

unique "industrial reserve army" of migrant laborers forced to be foreigners forever. Thus, unlike European immigrant laborers, the Chinese would be a politically proscribed labor force. Serving the needs of American employers, they would be here only on a temporary basis. "I do not believe they are going to remain here long enough to become good citizens," Central Pacific manager Charles Crocker told a legislative committee, "and I would not admit them to citizenship." The employers of Chinese labor argued that they did not intend to allow the migrants to remain and become "thick" (to use Crocker's term) in American society.³⁴

The advocates of Chinese labor offered assurances to white laborers. They explained that Chinese "cheap" labor would reduce production costs, and the resulting low prices for goods would be equivalent to a wage increase for white workers. They also argued that Chinese labor would upgrade white labor, for whites would be elevated to foremen and directors. "If society must have 'mudsills,'" they elaborated, "it is certainly better to take them from a race which would be benefited by even that position in a civilized community, than subject a portion of our own race to a position which they have outgrown." Charles Crocker explained:

I believe that the effect of Chinese labor upon white labor has an elevating instead of degrading tendency. I think that every white man who is intelligent and able to work, who is more than a digger in a ditch . . . who has the capacity of being something else, can get to be something else by the presence of Chinese labor. . . . There is proof of that in the fact that after we got Chinamen to work, we took the more intelligent of the white laborers and made foremen of them. I know of several of them now who never expected, never had a dream that they were going to be anything but shovelers of dirt, hewers of wood and drawers of water, and they are now respectable farmers, owning farms. They got their start by controlling Chinese labor on our railroad.³⁵

Chinese Calibans: The Borders of Exclusion

What enabled businessmen like Crocker to degrade the Chinese into a subservient laboring caste was the dominant ideology that defined America as a racially homogeneous society and Americans as white. The status of racial inferiority assigned to the Chinese had been prefigured in the black and Indian past.

Indeed, the newcomers from a Pacific shore found that racial qualities previously assigned to blacks had become "Chinese" characteristics. Calling for Chinese exclusion, the *San Francisco Alta* warned in 1853: "Every reason that exists against the toleration of free blacks in Illinois may be argued against that of the Chinese here." White workers referred to the Chinese as "nagurs," and a magazine cartoon in California depicted the Chinese as a bloodsucking vampire with slanted eyes, a pigtail, dark skin, and thick lips. Like blacks, the Chinese were described as heathen, morally inferior, savage, childlike, and lustful. Chinese women were condemned as a "depraved class," their immorality associated with a physical appearance "but a slight removal from the African race."³⁶

Like blacks, Chinese men were viewed as threats to white racial purity. At the 1878 California Constitutional Convention, John F. Miller warned: "Were the Chinese to amalgamate at all with our people, it would be the lowest, most vile and degraded of our race, and the result of that amalgamation would be a hybrid of the most despicable, a mongrel of the most detestable that has ever afflicted the earth." Two years later, lawmakers prohibited marriage between a white person and a "negro, mulatto, or Mongolian."³⁷

In the minds of many whites, the Chinese were also sometimes associated with Indians. The editor of the *California Marin Journal* declared that the winning of the West from the "red man" would be in vain if whites were now to surrender the conquered land to a "horde of Chinese." Policies toward Indians suggested a way to solve the "Chinese Problem." "We do not let the Indian stand in the way of civilization," stated former New York governor Horatio Seymour, "so why let the Chinese barbarian?" In a letter published in the *New York Times*, Seymour continued: "Today we are dividing the lands of the native Indians into states, counties, and townships. We are driving off from their property the game upon which they live, by railroads. We tell them plainly, they must give up their homes and property, and live upon corners of their own territories, because they are in the way of our civilization. If we can do this, then we can keep away another form of barbarism which has no right to be here." A United States senator from Alabama "likened" the Chinese to Indians, "inferior" socially and subject to federal government control. The government, he argued, should do to the Chinese what it had already done to the Indians — put them on reservations.³⁸

All three groups — blacks, Indians, and Chinese — shared a common identity: they were all Calibans of color. This view was made explicit in the 1854 California Supreme Court decision of *People v. Hall*. A year before, George W. Hall and two others were tried for murdering Ling

Sing. During the trial, one Caucasian and three Chinese witnesses testified for the prosecution. After the jury returned a guilty verdict, the judge sentenced Hall to be hanged. Hall's lawyer then appealed the verdict, arguing that the Chinese witnesses should not have been permitted to testify against Hall. An existing California statute provided that "no black or mulatto person, or Indian, shall be permitted to give evidence in favor of, or against, any white person," and the question was whether this restriction included the Chinese. In its review, the California Supreme Court reversed Hall's conviction, declaring that the words "Indian, Negro, Black, and White" were "generic terms, designating races," and that therefore "Chinese and other people not white" could not testify against whites.³⁹

This view of a shared racial status among all three groups led President Rutherford Hayes to warn Americans about the "Chinese Problem." The "present Chinese invasion," he argued in 1879, was "pernicious and should be discouraged. Our experience in dealing with the weaker races — the Negroes and Indians . . . — is not encouraging. . . . I would consider with favor any suitable measures to discourage the Chinese from coming to our shores."⁴⁰

Three years later, Congress prohibited Chinese immigration, closing America's borders to these strangers from a different shore. Actually, there was very little objective basis for viewing Chinese immigrants as a threat to a homogeneous white society. The Chinese constituted a mere .002 percent of the United States population in 1880.

Behind the exclusion act were fears and forces that had little relationship to the Chinese. Something had gone wrong in America, and an age of economic opportunity seemed to be coming to an end. This country had been a place where an abundance of land and jobs had always been available. The problem for employers had always been the need for more labor. But suddenly, during the closing decades of the nineteenth century, society was experiencing what historian John A. Garraty called "the discovery of unemployment." This new reality plunged society into a national crisis. Enormous expansions of the economy had been followed by intense and painful contractions: tens of thousands of men and women were thrown out of work, and social convulsions such as the violent 1877 Railroad Strike rocked the nation.⁴¹

Within this context of economic crisis and social strife, Congress made it unlawful for Chinese laborers to enter the United States for the next ten years and denied naturalized citizenship to the Chinese already here. Support for exclusion was overwhelming. In the debate, lawmakers

revealed fears that went much deeper than race. They warned that the presence of an "industrial army of Asiatic laborers" was exacerbating class conflict between labor and capital within white society. They claimed that white workers had been "forced to the wall" by corporations employing Chinese. The struggle between labor unions and the industrial "nabobs" and "grandees" was erupting into "disorder, strikes, riot and bloodshed." "The gate," nervous men in Congress declared, "must be closed." The specter of the "giddy multitude" was haunting American society again.⁴²

Six years later, the prohibition was broadened to include "all persons of the Chinese race," although exemptions were provided for Chinese officials, teachers, students, tourists, and merchants. Renewed in 1892, the Chinese Exclusion Act was extended indefinitely in 1902.⁴³

Meanwhile, contrary to the stereotype of Chinese passivity, the Chinese fought discrimination. Time and again, they took their struggle for civil rights to court. Believing that the Chinese should be entitled to citizenship, they challenged the 1790 Naturalization Law. In 1855, Chan Yong applied for citizenship in San Francisco's federal district court. The local newspapers noted that Chan Yong was more "white" in appearance than most Chinese. The court denied him citizenship, however, ruling that the 1790 law restricted citizenship to "whites" and that the Chinese were not "white." Seven years later, Ling Sing sued the San Francisco tax collector, challenging the \$2.50 head tax levied on Chinese. In *Ling Sing v. Washburn*, the California Supreme Court ruled that while the Chinese could be taxed as other residents, they could not be set apart for special taxation. Significantly in this case, a state law was invalidated on the grounds that it violated the United States Constitution.⁴⁴

The *Ling Sing* decision underscored the need for the federal protection of civil rights for the Chinese. During the negotiations between the United States and China regarding a treaty between the two countries in 1868, the Chinese Six Companies, the powerful organization of district associations, lobbied for the inclusion of provisions for the protection of Chinese. They contacted Daniel Cleveland, a San Francisco lawyer and adviser to the federal officials involved in the treaty negotiations, and explained to him that federal legislation was greatly needed to "free" the Chinese in the United States from "wrongs" and to protect Chinese lives and property. Federal protection of Chinese property would also encourage Chinese investments in this country as well as promote American trade with China. The outcome of the negotiations was a major victory for the Chinese Six Companies. The 1868 Burlingame Treaty

recognized the “free migration and emigration” of the Chinese to the United States as visitors, traders, or “permanent residents,” and the rights of Chinese in the United States to “enjoy the same privileges, immunities, and exemptions in respect to travel or residence, as may there be enjoyed as the citizens or subjects of the most favored nation.”⁴⁵

Buoyed by the Burlingame Treaty, Chinese merchants sought federal legislation to abolish discriminatory state laws. They successfully lobbied Congress to include protections for them in the 1870 Civil Rights Act, which declared that “all persons” within the jurisdiction of the United States shall have “the same right” to “make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens.” Furthermore “no tax” shall be imposed “by any State upon any person immigrating thereto from a foreign country which is not equally imposed and enforced upon every person emigrating to such State from any other foreign country, and any law of any State from any other foreign country is hereby declared null and void.”⁴⁶

But guarantees of equal protection by treaty and by federal law had little effect on what actually happened in society. The Chinese continued to be vulnerable, victims of racial violence. Blamed as “the source of the troubles” of white working men, the Chinese suffered from racial attacks. They had to flee from boys who threw rocks at them and screamed, “God Damn Chinamen.” “When I first came,” Andrew Kan recounted, “Chinese treated worse than dog. Oh, it was terrible, terrible. At that time all Chinese have queue and dress same as in China. The hoodlums, roughnecks and young boys pull your queue, slap your face, throw all kind of old vegetables and rotten eggs at you.” “The Chinese were in a pitiable condition in those days,” recalled Huie Kin in his account of San Francisco Chinatown during the 1870s. “We were simply terrified; we kept indoors after dark for fear of being shot in the back. Children spit upon us as we passed by and called us rats.”⁴⁷

The Chinese saw the source of their oppression as racism. “Up to 800,000 Europeans enter the United States per year, yet the labor unions hardly cared,” the Chinese Six Companies noted. “A few thousands of the Chinese arrivals would irritate American workers . . . and European immigrants get citizenships and voting rights often immediately after their arrival in the United States.” Similarly, a Chinese worker explained that what separated them from the other immigrant groups was race. “The cheap labor cry was always a falsehood,” argued Lee Chew. Chinese labor was “never cheap” and “always commanded the

highest market price.” But “it was the jealousy of laboring men of other nationalities — especially the Irish — that raised all the outcry against the Chinese. No one would hire an Irishman, German, Englishman or Italian when he could get a Chinese, because our countrymen [were] so much more honest, industrious, steady, sober, and painstaking. The Chinese were persecuted, not for their vices, but for their virtues.” Noting the flaws of other immigrant groups, Lee Chew continued: “Irish fill the almshouses and prisons and orphan asylums, Italians are among the most dangerous of men, Jews are unclean and ignorant. Yet they are all let in, while Chinese, who are sober, or duly law abiding, clean, educated and industrious, are shut out. . . . More than half the Chinese in this country would become citizens if allowed to do so, and would be patriotic Americans.”⁴⁸

But Chinese migrants were generally apprehensive about settling in America. They had been “warned” not to come to America, a Chinese merchant in San Francisco explained, and consequently they did not find “peace in their hearts in regard to bringing families.”⁴⁹

Twice a Minority: Chinese Women in America

The migrants lived in a virtually womanless world. Very few Chinese women came to Gold Mountain. In 1852, of the 11,794 Chinese in California, only seven were women. Eighteen years later, of 63,199 Chinese in the United States, 4,566 were female — a ratio of fourteen to one. In 1900, of the 89,863 Chinese on the United States mainland, only 4,522, or 5 percent, were female.

Chinese tradition and culture limited migration for women. Confucianism defined the place of a woman: she was instructed to obey her father as a daughter, her husband as a wife, and her eldest son as a widow. According to custom, the afterbirths of children were buried in different places, depending on the sex of the baby — in the floor by the bed for boys and outside the window for girls. This practice symbolized what was expected to happen to a woman: she would leave her home to join the family of her husband. As a daughter-in-law, she would take care of her husband’s aging parents. A daughter’s name was not recorded on her family tree; it was entered later next to her husband’s name in his genealogy.⁵⁰

Women of all classes were regarded as inferior to men and were expected to remain at home, attentive to family and domestic responsibilities. The “bound feet” of women of “gentle birth,” while indicating