

## **The End of Chinese Exclusion**

### **Part 3 - House of Representatives Debates 1943**

**By Philip Chin**

Representative Walter Judd, Republican of Minnesota, spoke later in the day on October 20<sup>th</sup>. He addressed the charge by the opponents of repeal that the 105 person quota was a meaningless insult to the Chinese. He argued that including them in the quota system would make them equals under American immigration laws.

"The fact that it figures out to be 105 is relatively unimportant. The important fact is that by our present laws they are excluded because of their color. It is not red, white, or black. This bill would remove that stigma of biological inferiority. If the same formula used for other peoples figured out to admit only two Chinese a year, it would still do the job. It would start treating them as equals racially instead of inferiors. It would be justice. This is what they want, just as we would want it if we were in their place..."

"People live by roses as well as by bread. No one is suggesting that roses will do what bread can do. But surely no one believes that bread will do what roses can do. We who are the descendants of 1776 ought to know of people who fought in the snow with bare, bleeding feet for such things as equality. That is the principle involved here. It is more important than guns or even food. The actual numbers to be admitted do not count. The chief thing is the principle of being treated as equals."

Asian psychology was different from American, Judd observed, drawing from his experience as a physician and former medical missionary who'd lived in China from 1905 to 1931 and again from 1938 to 1941. Americans valued statistics much more highly than Asians and viewed the world too much from an American only perspective. This had cost Americans dearly in political miscalculations in the Far East.

"We were too late and too little with Japan. Are we going to be too late and too little with China too? Are we going to insist stubbornly, against the testimony of every single witness who has lived in China and knows the Chinese well, that just because we cannot imagine granting an insignificant quota would mean much to us, therefore, it cannot really mean much to them? Must a lot of American boys die needlessly before we realize that there are still some peoples in the world who care more about the things of the spirit than about things that can be counted, measured, and weighed?"

"Tanks and planes and food are important; but equally important is the heart of the man who uses them."

He reminded the House of the great danger the United States faced in continuing to treat Chinese as inferiors, "If we were Chinese, and had been fighting for over six years, much of it on the verge of starvation, without drugs or anesthetics, without weapons or

industrial plants to make them, and with increasing inflation and growing discontent, and therefore divisions among the people, would we not begin to ask, ' Why are we going through all this? If by enduring and struggling till victory is ultimately won we are still going to be just sort of a sub-colony, treated as inferiors by 'master' races, the white men, then why do we not make peace now and get the best terms we can from Japan?'"

"The hard experience of a year and a half of war against Japan indicates all too clearly that we cannot win alone in the Pacific, or at least not without almost prohibitive costs. We can succeed only if our allies, and particularly if China can hold against Japan until we can defeat Germany and get our full strength into the Pacific."

He warned that if China made a separate peace with Japan it would be disastrous for the American war effort, "With China as her base on the continent, Japan would be impregnable, or so nearly so that it would require 4 or 5 or even 10 years to defeat her."

"Surely it is understandable why many tired, starving, and sick Chinese might begin to wonder whether help to them is being deliberately delayed until after Hitler's defeat, so that the white man can then come in to make the kill and thus be left sitting on top in Asia, the old status quo restored."

"We are sacrificing American lives insofar as we fail to mobilize fully the will and the confidence of so indispensable an ally. I do not want on my hand the blood of a single additional American soldier who had to die in China because we failed here to show our purpose to treat the Chinese as equals..."

He also reminded the House that America would have to deal with the postwar world as well, "In short, America after this war is going to need friends and need them badly. Therefore, we dare not trifle with the friendship of that nation which will inevitably be the strongest in Asia. The burning question is not whether we will help China, but whether she will help us, now in the war, and afterward in the peace."

He pointed out the irony that under current American immigration law, Adolf Hitler had a right to American citizenship while Madame Chiang Kai-shek did not. He then concluded his speech by making an appeal to American values.

"Do we really believe in 1943, as our forefathers did in 1776, that all men are created equal in worth and in the right to be treated justly on the basis of what they are as individual human beings, not on the basis of the race to which they happen to belong? Do we really believe that there are certain inalienable rights, such as life, liberty, and the pursuit of happiness? If so, then let us make it unmistakably clear by our words and our deeds, and quickly."

"Those who think we can continue to leave it as a statute which is an insult to our friends and not eventually suffer for it are, I believe, grievously mistaken."

Representative William P. Elmer, Republican of Missouri, hotly responded to Judd in defense of the exclusion laws and denied that Chinese had suffered any special discrimination that needed to be remedied.

"No injustice is done to China, greater or above that to other Asiatics, and any country has a right to protect itself; that is what these laws did."

He reminded the House of how extreme the views of the Chinese had gone through over the years, "A few years ago, the Boxer Rebellion was on and for years afterwards our pet name for them was 'Chinese devils.' They were trying to defeat a partition of China. The exclusion acts were heartily approved then. We just did not like the Chinese. But now we want to show our sympathy so we repeal the exclusion laws because some Americans want to ease their consciences over more recent treatments and others want to arouse our sympathy to a high pitch for other motives, ulterior to our safety and wellbeing."

Hearkening back to the exclusion rants of old, Elmer said, "They did not fit into our system of things. To us they are aliens in China; they are aliens in this country. They did not assimilate."

If America was so concerned about China why had they let Japanese ships carrying war materials leave American ports, just two days before Pearl Harbor despite protests from the Chinese government? "Perhaps we were aiding our exclusion laws by making sure a lot of Chinese would not apply for entry and citizenship," Elmer sneered.

Elmer then airily dismissed the alliance with China, "If we have to rely on China to win the war, we have already lost it. We are the one to help China."

Any relaxation of immigration laws would lead to the demand for additional changes he said, "You enact this law and you have taken off the stakes and riders of the immigration fence. It will be easy to push down the rest of it. Raise it higher, strengthen it more, close the gaps. Make it like the Missouri lawful fence: horse high, bull-strong, and pig-tight."

Representative James A. Wright, Democrat of Pennsylvania, wanted to make it clear how Chinese themselves felt about the legislation in light of differing comments from his fellow members. He inserted a commentary into the Congressional Record from *The China Times*, a newspaper from Chungking.

"We hope that the new law not only will be passed by the United States Congress, but will be passed by an overwhelming vote, so as to manifest the American people's sense of justice and to produce favorable effects on the future relations between the two countries."

Wright also inserted a statement from the Chinese Foreign Ministry, "Although it is a domestic issue, the repeal of the act, as recommended by President Roosevelt, will be exceedingly welcomed here and will be considered as further cementing the traditional friendship between the United States and China."

Representative Carl Curtis, Republican of Nebraska, was an opponent of immigration, not just for the Chinese but for every other nationality, but he supported the repeal effort out of wartime necessity, believing this to be an entirely separate issue from immigration. He praised the Chinese for recognizing America's right to limit immigration and said their only objection was in the discriminatory way that Chinese were singled out of all the other nations and barred from the United States.

"I would vote today to cut down all quotas for the post-war period, but this Chinese problem must not be confused with that problem. The Chinese recognize our right to limit immigration to prevent unemployment or for any other like reason. They grant to the United States the right to shut off all immigration as we so desire but they do object to a policy that permits the immigration into this country of hundreds of thousands and not one Chinese."

"I think it is of utmost importance that we retain the friendship of the Chinese. Suppose the Chinese do capitulate and join Japan, then all Asia is apt to go with her. Then you will have a race struggle in which we are hopelessly outnumbered that will last, not for one year, not for five years, but throughout the generations to come. It will mean much not only in our day, but to our children and grandchildren to have a strong, powerful China that is a friend to the United States and with whom we can have a working cooperation."

Representative Thomas A. Jenkins, Republican of Ohio, favored the repeal of the exclusion laws, but was against the bill because it included any quota at all for the Chinese, "We are now asked to deviate from that policy and to grant a favor to very deserving people simply as a gesture. There are no gestures in immigration law. The immigration law is stern and it should be recognized as such... We still want to do the best we can by the whole world but we must also remember that we owe an obligation to our own people. That is the reason why the American Federation of Labor and all the patriotic societies of the land are opposed to this legislation."

Granting naturalization rights to the Chinese and then granting them a small quota would be empty and counterproductive, he argued.

"I do not rate the Chinese as being so ignorant and so easy as not to notice how they are being discriminated against... To make him eligible and then say that he is not eligible, and we will tolerate only seventy-five of them per year is not putting them on a par with other peoples and other countries."

He argued in favor of what he said was the fairness of the 1924 quota system while revealing his complete ignorance of all the contributions made to American history by those of non-European descent, "It was only natural and fair... that the nations of northern Europe should have larger quotas than the countries who had not contributed to the founding and building of our country. Who built up this country? It was the English, the Scotch, the Welsh, the Irish, the Scandinavians, the Germans, the French, and the Spanish, and the Dutch, and the Italians, and other nations of that kind. The

Japs or the Chinese were not here in any numbers when the country was built up. They did not contribute to the building of the country as other nations. Consequently, when Congress passed the quota laws, they provided that the principle quotas should be from those countries whose people predominated in the country. But to be fair and courteous, the Congress provided that every country should have a minimum quota of 100."

Representative John Main Coffee, Democrat of Washington, took an entirely different view of the matter, the only member of the House that expressed the belief that repeal was for righting past wrongs, "I think this bill is an apology for certain mistakes we have made in the past. Let us recollect that we have been culpable of many blunders in the treatment of our neighbors across the Pacific."

Japan's propaganda message was winning he argued. America's response should be the repeal of the exclusion laws.

"From 1905, when the treaty of Portsmouth was signed in the United States with the help of Theodore Roosevelt, the Japanese have preached to the orientals, 'Now, you see that a colored race can win over a white race because we, a colored race, won victory over a white race, Russia.' From 1905 to 1943, this propaganda has been assiduously sown throughout the Orient, namely, 'If you join with us and rally together as one co-prosperity sphere and entity, we can combine together and defeat the white race.'"

"That pronunciamiento<sup>1</sup> has been more productive of results than anything else. It left its mark in Burma; it had its effect in Malay; it helped weaken resistance to invasion in the Dutch East Indies; it is making inroads in the Philippine Islands. This bill will do more to counteract that propaganda than any other bill we can enact. I hope we will pass this legislation."

Representative Samuel Dickstein, Republican of New York, again took to the floor to assure the House that no major news publications in the country opposed the bill and that domestic support was overwhelming.

"Every religious organization in this country, representing almost every denomination, has been urging the passage of this bill; 40 or 50 witnesses, from groups which represented approximately 80,000,000 people, have gone on record appealing to this committee and the Congress to pass this bill at the earliest possible moment for the good of the country. The wide range of people interested in repeal is astonishing. Missionaries acquainted with the reaction of the Chinese people to exclusion; most of the chambers of commerce on the west coast interested in post-war trade; labor organizations eager to see an old wrong; for which they were partly responsible,

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<sup>1</sup> A type military coup d'etat, particularly used in the past in Spain, Portugal, and Latin America, whereby a faction of the military openly proclaims its opposition to the existing government and then rallies the support of the rest of the military and the people behind the coup. Coffee was referring to how colonial armies and nationalists in Burma, Malaya, and the Dutch East Indies (now Indonesia) had rallied to the support of Japan after the overthrow of their colonial rulers. Many of the future leaders of these countries such as Sukarno in Indonesia and Aung San of Burma supported Japan before turning against them later in the war.

corrected; social and welfare organizations anxious to show their sympathy and understanding of the problems facing our ally; (and) military experts thinking of the best strategy to defeat our enemies..."

Representative Mike Mansfield, Democrat of Montana, and former professor of Far Eastern history at the University of Montana, focused on the past history of relations with China. Mansfield would later become the longest serving House Majority Leader (1961-1977) and was appointed Ambassador to Japan by President Jimmy Carter where he served from 1977 to 1988, the longest serving American ambassador in Japanese history.

"Do we by any chance have the idea that we have treated China fairly, that our policy has been for the best? Do we favor the right of extraterritoriality? Do we realize it was formally incorporated in a treaty - the Treaty of Wangxia - first by America? Do we derive any satisfaction out of the Opium War - the so-called First Anglo-Chinese War - which preceded that treaty? Do we uphold the idea of treaty ports? Do we uphold the idea of foreign concessions and compounds? Do we uphold the idea of having American consular courts in China, and a district court in Shanghai dispensing justice to Americans on Chinese soil? No. We have a good many things to answer for, and this is one way we can make good on some of the things we owe to our Chinese friends."

He reflected on the reparation payments forced from China after the Boxer Rebellion which he said were excessive, "We stole everything we possibly could of real value and transported a great deal of it back to this country. Some of it is still in the Capital City of the United States today, where it does not belong."

Mansfield answered past members of Congress who'd sneered at Chinese culture and history during their bigoted speeches in favor of exclusion laws, "When we think of our superiority, we ought to keep in mind the fact that Chinese culture is approximately 4000 years old... China was a great and powerful nation long before there was such a thing as a Greece or a Rome. Those are the places which we consider as the foundation of our civilization, but, believe me, they cannot compare with China in antiquity."

Mansfield ended the day of debate with a warning to Congress and the American people, "We must awaken from our lethargy about the Orient and put the manifest sympathy of the American people to a practical use. We must realize just how much we need China; not how much China needs us. We must never forget that we will have full need of all our energies, abilities, and real friends in our barbaric struggle with Japan. We must never forget that our future lies, in large part, in the Pacific."

**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.