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Asian American History and U.S. Immigration Laws

From the 19th century to the present day, the history of Asian Americans is one of the heavier aspects of American history and has had a significant impact on immigration laws and American society today, touching on all aspects of American social life. From the original Gold Rush to the Chinese laborers involved in the construction of the Central Pacific Railroad to the Asian immigrants of World War II and the Cold War, Asian immigrants have always been subject to violence and exclusion throughout history, even though they make up a very small percentage of the total number of non-immigrants in the United States. In today's multicultural American society, Asian Americans are an indispensable part of multiculturalism, and they have made great contributions to American society in the fields of economy, science and technology, and culture. On the other hand, today's array of U.S. immigration laws reflects the long and heavy history of Asian Americans as it relates to the series of Chinese Exclusion Acts and the power of the U.S. to manage its borders, and have had a great impact on the structure of the Asian community as we see it today. The most famous of these are the Geary Act of 1892 and Fong Yue Ting vs. United States, both of which represent the contemporary struggle of Asian Americans to defend their rights in the face of injustice and to fight for equality and justice.

The first major wave of Asian immigration to the United States occurred in the late 1800s, primarily to meet American labor needs. Shortly after the War with Mexico and the annexation of California in 1848, a U.S. policymaker called for the importation of Chinese laborers into the United States (Takaki 22). The U.S. policymaker, Aaron H. Palmer, submitted a plan to Congress that proposed developing steam transportation in the Pacific and making San Francisco the center of U.S. trade with China. The American policymaker also suggested that Chinese laborers should be imported to build the transcontinental railroad and reclaim California's fertile land. He argued that "No people in all the East are so well adapted for clearing wild lands and raising every species of agricultural product . . as the Chinese"(Takaki 22). During the ensuing gold rush, thousands of Chinese males were recruited to the West Coast of the United States to build railroads or to work as miners. Workers from Japan and Korea were recruited to Hawaii to labor on sugar plantations. As Takaki said, " "Color" in America operated within an economic context". But because of racial discrimination and white working-class hostility, many Asian immigrants were pushed out of the competition for jobs and forced to become shopkeepers and ethnic business owners, while on the other hand laying the economic foundations for Asian Americans.

Racial tensions over the Chinese escalated when the arrival of Asian immigrants led Americans to view the rapidly growing immigrant population as a threat to their livelihoods. These sentiments provoked violent, organized attacks against the Chinese and manifested themselves in legislative anti-Chinese legislation. After decades of building up anti-Chinese sentiment, in 1882, the U.S. Congress passed the Chinese Exclusion Act, the first immigration bill to prohibit immigration to the U.S. based on race or ethnicity and prohibiting immigration of race or ethnicity. It also prohibited any Chinese immigrant from obtaining U.S. citizenship and was only the beginning of a series of increasingly restrictive anti-Asian immigration laws and regulations. In 1892, the U.S. government approved The Geary Act, which not only extended the Chinese Exclusion Act of 1882 but also required all legally residing Chinese, such as those who arrived in the United States before 1882, to register with the federal government. It was controversial since its enactment, "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." (Kelly 71) The bill also gives federal customs officials the power to arrest all Chinese immigrants who are in the country illegally or who have entered or failed to register illegally. Violators would be guilty of a misdemeanor punishable by a fine of up to $1,000 and imprisonment with hard labor for up to one year, as well as deportation. This authorization also had a significant impact on today's U.S. Border Customs administration, which can have nearly unlimited authority over immigrants or non-immigrants entering the United States. The act created a significant impediment to Asian mobility in American society and stereotyped racial discrimination against China. At this point, Chinese exclusion entered its second decade. However, with the support of the Chinese Qing government, consulates, and the Chinese Association, the Chinese rose in a major civil disobedience movement famous in American history. The famous Fong Yue Ting vs. United States case was born out of this background.

The decision in Fong Yue Ting vs. United States ended in a defeat for Fong Yue Ting, in which the Court endorsed deportation. In other words, deportation is only an administrative procedure." It is but a method of enforcing the return to his own country of an alien who has not complied with the conditions upon the performance of which the government of the nation, acting within the constitutional authority and through proper departments, has determined that his continuing to reside there shall depend" (Kelly 78). The decision in the case gives visa officers and border officials unlimited power to apply the U.S. Constitution to the process of deporting immigrants, whether they are turned away at the nation's borders or apprehended while residing in the country, and establishes immigration officer practice. Even if you are denied entry for good cause, or even if you have lawful entry documents, no due process is required for a border officer to deny you entry, and you have no legal recourse to appeal the legality of your documents. If you argue with the border officer because you think you have legal documents, the consulate diplomat can't help you, and the border officer is just free to use his power as he pleases. Another result of this case was the awakening of the Chinese people's awareness of their legal rights. In the face of the unjust Chinese Exclusion Act, the Chinese people began to take up legal weapons to fight for their legal rights and to fight against the forces of racial discrimination. Until 1905, Chinese immigrants could successfully enter the United States by appealing to the courts after being denied entry by immigration officials for the first time. During the protracted litigation, many U.S. officials were quite intimidated by the Chinese's ability to litigate. Although the Chinese were not granted citizenship and were not allowed to participate in elections, they utilized the legal mechanisms of the United States to be able to change their fortunes by filing lawsuits to force the United States to amend or repeal its laws.

This series of Chinese Exclusion Acts can be said to have permeated the entire history of Asian Americans and shaped every aspect of Asian American life today. I believe it was this series of historical events that brought the Chinese community closer together. In 1965, a new U.S. immigration law went into effect, and Chinese immigrants were finally granted the same rights as immigrants from other countries. In the decades that followed, there was an unprecedented wave of Chinese immigrants to the U.S., which led to the rapid growth of the local Chinese population. Along with the increasingly relaxed living environment, the Chinese community has leaped forward. Over the decades, a large number of Chinese elites have emerged in the political, business, scientific, and technological fields in the U.S., and more Chinese people have come out of Chinatown and endeavored to integrate into mainstream society. All these histories are telling us that racial discrimination is still deeply rooted in the history of the United States, even in the national consciousness. Only through the struggle for independence and the pursuit of equality and dignity can we elevate the status of our ethnicity. There is still a long way to go in upgrading the status of Asian Americans and safeguarding their rights and interests.

Work Cited

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