

## TEACHER BACKGROUND

Two-thirds of the Chinese who came to California in the 1850s worked in mining or occupations such as laundries supporting mining camps. As the gold mines played out, large numbers of Chinese went to work building the transcontinental railroad. After the railroad was completed, many hired out as agricultural laborers or moved back to San Francisco to work in factories.

Manufacturing on the West Coast began in the 1850s to supply mining camps. The Civil War allowed these industries to flourish as short supply in the East, a lack of transportation, and high shipping insurance rates kept eastern manufactures out of the West. The demobilization and post-war recession in the East in the late 1860s, combined with the completion of the railroad, opened the way for eastern goods to flood western markets and unemployed labor to move west. The only way to save the factories of the West from the influx of cheaper eastern goods was to cut labor costs. Chinese labor was available and willing to work cheaply; the new wave of labor was not.

White labor resented the Chinese for working for lower wages than white labor was willing to accept. Adding to the workers' dislike of the Chinese was the fact that Chinese workers were used by anti-union industrialists as strike breakers. It was not long before white labor, as part of its drive to organize, mounted a campaign against the employment of Chinese. In California, organized labor terrorized Chinese workers and made "The Chinese Must Go" a political campaign slogan. By 1876, both of the major political parties had adopted anti-Chinese clauses in their national platforms.

The question of what should be done about these immigrants who had served the purposes of the developing nation but who no one was willing to see integrated into mainstream American society was called "the Chinese Question" by the media of the time.

### Discriminatory Legislation

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From the beginning, Chinese found their prospects in the United States limited to places and jobs that most European immigrants and native-born men did not want. They also labored under another burden; they were ineligible for naturalization. The 1790 naturalization law was passed to deny citizenship to free Africans and African Americans living in the newly formed United States. The law stated that only "free white persons" (meaning immigrants of European descent) could apply for and receive American citizenship. Throughout most of the 19th century, immigrants of African or Asian descent and Native Americans were the only ethnic groups considered "non-white."

In 1868, the 14th amendment granted citizenship to African Americans born in the United States, and in 1870 Congress modified the 1790 Naturalization Act to allow immigrants of African birth and descent to be eligible to apply for citizenship. At this time Congress debated removing the word “white” from the Naturalization Act so that all immigrants would be eligible for citizenship. In the end, the U.S. Senate voted 31 to 9 in favor of keeping the restriction of “white” in the act. They then made an exception for persons of African descent, thereby maintaining the ineligibility of Asian immigrants for citizenship.

Because Chinese immigrants were aliens, they were subject to the obvious restrictions, such as being ineligible to vote, serve on juries, or hold public offices or civil service jobs like school teaching. Many states also enacted state laws and statutes (see list of Legislation) that further restricted Chinese lives. Alien land acts barred aliens ineligible for citizenship from owning or inheriting land, segregation laws codified separate schools, residential areas, and facilities for non-whites, and miscegenation laws made it a crime for whites and non-whites to marry or live together.

By pooling its resources and hiring sympathetic, well-known lawyers, the Chinese community actively challenged this discriminatory legislation. Many of these state laws and local ordinances when challenged in court were quickly deemed unconstitutional and were struck down.

### The Chinese Exclusion Act

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Despite the constant and successful challenges made against individual anti-Chinese legislation, the pressure to do something about the Chinese question continued to grow and the idea of excluding the Chinese gained national support.

One of the articles of the Burlingame Treaty signed with China in 1868 allowed for the unrestricted emigration of citizens of both countries to the other. Increasing demands by western states for exclusion of the Chinese and pressure by Chinese diplomats for the U.S. to continue to live up to its treaty agreements caused problems for the Hayes and Arthur administrations. Bowing to the domestic pressures, President Hayes sent a mission to China to revise the treaty. The result was an agreement by the Chinese government to allow the U.S. to “regulate, limit or suspend [Chinese] migration but not prohibit it.”

The first law that Congress passed barred Chinese immigration of Chinese laborers for 20 years and required the Chinese in the U.S. to carry certificates of registration attesting to their legal residence. President Arthur vetoed it stating that it was in conflict with the treaty the U.S. had with China. The twenty years suspension could be considered more a prohibition of immigration rather than a suspension. Congress then passed the 1882 Exclusion Act that suspended Chinese immigration for 10 years with exceptions for teachers, students, and merchants.

## **I** The Chinese Experience in 19th Century America

The 1882 Exclusion Act set a precedent in American immigration policy. It was the first major attempt of the United States government to interfere in and restrict immigration since prohibiting the slave trade in 1808. It was the first time an entire group of people was denied entrance to the United States solely on account of their ethnicity or national origin. Prior to this time, individuals had been denied entrance based on individual traits, medical condition, or occupation.

The Chinese Exclusion Act was successful in reducing the number of Chinese immigrants; by 1920 the United States census reported the Chinese population as 61,639, which was only half of the Chinese population reported at the time the act went into effect in 1882. Thus the Chinese Exclusion Act set the stage for the drastic reduction of immigrants from particular countries seen later in the Quota Acts of 1921 and 1924.