1873 marked the start of a period of economic depression in the United States. Unregulated investments in railroad stocks, real estate, and official corruption led to panic across markets that destroyed business profits and banks. Millions of people were thrown out of work across the globe. The "Long Depression" lasted until 1879 and was followed by another period of recession that lasted from 1882 to 1885.

Economic misery led to xenophobia among many white Americans and heightened tensions between rich and poor. In California, Dennis Kearny and like minded citizens organized the Workingman's Party which railed against both the rich and the Chinese. In 1878, Kearny wrote this:

In our golden state all these evils have been intensified. Land monopoly has seized upon all the best soil in this fair land. A few men own from ten thousand to two hundred thousand acres each. The poor Laborer can find no resting place, save on the barren mountain, or in the trackless desert. Money monopoly has reached its grandest proportions. Here, in San Francisco, the palace of the millionaire looms up above the hovel of the starving poor with as wide a contrast as anywhere on earth.

To add to our misery and despair, a bloated aristocracy has sent to China—the greatest and oldest despotism in the world—for a cheap working slave. It rakes the slums of Asia to find the meanest slave on earth—the Chinese coolie—and imports him here to meet the free American in the Labor market, and still further widen the breach between the rich and the poor, still further to degrade white Labor.

These cheap slaves fill every place. Their dress is scant and cheap. Their food is rice from China. They hedge twenty in a room, ten by ten. They are wipped curs, abject in docility, mean, contemptible and obedient in all things. They have no wives, children or dependents.

They are imported by companies, controlled as serfs, worked like slaves, and at last go back to China with all their earnings. They are in every place, they seem to have no sex. Boys work, girls work; it is all alike to them.

The father of a family is met by them at every turn. Would he get work for himself? Ah! A stout Chinaman does it cheaper. Will he get a place for his oldest boy? He can not. His girl? Why, the Chinaman is in her place too! Every door is
closed. He can only go to crime or suicide, his wife and daughter to prostitution, and his boys to hoodlumism and the penitentiary.

The Chinese population of around 70,000 in California formed a full 10% of the population of the state, enough to be perceived as a serious threat to the employment of white men when economic conditions worsened. The strength of anti-Chinese sentiment was so strong that the Workingman’s Party was elected to take over the state government in 1878. The State Constitution of California of 1879 that they wrote not only included measures against the rich but also Article XIX entitled, "Chinese" which included provisions such as:

SEC. 4. The presence of foreigners ineligible to become citizens of the United States is declared to be dangerous to the well-being of the State, and the Legislature shall discourage their immigration by all the means within its power.

The Legislature shall delegate all necessary power to the incorporated cities and towns of this State for the removal of Chinese without the limits of such cities and towns, or for their location within prescribed portions of those limits, and it shall also provide the necessary legislation to prohibit the introduction into this State of Chinese after the adoption of this Constitution.

State governments across the American West quickly followed the lead of California to pass their own restrictions on the Chinese. Feeling the pressure, West Coast Republicans and Democrats competed to claim they were more anti-Chinese than the other party. Dennis Kearney did his part by undertaking a tour of the Eastern States to spread his message of hate. In 1880 the efforts of these anti-Chinese forces had failed to overturn the presidential veto of "The Fifteen Passenger Bill." With no right to naturalize and vote the Chinese had no political power to defend themselves against political attacks in Congress. And, as economic conditions deteriorated in the United States, fewer and fewer politicians proved willing to stand up for their rights or for once vaunted American values such as free immigration and the right to be naturalized.

The party platforms for the presidential election of 1880 reflected the loss in support and the pandering for the votes of West Coast voters. The Democrats said, "No more Chinese immigration except for travel, education, and foreign commerce and therein carefully guarded." The Republican platform said, "Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States and its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invokes the exercise of these powers to restrain and limit the immigration by the enactment of such just, human, and reasonable provisions as will produce that result."

The Republican victor in that election, President Garfield, had expressed his feelings in his nomination acceptance letter when he spoke of Chinese immigration as being, "...too much like an invasion to be looked upon without
solicitude." Just four months after taking office, in July 1881, President Garfield was shot and lingered on until he finally died in September. The murder of an American president created a halo around all of his public pronouncements that would be used by his supporters and even Democrats that otherwise despised him to pass legislation including anti-Chinese laws.

In 1881, the Chinese Government had reluctantly agreed to the Angell Treaty, allowing amendments to the Burlingame Treaty to allow the United States to restrict but not ban the immigration of Chinese laborers. Solemn promises had been made by the American commissioners that no such complete ban was being contemplated. The legislation to implement new Chinese restrictions was introduced into the US Senate by Senator John Miller, a Republican of California on February 28, 1882. He proposed to ban all unskilled Chinese immigration for the next 20 years, which went far beyond anything the Chinese Government had envisioned. With the average life expectancy being just 40 in 1880 the proposal amounted to a lifetime ban during their most productive working years for most Chinese then living. A later amendment to the bill barred both skilled and unskilled labor, effectively banning all Chinese immigration with limited exceptions for students, diplomats, and businessmen.

Citing the 1880 party platforms and Garfield's presidential nomination acceptance letter, Senator Miller said that political consensus against Chinese immigration had already been reached. He also referred to California and Nevada state referendums held in 1879 that had both voted 99% against Chinese immigration as proof that Western voters were also united on the issue.

Miller talked about the thousands of unemployed white workers driven out of business by the cheapness of "Chinese servile labor" during the depression of the 1870s using the same imagery and ideas that Dennis Kearney had but without the ranting against the rich. Such a spectacle could happen across the country, he predicted, not just in California if Chinese immigration was allowed to continue. Slave labor would inevitably displace "American free labor."

Miller ended his introduction of the bill and the Senate's day with these words, "Chinese civilization in its pure essence appears as a rival to American civilization. It is a product of a people alien in every characteristic to our people, and it has never yet produced and can never evolve any form of government other than an imperial despotism. Free government is incompatible with it, and both cannot exist together."

One of the few Senators to have consistently supported the Chinese in Congress spoke first the next day. Senator George F. Hoar, a Republican of Massachusetts based his case on the founding principles of the American republic, "Nothing is more in conflict with the genius of American institutions than legal distinctions based upon race or occupation. The framers of our Constitution believed in the safety and wisdom of adherence to abstract principles. They meant that their
laws should make no distinction between men except as were required by personal conduct and character."

He also pointed out the true numbers behind Chinese immigration illustrating the irrationality of the legislation. The entire United States had a population of 50 million by 1880, of which 105,000 were Chinese. This was barely 1/500 of the population. Chinese immigration had also slowed from 23,000 in 1876 to 5,800 by 1880, constituting less than 1 in every 100 immigrants to the US that year.

Mocking the hysterical alarm that many proponents of the legislation espoused, Senator Hoar said, "What an insult to American intelligence to ask leave of China to keep out her people, because this little handful of almond-eyed Asiatics threaten to destroy our boasted civilization. We go boasting of our democracy and our superiority and our strength. The flag bears the stars of hope to all nations. A hundred thousand Chinese land in California and everything is changed. God has not made of one blood all the nations any longer. The self-evident truth becomes a self-evident lie. The golden rule does not apply to the natives of the continent where it was first uttered."

The origin of the legislation he declared was, "The old race prejudice, ever fruitful of crime and of folly, has not been confined to monarchies or to the dark ages. Our own Republic and our own generation have yielded to this delusion and paid the terrible penalty... What argument can be urged against the Chinese that has not been heard against the negro within living memory? The negroes were savages, heathens, wild beasts... The great political parties vied with each other in pandering to this prejudice."

He also reminded his fellow senators that, "It is scarcely forty years since the Irishman, who has been such a source of wealth and strength to America, began his exodus across the sea. There are men in this body, whose heads are not yet gray, who can remember how the arguments now used against the Chinese filled the American mind with alarm when used against the Irishmen. He comes, said the honest bigotry of that day, only to get the means of living, and then to return; he will drive the American to starvation by the competition of his cheap labor; he lives in squalor and filth; he wants only a few potatoes for food; he is blindly attached to the Popish religion; he owes his allegiance to a foreign potentate; he is incapable of intelligent citizenship."

He also explained the failure of the Chinese to assimilate into American society and politics by citing California laws and the California State Constitution of 1879 for excluding them from the public schools, refusing to recognize their testimony or participation in jury trials, refusing them the right to vote, barring their employment by any California corporation, and calling for cities and towns across the state to remove them entirely or otherwise confine them to fixed areas. What possible incentives was being offered for them to convert to Christianity or to
become republicans and assimilate into American society in light of such racist laws and treatment?

Senator James Farley, a Democrat of California introduced an amendment to bar the naturalization of the Chinese, "That hereafter no state court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed." This amendment, more than any other, damaged the prospects of the Chinese in America as it completely barred any legal way of progressing towards citizenship other than birth in America as provided for by the Fourteenth Amendment to the US Constitution. Even this question about citizenship by birth was disputed and had to be settled by the US Supreme Court case of Wong Kim Ark v. United States (1898) when the court declared the 14th Amendment right applied to everyone, regardless of race.

The low level of thought that permeated congressional debate was well illustrated by Senator Farley who also made the extraordinary claim during the debate that, "It is a well known fact that the Chinese are not an ignorant class of people. I do not claim that they are. They are very cunning; they are very shrewd. They are imitators, they are not inventors..."

Senator George Hoar, the Republican defender of the Chinese from Massachusetts then interjected, "Will the Senator allow me to ask him if the Chinese did not invent the printing-press, gun-powder, and the mariner's compass?"

Senator John P. Jones, a Republican of Nevada responded, "In reply to that, I can say to him that the very best authority denies them the honor of those inventions. The Count de Gobineau, in his very able History of the Diversity of the Races, absolutely lays it down and, I think, conclusively proves that they had nothing to do with these inventions, but stole them from stray Aryan Caucasian people who had wandered into their midst." (The actual work by Count de Gobineau is titled, An Essay on the Inequality of the Human Races, released between 1853 and 1855. It was the first work of what became the crackpot field of scientific racism, the pseudoscience that equated the Aryan race with whites and exalted the racial superiority of such which the Nazis later adopted as their own racial philosophy.)

Senator Hoar, in astonishment, asked, "Who were those marvelous Aryan people who wandered down into China?"

Senator Jones had no answer but somewhat lamely replied, "It is most distinctly shown that in the arts, the Chinese were constantly supplied with ideas by their Aryan neighbors, and they never invented anything themselves. It is a well known fact that the Chinese have been in a state of general decadence for the last five hundred years."

Senator James Z. George, a Democrat of Mississippi, supported the exclusionists of the West Coast hoping that, "this great pledge thus solemnly given will be as
fully redeemed in favor of the white people of the South." The strange fruit produced by Jim Crow laws and racism against African Americans was becoming legalized all across the South after the end of Reconstruction in 1876 and its supporters needed Congressional inaction to perpetuate it. Winning the support of West Coast politicians by supporting their anti-Chinese legislation offered an obvious way to win their blind eye towards the effort to extend segregation.

Senator Joseph E. Brown of Georgia, former governor of that state from 1857 through the Civil War, was one of the few Democrats who opposed the bill in its 20 year form. on the more practical grounds that the United States had granted China equal status as a most favored nation along with such countries as Germany and Ireland. He particularly objected to the registration and extraordinary amount of documents required to be carried at all times by the Chinese under the proposed law.

"Do you, I ask, Senators by your law extend such denial of rights and privileges to the subjects of even the most unfavored nations? Is there any other nation on the globes whose subjects are compelled to comply with all these provisions before they can enter an American port? Is there any other nation on the globe whose subjects can be seized, tried, fined, and imprisoned for the non-compliance with provisions like those contained in this bill? If there is an instance, I am not aware of it."

Senator Brown knew his position wasn't popular as he was alone among all the other Democrats who universally supported the bill, either with the 20 year ban or with an outright permanent ban. Brown compromised with them by saying he supported an amendment for a temporary 10 year ban. He ended his address with the forlorn statement, "I know I do not occupy the popular side of this question... The statesman who adopts the rule of pandering to popular opinion may float peacefully with the current for a time, but he will soon be called to answer at the same bar of public opinion for acts which at the time of their performance were hailed with delight. My rule is to inquire: Is it right? And if right to move forward without fear. I would rather be right than popular, I would rather have approval of my conscience than the plaudits of the multitude, or the temporary approval of those who are controlled by their passions and not by their reason and their judgment."

Brown did however successfully add an amendment on the last day of debate to not require legally admitted Chinese to carry their identifying documents at all times, as was the custom at the time for the citizens of countries that the United States recognized as most favored nations. This point was conceded by the supporters of Chinese exclusion to deal with the squeamishness that several other senators had expressed during the debate.

Senator John Sherman, a Republican of Ohio, was an astute politician who later became Secretary of State. He is better remembered today for being the author of the Sherman Anti-Trust Act in 1890. He was reluctantly in favor some
restrictions on Chinese immigration but was troubled by what it meant, noting that, "It has always been the public policy of this country from the very foundations of the Government to open the doors wide to the immigration of foreigners from all lands to come here. We have not only given them our public lands upon their declaring their intention to become citizens, we have made them in a very brief period citizens with the right to vote and hold office; we have protected them in their rights as against the country of their nativity; we have negotiated treaties for their protection against the rights of their parent country; we have threatened violence to protect them in their rights; and we have done the utmost that we could not only to encourage their immigration but to protect and foster the immigrants."

"When we in Congress say that no portion of the people of Asia, no portion of more than one-half of the whole people in the civilized world shall come to this country, we take a grave and important step, and we ought to do it with care and deliberation."

"It seems to me we have in this bill gone too far, and this bill has been framed not with the spirit of guarding the people of the Pacific Coast against a threatened inundation of a pagan horde of contract laborers but in the spirit of reversing the whole policy of this Government, of excluding all foreigners under a hue and cry against the Chinese race, however skilled, however useful, however meritorious they may be."

John Sherman was prophetic. Within the next few years Congress would begin closing the door on immigration from across the world, not just against Chinese. Asians were completely barred from immigrating to United States and eventually an openly racist policy began of encouraging mass immigration solely from Northwest Europe while severely limiting immigration from Eastern and Southern Europe (too many unwanted Jews and Catholics it was said) while completely barring immigration from non-white parts of the world.

The final vote, after eight days of debate in the Senate, was 29 senators in favor, 15 senators against, and 32 senators absent. 8 Republicans and 21 Democrats were in favor and 13 Republicans 1 Democrat, and 1 Independent voted against. The Chinese Exclusion Act then went to the House of Representatives for consideration.

Chinese American Heroes would like to thank Martin B. Gold for his book, "Forbidden Citizens - Chinese Exclusion and the U.S. Congress: A Legislative History" upon which this work is based.