

PROJECT TITLE: The Chinese Exclusion Act: Closing the West to the World	
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SCHOLARSHIP & RESEARCH

Scholarship & Research

1. Primary Investigative Question(s)

What 19th Century political, economic and social factors led the US government to pass the Chinese Exclusion Act of 1882 and thereby end open immigration and restrict a single nationality from immigrating?

2. Contextual Essay

It has often been said that the United States is a “a nation of immigrants.” In early America, immigration was often encouraged to fill labor needs. Prejudice certainly colored immigration, giving preferential treatment to immigrants from certain nations, but it was not until 1882 that one nation was singled out and banned from the shores of the United States. The Chinese Exclusion Act of 1882 had an immediate impact on Chinese nationals hoping to live and work in the US, but perhaps more importantly, this law created the notion that certain immigrant groups should be restricted in number or outright banned from the US. Repercussions of this law still impact us today as we grapple with questions of how many and which immigrants should be allowed access to life in the US.

In the late 1800s, events in both China and the United States led to large-scale immigration of mostly male Chinese to the Pacific Coast of the United States. The Guangdong Province in the southeastern part of China suffered from a slew of natural disasters, such as storms, earthquakes, droughts and famines, which pushed Chinese to immigrate to the United States. Immigrants were enticed (or pulled) to immigrate by job opportunities that were available in the United States, most notably on work crews for the Transcontinental Railroad and in the mining and support industry after gold was discovered in Sutter Mill, California. According to Tsai, the Chinese miners came early and kept working in the mines long after many other miners had left; by 1860, the Chinese “made up almost two-thirds of the mining labor force in the states west of the Rocky Mountains” (1986, p. 10). By 1870, over 40,000 Chinese resided in the state of California. No other state had close to this number of Chinese residents. Eastern states were practically devoid of any Chinese nationals.

While prejudice certainly existed toward the Chinese, the Reconstruction Era also was a time of renewed optimism when according to Gyory, “Nativism took a break” (1998, p. 26). In 1868, the United States negotiated the Burlingame Treaty with China, which was designed to cement US trade relations with China. The treaty also allowed for emigration of Chinese to the United States. Diplomat Burlingame declared, “I am glad that while she (the US) applies her (free-emigration) doctrines to the swarming millions of Europe, she is not afraid to apply them to the tawny race of the Tamerlane and of Genghis Khan” (Gyory, 1998, p. 26). While the treaty allowed for open immigration of the Chinese to the US, it did not go so far as to offer a pathway toward citizenship for the Chinese.

Anti-Chinese rhetoric in the “sand lots” of California stirred up negative feelings toward the Chinese. The Chinese were accused of taking jobs from White workers and because nearly all Chinese immigrants were men, the Chinese were also blamed for an increase in prostitution. According to Chan, “fully one-third of the gainfully employed Chinese in [San Francisco] were engaged in providing recreational vices [gambling, opium, prostitution]—an unfortunate fact which gave rise to strong negative images of the Chinese” (1986, p. 59). The sand-lot rhetoric also included much outright racist propaganda; however, sentiments against the Chinese were limited to California, and to a lesser degree, other states in the West. Outside of the Pacific states, labor union members tended to be fairly supportive of immigration from China. According to Gyory, when the Knights of Labor held their first official meeting, speaker George McNeill said, “It mattered nothing . . . whether a man was born in Africa or China, in Europe or America” (1998, p. 101). Many labor union members were immigrants themselves and did not want to see immigration restrictions that might impact their own families.

Labor unions drew a clear distinction between Chinese imported to the US to work under “Coolie” contracts and the Chinese who immigrated independently, and only opposed contracted workers. The coolie trade began when the slave trade from Africa was curtailed. Coolies were often tricked into signing contracts that essentially forced them to work as slaves after enduring conditions similar to the Middle Passage of African slaves. The coolie trade imported Chinese workers almost exclusively to Latin America, especially Peru and Cuba (Chan, 1986, p. 21). In 1862, the US signed a treaty with China that prohibited the importation of coolie labor to the US. Occasionally, American ships circumvented the treaty stipulations by sailing ships under different flags (Chan, 1986, p. 25), but according to Tsai, Chinese immigrants to California were “free and voluntary” (1986, p. 7), but the myth of “Coolie” labor persisted in the minds of workers and contributed to prejudice against Chinese immigration.

Eastern states were exposed to anti-Chinese rhetoric when Denis Kearney, an Irish immigrant to California and an Anti-Chinese orator, took his vitriol on the road and packed rallies throughout the United States. In Boston, he claimed, “these leprous Chinamen are about the meanest creatures that God Almighty ever put breath into” (Gyory, 1998, p. 116). Early on, his anti-Chinese message was greeted enthusiastically, but by about half-way through his tour, he had lost support of the common person and became a subject of ridicule. A survey of letters to the editors shows that he and his message lacked support (Gyory, 1998, p. 125). According to Gyory, politicians did not take note of the shift in public opinion and continued to believe that the common laborer supported Kearney’s ideas whole-heartedly. This misconception helped to cement the notion that anti-Chinese legislation might earn votes for politicians.

Despite the lack of unified feelings against the Chinese, Anti-Chinese rhetoric was adopted by Maine Senator Blaine, who was running for the Republican Party nomination for the presidency. Blaine had advocated for the rights of African-Americans, but he settled on the question of Chinese immigration as the perfect campaign issue, one that would give him support from the increasingly important Western states without losing him votes in the rest of the country where the issue of Chinese immigration was not important enough to sway voters against him. In the late 1800s, margins between the two parties were exceptionally thin and the electoral votes of California were seen as crucial for victory.

Congress considered limiting Chinese immigration with the Fifteen Passenger Bill, which was the first legislation to limit the immigration of a single nationality, and would have limited the number of Chinese immigrants on any vessel to fifteen. This bill passed both Houses of Congress in 1879, but President Rutherford B. Hayes vetoed the bill. Hayes based his veto on the fear that breaking the Burlingame Treaty would have negative repercussions on trade with China. Even while delivering a veto, his veto message conveyed the idea that discrimination against the Chinese was acceptable. Thus, his veto message further legitimized restrictions on Chinese immigration.

As the 1880 presidential campaign intensified, both the Republicans and the Democrats worked to appear more anti-Chinese than the other party. The campaign platforms of both parties contained anti-Chinese rhetoric. The Chinese issue was a dominant campaign issue in the Western states but almost completely dormant in other parts of the United States. In order to win votes, Gyory argues that the candidates made the Chinese issue an emotional issue and worked to keep emotions elevated just long enough to win the election before voters fully considered the issue.

Before the Chinese issue could die down, a New York magazine published a letter that had mysteriously appeared on the desk of H. L. Morey, which had supposedly been written by James Garfield. The letter implied that Garfield favored unrestricted immigration of the Chinese to support industry over labor. Because Garfield was not certain if he had or had not written the letter, he was slow to respond. He finally published a hand-written denial, so that the both the Morey letter and his denial could be published side-by-side allowing American voters to compare the handwriting. Because of the delay in Garfield's response and because Morey could not be located, the Morey letter kept Chinese immigration issue in the forefront of the campaign. Despite the letter hurting him in the West, Garfield won the election narrowly.

Soon after the election, James Angell, a diplomat to China, negotiated a new treaty with China. According to Liu, "The Angell Treaty was a turning point in the U.S.-China relationship on immigration" (2003, p. 151). This treaty stated that, among the laboring class, Chinese immigration to the US could be restricted, but not outright prohibited. Because China was hoping to secure friendly relations with the US as it faced increasing tensions with both Russia and Japan, the Chinese diplomats were willing to sign the treaty. The debate in Congress over the passage of the treaty never considered not approving the treaty; rather, the debate was only about the extent of restrictions. Garfield was assassinated at about this time, and the new president, Chester Arthur, proclaimed the treaty in effect as his first act in office.

Once the treaty was in place, Congress considered excluding Chinese immigration completely for a period of ten years. Labor unions tended to support the bill; although, according to Gyory, the bill did not provide what labor unions really wanted which was restriction of imported labor. The merchant class tended to oppose the law due to fear that trade with China would be negatively impacted. According to the Gyory, many East Coast business firms lobbied Congress to vote against the bill; the bill, however, passed both houses of Congress and was signed into law by Chester Arthur on May 6, 1882. The law was renewed in 1892, 1902 and 1904. A few years later, Japanese and Koreans were banned from immigration. In 1917, this restriction was expanded to include nearly all Asians. In 1921 and 1924, European immigration was restricted. It was not until the 1960's that immigration restrictions were lifted.

While the Chinese Exclusion Act certainly restricted Chinese immigration to American shores, it was unsuccessful in outright barring Chinese immigration. According to Lee, an estimated 17,300 Chinese were able to enter the US through Canada and Mexico between 1882 and 1920. The first border patrol agents were employed to stop undocumented Chinese from slipping across the border from Mexico. One method that Chinese immigrants employed to avoid detection was to disguise themselves as Mexican immigrants. Many other immigrants joined the Chinese in their undocumented border crossings; "by the early 1900's they were joined by a much larger number of immigrants of other origins who chose the border as an alternative to the rigorous immigration inspection at American seaports" (Lee, 2002, p. 68). Even once the Chinese were joined by a large, diverse group of border crossers, Lee argues that the Chinese were singled out for being unable to assimilate to the American culture.

The Chinese Exclusion Act foreshadows much of the immigration policy and debate in current-day United States. The issue of "illegal immigrants" is used by political candidates to garner votes and support. The issue of immigration is painted as an issue of job security for American workers, and problems of enforcement of the border began with the passage of the first law to limit immigration from one single nation.

3. Annotated Bibliography

Secondary Sources

Gyory, A. (1998). *Closing the Gate: Race, Politics, and the Chinese Exclusion Act*. Chapel Hill: University of North Carolina Press.

Summary: The author argues the Chinese Exclusion Act was passed, not because Chinese immigrants were taking jobs from American workers, but because supporting restrictions on Chinese immigration was seen as

critical to the major party candidates of the 1880 presidential election. He suggests that the true demands of labor unions would have been more complicated and costly to address, so politicians opted for what was seen as a quick and easy way to get votes at the expense of the Chinese. The author traces the history of the events that led up to the restriction on Chinese immigration starting during the Reconstruction Era when many Americans held idealist views on expanding American democracy.

Lee, E. (2002). 'The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924. *Journal of American Ethnic History*, 21(3), 36-62.

Summary: Lee argues that the Chinese Exclusion Act had a significant and lasting impact on the United States. The law changed Americans' perception of immigration and the borders by creating the notion that the US must protect its borders and make sure that only "desirable" immigrants are allowed through the gate. She argues that the Chinese Exclusion Act has led to the "racialization" of immigration and that since the time of the law other groups seeking to enter the US are seen in terms of race and often denied entry because they are viewed as being racially inferior.

Lee, E. (2002). Enforcing the Borders: Chinese Exclusion along the U.S. Borders with Canada and Mexico, 1882-1924. *The Journal of American History*, 89(1), 54-62.

Summary: The author traces the history of the enforcement of the Chinese Exclusion Act. She compares enforcement along the Canadian and Mexican borders. In order to stem the flow of undocumented Chinese from the North, the United States established diplomatic agreements with Canada to secure the border. The border with Mexico was more challenging because Mexico was actively trying to recruit labor into its country. The US, therefore, adopted a policy of border policing to limit undocumented immigration from the South. Both of these policies have implications for present-day border issues.

Liu, H. (2003). Chinese Exclusion Laws and the US-China Relationship. *Cal Poly Pomona Journal of Interdisciplinary Studies*, 16, 151-156.

Summary: Liu argues that the US was able to negotiate the Angell Treaty, which allowed for the suspension of Chinese immigration because China was weak and divided. He argues that the Opium Wars weakened China and made China more vulnerable to the economic whims of other nations vying for favorable trading status. According to Liu, China faced crises in Vietnam, Russia and Japan, making it willing to accept demands from the US in hopes that the US would stand as an ally.

Tsai, S-S. H. (1986). *Chinese Experience in America*. Bloomington: Indian University Press.

Summary: The author traces nearly two centuries of Chinese immigration to the United States. He evaluates the factors that led to large-scale Chinese immigration in the years prior to the Chinese Exclusion Act. He analyzes the changes in Chinese communities in the United States, especially the San Francisco Chinatown. His statistics and analysis continue through the 1980s.