

Forbidden Citizens

Chinese Exclusion and the U.S. Congress

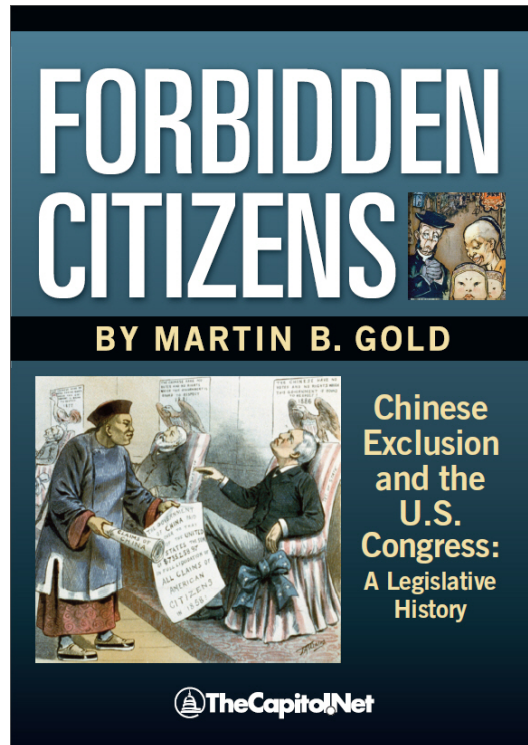
A Legislative History

By Martin B. Gold

Described as "one of the most vulgar forms of barbarism" by Rep. John Kasson (R-IA) in 1882, a series of laws passed by the United States Congress between 1879 and 1943 resulted in prohibiting the Chinese as a people from becoming U.S. citizens. *Forbidden Citizens* recounts this long and shameful legislative history.

"In other cases, we admit the people and exclude the individual. In the Chinese case, we admit the individuals and exclude the people."

--Representative Henry Naphen (D-MA) (1899-1903), 35 Cong. Rec. 3695 (1902) (§ 9.30)



Publication Date: July 4, 2012

TheCapitol.Net, PO Box 25706, Alexandria, VA 22313-5706

2012, 550-plus pages
LCCN: 2011943122

Softcover, \$19.95

2579

ISBN 13: 978-1-58733-257-9
1587332574

Hardbound, \$29.95

2357

ISBN 13: 978-1-58733-235-7
1587332353

Ebook \$9.99

Google Editions EISBN: 9781587332586
B&N nook EISBN: 9781587332609
Amazon Kindle EISBN: 9781587332593

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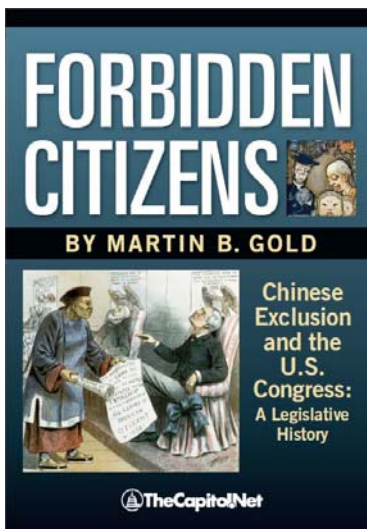
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The Hidden, Shameful History of Legalized US Anti-Chinese Racism



ALEXANDRIA, VA – (March 20, 2012) – A whole class of people, forbidden from ever becoming citizens ... forbidden from even entering the country—their rights torn up and trampled on—left with nowhere to turn for political redress. This was the United States of America from 1882 through 1943—if you had the misfortune to be Chinese.

Now, for the first time, the complete legislative history of the 9 major pieces of Chinese exclusion legislation that dealt with this oppression has been compiled into a single comprehensive volume. *Forbidden Citizens: Chinese Exclusion and the U.S. Congress: A Legislative History* tells the story of this shameful history, using the very words spoken on the floor of the U.S. House and Senate chambers during these debates.

Compiled by Martin Gold, the book, to be published July 4, 2012, documents the legislative debates and actual texts of the 9 exclusion measures—giving modern readers a chance to watch this disturbing history come alive in the words of those who created it—quoting both supporters and opponents of the bills in full detail.

Forbidden Citizens should be of great interest to historians, Chinese-Americans, and those who believe in the struggle to achieve a just society.

“Will appeal not only to legal scholars and civil rights activists, but to any American curious about this grim chapter of our history.”

—Christopher Corbett, author, *The Poker Bride: The First Chinese in the Wild West*

"Thorough, thoughtful and highly relevant today. This work presents the best scholarship in a most accessible manner."

—Frank H. Wu, Chancellor & Dean, University of California Hastings College of the Law

Martin B. Gold, partner at Covington & Burling and former Floor Advisor and Counsel to Senate Majority Leader Bill Frist, is a prominent Washington attorney who was active in the successful effort to get an official expression of regret from the U.S. Senate for the anti-Chinese legislation enacted by prior Congresses. As a member of the U.S. Commission for the Preservation of America's Heritage Abroad, Gold spearheaded official recognition of Feng Shan Ho, a Chinese diplomat who saved thousands of Austrian Jews from the Holocaust.



For more about *Forbidden Citizens*, see <http://ForbiddenCitizens.com>

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ABOUT THE COMPANY:

TheCapitol.Net is a privately held, non-partisan publishing and training company based in Alexandria, VA. For over 30 years, TheCapitol.Net and its predecessor, Congressional Quarterly Executive Conferences, have been training professionals from government, military, business, and NGOs on the dynamics and operations of the legislative and executive branches and how to work with them.

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<http://eon.businesswire.com/news/eon/20120320005092/en>

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~ STORY IDEAS ~

Page 39: Occupy San Francisco

The methods used by the current Occupy movement are similar to those used by the San Francisco sandlot orators in the late 1870s to rouse hatred of the Chinese: "By the glow on bonfires and torches, sandlot orators stoked the anger of the crowds by showing just how, and by whom, their lives had been stolen from them. The method was conspiracy, and the thieves were the railroads, the corporate monopolies, and the Chinese."

Page 86: Then and Now -- A Country Divided

When Congress took up the 20-Year Exclusion Act, the country was divided in much the same way it is today. Henry Tilden had won the popular vote for president in 1876, but lost to Rutherford B. Hayes in the electoral college. The Senate was evenly divided, with 37 Republicans, 37 Democrats, and two independents. See also p. 244 -- the previous four presidential elections had been very close.

Page 138: The Real Stats on Chinese Immigration

One of the amazing things about the Exclusion Laws was how few Chinese were actually coming to the U.S. You'll find some good stats on page 138 as well as pages 171, 211, 216, 231, 303, 336, and 338.

Page 140: The History of the Chinese Invasion

This summary by Rep. Albert Willis (D-KY) quickly sketches the history of Chinese immigration in the western U.S.

Page 196: White vs. Yellow or Capital vs. Labor?

While most of the arguments made against the Chinese were racially motivated, there was also an undercurrent of capital vs. labor. The railroad and mining barons -- the one-percenters of their day -- wanted cheap, servile labor.

Page 227-228: "More Deadly than Dynamite"

Rep. John Mitchell (R-OR) spews the worst vitriol yet against the Chinese people and Chinese immigration.

Page 261: An Ugly Deal is Proposed

Southern Democrats supported western legislators who wanted to exclude Chinese, but they wanted something in return: western support for southern segregation.

Page 312-313: The Chinese Six Companies

The Chinese Six Companies contracted to bring laborers to the U.S. Some argued it was a form of indentured servitude. The system is explained in this short excerpt.

Page 334: The Sleeping Giant

Senator Jacob Gallinger (R-NH) warns that China will awaken some day, and when she does, the U.S. will want to be on her good side. See also page 378 for similar comments by Rep. Henry Green (D-PA).

Page 343-345: Towards an Immigration Policy

Senator Henry Cabot Lodge supports exclusion, though he defends Chinese culture and argues for a comprehensive immigration policy that does not discriminate by race.

Page 364: He Stands Alone

Senator George Hoar (R-MA), one of the pivotal figures in this story, here takes his last stand against exclusion: "I am bound to record my protest if I stand alone." Indeed, he did stand alone; the final vote was 76-1.

Page 447: Epilogue: An Expression of Regret

In 2011, the U.S. Senate passed a resolution expressing regret for the Chinese Exclusion Acts. It was sponsored by Scott Brown (R-MA). Brown holds the Senate seat formerly held by the staunch opponent of exclusion Senator Charles Sumner (R-MA). A similar resolution awaits approval in the House, the U.S. House of Representatives, where it was introduced by Rep. Judy Chu (D-CA), the first Chinese-American woman in Congress.

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~ QUOTATIONS ~

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**One-Liners, Mission Statements and Power Paragraphs**  
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"Controversial when first proposed, Chinese exclusion rapidly became a consensual policy to which Congress often returned for renewal and tightening." (xvii)

"Until repeal, which occurred mid-way through the twentieth century, no Chinese born outside of the United States could become an American citizen." (xvii)

"You are now revising the naturalization system, and I propose to strike from that system a requirement disgraceful to this country and to this age. I propose to bring our system in harmony with the Declaration of Independence and the Constitution of the United States. The word 'white' cannot be found in the two great title-deeds of this Republic. How can you place it in your statutes?"
-- Senator Charles Sumner (R-MA) July 2, 1870 (p. 10)

"If incompatible peoples were permitted to occupy the same country, the living standards of white labor would diminish and American cultural and political life would corrode."
-- Summary of the Morton Committee Report (p.38)

"Inferior races serve superior races with more docility and less friction than can be had in the service of inferior classes of the superior race."
-- Senator John Tyler Morgan (D-AL) 1879 (p.53)

The states are not able to set immigration policy; it is exclusively a federal matter. (p. 37) Supreme Court case in 1875 places immigration control firmly with the federal government. (p.103)

"The rationale that the Chinese were not Christians and therefore couldn't be believed when they swore on the Bible led many courts to have them swear over a freshly killed chicken." (p.59)

"There is another most remarkable example of this prejudice of race" begins a paragraph by George Hoar (R-MA) comparing the treatment of Chinese in America to the persecution of Jews in Europe -- 50 years *before* Hitler. (p. 96)

"When they declared that all men were created equal, and were endowed with the inalienable right of life, liberty, and the pursuit of happiness, they undoubtedly meant all men like themselves."

-- Senator La Fayette Grover (D-OR) 1882 (p.98)

Oregon's constitution prohibits blacks and mulattoes from entering the state or owning property there. (p. 115)

Congress' Worst Moments -- The Short List: "It may be that this bill will be quoted with the alien and sedition law, the repeal of the Missouri Compromise, and the fugitive-slave law, as an illustration of the truth that fifty million sovereigns can be as despotic as one sovereign."

-- Senator Joseph R. Hawley (R-CT) 1882 (p. 124)

"Sir, [the Chinese] civilization, their magnificent position in arts, in science, in politics, in everything that makes a nation great, had been attained by them hundreds of years before your nationality ever had an existence."

-- Senator Charles Hooker (D-MS) 1882 (p.155)

Power Paragraph: Rep. Charles Joyce (R-VT) compares the treatment of the Englishman, the Irishman, the German, and the Frenchman with the Chinese. (p. 170)

"We have no right to make this country the dumping ground for the world's social and political offal."

-- Rep. Thomas Brents (R-WA) 1884 (p. 220)

"This resolution practically declares the word was created wrong, that there are some four or five hundred millions of people who ought not to have been created and with whom there should be no kind of intercourse. I gravely questions whether anybody can make a declaration of that kind with any propriety."

-- Senator Wilkinson Call (D-FL) 1888 (p. 223)

"When our friends from the Pacific Coast speak of the terrible evils of Chinese immigration, let them think of a people proud, prosperous, wealthy, who in the short period of four years saw everything they held dear stricken down, and not a foreign race, not the yellow curse from the

Mongolian Empire, but their own slaves made their masters politically, and the power of those slaves pinned upon those states, by the bayonets of the National Government."

-- Senator George M. Vest (D-MO) 1888 (p.261)

"This savage exclusion and extreme punishment of all strangers is a revival of the darkest features of the darkest ages in the history of man."

-- Rep. Robert Hitt (R-IL) 1892 (p. 271)

"Shall we assume that so vast a portion of the human race is incapable of civilization and progress? Shall we declare that the principles of our republican Government and our religion are a failure and can have no effect upon these people when brought into contact with them? Such a proposition finds no warrant in reason and no warrant in the history of these people."

-- Senator Wilkinson Call (D-FL) 1892 (p. 289)

"Never before in a free country was there such a system of tagging a man, like a dog to be caught by the police and examined, and if his tag or collar is not all right, taken to the pound or drowned or shot. Never before was it applied by a free people to a human being, with the exception (which we can never refer to with pride) of the sad days of slavery."

-- Rep. Robert Hitt (R-IL) 1892 (p. 297)

Power Paragraph: Rep. James Beauchamp "Champ" Clark (D-MO) directly connects the interests of white southerners and white westerners in legislating white superiority. (p.367)

"We have drawn the race line only against one nationality. In other cases, we admit the people and exclude the individual. In the Chinese case, we admit the individuals and exclude the people."

-- Rep. Henry Naphen (D-MA) 1902 (p. 372)

"In other cases, we admit the people and exclude the individual. In the Chinese case, we admit the individuals and exclude the people."

--Representative Henry Naphen (D-MA) 1902 (p. 374)

"It is true that they are copper-complexioned and almond-eyed, but the gentlemen who want to exclude all classes in contravention of the [Gresham-Yang] treaty certainly do not intend to get up an indictment of the Almighty because He created from the same origin people of different colors."

-- Rep. Charles E. Hooker (D-MS) 1902 (p. 377)

"When did the Chinese devils become Chinese saints?"

-- Rep. William Elmer (R-MO) 1943 (p.422)

"I have always felt that Chinese exclusion was a mistake. It has deprived us of a type of citizenship that would have been a real contribution to our body politic."
-- Rep. Thomas F. Ford (D-CA) 1943 (p.434)

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