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 [00:00:00] Civics 101 is

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[00:00:10] The first transcontinental railroad was constructed by two companies, one racing from the east and the other from the west. When [00:00:20] they met in Promontory, Utah, in 1869, they drove a golden spike to connect the two lines, just like that travel and trade were transformed in the United States. And there's a pretty famous picture of this moment. [00:00:40] It's got two locomotives face to face, the head engineers of each company shaking hands. You've got bottles of champagne, proud workers lining up to face the camera. It's a photo that shows a defining moment in American history. And this photo is a lie.

[00:01:03] A [00:01:00] lie. Let me have it, Hannah.

[00:01:07] This is Civics 101. The one I'm Hannah McCarthy.

[00:01:11] I'm Nick

[00:01:11] Capodice.

[00:01:12] And today we were talking about a piece of legislation and the history that surrounds it, a federal law, the first of its kind, that banned [00:01:20] an entire group of people from entering the United States. Today, we're talking about the Chinese Exclusion Act.

[00:01:27] Which somehow has something to do with a photo of the transcontinental railroad.

[00:01:32] To me, this photo says so much about the attitudes towards Chinese immigrants in the United States because of the 15000 [00:01:40] plus Chinese people who worked on the transcontinental railroad of the contingent of those workers who attended the Golden Spike Railroad finishing ceremony. Not a one of them appears in that photograph. Most of the rail workers in the West, as many as 90 percent were [00:02:00] Chinese, but with a single photograph there scrubbed from that story. Just as the Exclusion Act attempted to scrub Chinese workers from the nation.

[00:02:12] Well, the 1882 Exclusion Act is a consequence of a series of attempts by [00:02:20] especially Western politicians. But it's really a national political act to try to limit the numbers of Chinese arriving into the ports of the West Coast.

[00:02:33] This is Jack Tchen, historian, author and chair of Public Histories and Humanities at Rutgers University.

[00:02:39] So [00:02:40] the need to Exclusion Act is really a way to say, well, we have to restrict and manage the laborers who are coming in.

[00:02:48] So the group which was excluded from entering the U.S. in 1882, it's just Chinese laborers.

[00:02:54] Well, the language of the law says, quote, skilled and unskilled laborers and Chinese employed in mining. [00:03:00] That meant that diplomats, teachers, students, merchants and anyone else who could prove that they were not laborers could attempt to enter the United States. To be clear, that's still excluded a huge number of potential immigrants from China. Mind you, this act [00:03:20] comes after American industry had already taken full advantage of Chinese laborers. Large numbers of Chinese immigrants had poured into the U.S. in the mid 19th century, following bores and crop failures in China, especially with the discovery of gold in California. In 1848, hundreds of thousands of people [00:03:40] came seeking mining, agriculture and eventually railroad work.

[00:03:46] All that labor was welcomed on one hand, and those who benefited, they made plenty of money and they were initially at least in favor of continuing to bring [00:04:00] in that Chinese labor because they essentially were the contract laborers as opposed to enslaved laborers of the West Coast.

[00:04:07] Remember, the transcontinental railroad was completed in 1869. That is four years after the end of the civil war. It was during the rails construction that the United States passed the 13th [00:04:20] Amendment and abolished the enslavement of human beings, creating a so-called labor problem. Meanwhile, you've got this influx of Chinese immigrants, mainly men in the West.

[00:04:31] So basically there's a new solution to the quote unquote, labor problem, which is really how to get the cheapest labor or the lowest cost labor [00:04:40] that you can exploit and dehumanize the easiest. So that set of challenges really has people looking towards Asia as a solution, not just China, but also South Asia.

[00:04:55] Anti Chinese sentiment was already rampant in California at this point as [00:05:00] the gold rush hit a fever pitch. White miners were quick to blame Chinese miners for the overcrowded field and competition and the scapegoating and bigotry and racism made the railroad industry reluctant to hire Chinese laborers. However, the job was dangerous, sometimes deadly, and [00:05:20] white workers were hard to recruit. So the railroad hired Chinese laborers who they considered inferior by the thousands. They paid them far less than white workers and made them sleep in tents while the white workers slept on rail cars. But I have to say at this and every step of anti Chinese practice [00:05:40] and legislation in the United States, Chinese immigrants protested and boycotted and went on strike. But that anti Chinese and eventually anti Asian sentiment persisted.

[00:05:51] So the U.S. went from exploiting Chinese laborers, relying heavily on them for the construction of this very American rail project to banning [00:06:00] Chinese laborers once that work was completed.

[00:06:02] Yeah, there's this notion in the U.S. that the influx of Chinese immigrants is threatening white purity. There's also an economic depression in the 1970s that white Americans partially blamed on Chinese immigrants. Basically, the message was low wages and bad economy [00:06:20] are the fault of all of these Chinese laborers, this large group of others. This is a message that is wielded by politicians at the time. We needed Chinese laborers to help us build all of this necessary infrastructure. But now that we've finished most of that, they are still here. And that is seen as a problem. [00:06:40]

[00:06:40] And you see these all on the political cartoons of the time in which these invaders are coming and destroying our moral fabric. Right. You have Chinatowns becoming places in which they're perceived to be dangerous places. OK, so opium is there. There are some opium dens there, but are opium dens all over? Whites [00:07:00] are using the opium dens more than the Chinese are. OK, so so these things get flipped around. And what sticks is that? Oh, the Chinese are opium eating, rat eating, disease infested, and they're dangerous to the white family and to white morality.

[00:07:18] And when it comes to the [00:07:20] Chinese, there's this other complication at play and that's the fact that Americans love Chinese imports. The U.S. had been engaged in trade with China, importing silk and tea and porcelain for nearly as long as we had been our own nation. That is one of the reasons we built the transcontinental [00:07:40] railroad to begin with.

[00:07:41] That's interesting. So a railroad across the country was an easier way for East Coast merchants to get access to goods in China.

[00:07:49] And it's an obstacle, in fact, to the West Coast politicians who wanted to appeal to the xenophobia that [00:08:00] they could easily stir up and as a way for them to get elected and reelected locally. But it was in conflict with those merchants from the Northeast, especially, who were making their money from the China trade and from the Asia trip. Right. So there's a conflict between the West Coast not wanting the people and the East Coast wanting the things.

[00:08:18] Jack describes America's perception [00:08:20] and attitude toward China and the Chinese as both xenophobic, fearful and prejudiced against their culture or group and xenophilic, attracted to and appreciative of another culture or group, both of which in this case dismissed the humanity of Chinese people. The solution to this love-hate perception of the Chinese [00:08:40] is to pass the Chinese Exclusion Act that keeps some Chinese immigrants. Laborers out while allowing others in

[00:08:50] Exceptions are Chinese merchants are OK. Chinese merchants are OK because that's where the East Coast folks are able to kind of say, well, no, but we want that [00:09:00] stuff, we love that stuff. So you can't ban Chinese merchants. And the other thing they can't ban you can't ban Chinese scholars or teachers. OK, and you can't ban Chinese students. So those become the exempt clauses. Right. So there's a class and kind of class [00:09:20] dynamic that are the ways in which it's not strictly exclusion, but it's restriction.

[00:09:26] Ok, so American politicians are using Chinese laborers as the scapegoat for an economic downturn and a threat to white Americans. I get that. But this is national legislation we're talking about. How [00:09:40] on earth did enough Congress members from across the whole country agree to a law that really only applied to California and the Northeast?

[00:09:49] The bottom line is the anti Chinese movement could not have become nationalized without the support of national politicians.

[00:10:00] This [00:10:00] is Jane Hong, history professor at Occidental College.

[00:10:03] And so by the 70s and 80s, both political parties, Republicans and Democrats, they both adopt anti Chinese platforms as part of their national party platforms because both parties, they desperately want California's [00:10:20] electoral votes and elections at this point are really razor thin. And so presidential elections in particular. And so that's why you have people like James Blaine, who's a senator from Maine, of all places, become one of the most vocal supporters of Chinese exclusion. Right. I don't even know if he had ever seen [00:10:40] a Chinese person in real life before. But the issue itself, right, the anti Chinese kind of issue, it becomes an electoral strategy for national politicians.

[00:10:51] So I wanted to know what this actually meant for Chinese people living in the states, like what happens to others of a cultural or ethnic [00:11:00] group when some of their members are banned from a country.

[00:11:03] There's a lot of violence against the Chinese, particularly late 19th century. There are whole lists of kind of massacres and riots, race riots in places across the west in particular.

[00:11:14] Jane told me about one incident that occurred before the Chinese Exclusion Act, an [00:11:20] 1871 mob attack on a Chinese neighborhood in Los Angeles that massacred 18 men and boys. It's one of the largest lynchings in American history. Just to give you a sense of the hateful attitude that had been percolating even before the passage of the 1882 Act.

[00:11:38] I think that history is something [00:11:40] that many historians have been writing about, but I don't think it's really entered the public conversation as much. I think that's true. I mean, in terms of segregation, schools were segregated for many Chinese and other Asian students on the West Coast. There's also residential segregation. So in terms of where Asian-Americans [00:12:00] could live in places like California, they were really restricted. And for many years, things called restrictive covenants. Right. Which prohibit particular houses from being sold to nonwhite peoples. Those restrictive covenants, I mean, they're used to block African-Americans from buying homes. But many of those contracts also include [00:12:20] mentions of either Orientals, Mongolians, Asiatics. Right. So there are all kinds of racial terms that were used to describe Asian-Americans. And so they were also targeted by many of those kind of housing restrictive housing policies. I think another piece in 13 states across the country, mostly in the West. [00:12:40] You also have state legislatures pass alien land laws that make it really difficult for particularly Asian-Americans to own or even rent agricultural land.

[00:12:53] So what were people doing in response to these laws? Did they have any recourse whatsoever?

[00:12:59] For

[00:12:59] Chinese during this period? [00:13:00] I think what's really important to remember and what people often kind of don't think about is that for many Chinese at the time, they believed the laws, the Chinese exclusion laws were immoral. And so they didn't have any compunction about trying to circumvent them or challenge or contest them in courts of law. So you have lots of Chinese who hire local lawyers in places [00:13:20] like San Francisco. And there's a whole industry that emerges around this where Chinese are actually contesting. They're suing the US government for the right to enter the United States.

[00:13:28] One prime example of this is the case of United States versus Wong Kim Ark, a man of Chinese descent born in the United States who was denied reentry to the U.S. after visiting his family in China. [00:13:40] And I won't go into it here, but we do have a whole episode on the Wong Komaki. So please give that a listen for context.

[00:13:47] So there's all these cases that are happening at the same time that you have, you know, Chinese who. Develop ways to again circumvent the laws by claiming to be the son of a [00:14:00] merchant.

[00:14:00] This is otherwise known as the paper son system, as in someone was claimed as a family member on paper to get them access to the United States. So there was resistance, to be sure. But that didn't stop the U.S. from doubling and tripling down on exclusion. What started with Chinese immigrants soon [00:14:20] applied to many others.

[00:14:22] When you trace the longer history of anti Asian racism and Asian exclusion, you know, Congress targets Chinese first, but they they eventually then target Japanese and Koreans. Then they target Indians or South Asians and then they target Filipinos. So it basically is the story of kind of the 80s [00:14:40] to the 1920s is successive waves of Asian immigration. So after the Chinese are restricted, more Japanese enter as well as Koreans, and then there's a lot of clamor for them to be restricted. And then by 1917, South Asians are the ones who you know, people are talking about the tide of turbans that are entering the United States, the threat that they pose as well. [00:15:00] Congress brings Indians under exclusion in 1917 and by 1920 for all Asians except Filipinos. Right. Become targets of exclusions. They basically can't immigrate in for long term immigration.

[00:15:14] The 1917 Immigration Act goes as far as to draw a circle around a huge chunk of [00:15:20] Asia, call it the Asiatic barred zone, and prohibit immigration from nations that fell within that category.

[00:15:26] You know, these are people from East Asia, Southeast Asia, South Asia. Many of them didn't see themselves as having anything in common on Indians and Chinese during this time, like they didn't necessarily see themselves as related. But according to the law, [00:15:40] they were all considered Asiatic. And so, you know, in many ways what we consider Asian-American today, it's a category created by U.S. immigration exclusion laws in particular.

[00:15:53] And Jane clarified U.S. immigration and exclusion law created this catch all category to talk about [00:16:00] Asian-Americans. But the terms used by the United States were words like Asiatic, Oriental and Mongolian.

[00:16:11] And the legal term that in many ways operated as a catch all for Asian American groups was, quote, aliens ineligible to citizenship [00:16:20] because there were they Asians were really distinct group. They were one of the the only kind of racial group in American history that was barred from U.S. citizenship for so long. So until fifty two. So those are the terms that people used before the 1960s in various different ways, the term Asian-American. [00:16:40] So that actually has a different origin story. And that one's more rooted in the activism of Chinese, Japanese and other Asian-Americans in the 60s. It's like a political project. So it's so Asian-American doesn't have the same kind of negative connotations because I think it itself was a term of solidarity that was born [00:17:00] out of activism and struggle.

[00:17:01] What did it take to finally take this kind of racist legislation down? Did some legislator finally figure out how to win support to repeal these acts?

[00:17:12] Well, much like the reason the Chinese exclusion and subsequent restrictive immigration acts passed in the first place, it [00:17:20] was a political game to get them off the books.

[00:17:22] U.S. interests in Asia are really the driver that begin to dismantle the Asian exclusion regime, because by the 1940s, like I said before, no Asian group, including Filipinos, nobody could enter the United States in meaningful numbers. But [00:17:40] the U.S. and China were wartime allies, and the United States really wanted to keep China in the war fighting against Japan because the fear was China would abandon the allies and join the Japanese to fight against the West. That was one of the biggest fears in Washington Congress, which basically controls U.S. immigration and naturalization policy. Congress [00:18:00] repeals the Chinese Exclusion Act in 1943, and they give an immigration quota of 105 to China and they give Chinese eligibility to U.S. citizenship. And so it's meant to be a really symbolic it's kind of a token gesture. So it really was, you know, in many ways it was a wartime measure, but [00:18:20] that opens the door for other Asian groups to make similar claims.

[00:18:25] I just want to pause here and emphasize we go from essentially zero Chinese immigrants to 105. But compare that to quotas in the tens of thousands for immigrants from most European nations, for example. [00:18:40] Still, activists see the crack in the door and they use it to push for legislation. By 1946, Indians fight for similar provisions and they end up with a quota of 100 people per year and. Get eligibility for U.S. citizenship, Filipinos get eligibility that same year by 1952, [00:19:00] Congress gives all Asian countries and colonies quotas of one to 200 per year and strikes down racial restrictions for citizenship. So all Asians become eligible for citizenship for the first time ever. But the real reason that Congress caves its 1952 war [00:19:20] in the middle of the Cold War and communist countries are calling us out.

[00:19:25] The U.S. wants to wants to prove that it's not racist. It wants to prove that it can uphold democracy, that it practices racial democracy, because during this time, the Soviet Union and other communist powers are specifically attacking the United States for [00:19:40] its racial records. Right. For its racial hypocrisy. I'm talking about, you know, lynching the American foul segregation as well as racist immigration policies. So it's really the Cold War, right, that that leads to the formal repeal of Asian exclusion.

[00:19:56] Now, remember the story of formal exclusion. It starts [00:20:00] in 1882. But even after that, 1952 formal repeal grants Asian immigrants the ability to gain citizenship. Immigration from Asian nations is still restricted to 105 immigrants per year. It isn't until 1965 that meaningful changes [00:20:20] are made with the 1965 Immigration and Nationality Act. Here's Jack Tchen again.

[00:20:26] Because of the effort to also deal with another international embarrassment of racism against blacks. Right. And racism in general. So it's too embarrassing. It's just all too embarrassing. So the way to do that is no. We we [00:20:40] welcome people. You know, we're in the height of the Vietnam War. We're not racist. We're welcoming the world's people. So it's a different narrative that gets played out in terms of the slippage between foreign policy wars abroad for American interests and American purposes and our self-image.

[00:20:59] So Chinese [00:21:00] weren't allowed into the U.S. in any significant numbers from 1882 until 1965, and that was lifted because we were embarrassed.

[00:21:13] The '65 Act is a it's a perfect example of unintended consequences. And that's how most scholars talk about it, because [00:21:20] Congress did not expect that the majority of people who took advantage of the 65 law would be people from Latin America and Asia. They did not expect that at all. And yet that's what happened beginning in the 1970s. The majority of immigrants coming to the U.S. have been from Latin America and Asia.

[00:21:37] I feel like the story of Asian exclusion [00:21:40] is very much an illustration of how we got to where we are today and not just in terms of immigration to the United States, but also how we view and treat Asians and Asian-Americans in this country even today.

[00:21:54] And we have to say this episode is being released in April of 2021 and what we hope are [00:22:00] the waning days of a global pandemic. And Asian Americans have felt the heat of scapegoating when it comes to covid-19, with top leaders referring to it with the slur, the, quote, China virus blaming one nation for the devastation caused by this illness. Reports of racially motivated harassment and violence against Asian-Americans are [00:22:20] significantly up. And that's keeping in mind the fact that incidents of harassment and violence are thought to go grossly underreported. But this trend is not new. Blaming the problems of our nation on China and the people of Chinese descent, or who look Chinese relying heavily on China's imports while demonizing its [00:22:40] people, conflating all Asian-Americans as a single group. This is simply the legacy of one hundred and fifty years of legislation that institutionalized anti Asian racism and white supremacy in the United States.

[00:22:55] So China has always been the kind of conjoined twin evil twin, the [00:23:00] doppelganger twin root of all of this so that you can always blame the twin for any problems that you're having, any behavioral problems that you have. It's really not You. It's the twin. Right. So I think there is a kind of dynamic in American culture in China.

[00:23:17] Of course, there is another inheritance [00:23:20] at play here, a century and a half of pushback from activists and scholars both inside and out of the communities being excluded.

[00:23:29] I guess the hope is that by uncovering this history, which in many ways, I mean, there's a long history of nativism, but this is a more recent version of it. I guess the idea is by uncovering these networks, [00:23:40] it'll make it easier to challenge and dismantle them. So we'll see what happens. But I have to believe about matters of that can do something.

[00:24:03] That's [00:24:00] it today for Civics 101 and the Chinese Exclusion Act, but there is much more to say about Anti-Asian legislation and practice in the United States. We'll post some resources on our website, civics101podcast.org. This episode was produced by me, Hannah McCarthy, [00:24:20] with Nick Capodice. Our staff includes Jackie Fulton. Erica Janik is our executive producer. Music in this episode by Crowander and Chris Zabriskie. Feel like you learned something today? There is so much more in the Civics 101 universe. You can follow us on Apple podcasts or wherever you get your podcasts so that you never miss [00:24:40] an episode. Thanks for listening.