

The End of Chinese Exclusion

Part 5 - Senate Debates 1943

By Philip Chin

The Senate Committee on Immigration received the House bill and submitted a report on November 16, 1943. They proposed no amendments to the legislation so as to speed up passage of the bill. Like the House they chose to gloss over the racist aspects of the Chinese exclusion laws, merely saying that "The original act of exclusion was not born of ill will toward the Chinese people. The motivation was exclusively economic."

The war had obviously had changed attitudes. The Senate report continued, "We have had time and abundant occasion to reflect on the extraordinary qualities of the Chinese people. Above all, the tenacity and courage of the Chinese in their terrible ordeal of the last 7 years has impelled a respect we are proud to acknowledge."

Repeal it concluded would show the "realization of the American people that freedom depends upon the respect for the integrity of others and that their own freedom and security demand that they accord to others the respect that they ask for themselves."

Events in the Pacific had meanwhile added even more urgency to the Senate debates that began on November 26, 1943. From November 20th to the 23rd, the United States Marines had fought against the Japanese on the island of Betio, part of the Tarawa Atoll in the Gilbert Islands. The Americans wanted to build a forward air base there and to test out their new tactic of amphibious landings against fortified Japanese island defenses. Unlike Guadalcanal whose defenses had been haphazard and Japanese reinforcements had been fed in piecemeal, the Japanese on Tarawa had occupied the atoll chain for over a year and built deep fortifications on Betio and were practiced in defending them. The garrison was tiny, only a little more than 2,600 men. They were supported by 1,000 Japanese and 1,200 Korean and Chinese laborers working on further building the island defenses. These elite troops came from the Special Naval Landing Forces of the Imperial Japanese Navy and were the Japanese equivalent of the US Marines. Against them the United States sent the 2nd Marine Division, a force of about 12,000 men and the US Navy, which combined totaled around 35,000 men.

The landing was a mismanaged disaster and came close to being thrown back into the sea. To preserve the element of surprise and because of the overconfidence of the US Navy the preliminary American naval bombardment was kept far too short to be effective. Little of that fire was also directed at the beaches where most of the Japanese defenders had concentrated. Lack of coordination and the loss of communications between some of the bombarding ships and their carrier air support, along with confused delays and ships and landing craft getting lost gave time for the Japanese to shift their men to meet the invasion. The Americans had also ignored the advice of people that knew about the extreme tides in the area. This meant that the landing craft

became stuck on the seawall surrounding the island at low tide forcing the troops to wade to shore for 500 to 1000 yards under tremendous Japanese artillery and machinegun fire. The decimated American troops then ended up getting stuck on barbed wire entanglements or pinned down on the beach. Weighed down by their heavy equipment, many also fell into deep water and drowned. In just three days of fighting the division lost 3,100 men dead and wounded, just over 20% of their total force of around 12,000. The Marines had taken a similar proportion of casualties at Guadalcanal but that battle had lasted just over six months, not just three days as Tarawa did. The US Navy lost 687 men when one of their escort carriers was torpedoed and sunk while supporting the operation. Out of the Japanese garrison of 4,800, only 17 soldiers survived to be captured, all of them wounded, along with 129 laborers. The rest were killed in action or committed suicide. In other words, only a fraction of 1% of the Japanese, not counting the laborers, had survived to be captured.¹

The initial media reports of the operation came from reporters that had come in with the first landing craft when some units had taken crippling 50% casualties. The American public was appalled by the carnage the reporters described.² It was only ten days after the battle had ended that the Marines finally released a public casualty report of the operation, a delay that had given time for terrible rumors to grow and for accusations against the military and the politicians to begin from worried and bereaved parents and the unease to grow among the public. Newspaper articles and editorials across the country warned Americans that Tokyo was still 8,000 miles away and many island landings to go from Tarawa. This was the somber news that greeted the Senate as they returned from their Thanksgiving recess.

Senator Charles O. Andrews, Democrat of Florida, opened Senate proceedings. He'd introduced his own bill in September to end Chinese exclusion but had withdrawn it in favor of pushing forward the House bill as quickly as possible. He described the restriction laws thusly, "The Chinese are the only persons who were singled out by nationality or origin for discrimination in our immigration laws. It naturally has been a source of embarrassment to the Chinese, because they feel the inference is that the United States has set them apart as an inferior people."

He was interrupted by Senator Rufus C. Holman, Republican of Oregon, "I wish to call attention to the use of the word 'inferior' in the Senator's statement. I protest against the use of the word 'inferior' in this discussion."

Holman objected to the word but he nevertheless supported the maintenance of the exclusion policy saying, "I do not contend that the Chinese are an inferior race, but they, in large numbers, are incompatible in that their civilization and racial characteristics are

¹ <http://www.ibiblio.org/hyperwar/USMC/USMC-C-Tarawa/index.html>

² The public would be even more appalled in March 1944 when the documentary film, "With the Marines at Tarawa" was released containing actual battle footage. One unforgettable scene showed the aftermath of the battle with dismembered, burned, and rotting dead Marines gently washing in and out with the tropical surf among their wrecked landing craft. President Roosevelt had to personally approve the release of the film because of the graphic content. The message to the public was that the war was going to be hard for both soldiers and their families and that they must be prepared for grim news. War was not a romantic adventure made in Hollywood.

entirely divergent from our own. I base my thoughts on the subject not on the ground of inferiority of any race or group but on the ground of incompatibility when in large unassimilable groups they settle permanently among us."

Senator Andrews didn't respond to Senator Holman, but continued on with his prepared speech. He illustrated the racial divide that still marked political proceedings even among those that supported the repeal of Chinese exclusion when he talked about how the law would work after passage. A person who was half-Chinese and half-white, or half black would be admitted while other racial combinations would not be allowed.

"If he is as much as one-half a blood still ineligible for citizenship, such as Jap, Hindu and so forth, he will be classed as a person racially ineligible to citizenship and neither admissible to the United States nor admissible to naturalization."

He ended his presentation by including in the Congressional Record a letter from Attorney General Francis Biddle assuring Congress that the quota limits contained in the 1924 immigration law had made Chinese exclusion laws entirely obsolete and that only an estimated 45,000 Chinese resident in the United States would become eligible for citizenship as a result of the proposed law.

Senator Elbert Thomas, Democrat of Utah, had been a Mormon missionary in Japan as a young man from 1907 to 1912 where he'd learned Japanese. He'd eventually taught about the Japanese language and culture at the University of Utah.³ He said that statutes based upon racial superiority were morally wrong but strongly believed in race "incompatibility." As he explained it, "There are no superior and inferior races, Mr. President. There are races with different habits of life, with different outlooks on life, with racial differences, which make them incompatible, as the Senator from Oregon [Holman] has stated, and there will probably always be an incompatibility between the white and the yellow races so long as they live apart from each other and follow the habits of their ancestors."

He praised the great hero of the Democratic Party, President Woodrow Wilson. President Wilson had refused the Japanese request to include a declaration for racial equality in the League of Nations Covenant, the treaty organization formed in the aftermath of World War I to prevent another war but had spectacularly failed to do so. Wilson hadn't believed in racial equality and neither did Senator Thomas.⁴

³ Senator Thomas became so close to the Japanese people that he gave his first daughter the Japanese name, Chiyo. He was among those that successfully argued for retaining Emperor Hirohito as a figurehead in postwar Japan under the American occupation rather than being deposed and put on trial for war crimes.

⁴ President Wilson famously brought official segregation back into the federal government after desegregation in 1863 under President Lincoln. He reduced the number of African Americans holding jobs in the federal government by refusing to nominate them to appointed offices and also instituted the requirement that all applicants for civil service jobs had to have their pictures attached to their applications. This allowed officials to throw out job applications from African Americans and other minorities from 1914 until the practice was ended in 1940.

"Our President - and I am proud that he was able to face the question on the basis of right and justice and with an understanding of history - stated to the Japanese that there was no such thing as racial equality. And since there is no such thing as racial equality, a declaration to that effect in any kind of document, no matter how universally that doctrine may be preached, will not bring about racial equality. It does not exist."

"Then President Wilson, with his genius in dealing with the subject, instead of saying, 'These yellow people are inferior to our people,' stated the facts. He said we could not compete with the yellow man, because of his racial characteristics and racial habits. The yellow man works longer. He sleeps less. He lives on a lower standard. He wants less leisure. He marries earlier. He has more children. All that may be a sign of strength rather than a sign of weakness."

He explained the exclusion laws had come about thusly, "The white man feared the onrush of the yellow man, and it was that fear which brought the Exclusion Act. The action was not based on a superiority-inferiority comparison."

Senator Thomas was not troubled by the quota system. China would be brought into equality with other quota nations. The differing quota numbers merely reflected the fact that the immigration system was never meant to be egalitarian.

"We do discriminate in our immigration legislation, but we do so in a fair way. We lay down first of all the principle that a certain racial and ethnical compatibility exists in the America Nation, and we want to keep it that way. Therefore, one nationality does not have an equal chance with another nationality in coming into the United States. Immigration is highly graded."

"One might think that because of the fact that there are more than 400,000,000 Chinese, more Chinese should be allowed to come in than nationals of other countries, but less are allowed to come in, because immigration rests upon the basis of the stock of the American people... We do discriminate between various peoples under our immigration legislation, and that would continue, but we discriminate on the basis of our own ideas of what we want our national stock to be."

He explained the need to repeal the Chinese Exclusion Act as psychological warfare against the Germans and the Japanese, "As I have pointed out, the measure we are considering today, and what we say and do about it, are part of the psychological warfare we are waging against Germany and Japan. Its passage will signify that we mean what we say when we talk about justice and the sovereignty of free nations."

Senator Holman rose again and received unanimous consent to insert into the Congressional Record a statement from Senator Hiram Johnson, Republican of California, who'd been too ill to attend the debate. Senator Johnson was the popular former Governor of California who'd unsuccessfully run for Vice-President in 1912 with former President Theodore Roosevelt on the Progressive Party ticket.

Senator Johnson stood against the bill but like other opponents of repeal claimed not to be racially prejudiced against the Chinese, "My opposition to the pending bill does not indicate a lack of appreciation for the courageous fight of the Chinese people to preserve their independence. Nor is it inspired by any prejudice toward the Chinese at home or abroad... At the outset I want to make it emphatically clear that my position, and that of those who appear here on my behalf, does not imply in any degree inferiority of the Chinese race in those matters to which they give their attention."

Johnson recounted the history of Chinese exclusion saying the movement had been started by white miners in California then spread to the white working class and then beyond. "For three decades, the white residents of California and adjacent states tried out every conceivable method to discourage Chinese immigration. There was an unending series of discriminatory state laws and city ordinances. There were anti-Chinese demonstrations, riots, and persecutions without number."

The reason for anti-Chinese activity was self-preservation, Johnson said. "There are those now who now maintain that Chinese immigrants were never a menace to our country, but the record speaks for itself. Without restriction, the teeming population of China could have literally overwhelmed our western shores in an incredibly short period. The opposition to Chinese immigration was not a racial but wholly an economic issue."

Labor organizations in the 19th Century had campaigned for Chinese exclusion and now all of the major labor unions had expressed their opposition to repeal. This was the one issue that united organized labor across mainstream party lines.

"During the eighties, the efforts to solve the Chinese problem were transferred from the State to the National legislative bodies, but the workingmen's organizations of the Pacific Coast were still in back of the whole movement. They never relaxed their strenuous efforts to enlist the active support of their fellow trade-unionists in the East, or ceased to make known their grim determination to prevent the continued influx of organized labor, even if by a last resort to violence. They ignored all party lines and voted steadily and consistently with a view to the promotion of this one issue."

Johnson found that existing US laws were fair as they barred all persons "ineligible for citizenship" from immigrating to the United States. This category contained all Asians. Repealing exclusion and making the Chinese eligible for immigration and citizenship would make the American law unfair by putting the Chinese above other Asians.

"Having placed all Asiatic peoples on an equal basis with respect to immigration and naturalization, Congress is now about to pass a bill discriminating in favor of one Asiatic nation against all other peoples of the Orient, who were excluded because of ineligibility for citizenship."

"Is not this proposed legislation a deliberate slap in the face for all Asiatic peoples, except only for the Chinese? Is it not a complete reversal of America's carefully

considered, nondiscriminatory immigration policy towards all nations and races of Asia?"

Senator Johnson supported removing the stigma of exclusion but stood against the bill as long as it contained a quota allowing the Chinese to actually immigrate and become American citizens. It was a strange argument that opponents to repeal made. Exclusionists had supported the Chinese Exclusion Act in 1882 precisely because it discriminated against the Chinese. Opponents of repeal were now supporting the law because continuing to discriminate against all Asians would make them all equal and would thus be nondiscriminatory. The "equality in discrimination" logic was awkward.

Senator Robert Rice Reynolds, Democrat of North Carolina, then rose to oppose repeal, also citing the opposition of American labor unions to the bill and their support for jobs after the war going to returning soldiers instead of to immigrants.

"I want any jobs available after the war to go to our soldiers. I am going to fight for those soldiers; and when I vote against repeal of the Chinese exclusion acts, I believe conscientiously in my heart and soul that I am voting for every American man and woman in uniform."

He attacked any loosening of immigration laws, using the code words of "radical internationalists" in place of what his contemporaries would have understood as "communists." It wouldn't have been diplomatic to use the word directly with the US allied to the Soviet Union in 1943. "If we were to follow the advice of some radical internationalist we would permit anyone from any country in the world to come to the United States of America and take over the United States of America."

He too announced that he had nothing against the Chinese but attacked President Roosevelt's words about the Chinese Exclusion Act being a mistake. He credited exclusion of the Chinese and then of all Asians as a positive good.

"Had Congress not enacted the Chinese Exclusion Acts when it did, our country would now have on its hands a race problem. In fact, if Congress had not finally developed the principle of Chinese exclusion into total Asiatic exclusion, our existing Japanese problem would have been so magnified as to constitute a grave military menace."

Opening the gate to the Chinese would just open the way for further demands from them and demands for equal treatment in immigration by other Asians.

Senator Reynolds inserted into the Congressional Record the October 4, 1943 report from the Executive Council of the American Federation of Labor. The labor union made it clear the role that organized labor had played in the passage of exclusion, "One of the first acts of the first convention of the American Federation of Labor in 1881 was to declare: 'Thirty years' experience of the Pacific Coast with the Chinese had proved their competition with white labor was the greatest evil with which a country could be afflicted; that publicity as to its true character be disseminated through the country and Congress be urged to enact an exclusion act.'"

"From its inception, the American Federation of Labor has vigorously maintained that orientals should be barred from entering the country and that they should not be permitted to become citizens..."

"The fact that China is our ally in the present world war should not influence us to permit repeal of the oriental exclusion law any more than the fact that Russia is any ally should influence us to embrace communism."

Senator Reynolds also introduced a letter from James L. Wilmeth, National Secretary of the National Council, Junior Order United American Mechanics, that hearkened back to 19th Century rants against the Chinese, "The yellow race is not assimilable with the white or Caucasian race. The introduction of a large number of Asiatic orientals at this time would complicate the race situation in the United States. We have all the race troubles at the present time that we can handle."

Ominously anticipating the investigation and persecution of innocent Chinese Americans a decade later in the McCarthy-era Red Scare, Wilmeth warned of communism in his letter, "Communism has been introduced to China during the last decade or two. If we are to believe the reports we read, there are large numbers of Chinese people who have espoused and are devoted to the doctrines and principles of communism. The introduction of even a small number of Chinese who are indoctrinated with communism will further complicate our political and economic condition."⁵

Senator Reynolds introduced two amendments. The first barred any immigration unless the number of unemployed persons in the United States fell under 1 million. The second barred the issuance of visas to all immigrants for a period of one year following the end of the war. Both amendments were defeated on voice votes.

With no other amendments proposed and no prospect of a closely contested vote, H.R. 3070 was passed by voice vote by the Senate in just one day. Racist arguments against repeal just didn't stack up against the growing pile of bodies of American servicemen in the Pacific.

On December 8, 1943, the second anniversary of the American declaration of war against Japan, the bill was signed by the Speaker of the House, Sam Rayburn, and Vice President Henry Wallace on behalf of the Senate and sent to the White House. President Roosevelt signed the bill into law on December 17, 1943 formally repealing the Chinese Exclusion of 1882. Sixty one years of Chinese exclusion had legally ended.

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.

⁵ The Junior Order of United American Mechanics was a fraternal organization founded in Philadelphia in 1844-45 by anti-Irish, anti-Catholic Nativists. They campaigned against cheap foreign labor and immigrants and membership was limited to "white male citizens, born in the United States."