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Source: *Journal of American Ethnic History*, Vol. 21, No. 3 (Spring, 2002), pp. 36-62

Published by: [University of Illinois Press](http://www.jstor.org) on behalf of the [Immigration & Ethnic History Society](http://www.jstor.org)

Stable URL: <http://www.jstor.org/stable/27502847>

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The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882–1924

ERIKA LEE

IN 1876, H. N. CLEMENT, a San Francisco lawyer, stood before a California State Senate Committee and sounded the alarm: “*The Chinese are upon us. How can we get rid of them? The Chinese are coming. How can we stop them?*”¹ Clement’s panicked cries and portrayals of Chinese immigration as an evil, “unarmed invasion” were shared by several witnesses before the committee which was charged with investigating the “social, moral, and political effects” of Chinese immigration.² Testimony like Clement’s was designed to reach a broad audience, and the committee hearings themselves were part of a calculated political attempt to nationalize the question of Chinese immigration.³ Their efforts proved successful when the United States Congress passed the Chinese Exclusion Act on 6 May 1882. This law prohibited the immigration of Chinese laborers for a period of ten years and barred all Chinese immigrants from naturalized citizenship. Demonstrating the class-bias in the law, merchants, teachers, students, travelers, and diplomats were exempt from exclusion.⁴

Historians have often noted that the Chinese Exclusion Act marks a “watershed” in United States history. Not only was it the country’s first significant restrictive immigration law; it was also the first to restrict a group of immigrants based on their race and class, and it thus helped to shape twentieth-century United States race-based immigration policy.⁵ This observation has become the standard interpretation of the anti-Chinese movement, but until recently, most accounts of Chinese exclusion have focused more on the anti-Chinese movement preceding the Chinese Exclusion Act rather than on the almost six decades of the exclusion era itself.⁶ Moreover, only a few scholars have begun to fully explore the meanings of this watershed and its consequences for other immigrant groups and American immigration law in general.⁷ Numerous

questions remain: How did the effort to exclude Chinese influence the restriction and exclusion of other immigrant groups? How did the racialization of Chinese as excludable aliens contribute and intersect with the racialization of other Asian, southern and eastern European, and Mexican immigrants? How did the Chinese Exclusion Act itself set significant precedents for the admission, deportation, documentation, and surveillance of both new arrivals and immigrant communities within the United States?

What becomes clear is that the real significance of Chinese exclusion as a “watershed” is thus much greater than its importance as one of the first immigration laws and its significance for legal doctrine. Certainly, the Page Law (which excluded Asian contract labor and women suspected of being prostitutes) and the Chinese Exclusion Act provided the legal architecture structuring and influencing twentieth-century American immigration policy.⁸ It is my argument, however, that Chinese exclusion also introduced a “gatekeeping” ideology, politics, law, and culture that transformed the ways in which Americans viewed and thought about race, immigration, and the United States’ identity as a nation of immigration. It legalized and reinforced the need to restrict, exclude, and deport “undesirable” and excludable immigrants. It established Chinese immigrants—categorized by their race, class, and gender relations as the ultimate category of undesirable immigrants—as the models by which to measure the desirability (and “whiteness”) of other immigrant groups. Lastly, the Chinese exclusion laws not only provided an example of how to contain other threatening, excludable, and undesirable foreigners, it also set in motion the government procedures and the bureaucratic machinery required to regulate and control both foreigners arriving to and foreigners and citizens residing in the United States. Precursors to the United States Immigration and Naturalization Service, United States passports, “green cards,” illegal immigration and deportation policies can all be traced back to the Chinese Exclusion Act itself. In the end, Chinese exclusion transformed not only the Chinese immigrant and Chinese American community; it forever changed America’s relationship to immigration in general.

CHINESE EXCLUSION AND THE ORIGINS OF AMERICAN GATEKEEPING

The metaphor of “gates” and “gatekeepers” to describe the United States government’s efforts to control immigration became inscribed in

national conversations about immigration during the twentieth century. A wide range of scholars and journalists have recently written about “guarding the gate,” the “clamor at the gates,” “the gatekeepers,” the “guarded gate,” “closing the gate,” etc.⁹ Perhaps the best known and most recent use of the term is the United States Immigration and Naturalization Service’s Operation Gatekeeper, a militarized effort initiated in 1994 to restrict the illegal entry of Mexican immigrants into the United States near San Diego, California.¹⁰ Although journalists, policymakers, and academics use the gatekeeping metaphor widely, there has been little serious inquiry into how the United States has come to define itself as a gatekeeping nation or what that has actually meant for both immigrants and the nation in the past and present.

Defining and historicizing America’s gatekeeping tradition clearly begins with Chinese immigration in the American West during the late nineteenth century. While Andrew Gyory has persuasively argued that the adoption of the anti-Chinese movement by national partisan politicians led to the actual passage of the Chinese Exclusion Act in 1882, it was in California in the 1870s that politicians and anti-Chinese activists first began to talk about “closing America’s gates” for the first time.¹¹ Explicit in the arguments for Chinese exclusion were several elements that would become the foundation of American gatekeeping ideology: *racializing* Chinese immigrants as permanently alien, threatening, and inferior on the basis of their race, culture, labor, and aberrant gender relations; *containing* the danger they represented by limiting economic and geographical mobility as well as barring them from naturalized citizenship through local, state, and federal laws and action; and lastly, *protecting* the nation from both further immigrant incursions and dangerous immigrants already in the United States by using the power of the state to legalize the modes and processes of exclusion, restriction, surveillance, and deportation.¹²

Through the exclusion movement, both regional and national politicians effectively claimed the right to speak for the rest of the country and to assert American national sovereignty in the name of Chinese exclusion. They argued that it was nothing less than the *duty* and the *sovereign right* of Californians and Americans to do so for the good of the country. H. N. Clement, the San Francisco lawyer who testified at the 1876 hearings, explicitly combined the themes of racial difference, the closed gate/closed door metaphor, and national sovereignty to articulate this philosophy. “Have we any right to *close our doors* against one nation and open them to another?” he asked. “Has the Caucasian

race any better right to occupy this country than the Mongolian?" His answers to the above questions were an emphatic "Yes." Citing contemporary treatises on international law, Clement argued that the greatest fundamental right of every nation was self-preservation, and the Chinese immigration question was nothing less than a battle for America's survival and future. "A nation has a right to do *everything* that can secure it from threatening danger and to *keep at a distance* whatever is capable of causing its ruin," he continued. We have a great right to say to the half-civilized subject from Asia, "*You shall not come at all.*"¹³ The federal case supporting Chinese exclusion only reinforced the connection between immigration restriction and the sovereign rights of nations. In 1889, the United States Supreme Court described Chinese immigrants as "vast hordes of people crowding in upon us" and as "a different race . . . dangerous to [America's] peace and security."¹⁴ The nation's highest court thus affirmed the right of the federal government to exclude Chinese, and by doing so, it also established the legal and constitutional foundation for federal immigration restriction and exclusion based on national sovereignty.

Building gates and making and enforcing United States immigration policy has always involved several overlapping concerns, goals, and variables.¹⁵ Immigrants have been excluded and restricted on the basis of their race, ethnicity, class, gender, sexuality, moral standing, health, and political affiliation, among other factors. Some of these justifications for exclusion and restriction were more important during certain historical periods than others. But they often intersected and overlapped with each other, working separately and in concert with each other to regulate not only foreign immigration, but also domestic race, class, and gender relations within the United States. In turn, gatekeeping became a primary means of exerting social control over immigrant communities and protecting the American nation at large. Immigrant laborers who were considered a threat to American white working men were summarily excluded on the basis of class. General restriction laws—especially those targeting immigrants suspected of immoral behavior or "likely to become public charges"—affected female immigrants disproportionately. Immigrant disease and sexuality were monitored, contained, and excluded through immigration policy as well. Efforts to exclude immigrant groups on the basis of their alleged health menace to the United States constituted what Alan Kraut has called "medicalized nativism," and the diseases considered most dangerous were explicitly tied to racialized assumptions about specific immigrant groups.¹⁶ Homosexuals

were denied entry beginning in 1917 under clauses in general immigration laws related to morality and the barring of “constitutional psychopathic inferiors.”¹⁷ Race consistently played a crucial role in distinguishing between “desirable,” “undesirable,” and “excludable” immigrants. In doing so, gatekeeping helped to establish a framework for understanding race and racial categories and reflected, reinforced, and reproduced the existing racial hierarchy in the country.¹⁸ Thus, America’s gates have historically been open only to some, while they have remained closed to others.

Understanding the racialized origins of American gatekeeping provides a powerful counter-narrative to the popular “immigrant paradigm,” which celebrates the United States as a “nation of immigrants” and views immigration as a fulfillment of the “promise of American democracy.” As many critics have pointed out, this popular conception of the nation ignores the very real power of institutionalized racism in excluding immigrants and other people of color from full and equal participation in the American society, economy, and polity. Explicitly barred from the country, Asian immigrants do not fit easily into the immigrant paradigm mold, and instead, offer a different narrative highlighting the limits of American democracy.¹⁹ Instead of considering some of the traditional questions of immigration history such as assimilation or cultural retention, a gatekeeping framework shifts our attention to understanding the meanings and consequences of immigration restriction, exclusion, and deportation for both immigrant and non-immigrant communities.

Reconceptualizing the United States as a “gatekeeping nation” thus provides an especially suitable framework for Asian and Mexican immigrants, two groups which have not only been among the largest immigrant populations in the West in the twentieth century, but have also caused the most debate and inspired new regulation.²⁰ It does not, however, necessarily exclude European or other immigrants nor does it function only in periods of intense nativism. The restrictionist ideology first established with Asian immigrants came to be extended to other immigrant groups, including southern and eastern Europeans, as they became racialized as threats to the nation. In the West, whiteness functioned in a way that deflected much of the racialized anti-immigrant sentiment away from southern and eastern European immigrants, and nationally, their whiteness protected them from the more harsh exclusionary and deportation laws that targeted Asians and Mexicans in the pre-World War II period.²¹ Nevertheless, once built, the “gates” of immigration law and the bureaucratic machinery and procedures established to admit, examine,

deny, deport, and naturalize immigrants have become extended to all immigrant groups in the twentieth century.

Gatekeeping and the new immigration legislation it entailed also served as an important—though often ignored—impetus to American state-building at the end of the nineteenth century.²² In the United States, the great migrations of Asian, Europeans, and Mexicans from the 1880s to 1924 coincided with and helped instigate an expansion of the modern administrative state. The regulation, inspection, restriction, exclusion, and deportation of immigrants required the establishment of a state apparatus and bureaucracy to enforce the immigration laws and to exercise the state's control over its geographical borders as well as its internal borders of citizenship and national membership. Immigrants, immigration patterns, and immigrant communities were profoundly affected by the new laws and the ways in which they were enforced. The ideology and administrative processes of gatekeeping dehumanized and criminalized immigrants, defining them as “unassimilable aliens,” “unwelcome invasions,” “undesirables,” “diseased,” “illegal.” But even those groups who were most affected played active roles in challenging, negotiating, and shaping the new gatekeeping nation through their interaction with immigration officials and the state. Related to the growth and centralization of the administrative state, gatekeeping was also inextricably tied to the expansion of United States imperialism at the end of the nineteenth century. At the same time that the United States began to assert its national sovereignty by closing its gates to unwanted foreigners, it was also expanding its influence abroad through military and economic force, and extended some of its immigration laws to its new territories. For example, following the annexation of Hawaii in 1898 and the end of the Spanish-American war, the Chinese Exclusion laws were extended to both Hawaii and the Philippines.²³

Lastly, the construction and closing of America's gates to various “alien invasions” was instrumental in the formation of the nation itself and in articulating a definition of American national identity and belonging.²⁴ Americans learned to define American-ness, by excluding, controlling, and containing foreign-ness. Likewise, through the admission and exclusion of foreigners, the United States both asserted its sovereignty and reinforced its identity as a nation. Gatekeeping, a product and result of Chinese exclusion, had—and continues to have—profound influence on immigrant groups, twentieth-century immigration patterns, immigration control, and American national identity.

THE EXAMPLE OF CHINESE EXCLUSION: RACE AND RACIALIZATION

One of the most significant consequences of Chinese exclusion was that by establishing a gatekeeping ideology, politics, and administration, it provided a powerful framework, model, and set of tools to be used to understand and further racialize other threatening, excludable, and undesirable aliens. Soon after the Chinese were excluded, calls to restrict or exclude other immigrants followed quickly, and the rhetoric and strategy of these later campaigns drew important lessons from the anti-Chinese movement. For example, the class-based arguments and restrictions in the Chinese Exclusion Act were echoed in later campaigns to bar contract laborers of any race. As Gwendolyn Mink has shown, southern and eastern European immigrants—like Chinese—were denounced as “coolies, serfs, and slaves.”²⁵ The Democratic party made the connections explicit and blended the old anti-Chinese rhetoric into a more generalized racial nativism in its 1884 campaign handbook. Recalling the great success of Chinese exclusion, the Democrats pointed to a new danger:

If it became necessary to protect the American workingmen on the Pacific slope from the disastrous and debasing competition of Coolie labor, the same argument now applies with equal force and pertinency to the importation of pauper labor from southern Europe.²⁶

Such connections and arguments were significant. In 1885, the Foran Act prohibited the immigration of all contract laborers.²⁷

The gender-based exclusions of the 1875 Page Act were also duplicated in later government attempts to screen out immigrants, especially women, who were perceived to be immoral or guilty of sexual misdeeds. The exclusion of Chinese prostitutes led to a more general exclusion of all prostitutes in the 1903 Immigration Act.²⁸ Signifying a larger concern that independent female migration was a moral problem, other immigration laws restricted the entry of immigrants who were “likely to become public charges” or who had committed a “crime involving moral turpitude.”²⁹ As Donna Gabbaccia has pointed out, such general exclusion laws were theoretically “gender-neutral.” In practice, however, “any unaccompanied woman of any age, marital status, or background might be questioned” as a potential public charge. Clauses in the 1891 Immigration Act excluded women on moral grounds. Sexual misdeeds such as adultery, fornication, and illegitimate pregnancy were all grounds for exclusion. Lastly, echoes of the “unwelcome invasion” of Chinese and

Japanese immigration were heard in nativist rhetoric focusing on the high birthrates of southern and eastern European immigrant families. Immigrant fecundity, it was claimed, would cause the “race suicide” of the Anglo-American race.³⁰

Race clearly intersected with such class and gender-based arguments and continued to play perhaps the largest role in defining and categorizing which immigrant groups to admit or exclude. The arguments and lessons of Chinese exclusion were resurrected over and over again during the nativist debates over the “new” immigrants from Asia, Mexico, and southern and eastern Europe, further refining and consolidating the racialization of these groups. In many ways, Chinese immigrants—racialized as the ultimate undesirable alien—became the model by which to measure the desirability of these new immigrants. David Roediger and James Barrett have suggested that the racialization of certain immigrant groups, and especially the racial vocabulary which described Italians as “guinea” and Slavic immigrants as “hunky” were racialized in relation to African Americans in the realms of labor and citizenship.³¹ However, I suggest that in terms of immigration restriction, the new immigrants from southern and eastern Europe, Mexico, and other parts of Asia were more closely racialized along the Chinese immigrant model, especially in the Pacific Coast states. There, immigration and whiteness were defined most clearly in opposition to Asian-ness or “yellowness.”³² The persistent use of the metaphor of the closed gate combined with the rhetoric of “unwelcome invasions” most clearly reveals the difference. African Americans, originally brought into the nation as slaves could never really be “sent back” despite their alleged inferiority and threat to the nation. Segregation and Jim Crow legislation was mostly aimed at keeping African Americans “in their place.” Chinese, who were racialized in ways that positioned them as polar opposites to “Americans” also clearly did not belong in the United States and were themselves often compared to blacks. But unlike African Americans, they could be kept at bay through immigration restriction. Thus, immigration laws served as the gates that had to be closed against the immigrant invasion; an argument made in relation to southern and eastern European and Mexican immigrants, but never applied to African Americans.

As early twentieth-century nativist literature and organization records illustrate, the language of Chinese restriction and exclusion was quickly refashioned to apply to succeeding groups of immigrants. These connections—though clear to contemporary intellectuals, politicians, and nativists—have not been made forcefully enough by immigration historians.

Reflecting the intellectual segregation within immigration history, many have separated the study of European immigrants from Asians and Latinos, citing "different" experiences and problems.³³ John Higham, the leading authority of American nativism claimed that the anti-Asian movements were "historically tangential" to the main currents of American nativism. Edith Abbott, who authored one of the first comprehensive studies of immigration, argued that "the study of European immigration should not be complicated for the student by confusing it with the very different problems of Chinese and Japanese immigration." Carl Wittke, considered a founder of the field, devoted much attention to Asians in his important survey of American immigration history, but argued that their history was "a brief and strange interlude in the general account of the great migrations to America."³⁴ As many have pointed out, continued intellectual segregation within immigration history is a fruitless endeavor.³⁵ In the case of exclusion, restriction, and immigration law, it is now clear that anti-Asian nativism was not only directly connected, but was in fact the dominant model for American nativist ideology and politics in the early twentieth century.

Following the exclusion of Chinese, Americans on the West Coast became increasingly alarmed with new immigration from Asia, particularly from Japan, Korea, and India. Californians portrayed the new immigration as yet another "Oriental invasion," and San Francisco newspapers urged readers to "step to the front once more and battle to hold the Pacific Coast for the white race."³⁶ Like the Chinese before them, these new Asian immigrants were also considered to be threats due to their race and their labor. The Japanese were especially feared, because of their great success in agriculture and their tendency to settle and start families in the United States (as compared to the Chinese who were mostly sojourners). The political and cultural ideology that came to be used in the anti-Japanese movement immediately connected the new Japanese threat with the old Chinese one. Headlines in San Francisco newspapers talked of "Another phase in the Immigration from Asia" and warned that the "Japanese [were] Taking the Place of the Chinese." Moreover, similar charges of being unassimilable and exploitable cheap labor were made against the Japanese. And because the Japanese were supposedly even more "tricky and unscrupulous" as well as more "aggressive and warlike" than the Chinese, they were considered even "more objectionable."³⁷ Political leaders made the connections explicit. Denis Kearney, the charismatic leader of the Workingmen's party which spearheaded the anti-Chinese movement in San Francisco during the 1870s,

found the Chinese and Japanese “problems” to be synonymous to each other. A Sacramento reporter recorded Kearney in 1892 berating the “foreign Shylocks [who] are rushing another breed of Asiatic slaves to fill up the gap made vacant by the Chinese who are shut out by our laws . . . Japs . . . are being brought here now in countless numbers to demoralize and discourage our domestic labor market.” Kearney rousing ended his speech with “The Japs Must Go!”—a highly original revision of his “the Chinese Must Go!” rallying cry from the 1870s.³⁸ In 1901, James D. Phelan, mayor of San Francisco spearheaded the Chinese Exclusion Convention of 1901 and centered it around the theme “For Home, Country, and Civilization.” Later, in 1920 he ran for the United States Senate under the slogan, “Stop the Silent Invasion” (of Japanese).³⁹

The small population of Asian Indian immigrants also felt the wrath of nativists, who regarded them as the “most objectionable of all Orientals” in the United States.⁴⁰ In 1905, the San Francisco-based Japanese-Korean Exclusion League renamed itself the Asiatic Exclusion League in an attempt to meet the new threat. Newspapers complained of “Hindu Hordes” coming to the United States. Indians were “dirty, diseased,” “the worst type of immigrant . . . not fit to become a citizen . . . and entirely foreign to the people of the United States.” Their employment by “moneyed capitalists” as expendable cheap labor and India’s large population “teeming with millions upon millions of emaciated sickly Hindus existing on starvation wages” also hearkened back to the charges of a cheap labor invasion made against Chinese and Japanese immigrants.⁴¹

Likewise, the racialized definitions of Mexican immigrants also referred back to Chinese immigration. Long classified as racial inferiors, Mexican immigrants often served as replacement agricultural laborers following the exclusion of Asian immigrants.⁴² Although their immigration was largely protected by agricultural and industrial employers through the 1920s, Mexican immigrants were long-standing targets of racial nativism, and many of the arguments directed towards Mexicans echoed earlier charges lobbied at the Chinese. Because the legal, political, and cultural understanding of Chinese immigrants as permanent foreigners had long been established, nativists’ direct connections between Chinese and Mexicans played a crucial role in racializing Mexicans as foreign. As Mae Ngai has shown for the post-1924 period, characterizing Mexicans as foreign, rather than the natives of what used to be their former homeland, “distanced them both from Anglo-Americans culturally and

from the Southwest as a region” and made it easier to restrict, deport, and criminalize Mexicans as “illegal.”⁴³

Nativists used the Chinese framework to characterize Mexicans as foreign on the basis of two main arguments: racial inferiority and racial unassimilability. George P. Clemens, the head of the Los Angeles County Agricultural Department explained that Asians and Mexicans were racially inferior to whites because they were physically highly suitable for the degraded agricultural labor in which they were often employed. The tasks involved were those “which the Oriental and Mexican due to their crouching and bending habits are fully adapted, while the white is physically unable to adapt himself to them.”⁴⁴ While Chinese were considered to be biologically inferior due to their status as heathens and their alleged inability to assimilate in an Anglo-American mold, Mexicans were degraded as an ignorant “hybrid race” of Spanish and Indian origin.⁴⁵ As Mexican immigration increased, fears of a foreign invasion of cheap, unassimilable laborers similar to the Chinese one rippled throughout the nativist literature. Major Frederick Russell Burnham warned that “the whole Pacific Coast would have been Asiatic in blood today except for the Exclusion Acts. Our whole Southwest will be racially Mexican in three generations unless some similar restriction is placed upon them.”⁴⁶ (Burnham, of course, conveniently ignored the fact that the Southwest—as well as most of the American West—had already been “racially Mexican” long before he himself had migrated west.) V.S. McClatchy, editor of the *Sacramento Bee* warned that the “wholesale introduction of Mexican peons” presented California’s “most serious problem” in the 1920s.⁴⁷ Increased Mexican migration to Texas was especially contested, and nativists there explicitly pointed to the example of California and Chinese immigration to allude to their state’s future. “To Mexicanize Texas or Orientalize California is a crime,” raged one nativist.⁴⁸ Chester H. Rowell argued that the Mexican invasion was even more detrimental than the Chinese one, because at least the “Chinese coolie”—“the ideal human mule”—would not “plague us with his progeny. His wife and children are in China, and he returns there himself when we no longer need him.” Mexicans, he argued, might not be so compliant or easy to send back.⁴⁹

The comparisons between Chinese and Mexicans continued. Other nativists extended the Chinese racial unassimilability argument to Mexicans by claiming that they “can no more blend into our race than can the Chinaman or the Negro.”⁵⁰ Anti-Mexican nativists increasingly issued a call for restriction by explicitly framing the new Mexican immigration

problem within the old argument for Chinese exclusion. Railing against the need for cheap Mexican labor, Major Burnham blamed the immigration promoters of the 1920s just as Denis Kearney had blamed the capitalists and their “Chinese pets” during the 1870s. “It is the old Chinese stuff, an echo of the [18]70s, word for word!” wrote Burnham. Moreover, Burnham also viewed that immigration laws—and specifically the same types of exclusionary measures used against the Chinese—were the only remedy: “Let us refuse cheap labor. Let us restrict Mexican immigration and go steadily on to prosperity and wealth just as we did after the Asiatic Exclusion Acts were passed.”⁵¹ In many nativists’ minds, the image of Mexicans merged with that of the biologically inferior, unassimilable, and threatening Chinese immigrant.

At the same time, some of the race and class based theories and arguments used against Asians and Mexicans were being applied to certain European immigrant groups as well, especially in the Northeastern United States, where most European immigrants first landed and settled. As John Higham and Matthew Frye Jacobson have shown, a sense of “absolute difference” which already divided white Americans from people of color was extended to certain European nationalities. Because distinctive physical differences between native white Americans and European immigrants were not readily apparent, racial nativists “manufactured” racial difference. Boston intellectuals like Nathaniel Shaler, Henry Cabot Lodge, and Francis Walker all promoted an elaborate set of racial ideas that marked southern and eastern Europeans as different and inferior, a threat to the nation. A new nativist group, the Immigration Restriction League, (IRL) was formed in Boston in 1894.⁵²

In response to the increase in immigration from southern and eastern Europe, many nativists began to identify and elaborate upon this new threat. In many ways, they began to make direct connections between the “new” European immigrants and the established Asian threat. Both groups were racially inferior to Anglo-Saxons, and their use as cheap labor threatened native-born Anglo-American workingmen. Both Italians and French Canadians were explicitly compared to Chinese immigrants. Italians were even given the dubious honor of being called the “Chinese of Europe” and French Canadians were labeled the “Chinese of the Eastern States.” As Donna Gabaccia has argued, Chinese and Italians “occupied an ambiguous, overlapping and intermediary position in the binary racial schema.” Neither black nor white, both were seen as inbetween—“yellow,” “olive,” or “swarthy.” Their use as cheap labor also linked the two together. Italians were often called “European coo-

lies” or “padrone coolies.” The large-scale migration of Italians to other countries also prompted similar versions of invasion rhetoric used against the Chinese. An Australian restrictionist argued in 1891 that the country was “in danger of the Chinese of Europe flowing into our shores.”⁵³ French Canadians were compared to Chinese immigrants due to their alleged inability to assimilate to Anglo-American norms. An 1881 Massachusetts state agency report charged that French Canadians were the “Chinese of the Eastern States” because “they care nothing for our institutions. . . . They do not come to make a home among us, to dwell with us as citizens. . . . Their purpose is merely to sojourn a few years as aliens.”⁵⁴ In 1891, Henry Cabot Lodge opined that the Slovak immigrants—another threatening group—“are not a good acquisition for us to make, since they appear to have so many items in common with the Chinese.”⁵⁵ Lothrop Stoddard, another leading nativist, went even further by arguing that Eastern Europeans were not only “like the Chinese;” they were in fact part Asian. Eastern Europe, he explained, was situated “next door” to Asia, and had already been invaded by “Asiatic hordes” over the past two thousand years. As a result, the Slavic peoples were mongrels, “all impregnated with Asiatic Mongol and Turki blood.”⁵⁶

Such explicit race and class-based connections to Chinese immigration were effective in defining and articulating nativists’ problems with newer immigrants. The old Chinese exclusion rhetoric was one with which Americans were familiar by the 1910s, and it served as a strong foundation from which to build new nativist arguments on the national level. The Immigration Restriction League used this tactic masterfully. In a 1908 letter to labor unions, the organization affirmed that Chinese immigration was the ultimate evil, but warned that the Orient was “only one source of the foreign cheap labor which competes so ruinously with our own workmen,” The IRL charged that the stream of other immigrants from Europe and Western Asia was “beginning to flow,” and without proper measures to check it, it would “swell, as did the coolie labor, until it overwhelms one laboring community after another.”⁵⁷

In another letter to politicians, the IRL defined the issues and political positions even more clearly. The letter asked congressmen and senators across the country to identify the “classes of persons” who were desired and not desired in their state. The IRL made this task simple by offering them pre-set lists of groups they themselves deemed “desirable” and “undesirable.” The politicians needed only to check the groups in order of preference. In the “desired” categories, “Americans, native born” topped the list. “Persons from northern Europe” came second. British,

Scandinavians [sic], and Germans were also included. In contrast, Asiatics, Southern and Eastern Europeans, illiterates, and the generic “foreign born” were all lumped together in the second list of supposed unwanted and excludable immigrants.⁵⁸ The IRL could make no clearer statement: the new threat from Europe and the old threat from Asia were one.

Due to different regional politics and dynamics of race relations and definitions of whiteness, divergent opinions about the connections between the old Asian immigration problem and the new European one existed on the West Coast. On the one hand, the danger posed by the two groups was explicitly connected and fed off of each other. The virulent anti-Asian campaigns broadened appeals to preserve “America for all Americans” and called into question just who was and who was not a “real American.” The San Francisco-based Asiatic Exclusion League implied that *all aliens* were dangerous to the country and passed a resolution that aliens should be disarmed in order to prevent insurrection. Other nativists in California expressed fears of the degraded immigration entering the country from both Asia and Europe.⁵⁹ Homer Lea, for example, the author and leading proponent of the “Yellow Peril” theory of Japanese domination of America, warned that the growing immigration from Europe augmented the Japanese danger by “sapping America’s racial strength and unity.”⁶⁰ The California branch of the Junior Order United American Mechanics, a long-lived nativist group, allied themselves with the Asiatic Exclusion League and announced that southern Europeans were semi-Mongolian.⁶¹

On the other hand, demonstrating the importance of regional dynamics in the continuing consolidation of the construction of whiteness, some West Coast nativists made very careful distinctions between closing America’s gates to Asians while leaving them open to Europeans. In a continuation of the West’s campaign to preserve a “white man’s frontier,” Western nativists tended to privilege whiteness at the expense of people of color. Significantly, many of the leading nativists were European immigrants or first generation American themselves.⁶² Denis Kearney, leader of the anti-Chinese Workingmen’s Party was an Irish immigrant. James D. Phelan, leader of the anti-Japanese movement, was Irish American. In the multi-racial West, the claims to and privileges of whiteness were important. The best expression of this sentiment occurred during the 1901 Chinese Exclusion Convention, an event organized to lobby for the permanent exclusion of Chinese immigrants. While attendees rallied around the convention theme of protecting the Ameri-

can “home, country, and civilization,” keynote speakers strongly defended an open-door policy towards all European immigrants. In an impassioned speech, A. Sbarboro, (an Italian immigrant/Italian American himself) president of the Manufacturers’ and Producers’ Association, declared that in California:

We want the Englishman, who brings with him capital, industry and enterprise; the Irish who build and populate our cities; the Frenchmen, with his vivacity and love of liberty; the industrious and thrifty Italians, who cultivate the fruit, olives, and vines—who come with poetry and music from the classic land of Virgil, the Teutonic race, strong, patient, and frugal; the Swedes, Slavs, and Belgians; we want *all good people from all parts of Europe*. To these, Mr. Chairman, we should never close our doors, for although when the European immigrant lands at Castle Garden he may be uncouth and with little money, yet soon by his thrift and industry he improves his condition; he becomes a worthy citizen and the children who bless him mingle with the children of those who came before him, and when the country calls they are always ready and willing to defend the flag to follow the stars and stripes throughout the world.⁶³

Sbarboro, by explicitly including Italians and Slavs, indeed, *all* immigrants from *all parts* of Europe, with the older stock of immigrants from France, Sweden, Germany, and Belgium, made clear that the difference to be made was not *among* European nationalities, but *between* European and, in this case, Asian immigrants. Membership in the white race was tantamount. The southern and eastern European might arrive at the nation’s ports as poor and “uncouth,” but they were assimilable, he explained. The environment of the United States would “improve his condition” and make him a “worthy citizen.” Lest doubts still remained among his audience, Sbarboro refined his assimilation argument to point to the second generation. He explained that the European immigrant’s children would mingle with native-born American children and in learning the true ideals of American citizenship, they would become such patriots, that they would defend their beloved homeland throughout the world. The belief that second-generation Chinese would do the same was unimaginable.

These distinctions were important. The debates about immigration from southern and eastern Europe, Asia, and Mexico were clearly connected to earlier debates concerning Chinese immigration, and an increasing number of politicians, policy makers, and Americans across the country disregarded Sbarbaro’s pleas to keep America’s doors open to

“all good people from all parts of Europe” and supported restrictions on immigration from southern and eastern Europe. Nevertheless, Sbarboro’s attempts to differentiate European immigrants from Asians pointed to significant distinctions in the ways in which European, Asian, and Mexican immigrants were racially constructed and regulated by immigration law. First, southern and eastern European immigrants came in much greater numbers than did the Chinese, and their whiteness secured them the right of naturalized citizenship, while Asians were consistently denied naturalization by law and in the courts.⁶⁴ This claim and privilege of whiteness gave European immigrants more access to and opportunities of full participation in the larger American polity, economy, and society. Although they were eventually greatly restricted, they were never excluded like Asians. For example, as Mae Ngai has shown, the 1924 Immigration Act applied the invented category of “national origins” to Europeans—a classification that presumed a shared whiteness with white Americans and which separated them from non-Europeans. The Act thus established the “legal foundations . . . for European immigrants [to] becom[e] Americans.” Chinese, Japanese, Korean, Filipino and Asian Indian immigrants were codified as “aliens ineligible to citizenship.”⁶⁵

Mexican immigration differed from both southern and eastern European and Asian immigration on a range of issues. First was Mexico’s proximity to the United States and the relatively porous United States-Mexico border which facilitated migration to and from the United States. As historians have shown, Mexican immigrants were treated differently, even considered “safe” from mainstream nativism due to their status as long-term residents and their propensity to be “birds of passage,” returning home after the agricultural season ended, and thus, not settling in the United States permanently.⁶⁶ Mexico’s own contentious history with the United States and the “legacy of conquest” also colored United States-Mexican relations, racialized Mexicans as inferiors, and structured Mexican immigrant and Mexican American life within the United States in ways that contrasted sharply with other immigrant groups. In the post-1924 period, Mexicans would be categorized as “illegal,” an all-encompassing racial category which not only negated any claim of belonging in a conquered homeland, but also extended to both Mexican immigrants and Mexican Americans.⁶⁷

These significant differences functioned to shape both immigration regulation and immigrant life in distinct ways for these groups. Still, the rhetoric and tools of gatekeeping, first established by Chinese exclusion,

were instrumental in defining the issues for all groups and set important precedents for twentieth-century immigration. Race, gender, and class-based arguments were used to categorize Asian, southern and eastern European, and Mexican immigrants as inferior, undesirable, and even dangerous to the United States. Each group held its own unique position within the hierarchy of race and immigration, but all eventually became subjected to an immigration ideology and law designed to limit their entry into the United States.

By the early twentieth century, the call to “close the gates” was not only sounded in relation to Chinese immigration, but to immigration in general. Thomas Bailey Aldrich, poet and former editor of the *Atlantic Monthly* reacted to the new immigrants from southern and eastern Europe arriving in Boston in 1892 by publishing “The Unguarded Gates,” a poem demonizing the new arrivals as a “wild motley throng . . . accents of menace alien to our air.”⁶⁸ Just as H. N. Clement had suggested “closing the doors” against Chinese immigration in 1876, Madison Grant, the well-known nativist and leader of the Immigration Restriction League called for “closing the flood gates” against the “new immigration” from southern and eastern Europe in 1914.⁶⁹ At the same time, Frank Julian Warne, another nativist leader, warned that unregulated immigration from Europe was akin to “throwing open wide our gates to all the races of the world.”⁷⁰

The solution, all agreed, lay in immigration policy, and a succession of federal laws were passed to increase the control and regulation of threatening and inferior immigrants. The Immigration Act of 1917 required a literacy test for all adult immigrants, tightened restrictions on suspected radicals, and as a concession to politicians on the West Coast, denied entry to aliens living within a newly-erected geographical area called the “Asiatic Barred Zone.” With this zone in place, the United States effectively excluded all immigrants from India, Burma, Siam, the Malay States, Arabia, Afghanistan, part of Russia, and most of the Polynesian Islands.⁷¹ The 1921 and 1924 Immigration Acts drastically restricted immigration from southern and eastern Europe and perfected the exclusion of all Asians, except for Filipinos.⁷² Although Filipino and Mexican immigration remained exempt from the 1924 Act, Filipinos were excluded in 1934.⁷³ Both Filipinos and Mexicans faced massive deportation and repatriation programs during the Great Depression. By the 1930s, the cycle that had begun with Chinese exclusion was made complete.⁷⁴

THE EXAMPLE OF CHINESE EXCLUSION: IMMIGRATION REGULATION

The concepts of race and immigration that developed out of Chinese exclusion provided the ideological structure to which other immigrant groups were compared and racialized. The passage of the Chinese Exclusion Act also ushered in drastic changes in immigration regulation itself and set the foundation for twentieth-century policies designed not only for the inspection and processing of newly-arriving immigrants, but also for the control of potentially dangerous immigrants already in the country. Written into the act itself were five major changes in immigration regulation. All would become standard means of inspecting, processing, admitting, tracking, punishing, and deporting immigrants in the United States. First, the Exclusion Act laid the foundation for the establishment of the country's first federal immigrant inspectors. While the Bureau of Immigration was not established until 1894 and did not gain jurisdiction over the Chinese exclusion laws until 1903, the inspectors for Chinese immigrants (under the auspices of the United States Customs Service) were the first to be authorized to act as immigration officials on behalf of the federal government.⁷⁵ Prior to the passage of the 1875 Page Law and the Chinese Exclusion Act in 1882, there was neither a trained force of government officials and interpreters nor the bureaucratic machinery with which to enforce the new law. As George Anthony Pepper has illustrated, enforcement of the Page Law first established the role of the United States collector of customs as examiner of Chinese female passengers and their documents, thereby establishing an important—though often overlooked—prototype for immigration legislation and inspection.⁷⁶ Sections four and eight of the Chinese Exclusion Act extended the duties of these officials to include the examination of all arriving Chinese. Inspectors were also required to examine and clear Chinese laborers departing the United States as well.⁷⁷

Second, the enforcement of the Chinese Exclusion laws set in motion the federal government's first attempts to identify and record the movements, occupations, and financial relationships of immigrants, returning residents, and native-born citizens. Because of the complexity of the laws and immigration officials' suspicions that Chinese were attempting to enter the country under fraudulent pretenses, the government's enforcement practices involved an elaborate tracking system of registration documents, certificates of identity, and voluminous interviews of

individuals and their families.⁷⁸ Section four of the Exclusion Act established “certificates of registration” for departing laborers. Such certificates were to contain the name, age, occupation, last place of residence, personal description, and facts of identification of the Chinese laborer. This information was also recorded in specific registry-books to be kept in the customs-house. The certificate entitled the holder to “return and re-enter the United States upon producing and the delivering the [document] to the collector of customs.” The laborer’s return certificate is the first reentry document issued to an immigrant group by the federal government, and it served as an equivalent passport facilitating re-entry into the country. Chinese remained the only immigrant group required to hold such re-entry permits (or passports) until 1924, when the new Immigration Act of that year issued—but did not require—reentry permits for other aliens.⁷⁹

As other scholars have pointed out, the documentary requirements established for Chinese women emigrating under the Page Law and exempt class Chinese (merchants, teachers, diplomats, students, travelers) applying for admission under the exclusion laws also set in motion an “early version of that system of ‘remote control’ involving passports and visas” in which United States consular officials in China and Hong Kong verified the admissibility of immigrants prior to their departure for the United States. While the original Exclusion Act of 1882 placed this responsibility in the hands of Chinese government officials alone, an 1884 amendment gave United States diplomatic officers the task of verifying the facts so that the so-called “section six certificates” required of exempt class Chinese could be considered “*prima facie* evidence of right of re-entry.”⁸⁰

Eventually, in an effort to crack down on illegal entry and residence, the Chinese Exclusion laws were amended to require all Chinese residents already in the country to possess “certificates of residence” and “certificates of identity” that served as proof of their legal entry and lawful right to remain in the country. These precursors to documents now commonly known as “green cards,” were first outlined in the 1892 Geary Act and 1893 McCreary Amendment, which required Chinese laborers to register with the federal government. The resulting certificates of residence contained the name, age, local residence and occupation of the applicant (or “Chinaman” as the act noted), as well as a photograph. Any Chinese laborer found within the jurisdiction of the United States without a certificate of residence was to be “deemed and adjudged to be unlawfully in the United States,” and vulnerable to arrest

and deportation.⁸¹ The Bureau of Immigration used its administrative authority to demand a similar “certificate of identity” for all exempt class Chinese merchants, teachers, travelers, students, and others beginning in 1909. While the Bureau believed that such certificates would serve as “indubitable proof of legal entry” and thus, protection for legal immigrants and residents, it also subjected all non-laborer Chinese—who were supposed to be exempt from the exclusion laws—to the same system of registration and surveillance governing Chinese laborers. Apparently, the plan was an extension of an existing system of registration used for Chinese Americans entering the mainland from Hawaii.⁸² Other immigrants were not required to hold similar documents proving their lawful residence until 1928 when “immigrant identification cards” were first issued to new immigrants arriving for permanent residence. These were eventually replaced by the “alien registration receipt cards” (i.e., “green cards”) after 1940.⁸³

The issuance and institutionalization of such documentary requirements verifying Chinese immigrants’ rights to enter, re-enter, and remain in the country codified a highly organized system of control and surveillance over the Chinese in America. Much of the rationalization behind such documentary requirements stemmed from the prejudiced belief that it was, as California Congressman Thomas Geary explained, “impossible to identify [one] Chinaman [from another.]”⁸⁴ Although it was an unprecedented form of immigration regulation and surveillance at the time, this method of processing and tracking immigrants eventually became central to America’s control of immigrants and immigration in the twentieth century.

In addition to establishing a system of registering and tracking immigrants, the Chinese Exclusion Act set another precedent by defining illegal immigration as a criminal offense. It declared that any person who secured certificates of identity fraudulently or through impersonation was to be deemed guilty of a misdemeanor, fined \$1000, and imprisoned for up to five years. Any persons who knowingly aided and abetted the landing of “any Chinese person not lawfully entitled to enter the United States” could also be charged with a misdemeanor, fined, and imprisoned for up to one year.⁸⁵

Defining and punishing illegal immigration directly led to the establishment of the country’s first modern deportation laws as well, and one of the final sections of the Act declared that “any Chinese person found unlawfully within the United States shall be caused to be removed therefrom to the country from whence he came.”⁸⁶ These initial forays into

federal regulation of immigration would be even further codified and institutionalized seven years later in the Immigration Act of 1891.⁸⁷

CONCLUSION

The passage of the Chinese Exclusion Act in 1882 fundamentally transformed both immigration to the United States and the country's relationship to immigration. It was the first of many restriction and exclusion laws, but its significance goes far beyond the legal realm. Chinese exclusion helped re-define the very ways in which Americans saw and defined race in relation to other immigrant groups and transformed America's relationship to immigration in general. The end result was a nation that embraced the notion of guarding America's gates against "undesirable" foreigners in order to protect Americans. Gatekeeping became a national reality and was extended to other immigrant groups throughout the early twentieth century. Both the rhetoric and the tools used in the battle over Chinese exclusion were repeated in later debates over immigration. In many ways, Chinese immigrants became the models by which others were measured. Nativists repeatedly pointed to ways in which the new Asians, Mexicans, and Europeans were "just like" the Chinese. They also argued that similar restrictions should be established. By 1924, the cycle begun with Chinese exclusion was complete, and gatekeeping had changed from being the exception to the rule. Immigration inspectors and inspections, passport and other documentary requirements, the surveillance and criminalization of immigration and the deportation of immigrants found to be in the country illegally all became standard operating procedures in the United States. Nativists no longer needed to ask "*how* can we stop immigrants?" They had found the answer in Chinese exclusion.

NOTES

Numerous people have read earlier versions of this article, and I have benefited greatly from their comments: David Roediger, George Anthony Pepper, Paul Spickard, Catherine Ceniza Choy, Jigna Desai, Pat McNamara, Liping Wang, Claire Fox, and Claudia Sadowski-Smith, and the anonymous reader from the *Journal*. Michael LeMay provided early guidance.

1. California State Senate, Special Committee on Chinese Immigration, *Chinese Immigration: It's Social, Moral, and Political Effect* (Sacramento, 1878), p. 275.

2. *San Francisco Alta California*, 6 April 1876, as cited in Andrew Gyory, *Closing the Gate: Race, Politics, and the Chinese Exclusion Act* (Chapel Hill, N.C., 1998), p. 78.

3. Andrew Gyory, *Closing the Gate*, p. 78; Gwendolyn Mink, *Old Labor and New Immigrants in American Political Development: Union, Party, and State, 1875–1920* (Ithaca, N.Y., 1986), p. 73.

4. Act of May 6, 1882 (22 Stat. 58).

5. Roger Daniels, “No Lamps Were Lit for Them: Angel Island and the Historiography of Asian American Immigration,” *Journal of American Ethnic History*, 17, 1 (Fall 1997): 4; Andrew Gyory, *Closing the Gate*, pp. 1, 258–9.

6. Recent exceptions are Lucy Salyer, *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill, N.C., 1995); Sucheng Chan, ed. *Entry Denied: Exclusion and the Chinese Community in America, 1882–1943* (Philadelphia, 1994); Sucheng Chan and K. Scott Wong, eds. *Claiming America: Constructing Chinese American Identities During the Exclusion Era* (Philadelphia, 1998); Mae Ngai, “Legacies of Exclusion: Illegal Chinese Immigration During the Cold War Years,” *Journal of American Ethnic History*, 18, 1 (Fall 1998): 3–35.

7. Lucy Salyer has demonstrated how Chinese exclusion shaped the doctrine and administration of modern immigration law. Lucy Salyer, *Laws Harsh as Tigers*, pp. xvi–xvii.

8. On the Page Law, see George Anthony Pfeffer, *If They Don't Bring Their Women Here: Chinese Female Immigration Before Exclusion* (Urbana, Ill., 1999).

9. For example, see Michael C. LeMay, *Gatekeepers: Comparative Immigration Policy* (New York, 1989); Michael C. LeMay, *From Open Door to Dutch Door: An Analysis of U.S. Immigration Policy Since 1820* (New York, 1987); Nathan Glazer, *Clamor at the Gates: The New American Immigration* (San Francisco, 1985); Norman L. and Naomi Flink Zucker. *The Guarded Gate: The Reality of American Refugee Policy* (New York, 1987); Andrew Gyory, *Closing the Gate*.

10. Richard Rayner, “Illegal? Yes. Threat? No,” *New York Times Magazine*, 7 January 1996; Daniel B. Wood, “Controlling Illegal Immigration—But at a Price,” *Christian Science Monitor*, 4 October 1999; “Fifth Year of Operation Gatekeeper Stirs Debate” *Siskind's Immigration Bulletin*, (October 1999), available from <http://www.visalaw.com/99oct/21oct99.html>.

11. Andrew Gyory, *Closing the Gate*, pp. 1–2.

12. On the anti-Chinese movement, see in general, Mary R. Coolidge, *Chinese Immigration* (New York, 1909); Neil Gotanda, “Exclusion and Inclusion: Immigration and American Orientalism,” in *Across the Pacific: Asian Americans and Globalization*, ed. Evelyn Hu-DeHart (Philadelphia, 1999), pp. 129–132; Gyory, *Closing the Gate*; Robert G. Lee, *Orientalists: Asian Americans in Popular Culture* (Philadelphia, 1999), pp. 51–64; Karen J. Leong, “A Distant and Antagonistic Race:” Constructions of Chinese Manhood in the Exclusionist Debates, 1869–1878,” in *Across the Great Divide: Cultures of Manhood in the American West*, ed. Laura McCall, Matthew Basso, Dee Garceau (New York, 2000), pp. 131–148; Charles McClain, Jr., *In Search of Equality: Chinese Struggle against Discrimination in Nineteenth-Century America* (Berkeley, Calif., 1994); Mink, *Old Labor and New Immigrants*; Pfeffer, *If They Don't Bring Their Women Here*; Salyer, *Laws Harsh as Tigers*; Alexander Saxton, *Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley, Calif., 1971); K. Scott Wong, “Immigration and Race: The Politics and Rhetoric of Exclusion,” in *Many Americas: Critical Perspectives on Race, Racism, and Ethnicity*, ed. Gregory Campbell (Dubuque, IA, 1998), pp. 231–244.

13. California State Senate, Special Committee on Chinese Immigration, *Chinese Immigration*, pp. 276–7, emphasis original.

14. *Chan Chae Ping v. United States* (130 US 581, 1889). In 1893, the Court

also ruled that Congress had the right to exclude and deport unwanted aliens in 1893 in *Fong Yue Ting v. United States* (149 US 698, 1893).

15. Erika Lee, "Immigrants and Immigration Law: A State of the Field Assessment," *Journal of American Ethnic History*, 18, 4 (Summer, 1999): 85–114; Elliott Barkan and Michael LeMay, *U.S. Immigration and Naturalization Laws and Issues* (Westport, Conn., 1999), p. xxii.

16. Alan Kraut, *Silent Travelers: Germs, Genes, and the "Immigrant Menace"* (Baltimore, 1994), p. 3.

17. Immigration Act of 1917 (39 Stat. 874). My thanks to Margot Canaday for this citation.

18. Immigration policy directly shaped American "racial formation," what Michael Omi and Howard Winant have explained as the "socio-historical process by which racial categories are created, inhabited, transformed, and destroyed." Michael Omi and Howard Winant, *Racial Formation in the United States From the 1960s to the 1990s* (1986; New York, 1994), p. 55. For a study on immigration policy and racial formation in the post-1924 period, see Mae Ngai. "The Architecture of Race in American Immigration Law," *Journal of American History*, 86, 1 (June 1999): 67–92; and Mae Ngai. "Illegal Aliens and Alien Citizens: United States Immigration Policy and Racial Formation, 1924–1945" (Ph.D. diss., Columbia University, 1998). On critical race theory and the law, see Sally Engle Merry, *Colonizing Hawaii: The Cultural Power of Law* (Princeton, N.J., 2000), p. 17; Patricia Ewick and Susan S. Silbey, *The Common Place of Law: Stories from Everyday Life* (Chicago, 1998).

19. Donna Gabaccia, "Is Everywhere Nowhere? Nomads, Nations, and the Immigrant Paradigm of United States History," *Journal of American History*, 86, 3 (1999): 1115–1134; George J. Sanchez, "Race, Nation, and Culture in Recent Immigration Studies," *Journal of American Ethnic History*, 18, 4 (Summer, 1999): 66–84; Lisa Lowe, *Immigrant Acts: On Asian American Cultural Politics* (Durham, N.C., 1996), p. ix.

20. Bill Ong Hing, *Making and Remaking Asian America Through Immigration Policy, 1850–1990* (Stanford, Calif., 1993). See also Jose David Saldivar, *Border Matters: Remapping American Cultural Studies* (Berkeley, Calif., 1997), pp. 96–7; Ali Behdad, "INS and Outs: Producing Delinquency at the Border," *Aztlan*, 23, 1 (Spring, 1998): 103–113; Timothy J. Dunn, *The Militarization of the U.S.–Mexico Border, 1978–1992* (Austin, Tex., 1996).

21. Mae Ngai, "The Architecture of Race," pp. 67–92.

22. I use Michael Omi and Howard Winant's definition of the state as being composed of *institutions*, the *policies* they carry out, the *conditions and rules* which support and justify them, and the *social relations* in which they are imbedded. Michael Omi and Howard Winant, *Racial Formation in the United States*, 83. See also, John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (New York, 2000), p. 1; David Palumbo-Liu, *Asian/American: Historical Crossings of a Racial Frontier* (Stanford, Calif., 1999), p. 31; Alan Kraut, *Silent Travelers*, pp. 48–9; Anistide Zolberg, "The Great Wall Against China: Responses to the First Immigration Crisis, 1885–1925" in *Migration History: Old Paradigms and New Perspectives*, ed. Jan and Leo Lucassen (Bern, 1999), pp. 291–316; and Aristide Zolberg, "Matters of State: Theorizing Immigration Policy," in *The Handbook to International Migration: The American Experience*, ed. C. Hirschman et al. (New York, 1999), pp. 71–93.

23. Act of July 7, 1898: Annexation of Hawaiian Islands (31 Stat. 141) and Act of April 30, 1900: Regarding the Territory of Hawaii (31 Stat. 161); Act of April 29, 1902: Chinese Immigration Prohibited (32 Stat. 176). On imperialism and im-

migration in general, see Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876–1917* (New York, 2000), pp. 26–38.

24. Lisa Lowe, *Immigrant Acts*, p. ix; David Thelen, “The Nation and Beyond: Transnational Perspective on United States History,” *Journal of American History*, 86, 3 (1999): 966.

25. *Congressional Record*, 48th Cong., 2d sess. (February 13, 1885), p. 1634; as cited in Mink, *Old Labor and New Immigrants*, p. 109.

26. Democratic National Committee, *The Political Reformation of 1884: A Democratic Campaign Handbook* (1884); as cited in Gwendolyn Mink, *Old Labor and New Immigrants*, p. 107.

27. Act of February 26, 1885 (also known as the Alien Contract Labor Law and the Foran Act) (23 Stat. 332).

28. Act of March 3, 1903 (32 Stat. 1222).

29. The 1882 Regulation of Immigration Act (Act of August 3, 1882; 22 Stat. 214) also excluded lunatics, convicts, and idiots. The 1891 Immigration Act added polygamists and “persons suffering from a loathsome or dangerous contagious disease.” (Act of March 3, 1891; 26 Stat. 1084).

30. Donna Gabaccia, *From the Other Side: Women, Gender, and Immigrant Life in the US, 1820–1990* (Bloomington, Ind., 1994), p. 37.

31. James Barrett and David Roediger, “Inbetween Peoples: Race, Nationality and the ‘New Immigrant’ Working Class,” *Journal of American Ethnic History*, 16, 3 (1997): 8–9.

32. Recent studies on racial formation in the West illustrate the importance of moving beyond the white and black binary. See Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley, Calif., 1997); Tomas Almaguer, *Racial Fault Lines: The Historical Origins of White Supremacy in California* (Berkeley, Calif., 1994); Chris Friday, “In DueTime: Narratives of Race and Place in the Western United States,” in *Race, Ethnicity, and Nationality in the United States: Toward the Twenty-First Century*, ed., Paul Wong (Boulder, Colo., 1999), pp. 102–152.

33. As David Roediger and James Barrett have pointed out, part of the problem in immigration history has been a lack of attention to race (as opposed to ethnicity) within the field. “Typical” immigration history, they write, has largely been “the story of newcomers becoming American, of their holding out against becoming American or, at best, of their changing America in the process of discovering new identities.” Worse, they argue, is the misguided conflation of race with ethnicity. Stark differences between the racialized status of African Americans, Latinos, American Indians, and Asian Americans and European immigrants, they explain, meant that “the latter eventually became ethnic.” James Barrett and David Roediger, “Inbetween Peoples,” pp. 4–6.

34. John Higham, Preface to the Second Edition and Afterword, *Strangers in the Land* (New York, 1978). Higham implied that he was wrong in this interpretation, but offered no substantive corrective. See also Edith Abbot, *Historical Aspects of the Immigration Problem; Select Documents* (Chicago, 1926), p. ix; Carl Wittke, *We Who Built America: The Saga of the Immigrant* (New York, 1939), p. 458. Many of these oversights were first pointed out by Roger Daniels in “Westerners from the East: Oriental Immigrants Reappraised,” *Pacific Historical Review*, 35 (1966) and “No Lamps Were Lit for Them,” pp. 3–18.

35. Donna Gabaccia. “Is Everywhere Nowhere?” pp. 1115–1135; George Sanchez, “Race, Nation, and Culture,” pp. 66–84.

36. "Shut the Gates to the Hindu Invasion," *San Francisco Examiner*, 16 June 1910; "The Watchdog States," *San Francisco Post*, 24 May 1910.

37. *San Francisco Bulletin*, 4 May 1891, as cited in Roger Daniels, *Asian America*, p. 111. "Proceedings of the Asiatic Exclusion League," July, 1911 (Allied Printing, San Francisco, 1911).

38. Roger Daniels, *The Politics of Prejudice: The Anti-Japanese Movement in California and the Struggle for Japanese Exclusion* (Berkeley, Calif., 1962), p. 20.

39. Sucheng Chan, *Asian Americans—an Interpretive History* (Boston, 1991), p. 44.

40. "Advance Guard of Hindu Horde Has Arrived," *San Francisco Examiner*, 7 August 1910, as cited in Lucy Salyer, *Laws Harsh as Tigers*, p. 127.

41. *San Francisco Daily News*, 20 September 1910.

42. George Sanchez writes that "Mexicans rapidly replaced the Japanese as a major component of the agricultural labor force." George Sanchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900–1945* (New York, 1993), p. 19.

43. Mae Ngai, "The Architecture of Race," p. 91.

44. Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929–1939* (Tucson, Ariz., 1974), p. 10.

45. Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley, Calif., 1997), p. 54.

46. Frederick Russell Burnham, "The Howl for Cheap Mexican Labor," in *The Alien in Our Midst or Selling Our Birthright for a Mess of Pottage*, ed. Madison Grant and Charles Stewart Davison (New York, 1930), p. 48. See also Neil Foley, *White Scourge*, p. 51.

47. V. S. McClatchy, "Oriental Immigration"; Neil Foley, *White Scourge*, pp. 195, 197.

48. Foley, *The White Scourge*, p. 55.

49. Chester H. Rowell, "Why Make Mexico an Exception?" *Survey*, 1 May 1931; and idem, "Chinese and Japanese Immigrants," *Annals of the American Academy*, 34 (September, 1909): 4; as cited in Foley, *The White Scourge*, p. 53.

50. Frederick Russell Burnham, "The Howl for Cheap Mexican Labor," p. 45.

51. *Ibid.*, p. 48

52. John Higham, *Strangers in the Land*, pp. 132–3.

53. Donna Gabaccia, "The 'Yellow Peril' and the 'Chinese of Europe,'" pp. 177–9.

54. Massachusetts Bureau of Statistics of Labor, *Twelfth Annual Report of the Bureau of Statistics of Labor* (Boston, 1881), pp. 469–70. My thanks to Florence Mae Waldron for this citation.

55. Lodge was quoting the U.S. Consul in Budapest. Henry Cabot Lodge, "The Restriction of Immigration," *North American Review*, 152 (1891): 30–32, 35; Matthew Frye Jacobson, *Barbarian Virtues*, pp. 76–7.

56. Lothrop Stoddard, "The Permanent Menace from Europe," in *The Alien in Our Midst*, ed. Grant and Davison, pp. 227–8.

57. J.H. Patten, Asst. Secretary, Immigration Restriction League, Letter to Unions, 15 October 1908, Scrapbooks, Immigration Restriction League Collection, 1894–1912, Boston Public Library, Boston, Massachusetts.

58. J.H. Patten, Asst. Secretary, Immigration Restriction League to Congressmen and Senators, n.d., *ibid.*

59. Asiatic Exclusion League, Proceedings, Feb. 1908, pp. 19, 71, and December, 1908, pp. 17, 19; John Higham, *Strangers in the Land*, p. 166.

60. Homer Lea, *The Valor of Ignorance* (New York, 1909), pp. 124–8; John Higham, *Strangers in the Land*, p. 172.

61. *Congressional Record*, 61 Cong., 1 Sess., 9174; Asiatic Exclusion League, *Proceedings*, (February, 1908), pp. 55, 57; John Higham, *Strangers in the Land*, p. 174.

62. As David Roediger, Noel Ignatiev, and Matthew Frye Jacobson have shown, Irish and southern and eastern European immigrants commonly constructed and asserted their “whiteness” by allying themselves (and sometimes leading) racist campaigns against African Americans, Native Americans, and Asian and Mexican immigrants. See David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York, 1991); Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, Mass., 1998); Noel Ignatiev, *How the Irish Became White* (New York, 1995).

63. *San Francisco Call*, 22 November 1901.

64. Ian F. Haney Lopez, *White by Law: The Legal Construction of Race* (New York 1996).

65. Ngai, “The Architecture of Race,” p. 70.

66. Lawrence Cardoso, *Mexican Emigration to the United States, 1891–1931* (Tucson, Ariz., 1980), p. 22; George J. Sanchez, *Becoming Mexican American*, p. 20; Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression*, pp. 30–32.

67. Ngai, “The Architecture of Race,” p. 91.

68. Barbara Miller Solomon, *Ancestors and Immigrants: A Changing New England Tradition* (Chicago, 1956), pp. 82–88; Matthew Frye Jacobson, *Barbarian Virtues*, p. 181.

69. Madison Grant, *The Alien in Our Midst*, p. 23.

70. Frank Julian Warne, *The Immigrant Invasion* (New York, 1913), p. 295.

71. Immigration Act of 1917, (39 Stat. 874).

72. The Quota Act of 1921 (42 Stat. 5, section 2); Immigration Act of 1924, (43 Stat. 153). See generally, John Higham, *Strangers in the Land*, pp. 308–24.

73. Robert A. Divine, *American Immigration Policy, 1924–1952*, (New York, 1957), p. 60; H. Brett Melendy, “The Filipinos in the United States,” in Norris Hundley, ed., *The Asian-American: The Historical Experience*, ed. Norris Hundley (Santa Barbara, Calif. 1976), pp. 115–6, 119–25.

74. One recent estimate places the number of Mexicans, including American-born children who were returned to Mexico at one million. See Francisco E. Balderrama and Raymond Rodriguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (Albuquerque, N. Mex., 1995), p. 122.

75. The Bureau of Immigration was established under the Act of August 18, 1894 (28 Stat. 390). In 1900, Congress transferred the administration of the exclusion laws to the commissioner-general of immigration, but the everyday enforcement of the law still remained with the immigration officials in the Customs Service. In 1903, all Chinese immigration matters were placed under the control of the Bureau of Immigration and its parent department, the newly created Department of Commerce and Labor. “An act to establish the Department of Commerce and Labor,” (32 Stat. L., 825).

76. The Page Law was also enforced by U.S. Consuls in Hong Kong. Act of March 3, 1875 (18 Stat. 477) George Anthony Pepper, *If They Don't Bring Their Women Here*, pp. 58–9; Wen-hsien Chen, “Chinese Immigration Under Both Exclusion and Immigration Laws,” (Ph.D. diss., University of Chicago, 1940), p. 91.

77. Act of May 6, 1882, (22 Stat. 58).

78. See, for example, the Chinese Arrival Files, Port of San Francisco, RG 85, Records of the Immigration and Naturalization Service, National Archives, Pacific Region, San Bruno, CA.

79. Act of May 26, 1924: The Immigration Act of 1924 (43 Stat. 153); e-mail communication with Marian Smith, Historian, U.S. Immigration and Naturalization Service, 24 October 2000.

80. Section 4, Act of May 6, 1882, (22 Stat. 58); Act of July 5, 1884 (23 Stat. 115); Mary R. Coolidge, *Chinese Immigration*, pp. 183–5; George Anthony Pepper, *If They Don't Bring Their Women Here*; John Torpey, *The Invention of the Passport*, pp. 97–9.

81. Section 7, Act of May 5, 1892, “Geary Act,” (27 Stat. 25) and Section 2, Act of November 3, 1893, “McCreary Amendment,” (28 Stat. 7).

82. United States, Department of Commerce, *Annual Report of the Commissioner-General of Immigration for Fiscal Year 1903* (1903), 156 and *Annual Report of the Commissioner-General of Immigration for Fiscal Year 1909* (1909), 131.

83. The use of “immigrant identification cards” was first begun under U.S. Consular regulations on July 1, 1928. The “alien registration receipt cards,” commonly known as “green cards” were the product of the Alien Registration Act of 1940 and the corresponding INS Alien Registration Program. Act of June 28, 1940 (54 Stat. 670); e-mail communication with Marian Smith, Historian, U.S. Immigration and Naturalization Service, 26 October 2000; Marian Smith, “Why Isn’t the Green Card Green?” <http://www.ins.usdoj.gov/graphics/aboutins/history/articles/Green.htm>.

84. Mary R. Coolidge, *Chinese Immigration*, pp. 209–33; John Torpey, *The Invention of the Passport*, p. 100.

85. Sections 7 and 11, Act of May 6, 1882, (22 Stat. 58). This second clause added to existing terms of punishment first established by the Page Law for any persons caught “importing” either Asian contract laborers or prostitutes. Act of March 3, 1875 (18 Stat. 477).

86. Section 12, Act of May 6, 1882, (22 Stat. 58).

87. This law established the Office of Superintendent of Immigration, outlined the specific duties of “inspection officers,” established a medical examination of all incoming immigrants, and laid out rules for border inspection along the Canadian and Mexican borders. The criminal charges and deportation regulations concerning illegal immigrants affirmed those first laid out in the Chinese Exclusion Act. Act of March 3, 1891. In 1894, the Bureau of Immigration was established by the Act of August 18, 1894 (28 Stat. 390).