. Because of his Chinese blood, he was excluded from local politics in Hawaii and had no chance at entering the legal profession in the United States. The raw racism he experienced in the United States compelled him to identify strongly with his Chinese roots, leading him to leave his adopted home for good.

TABLE OF CONTENTS

| | |
|---|----|
| INTRODUCTION | 1 |
| I. BUSINESSMAN TURNED LAW STUDENT | 2 |
| A. <i>Entering the Business World</i> | 3 |
| B. <i>Failed Foray Into Hawaiian Politics</i> | 5 |
| C. <i>Cancellation of Kentwell’s Naturalization Papers</i> | 6 |
| D. <i>Ruthless Enforcement of the Chinese Exclusion Act</i> | 7 |
| E. <i>Matriculating at Columbia Law School</i> | 10 |
| II. SEEKING ENTRY TO THE LEGAL PROFESSION | 13 |
| A. <i>A Transatlantic Journey to Become a Lawyer</i> | 13 |
| B. <i>An English Barrister in his “Mother Country”</i> | 14 |
| CONCLUSION | 16 |

* Li Chen is an Associate Professorial Fellow at Fudan University Law School. He received his J.D. and J.S.D. degrees from Washington University School of Law. The author wishes to thank the following: David Konig, Qianqian Yu, Monique Page, Deborah Chou and her editorial colleagues at *APALJ*.

INTRODUCTION

The infamous Chinese Exclusion Act of 1882 foreclosed the opportunity for noncitizens of Chinese descent to obtain naturalization, thus making it impossible for them to seek entry into the legal profession in the United States since possession of US citizenship was a prerequisite for admission to the US bar.¹ Children born to a Chinese parent and a European parent outside the United States also fell victim to the ruthless enforcement of this exclusionary law. This unjust law was a rude awakening to mixed-race children of Chinese descent. The racial discrimination and social exclusion they experienced galvanized them to closely identify with the deprecated Chinese race, turning some to become leading voices in the fight against the Chinese Exclusion Act. Their plight made them aware of the usefulness of legal knowledge and advocacy skills as an instrument to crusade against this exclusionary law.

This Article uncovers the story of Lawrence Klindt Kentwell who was born to a Chinese mother and English father in Hong Kong. Kentwell grew up in Hawaii, where he became an established businessperson. Because of his Chinese blood, however, he was excluded from playing a role in local politics, despite having spent most of his early life in Hawaii. His personal encounters with the harsh enforcement of the Chinese Exclusion Act pushed him to stand against the racist law and to seek legal education as self-empowerment. However, after receiving his law degree from Columbia Law School, Kentwell was unable to enter the legal profession in the U.S., owing to the operation of the Chinese Exclusion Act. He thus made a transatlantic journey to England, where he qualified as an English barrister instead. The raw racism and exclusion he experienced compelled him to identify strongly with his Chinese roots, leading him to eventually head eastbound for “home” to launch his career as a barrister-at-law and part-time law professor in Shanghai, China.

I. BUSINESSMAN TURNED LAW STUDENT

Lawrence Klindt Kentwell was born on December 25, 1882 in Victoria, Hong Kong,² to an English master mariner Robert Henry Kentwell and his Chinese wife. He was brought to Hawaii by his mother when he was a boy.³ Kentwell was admitted to Oahu College, now known as Punahou School in

1. Li Chen, *Pioneers in the Fight for the Inclusion of Chinese Students in American Legal Education and Legal Profession*, 22 *ASIAN AM. L.J.* 5 (2015).

2. Oxford University Archives, Lawrence K. Kentwell's Matriculation Form (unpublished manuscript) (on file with author).

3. GERALD HORNE, *RACE WAR! WHITE SUPREMACY AND THE JAPANESE ATTACK ON THE BRITISH EMPIRE* 31 (2005); JACQUELINE LECKIE, ANGELA MCCARTHY, ANGELA WANHALLA, *MIGRANT CROSS-CULTURAL ENCOUNTERS IN ASIA AND THE PACIFIC* 25 (2017); Mark Tseng Putterman, *Transnational Chinese Politics in the Era of Exclusion: A Partial Biography of Lawrence Klindt Kentwell*, at 3. *See also id.* It stated that he was the “first son of Robert Henry Kentwell, master marine, who was deceased by the time of his son's matriculation. He was born on 25 December 1882 in Victoria, Hong Kong.”

Honolulu in 1895.⁴ As a student, he was active in his community, contributing articles to his local newspapers,⁵ and serving on the Committee on Prayer Meetings of the Young Men's Christian Association (YMCA) in 1897.⁶ Kentwell graduated from high school on June 24, 1897⁷ with ten of his peers, all of whom were asked to deliver a brief address.⁸ President Frank Alvan Hosmer of the College felt that, since the commencement exercises were held on the day following the Diamond Jubilee of Britain's Queen Victoria, it would be most apt for a student to give an address on Queen Victoria's reign over the British Empire. Thus Kentwell, who was born in the then British colony of Hong Kong, was assigned this topic.⁹ At the tender age of 14,¹⁰ Kentwell had nothing but politically correct, enthusiastic praise of the Queen's reign:¹¹

Sixty years ago last Sabbath, at the early age of 18 Victoria came to the throne. While some wars have presented a few dark pages, the victories of peace have been great. The late Prince Consort was the originator of the first World's Fair and England's example has been imitated by the leading nations. The differences between the two great English-speaking people, have twice been settled by arbitration, and though the treaty recently failed in the United States Senate, it practically exists, and is tacitly admitted by both nations. Australia, New Zealand, Canada and South Africa have shown a remarkable growth during this reign, and wherever the English armies have gone, civilization follows. And this ruler of nearly 300,000,000 has held for 60 years the respect and love of her subjects by her pure life and Christian example as mother, wife and Queen.

A. *Entering the Business World*

After his graduation, Kentwell decided not to immediately seek a college education and instead went into business. He was very active in the Chinese community. In February 1898, he joined with a number of the

4. *At Oahu College, Commencement Exercises Last Evening, Large Audience Was Present*, HAW. GAZETTE, June 25, 1897, at 5; WILLIAM DE WITT ALEXANDER, OAHU COLLEGE: LIST OF TRUSTEES, PRESIDENTS, INSTRUCTORS, MATRONS, LIBRARIANS, SUPERINTENDENTS OF GROUNDS AND STUDENTS, 1841–1906. HISTORICAL SKETCH OF OAHU COLLEGE, 56 (1907).

5. *Debates at Punahou, Decide That Caesar Was a Great Man*, HAW. GAZETTE, June 2, 1896, at 5.

6. *Punahou Y.M.C.A., Announcement Cards of Officers and Prayer Meetings*, PACIFIC COM. ADVERTISER, Apr. 29, 1897, at 6.

7. HAW. GAZETTE, *supra* note 4.

8. *See id.* In this ceremony, there were a few other notable student speakers. The first student speaker was Allan Wilkes Judd, the son of Albert Francis Judd, Chief Justice of the Supreme Court of Hawaii. Another classmate, Anthony Lee Ahlo, a Hawaii-born Chinese, gave an address on the "Chinese Empire." Anthony Ahlo would go on to pursue his legal education at Cambridge University in England and become the second Chinese to graduate with a law degree in the Great Britain.

9. *See id.*

10. He was born on December 25, 1882 according to his student records at Oxford and at the Honorable Society of Inner Temple. He had not yet turned 15 at the time he gave the address at his High School graduation. His views about the United Kingdom might have become more nuanced after his personal experiences in England.

11. HAW. GAZETTE, *supra* note 4.

foremost and prominent Chinese young men in Hawaii in forming a new society. They named it the "Chinese Progressive Association." The society, whose object was to bring together like-minded members to have meetings and study sessions, as well as reading groups and discussions for mutual improvement, boasted twenty-five founding members. Wong Shin King helmed the new society as its president, and Kentwell was its English Secretary.¹² When *The Honolulu Chinese Times*, managed by Chinese merchant C. Monting, began to fail, a couple of wealthy Chinese merchants bought it out; Kentwell was assigned as the manager of the newspaper because of his proficiency in English and Chinese.¹³

In October 1899, Kentwell became associated with the Spreckels Bank. To better understand the business, he decided to visit the United States mainland and Europe in order to gain insights into banking systems and operations of larger cities. He had planned to spend twelve to eighteen months on this trip, but his trip did not last that long, because Kentwell was already back in Honolulu by July, 1900.¹⁴ In July 1900, when Liang Qichao, the famed exiled Chinese reformer, came to Honolulu to give an address on the "Past, Present and Future of China," Kentwell was his interpreter. This talk attracted a large Chinese audience, as well as many white listeners to the Progress Hall on the night of July 10, 1900. Liang talked for over an hour with Kentwell by his side as his interpreter.¹⁵

Half a year later, in March 1901, Kentwell incorporated his first company, Hawaiian Realty and Maturity Company Limited. The purpose of the company was to engage in real estate transactions, deal in stocks and other securities, and participate in moneylending schemes. The capital stock was at \$50,000, divided into 5,000 shares, with a par value of \$10 per stock. With Kentwell, there were four other shareholders of the company: Anthony Lee, Ahlo's father Lee Ahlo, W.J. Robinson, P.H. Burnette, and W.E. Burnette.¹⁶ Kentwell served as its president, and Lee Ahlo its treasurer.¹⁷ Likely with the goal of facilitating his business in mind, Kentwell applied for a commission as a notary public, which was granted on May 3, 1901.¹⁸ Shortly after, Kentwell married Annie Kailakanoa Holt on July 4, 1901.¹⁹

12. *Chinese Young Men, Twenty-five Organize a Progressive Association*, HAW. GAZETTE, Feb. 18, 1898, at 5.

13. *Chinese Newspaper, New Life is to Be Put Into the Times by a Company*, PACIFIC COM. ADVERTISER, May 31, 1898, at 8.

14. *Mr. Kentwell's Plans*, PACIFIC COM. ADVERTISER, Oct. 2, 1899, at 7.

15. *Leung Chi-Tso's Warning, The Young Reformer Gives a Public Address*, HAW. STAR, July 11, 1900, at 6.

16. *Incorporations*, PACIFIC COM. ADVERTISER, Mar. 30, 1901, at 15.

17. *Election of Officers*, EVENING BULLETIN (Honolulu), Apr. 17, 1901, at 8.

18. *News of the Town*, HONOLULU REPUBLICAN, May 5, 1901, at 9.

19. *Holt-Kentwell*, PACIFIC COM. ADVERTISER, June 25, 1901, at 7.

B. *Failed Foray Into Hawaiian Politics*

Kentwell held political ambition and attempted to kickstart his political career in January 1902. In an executive committee meeting of the Home Rule Republican Party held in January 1902, members discussed the election of new members and to discuss and formulate bylaws for the primaries in the next election. In the aftermath of a heated debate, Kentwell, together with three others, were pronounced as new members.²⁰ On September 25, 1902, a joint convention of two electoral districts of Hawaii was held to nominate candidates. Kentwell campaigned in the Fourth District and came in second with 32 votes, only one vote shy of the top candidate, Joe Aea. Kentwell's father-in-law, John D. Holt Jr., was also in the race and won 27 votes, coming in third.²¹ In each district, the top six candidates were declared as duly nominated. Racism against aspiring politicians of Chinese descent was apparent. For example, in the Fifth District Ng Mon War won 37 votes and came in second, but Representative William Mossman, who garnered 43 votes, refused his own nomination because a Chinese candidate was on the ticket with him.²²

Ng Mon War was a curious case. Through political influence, he was admitted as a lawyer in Hawaiian courts despite having no formal legal education and lacking full English proficiency.²³ Beginning in late September 1902, Kentwell set about his campaign as a Home Rule nominee representative for the Fourth District but suffered an irreversible setback as his political opponents casted doubt upon his American citizenship, placing his candidacy for the legislature into limbo.²⁴ Kentwell, of course, defended against the accusations concerning his citizenship and utilized the press to shoot down any doubt regarding his eligibility to run in the race:

I was here, for more than five years before my naturalization, and have plenty of proofs to that effect. I was being educated at Punahou College at a time which would secure to me my right to naturalize and achieve citizenship. I registered as a voter last year and nothing was said, neither was anything said when I registered again a week or so ago. At the time of my first registration I had Republican affiliations and was indeed advised to naturalize by members of the Republican party. Nothing therefore was said at either registration. But as soon as they see my name before them on the Home Rule platform they immediately begin to look around and see if they can find any disqualification. That is what I do not like about the Republican party down here. Were I on the mainland I should unhesitatingly ally myself with the Republican party.²⁵

20. *Home Rulers Elect New Committeemen, Long Meeting and Much Talk*, HONOLULU REPUBLICAN, Jan. 18, 1902, at 1.

21. *Home Rulers Nominate*, The Independent, Sept. 25, 1902, at 3.

22. *Id.* "much feeling is being expressed over the nomination [of a Chinese person] made today?"]

23. *Id.*

24. *Kentwell Says He is a Citizen*, HAW. STAR, Oct. 01, 1902, at 7.

25. *Id.*

During his campaign, Kentwell vigorously promoted the Home Rule party and its platform, which consisted of probusiness laws, such as a Loan Bill.²⁶ He accused his opponents of sabotaging his electoral campaign and defended his qualifications, stating:

My late good friends of the Fourth District, recognizing that I have some pull there are trying to disqualify me on one ground or the other, because I appear in the Home Rule's ranks, but they made no objections or inquiries as long as I was supposed to be a good Republican.

He categorically asserted, "I am a citizen all right and have ample proofs to substantiate my heritage as an American."²⁷ Unfortunately for Kentwell, his opponents prevailed and managed to disqualify him.

On October 3, 1902, Kentwell was forced to tender his resignation to the executive committee of his party because it had been determined that he was not yet a full citizen.²⁸ It would have taken another two months before he could vote despite the Board of Registration previously allowing him to register.²⁹ As a result, Kentwell abandoned his ambition to run as a Home Rule candidate for State Senatorship, "giving press of business as the reason for his action."³⁰ In addition, his American citizenship was now on the line, as facts came to light that he had become a naturalized American citizen starting only on September 6, 1900 through United States District Judge Morris M. Estee. Although Kentwell had been residing in Hawaii for ten years, his naturalization order was deemed illegal because the infamous Chinese Exclusion Act was extended to Hawaii after Hawaii was annexed by the United States of America.³¹

C. *Cancellation of Kentwell's Naturalization Papers*

Indeed, Kentwell eventually failed to hold onto his American citizenship. In fact, there was a clamor to strip him of it because of his visibly successful public profile. On the morning of March 5, 1903, the political machine was set in motion against Kentwell; U.S. District Attorney Robert W. Breckons, after consulting with and receiving authorization from the U.S. Attorney, filed a motion to cancel the citizenship papers issued to Kentwell in September 1900, on the grounds that the papers were obtained through fraud. The motion alleged that Kentwell had obtained his citizenship papers by misrepresenting to the Presiding Judge Estee that he was a British subject, a white man, and a resident of Hawaii for the requisite time. Breckons asserted in the motion that none of those representations were true.³² Kentwell was summoned to appear before Judge Estee on March 12, 1903 to argue against the motion.³³

26. *Id.*

27. *Id.*

28. *Local and General*, EVENING BULL., Oct. 03, 1902, at 2.

29. *Id.*

30. *Local Brevities*, PACIFIC COM. ADVERTISER, Oct. 04, 1902, at 7.

31. *His Citizenship Attacked*, HAW. STAR, Mar. 05, 1903, at 1.

32. *Id.*

33. *Local Brevities*, PACIFIC COM. ADVERTISER, Mar. 06, 1903, at 9.

Kentwell offered to return his papers, saying that they had been “obtained under a misapprehension.”³⁴ After a summary hearing, Judge Estee made an order cancelling the naturalization papers issued to Kentwell. As for his political endeavors, it appeared there was an implicit understanding between him and certain government officials regarding Kentwell’s withdrawal of candidacy. The government did not initiate any prosecution against him for his misstatement on the application, as Kentwell had explained that the misinformation might have resulted from a misunderstanding.³⁵

D. *Ruthless Enforcement of the Chinese Exclusion Act*

Kentwell was extremely displeased by his experience with the impacts of the Chinese Exclusion Act.³⁶ He became even more acutely aware of the rigorous operation of the Act in February 1904. He departed on a trip to Manila on behalf of his company in December 1903 in order to explore expansion opportunities for his business. The Philippine government had opened public lands for agricultural use, and U.S.-incorporated companies could obtain allotments of 1,500 acres by shelling out a nominal sum.³⁷ Returning on the steamer *Doric* on February 18, 1904,³⁸ Kentwell had trouble returning to Honolulu, due to his immigration status. He was partially Chinese, but believed he would have no trouble returning to Hawaii even without his papers properly endorsed by the relevant authorities because he was so well-known in Honolulu as a very prominent and successful businessman.³⁹ Instead, he was detained, and Immigration Inspector Raymond Brown told him that his case had to be investigated before he could return home. Kentwell flew into a rage and made a scene.⁴⁰ He even accused Raymond Brown of holding him up because Brown was a Republican, and himself a Democrat.⁴¹ Kentwell initially headed onshore despite the detention, but the steamer would be liable for a fine if Kentwell was declared inadmissible, so officers of the steamer quickly went ashore to persuade him to return. Kentwell complied with their request, but resume arguing with Brown once back onboard.⁴² This predicament was only solved when J.K. Brown, the head of the Chinese Inspection Bureau, came aboard the steamer and approved Kentwell’s release.⁴³

After his second personal brush with the Chinese Exclusion Act, Kentwell launched a crusade against the Chinese Exclusion Act. By 1905, he was

34. *Local Brevities*, PACIFIC COM. ADVERTISER, Mar. 13, 1903, at 9.

35. *Wilcox and Testa Are Favorites: Kentwell's Place Filled by Next Highest Candidates—Mossman Will Make Race*, PACIFIC COM. ADVERTISER, Oct. 04, 1902, at 1.

36. *Kentwell Back Again*, PACIFIC COM. ADVERTISER, Feb. 19, 1904, at 3.

37. *Kentwell Going Abroad*, PACIFIC COM. ADVERTISER, Dec. 19, 1903, at 7.

38. *Doric Carries China's Exhibit*, HAW. STAR, Feb. 18, 1904, at 1.

39. See *Kentwell Back Again*, *supra* note 36.

40. *Id.*

41. *Id.*

42. *Id.*

43. See *Kentwell Back Again*, *supra* note 36.

fully committed to fighting tooth and nail to reform the law. First, he decided to go to San Francisco to join Chinese lobbyists in advocating for its modification. In August 17, 1905, before leaving for San Francisco, Kentwell spoke to Honolulu newspapers about the untold evils of the law:

I have studied the Chinese exclusion laws very carefully, and I find that it bears very hardly upon the exempt classes, even if a man has any Chinese blood in him whatever, even to one twentieth part, and the officials find it out, the law runs against him.⁴⁴

Born to a Chinese mother and an English father, Kentwell then gave his own case as an example:

When I came back to Honolulu from Manila, the Immigration Officer said that he knew me, and that the law ran against me. He asked me for my papers. I had no papers and had some trouble in establishing my right to land. I looked up the law, and I found that he was right. I had Chinese blood in my veins.⁴⁵

The Chinese lobby was a joint initiative between the Chinese government and Chinese residents of the U.S. The Chinese Legation in the United States and various Chinese Clan Associations banded together to lobby Washington to amend the law. Their efforts left a positive impression on some journalists:

In addition to the boycott she [China] is gradually acquiring in Washington a lobby composed of the brightest and most diplomatic of her people. With some members of this lobby, every member of Congress will have made acquaintance before the new session is very old, and when the national lawmakers take up the subject of Chinese exclusion they will know a good deal of China's side of the case.⁴⁶

Arriving in San Francisco from Honolulu on August 23, 1905, Kentwell conceived a scheme to deliberately attract the immigration officials' attention to himself as part of the excluded class. He planned to provoke the officials to mete out the run-of-the-mill humiliation and insults, customarily placed upon those of Chinese heritage on arrival. He expected to be detained by the immigration officers so that he could take advantage of his own humiliating experience as a vivid illustration to impress on Senators and Congressmen regarding the Chinese exclusion law's gross injustice.⁴⁷ However, travelling in a first-class cabin and dressed in well-cut western garment, Kentwell's plan

44. *Kentwell Complains of Chinese Exclusion Law*, HAW. GAZETTE, Aug. 18, 1905, at 6.

45. *Id.*

46. *Id.*

47. *Tries in Vain to be Excluded, L.K. Kentwell, a Honolulu Chinese, Wants Immigration Officials to Insult Him*, S.F. CALL, Aug. 24, 1905, at 4. He was "waiting anxiously for some Chinese bureau officials to treat him with discourtesy. He wanted to be insulted. He would have welcomed an assignment for the night to the meanest bunk in the detention shed, and would have greeted as brother the Government official who asked him personal and humiliating questions. He went as far as to ask people to call the attention of the Chinese bureau officials to the fact that he, L.K. Kentwell, was nearly as much a Chinese as Ah Sing in the steerage."

failed to materialize; he was allowed to disembark without meeting any officials, depriving him of an effective second personal story to speak in favor of law's amendment.⁴⁸

Before long, Kentwell became the public face of the Chinese community's campaign to amend the law. On August 27, 1905, Kentwell and Ng Poon Chew, a well-known editor of a local Chinese newspaper in California, joined hands in delivering inspiring addresses on the topic of the Chinese Exclusion Act to their Chinese countrymen at the Grand Chinese Theater in Chinatown, San Francisco. Kentwell delivered the lengthy address in Chinese. At the outset, he made it clear that he was not there to mollify the Chinese in their attitude against the exclusionary act or to urge them to change their perspective that they had been unfairly treated by the unjust law:

Through its operation in Hawaii since annexation, the Chinese people there (merchants and others) have suffered heavy financial losses. Ill treatment under humiliating rules and regulations has been heaped upon them by federal immigration officials. Prior to February 14, 1903, before the establishment of the Department of Commerce and Labor, the local customs officials had a hand in it. Oh! They were delighted to humiliate and insult a Chinaman or a person of Chinese descent.⁴⁹

Kentwell gave credit to hardworking Chinese immigrants for the encouraging economic development in Hawaii to illustrate the enormous contribution made by Chinese workers. He then attributed the current stagnation of the local economy after Hawaii's annexation by the United States to the ruthless operation of the Chinese Exclusion Act:

Forty years ago the Chinese first came to Hawaii, which was then an undeveloped country, and through their labor Hawaii progressed . . . Because the industrious and reliable Chinese laborers, who were the backbone of agricultural Hawaii, had been driven away from what formerly was a friendly and hospitable country, but is now a prejudiced and hostile Territory of the United States . . . Prior to annexation, Hawaii had over 30,000 Chinese, and today there are not more than 10,000.⁵⁰

Throughout the speech, Kentwell stressed that this unjust law had unfairly and discriminatorily targeted the Chinese for no justifiable reason: "Why is this law made only for the Chinese laborers, whereas laborers of all other nationalities are permitted to go and come as they please? Why discriminate against a Chinaman? The law is unjust."⁵¹ There was a movement to boycott American goods in China during that period because the Chinese were disgusted with the egregious enforcement of the Chinese Exclusion Act. Kentwell placed the fault of the ongoing boycott of American goods in China upon the U.S. government for maintaining this unjust legal regime:

48. *Id.*

49. *Exclusion Act Their Subject: Chinese Talk to Countrymen at Washington-Street Theater on Restriction Law*, S.F. CALL, Aug. 28, 1905, at 12.

50. *Id.*

51. *Id.*

America does not want the Chinese; yet she wants the trade of and the open door in China. The boycott is the result of America's hostile attitude towards China and her people. She is the only nation that is against the Chinese. China desires the friendship of America, so modification of the exclusion act should be made, or an absolute repeal."⁵² Kentwell and Ng's speeches were well-received, for "[during] both of these speeches not a Chinaman left the theater, and instead of the phlegmatic attention that one would have expected, the liveliest interest was shown and laughter even rang out whenever either of the speakers made what the hearers deemed a witty point.⁵³

In an astute tactic to gain the American public's support for his cause, Kentwell, like other law trained Chinese students, did not immediately advocate for absolute repeal, but favored an amendment to make the law less stringent. He believed that exclusion of the Chinese coolie class was acceptable. As a half-Chinese born to an English father, he insisted that this law should not apply to half-castes. He again recalled the unpleasant experience on a trip from Manila to the United States when immigration officials had harassed and detained him on account of his Chinese blood.⁵⁴ As a businessman, he repeatedly characterized this law as not only morally unjust, but it was also destructive to the local economy. He argued it had forced the Hawaiian peasantry to the brink of bankruptcy, as they needed to employ cheap Chinese labor to work on their farms.⁵⁵

E. *Matriculating at Columbia Law School*

Kentwell also sought a legal education at Columbia University to empower himself with legal knowledge and skills he hoped would assist his fight for legislative changes. Since coming to the U.S. mainland, Kentwell associated with Chinese diplomats, merchants and students and was lured by numerous opportunities presented by an awaking China.⁵⁶ He finally decided to study law and to augment his Chinese proficiency.⁵⁷ On one occasion, he shared with a reporter his motivation to seek a full-fledged legal education:

I have become very much interested in the future of China, and I think that there will shortly be a call for foreign scholars to prepare a new code of laws for that country. A legal training in a modern American law school like that of Columbia seems to me to be about the best opportunity for entering upon such work.⁵⁸

52. *Id.*

53. *Id.*

54. *L.K. Kentwell is at Work Against Exclusion Law*, PACIFIC COM. ADVERTISER, Sept. 02, 1905, at 6; *People Met in Hotel Lobbies*, WASH. POST, Sept. 14, 1905, at 6.

55. *L.K. Kentwell Talks on Hawaii*, PACIFIC COM. ADVERTISER, Dec. 17, 1905 at 1.

56. *Chinese Consular Reception*, HAW. GAZETTE, Aug. 1, 1905 at 6.

57. *L.K. Kentwell Talks on Hawaii*, PACIFIC COM. ADVERTISER, Dec. 17, 1905 at 1.

58. *The Foreign College Student*, EVENING POST, Dec. 2, 1905, at 9.

Kentwell matriculated at Columbia Law School in September 1905 as a first-year student in a three-year LL.B. program,⁵⁹ but it appears he had to repeat his first year,⁶⁰ leading him to complete his LL.B. program only in 1909.⁶¹

In July 1905, the Chinese people's fury toward maltreatment of their fellow countrymen in the United States came to a head, and there was a widespread boycott of American goods in China.⁶² This nationalist movement afoot in China became hotly debated in the U.S. On February 17, 1906, Kentwell, then a first-year law student at Columbia, wrote to the editor of the *New York Times* to express his view on this hot topic and inform the American public about some pervasive misconceptions regarding the Chinese people and the boycott movement:⁶³

I desire to voice the unanimous sentiment of the people of my mother country against the unfair discrimination of the Chinese Exclusion act and the outrageous treatment accorded by your immigration officials to Chinese students, travelers, and merchants who happen to come to your most inhospitable shores . . . May I be permitted to ask what would be the feelings of an American gentleman if he were thus detained by a Chinese immigration official at a Chinese port, because he is an American, and the rest of his fellow-passengers allowed to land?

Kentwell answered this with the assertion that any interference with the liberty of an American citizen would be answered with severe forceful consequences: "Washington might demand reparation from Peking in behalf of the injured citizen."⁶⁴ He argued that a powerful country would be prone to use force to seek an efficacious redress, but China's lack of forceful action to redress the shocking situation faced by her citizens was for want of a powerful navy: "I can safely say that if China today had at her command an up-to-date navy, an entirely different aspect of affairs would exist, and the exclusion law would be a thing of the past. That Chinese Navy is coming."⁶⁵ As an active member of the Chinese students' club at the Columbia, Kentwell learned first-hand how immigrant officials subjected his fellow Chinese students to the most horrible treatment upon arrival. Observing this, he posited that the ongoing boycott of American goods in China was due, in no small part, to these students' revenge for the wrongs inflicted upon them in the U.S.:

It is natural that they write home and tell their parents and relatives of the manner in which they were received "in the land of the free" . . . The

59. COLUM. UNIV., CATALOGUE AND GEN. ANNOUNCEMENT 1905–1906 229 (1906).

60. COLUM. UNIV., CATALOGUE AND GEN. ANNOUNCEMENT 1906–1907 215 (1907).

61. COLUM. UNIV., CATALOGUE AND GEN. ANNOUNCEMENT 1907–1908 200 (1908) and COLUM. UNIV., CATALOGUE AND GEN. ANNOUNCEMENT 1908–1909 214 (1909); He enrolled as a second-year student in 1907, and third-year student in 1908.

62. *To Investigate Boycott: Minister Rockhill Directed to Watch Developments in China. Nothing Can Be Done Until Congress Meets—Protests from Commercial Organizations*, WASH. POST, Aug. 13, 1905, at 5.

63. *Exclusion-Boycott, A Chinese-American Student Cries "Check" in the Game*, N. Y. TIMES, Feb. 26, 1906, at 5.

64. *Id.*

65. *Id.*

fault is at your own door, and the boycott is the natural result of the gross injustice heaped upon the Chinese people by the American Nation.⁶⁶

He contended that Chinese people boycotted American goods as a response to the Chinese exclusion law, but did not boycott English goods, for the United Kingdom did not subject the Chinese to any unjust immigration laws. Kentwell confidently concluded: "I say that the boycott will never end or be relaxed until the absolute repeal of the Exclusion Act is in sight. Repeal your exclusion law and the bars of the boycott will be raised. Give the Chinese a square deal and they will give you the same."⁶⁷

Kentwell's full-throated defense of China's boycott of American goods quickly attracted the attention of his former political critics in Hawaii. One reader wrote to the local newspaper saying: "L.K. Kentwell in his communication to the *New York Times* regarding the Chinese Boycott of American goods, constantly speaks of China as his country, and America as 'yours.' Isn't this the same Kentwell who was nominated by the Home Rules for the legislature a few years ago?"⁶⁸

Kentwell was proactive in skillfully seeking out the press to lambast the Chinese exclusion law whenever opportunities arose. His grasp of American history, culture, language skills, and newly acquired legal knowledge greatly aided his efforts to help the Chinese crusade against the exclusionary laws. On August 15, 1908, he wrote a letter to the editor of the *New York Sun* responding to an editorial talking about a potential alliance between China and the United States. His contribution, published under the title "Chinese Alliance and Chinese Exclusion,"⁶⁹ took a dim view of such an alliance owing to the fact that:

[s]uch talk is not only preposterous but is absolutely untenable for the reason that China will never enter into any pact with the United States as long as the exclusion laws remain unrepealed . . . It is evident that those gentlemen who are talking about an alliance are utterly ignorant of the existence of the exclusion laws and the discriminating manner in which said laws are enforced in this country.⁷⁰

Kentwell reiterated his firm view that Chinese immigrants suffered humiliating treatment at the hands of the American government due to China's weak military power:

Chinese immigrants are handled like so many inferior beings and the most disgraceful treatment is accorded them . . . I can safely say that the United States would not offend the immigrants of a nation that had a good sized navy; as China has no good sized navy, what is she to do about it?⁷¹

66. *Id.*

67. *Id.*

68. *Reader Submission*, THE HAW. STAR, Mar. 19, 1906, at 4.

69. *Mr. Kentwell Gives Light to The Sun*, THE PAC. COM. ADVERTISER, Sept. 1, 1908, at

6.

70. *Id.*

71. *Id.*

He pointedly highlighted the absurdity of a statement made in the previous editorial:

We do not want an alliance with any foreign Power, least of all with one that could render no equivalent for the sacrifices that we might have to make. Do you believe that if China could render an equivalent she could be induced to form an alliance with this country?⁷²

He answered in the negative and argued that if China boasted the equivalent military power, China would battle the United States, advocating for the repeal of the odious exclusion laws, rather allying with a nation “whose proverbial treatment of the Chinese people is a household word in the Flowery Kingdom.”⁷³

II. SEEKING ENTRY TO THE LEGAL PROFESSION

A. *A Transatlantic Journey to Become a Lawyer*

After four years at Columbia, Kentwell graduated in June 1909 with the Class of 1909 as one of sixty-nine law students who received a Bachelor of Laws degree.⁷⁴ Even before graduating from Columbia, Kentwell had already planned to go to England to continue his law studies at Oxford University.⁷⁵ He was aiming for a Doctor of Civil Laws degree. Kentwell shared his career plan with a reporter, who reported that “upon his graduation, [he] will take the chair of Civil Laws in the University of Peking and will also act as special legal adviser to the board of advisers on foreign affairs in the Chinese government.”⁷⁶ Kentwell, however, never went to Peking after graduating from Oxford.

At that time, there were numerous educational opportunities in the United States to pursue a doctorate in law. In fact, Chinese students had proven successful in completing advanced degrees in law. For example, in 1905, Chinese scholar Wang Chung Hui completed the Doctor of Civil Law program at Yale Law School⁷⁷ while Yen Chin Yung earned the degree of Doctor of Philosophy in Constitutional Law at Columbia University, both highly coveted doctorates in law.⁷⁸ In England, however, no Chinese student had ever started or completed a doctorate in law at the time when Kentwell first contemplated continuing his legal education there. The first English doctorate in law awarded to a Chinese student was in 1916 to Cheng Fating Tinsik, a Chinese scholar, at the University College London, University of London.⁷⁹

72. *Id.*

73. *Id.*

74. COLUM. UNIV., CATALOGUE AND GEN. ANNOUNCEMENT 1909–1910 393 (1910).

75. *Columbia Notes*, 4 THE CHINESE STUDENTS' MONTHLY 520 (1908).

76. *Kentwell to be Great Educator*, HAW. STAR, Oct. 11, 1909, at 3.

77. Li Chen, *Shattering the Glass Ceiling: The World's First Chinese Ph.D. Graduate* 52 (THE L. TCHR., 2018), <https://doi.org/10.1080/03069400.2018.1526993>.

78. *Id.*

79. *Id.*

Given this stark reality for Chinese pursuing an English doctorate in law, what could have possibly motivated Kentwell to leave the familiar environment of the United States to further his legal education in England? One paramount factor in his decision to leave the United States was the absolute denial of opportunity for him to qualify as a lawyer in the United States. Because of the Chinese Exclusion Act, persons like Kentwell could not obtain citizenship through naturalization. Moreover, American Courts promulgated stringent rules for admission as an attorney, which Kentwell and other non-U.S.-born Chinese students could not satisfy—notably the requirement of United States citizenship.⁸⁰ This bar to admission prompted Chinese law graduates to leave the United States to seek admission to the English Bar. For example, soon after Wang Chung Hui completed his Doctor of Civil Law degree in the U.S., he traveled to England to complete his legal education, and was later called to the Bar as an English barrister at law on June 23, 1909.⁸¹ The English Bar, unlike the American bar, did not condition citizenship as an admission requirement, opening the door for a number of Chinese students educated in the United States to seek ways to qualify as barristers in England. Kentwell must have been cognizant of this commonplace practice at that time.

To realize his professional aspirations, Kentwell sailed to England and enrolled at Oxford University as an undergraduate student on October 9, 1910.⁸² He eventually earned his second undergraduate degree from Oxford, albeit with fourth class honors, on July 5, 1913.⁸³ In the meantime, he commenced his professional legal education for entrance to the English legal profession as a barrister at law. On October 28, 1911, he was admitted as a student member of the Honorable Society of Inner Temple,⁸⁴ which is one of the four professional bodies in London where barristers are trained before they are called to the English bar. On March 3, 1915, Kentwell took the oath of allegiance to the United Kingdom and was gained British nationality.⁸⁵ He passed the final bar examination in May 1916,⁸⁶ and was called to the Bar as

80. Court Rules, 33 N.E. vii (1893) (“To entitle an applicant to an examination as an attorney and counselor, he must prove to the Court: First. That he is a citizen of the United States, twenty-one years of age, and a resident of the department within which his application is made.”).

81. H. A. C. STURGESS, HONORABLE SOCIETY OF THE MIDDLE TEMPLE, REGISTER OF ADMISSIONS TO THE HONORABLE SOCIETY OF THE MIDDLE TEMPLE: FROM THE FIFTEENTH CENTURY TO THE YEAR 1944 (1949).

82. Oxford University Archives, *supra* note 2.

83. *University Intelligence*, TIMES, Jun. 28, 1913, at 4; *see also University Intelligence*, TIMES, Jul. 7, 1913, at 13.

84. Inner Temple Archives, Lawrence K. Kentwell’s Admission File (unpublished manuscript).

85. *Naturalization*, LONDON GAZETTE, Apr. 6, 1915, at 3367.

86. *Bar Examination*, TIMES, May 3, 1916, at 3: Kentwell passed with Class 3 results, which was the class that the majority of the candidates, 35 out of the 41 that passed, fell within. There were no Class 1 awarded, and with only 6 candidates falling within the Class 2 category that year.

an English barrister at law on May 17, 1916.⁸⁷ This final feat of becoming an English barrister at law completed his goal of acquiring the necessary education and professional training before launching his new career.

B. *An English Barrister in his "Mother Country"*

Kentwell—a Eurasian who had spent most of his life in America and later wielded his well-polished American accent in England for several years—chose to embark on his legal career in his "Mother Country," China. When Kentwell first conceived his career plan in 1909, China was still ruled by a monarch; however, within the next few years, the Republic of China was inaugurated in 1912 and there were numerous political changes stirring in China. Despite these radical changes, Kentwell and his family relocated to Shanghai, China, shortly after he was called to the English Bar on May 17, 1915. On November 30, 1916, Sir Havilland de Sausmarez, Chief Judge of the British Supreme Court for China, admitted Kentwell to practice.⁸⁸ In 1920, Kentwell joined the ranks as a law professor at Soochow University Law School,⁸⁹ finally achieving his dream to practice law and teach law.

Over the years, Kentwell's commitment to China only grew stronger. He never stopped his campaign against racism toward the Chinese. In fact, he even founded his own weekly magazine *The China Outlook* in 1935,⁹⁰ the object of which was to "conduct propaganda in favor of China."⁹¹ The publication was later reconstituted as a bilingual fortnightly magazine *The Voice of New China* in 1938.⁹² Kentwell readily exploited this platform to express his antforeigner emotions, some of which was rather extremist and "aggressive."⁹³ In particular, Kentwell's writings as the editor-in-chief of the publication reveal that his disappointment with the misfortunes he faced during his younger days in America had in fact been overshadowed by a newfound target of animosity—England. He reportedly "[bore] a grudge against the British community in general . . . This grudge originated when on his return from England after completing a university course he found he was not sufficiently white to permit of his joining the Shanghai club."⁹⁴ His views grew increasingly anti-British, so much so that he even lent support to call for greater American representation on the British-controlled Shanghai Municipal Council, saying that he would "prefer American democracy and square-dealing to British snobbery, intrigue and hypocrisy."⁹⁵ Kentwell's

87. Inner Temple Archives, *supra* note 84.

88. THE N.-CHINA HERALD, Dec. 2, 1916, at 474.

89. *Annual Announcement 1920–1921*, THE COMPARATIVE L. SCH. OF CHINA, L. DEP'T OF SOOCHOW U., at 5.

90. See also Putterman, *supra* note 3, at 9.

91. FILES ON NOULENA ASSOCIATES: PUBLICATION OF AN ARTICLE IN THE 'VOICE OF NEW CHINA', NATIONAL ARCHIVES, 1894–1945 (<http://tinyurl.galegroup.com/tinyurl/8x-AG6X>).

92. *Id.* at 23 (Shanghai Municipal Police Report dated May 5, 1941).

93. *Id.* at 3 (Translation of French Police Report dated May 9, 1938).

94. *Id.* at 2 (Letter to Dr. A.D. Wall dated July 15, 1939).

95. L.K. Kentwell, *Open Letter to the Shanghai American Community et als.*, VOICE

vociferous attacks drew significant attention to himself and the publication. An episode of “libelous [sic] attack” on Kentwell was reported in the July 1, 1940 issue of the *New Voice of China*:

The venomous pen of the editor of the Chungking-owned, American-registered “China Press,” is again at work, our Editor [Kentwell] being the butt of the attack on this occasion . . . [by being labelled] a “portly, red faced Briton, who has carried the torch against the British Empire these many years.”

Mr. Kentwell is neither red-faced nor portly, but is a gentleman of 57, of a fighting and athletic type, with the best admixture of Chinese blood in his veins, of which fact he feels proud and happy. He claims China as his motherland and renounced his British nationality 14 years ago.

It is true, however, that he has “carried the torch against the British Empire these many years,” and although an Oxford graduate, he has always fought against the English enslavement of China, and English arrogance and racial discrimination.⁹⁶

As it would turn out, the controversial *Voice of New China* drew much unwanted attention during that politically uptight period in China as the country waged through World War II. Once the war was over, it appears that Kentwell was tried for collaborating with the Japanese,⁹⁷ for which he was convicted in 1946 and “sentenced by the High Court to two and half years imprisonment on enemy collaboration charges.”⁹⁸ The 73-year-old who was reportedly “in failing health,” and who had been “suffering from paralysis for some time,” was released on bail in 1947.⁹⁹ That appears to be the last that was heard of him.

CONCLUSION

Mixed-race children like Kentwell originally nursed profound affinity for America, but it was understandably difficult for them not to have reservations given the unfortunate predicament that they faced growing up in their adoptive country, where they were ostracized for their Chinese heritage and denied naturalization. Kentwell sums up their emotions as follows:

I would like to feel that devotion and loyalty to the United States that every man ought to render to his country. In my case, however, the laws of this government make it uncommonly difficult for me to cherish any patriotic sentiment. My sin lies solely in the fact that I have Chinese blood in my veins, and for this I am treated as an alien and an outcast, unfit to step upon the soil of the nation to which I owe allegiance.¹⁰⁰

His personal misfortunes with the Chinese Exclusion Act transformed him to become a fearless and outspoken advocate in denouncing the unjust

OF NEW CHINA, Aug. 1939.

96. *Libellous [sic] Attack on Our Editor*, VOICE OF NEW CHINA, July 1, 1940.

97. *Kentwell Released*, SOUTH CHINA MORNING POST, July 10, 1947, at 4.

98. *Id.*

99. *Id.*

100. *People Met in Hotel Lobbies*, WASH. POST, Sept. 14, 1905, at 6.

law. Back in August 1905, he had given lectures in Portland, Oregon on “alleged evils and injustices of the Chinese exclusion law.”¹⁰¹ At that time, one common belief held by Chinese was that “Americans [were] not generally aware of how the law [had] been enforced, and [did] not realize the severity of the regulations as they [were] carried out.”¹⁰² The ill-treatment to “many [Chinese] students and others who are entitled to land, are all only partially known in America.”¹⁰³ Kentwell’s firsthand experience with the harsh enforcement of the Chinese Exclusion Act and lengthy arguments with the authorities to protect his right,¹⁰⁴ prompted the journalist to believe that Kentwell “[would] be able to throw light on the situation and explain just what is it that the Chinese have begun to so actively resent.”¹⁰⁵ Despite Kentwell’s efforts with like-minded advocates, their advocacy did not bring about any modification to the law or the harsh enforcement of it. Moreover, even with his formal legal education, he would never be able to gain entry to the legal profession in the United States due to his lack of American citizenship—ultimately forcing him to travel to England and China to complete his professional pursuits.

Kentwell was one of many whose destiny was altered by the Chinese Exclusion Act. Nevertheless, the unsavory exclusionary treatment he suffered as a result of his Chinese descent led him to fearlessly defend the denigrated Chinese race. Eventually, realizing that his efforts were unsuccessful, the grim state of affairs in the United States compelled Kentwell to leave his adoptive country for good. Little did he know that his journey away from the American shores would only mark the beginning of his life-long crusade against racial discrimination.

101. *Chinese Work on the Mainland Too*, THE HAWAIIAN STAR, Aug. 12, 1905, at 1.

102. *Id.*

103. *Id.*

104. ERIKA LEE, *AT AMERICA'S GATES: CHINESE IMMIGRATION DURING THE EXCLUSION ERA, 1882–1943* 79–80 (2003).

105. *Chinese Work on the Mainland Too*, *supra* note 101.

