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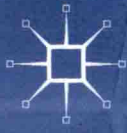
THE CHINESE EXCLUSION ACT

What It Can Teach Us about America

Ben Railton



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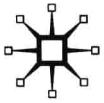

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Also by Ben Railton

REDEFINING AMERICAN IDENTITY: From Cabeza de Vaca to Barack Obama

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For Jess, my ideal reader

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Contents

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Introduction: Teaching Americans the Chinese Exclusion Act

Abstract: *An overview of what better remembering the Chinese Exclusion Act can teach us about American history, culture, community, and identity: about legal and illegal immigration; about diversity and multiculturalism; and about inspiring American lives and stories, including those of the Angel Island poets, Yung Wing, and the Chinese Educational Mission students. And an argument for why such public American Studies scholarship, lessons, and arguments form a crucial part of our ongoing national narratives and conversations.*

Keywords: American identity; American Studies; Chinese Exclusion Act; public scholarship; teaching

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In February of 2012, I had the opportunity to teach a class as part of Fitchburg State University's Adult Learning in the Fitchburg Area (ALFA) program, an initiative targeted at retired residents pursuing lifelong learning. I decided to focus my five-week syllabus on "Expanding Our Collective Memories," highlighting and analyzing American events and histories that we don't generally include in our national narratives and with which I imagined the students would not be familiar. Yet I quickly discovered that, while the course's twenty-five students were very open to learning more about American history and culture, they were also already very knowledgeable and engaged; for example, on the day when we talked about the American Indian Movement and the "Native American Renaissance," more than half of the class had watched a rerun of PBS's documentary series *We Shall Remain* on many of those same topics the night before. Much of the time, that is, I wasn't expanding their collective memories so much as contributing additional layers and contexts to some strong starting points.

There was really only one of my five main topics on which none of the students had any prior, specific perspectives: the Chinese Exclusion Act. When I polled them at the start of that class, only two of the twenty-five could recall ever having heard of the Act, and neither of those two knew anything about it other than the basic discriminatory purpose captured in the name. While I have not had the chance to poll Americans more generally on the same question, one of my fundamental premises in writing this book is that our national awareness of the Act (outside of the academic historical and Asian American communities, at least) does indeed mirror that of these ALFA students: mostly absent, with some occasional, slight recognition of the name and nothing further. Similarly, I have encountered only a few undergraduate students, in my eight years of teaching at Fitchburg State and five before that at multiple other institutions, who have heard of the Act at all, making it clear that this is not simply a generational difference or a gap that has been corrected through exposure to multicultural education.

As a nation, we don't remember the Act—not well, not even much at all; that's my first fundamental premise. My second premise is that we should, for both specific and overarching reasons. Specifically, as I detail at length in chapter 1, many of the Act's historical details and contexts are singular and striking yet at the same time exemplify ongoing and vital national trends. The 1882 Act comprised the nation's first significant immigration law, and likewise the first designation of a community of

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immigrants as "illegal"—making its passage both a prominent transition in our governmental and political policies and a harbinger of categories and concepts that continue to define our debates into the 21st century. However, the Act also represented the culmination of a century of evolving laws and policies related to naturalization and citizenship, shipping and transportation, ports of entry and documentation, and other issues; understanding its specifics would also help us better engage with how those policies developed alongside post-Revolutionary America itself. Moreover, the Act's most significant contemporary context and cause, the rise of xenophobic and racist narratives of a "yellow peril" threatening American society and identity, connects to a number of late 19th century themes that remain salient in our own 21st century moment: the distinct yet often overlapping interests of labor leaders and corporations, populist politicians and racist demagogues, lawmakers and media moguls; national moves toward international and imperial goals and the fears of competing and rising foreign powers that they bring with them; debates over citizenship, communal identity, and which populations and peoples are or are not entitled to those concepts and categories; and more.

While those specific historical details are thus well worth our collective engagement, I believe that a fuller national memory of the Chinese Exclusion Act would also produce overarching shifts in our narratives and communal identity. Remembering the Act, that is, and more exactly engaging with some of the American histories and stories to which it connects, would allow us to do a few very important things, would teach us the lessons that form the basis of this book's focal points and arguments. It would give us the chance to correct two wrongs, fundamentally inaccurate narratives at the core of many of our longstanding and contemporary national conversations: a wrong about the history of legal and illegal immigration, on which my first chapter's main argument focuses; and a wrong about the history of diversity and multicultural America, on which my second chapter's does. And it would give us potent examples of what has always been most right about America, in the form of the profoundly inspiring American identities and stories about which I write in my third chapter: those of the poets who carved their texts on the walls of Angel Island's holding facility; those of Yung Wing, his evolving Chinese American life and identity, and his multigenerational American family; and those of Yung's 120 students at the Chinese Educational Mission, their own Chinese American experiences and lifelong impacts, and their climactic victory on an Oakland baseball field.

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In each of these ways, on its own specific terms and in its overarching implications, the Chinese Exclusion Act can help us better understand America—in our past, in our present, and in our future, and in some of the most defining and crucial elements of our national community and identity. It's important for me to make clear from the outset, however, to whom that sentence's "us" refers. After all, academic historians and scholars of immigration, law, Asian American Studies, and American culture and society are likely to be already familiar with many of these specific details, and might similarly feel as if my chapters' arguments are generally accepted and shared across these scholarly communities. Yet my third fundamental premise is that on these histories and issues, as on so many crucial American themes, there is a substantial disconnect between our scholarly awareness and perspectives and those of Americans more broadly; and, relatedly, that many of our scholarly conversations and arguments take for granted shared knowledge that is in fact not widely shared outside of our academic communities, making it difficult if not impossible for broader American audiences to connect to, learn from, and participate in those conversations.

I hope it goes without saying that I believe there to be great value to those specifically academic communities and conversations; much of my work and writing has been and will continue to be situated within them, after all. Yet I am at the same time more and more convinced of the value of—indeed the pressing need for—public American Studies scholarship, for work and writing that seeks to contribute to and impact conversations and communities at the most broad and national levels. In order to do so, scholars cannot abandon goals such as historical accuracy, analytical rigor and complexity, and engagement with those voices that have come before ours—goals that often distinguish scholarly work from partisan punditry or propaganda, and that help define the value of our ideas and contributions. But we must be willing to write about questions and themes that might feel familiar or shared within our academic communities but that are, in many cases and certainly in the cases on which this book focuses, largely unknown, if not indeed misrepresented, in our broader national conversations and narratives. When I write that "the Chinese Exclusion Act can help us better understand America," then, my "us" refers to all Americans—and this book's three chapters constitute my attempts to contribute my public scholarly perspective on and analyses of these themes and histories to national narratives and conversations that exist outside of (and, too often, separate from) academic debates.

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Although we academic scholars are not always good at acknowledging or engaging with them, those national and public narratives and conversations about our histories and identities do exist—and, I would argue, often feature in leading and "expert" roles (in part because of academic scholars' reticence) voices that are far more partisan and propagandistic than scholarly. In my Conclusion I mention one of the most egregious offenders: Glenn Beck's Beck University (motto: "Learn History as It Really Happened"), and specifically its use of "historian" David Barton as the principal "scholarly" voice in classes and conversations about American history and identity (forgive the scare quotes, but to my mind Barton is at best a minister and at worst a charlatan, and neither a historian nor a scholar in any case). It might seem as if by responding to figures like Barton and Beck—or to similar figures like Sarah Palin and Pat Buchanan, with whose voices my first and second chapters open—academic and serious scholars will be lowering ourselves to their partisan level and demeaning the work that we do. But the truth, as I see it, is that if we do not respond, do not seek to add our voices to the conversations about America that are happening in our public spaces, then we cede the field entirely over to these other kinds of voices—and, more significantly, leave American audiences with no opportunity to learn and engage with histories and stories alternative to, and far more complex and nuanced and accurate than, those being created by figures like Beck, Barton, Palin, and Buchanan.

Not all Americans learn their history from such figures (although Barton's books sell millions of copies and Beck University has been popular enough to expand its offerings every year); but the simple fact is that they are going to learn it somewhere. As the recent example of Steven Spielberg's film *Lincoln* reminds us, popular culture and mass media provide another potent space for the creation and dissemination of national narratives. Spielberg's (and screenwriter Tony Kushner's) reliance upon the work of Doris Kearns Goodwin, as well as the prominent responses of historians such as Kate Masur to the film, illustrates the possibilities for public scholarly voices to join and influence our national conversations over historical figures, events, and themes. Yet while the case of *Lincoln* represents more positive connections between mass media and public scholarship, most pop culture works do not come with such scholarly accompaniment; as a result many remain far less nuanced or impressive in their engagements with our national histories. That's not their job—*Abraham Lincoln: Vampire Hunter* was written and then filmed

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to entertain, and there's nothing wrong with that—but once again, the presence of such cultural engagements with history, if coupled with the absence of public scholarly contributions to our national conversations over those issues, might well produce American audiences whose awareness of their histories comes solely from such less than ideal sources.

There's one existing academic space and community that already more closely parallels such public national conversations, however: the classroom. In that space, after all, students must first learn about, understand, and engage at length and in depth with their subjects and questions, including the kinds of histories and details that their professors might take for granted in their scholarly work, before they can then develop their own analyses and arguments in response to them. In a very meaningful sense, then, I would argue that public scholarly work represents an extended form of teaching, rather than simply a reframing of our academic writing for a different audience. Indeed, just as academic language in a classroom setting succeeds only inasmuch as it communicates with the students and helps create a communal conversation, so too must public scholarly writing be judged on how it connects to our audiences and to the conversations into which we are hoping to add our voices. Which is to say, if we scholars see our public writing as a kind of teaching, in the most democratic and conversational sense of the role, it will encourage us to do in that public work all those things we strive to do for the students in our classes: make clear the value and stakes of what they're learning and doing; help them learn about, access, and connect to the histories and stories with which we're working; develop their own perspectives on and analyses of these crucial questions; and then put those ideas in conversation with ours, with each other's, and with the many other voices that have contributed and continue to contribute to America's narratives and debates.

Just as I always encourage my students to take those latter two steps, to develop their own takes on our shared materials and topics, to push beyond my starting points and see where their own responses and ideas take them, so too do I hope that my perspectives and analyses, in each chapter and on every point of this book, will be further contextualized and extended: by reading the primary sources and voices about which I write; by engaging with the arguments and analyses of the other scholars to whose works I refer in my concluding "Further Reading" section (and the many others with whom they engage, and so on); and most significantly by taking part in ongoing conversations and debates among both

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academic scholars and all interested Americans. If this book can help prompt Americans to such further investigations and discussions—of the Chinese Exclusion Act's specific histories and stories, of the overarching issues and questions to which they connect, and of what they can teach us about some of the most defining ideas of who we are and why that matters—it will have achieved my highest goals for my public American Studies scholarship. And in so doing it will, as I argue in my Conclusion, likewise contribute to and offer lessons for some of our most pressing and vital 21st century conversations and debates.

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What the Act Can Teach Us about Immigration History and Laws

Abstract: *The phrase "My ancestors came here legally," whether deployed by Sarah Palin, Colin Powell, or anonymous web commenters, represents a widely accepted yet fundamentally inaccurate understanding of the history of immigration and law in America. Remembering the Chinese Exclusion Act helps us consider the absence of national immigration laws for the first post-revolutionary century, and thus highlights the historical meaningless of concepts such as "legal immigrant" and "illegal immigrant" during that era. It also connects us to the ethnically and nationally discriminatory laws that developed from the 1882 Exclusion Act through the 1920s Quota Acts (and lasted until the 1965 Immigration Act), under which "legal" and "illegal" were still far from consistent or stable categories.*

Keywords: Chinese Exclusion Act; Ellis Island; illegal immigrants; immigration; immigration laws; legal immigrants

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