

## FEATURE

# Echoes of the Chinese Exclusion Act in Immigration Debate

The current immigration debate has an unsettling precedent to arguments advanced during the 19th century to keep the Chinese out of the U.S.

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**F**URTIVE border crossings. Lives lived in the shadows. Families torn apart. Accusations of job theft. And calls for the expulsion of newer, darker-skinned immigrants. America in 2014? Yes, and also in 1882.

The current immigration debate has an unsettling precedent in arguments advanced in the 19th century to keep the Chinese out of the U.S., and to keep those already here alien. Chinese were arriving in large numbers. They looked different and didn't speak English. Most lived on the bottom rungs of society's ladder, willing to work for lower wages. Some competed with Americans for jobs.

The result was the Chinese Exclusion Act of 1882, the first law in American history to restrict immigration by a particular nationality. Aimed at choking off the flow of Chinese laborers, it not only prohibited their entry, it also denied citizenship to more than 100,000 Chinese already here. The handful of Chinese who naturalized before the act passed had no political power to exert on elected representatives.

By contrast, Hispanics today account for 10 percent of the electorate and Asian Americans represent about 3 percent. Anyone who missed the clout these groups wielded in the last presidential election wasn't paying attention.

Was America better off for barring Chinese for the six decades the exclusion act was



in effect? Looking back, it's hard to see that the law did much good. It freed up jobs for a handful of Americans, but 19th-century Chinese generally undertook work nobody else wanted.

Nor did the act halt Chinese immigration. It just made it illegal, and made the lives of people who wanted to stay in America miserable. Some were deported. Others were cut off from families. Many were forced underground, compelled to live in fear of arrest and expulsion.

It created an underclass that lacked a say in the laws that governed them and the ability to get justice from the courts. Chinese had little recourse when the Washington Territorial Legislature barred them from owning property, or when the mayor of Tacoma and a group of

vigilantes burned their homes and forcibly expelled them.

The act was destructive for more than its racism. It was also terrible economic policy. Chinese came to America for the same reason others come today: economic opportunity.

Today we understand that immigration is not a zero-sum game. America has always been better off for its welcome mat. No statistics survive to illustrate the cost of denying entry to Chinese for six decades. But judging from the successes of those who remained and those who entered after the law was repealed, the price was far greater than any accrued benefit.

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A recent Pew Research Center study identified Asian Americans, of whom Chinese Americans account for nearly 25 percent, as the highest-income, best-educated group in the country. Those who never came, or who were expelled, were not here to set up businesses, forge new industries, create jobs or pay taxes.

The exclusion act was law until 1943, when Congress repealed it less out of conscience than embarrassment. China was an ally in World War II, yet America continued to discriminate against its citizens. It was only in 2011 that the U.S. Senate passed a resolution expressing regret for the act. The U.S. House approved a similar bill in 2012.

The Senate went on last June to pass comprehensive immigration reform. Now it is the House's turn. As the history of the Chinese Exclusion Act demonstrates, effective immigration reform should, at minimum, permit newcomers to arrive with visas rather than via smugglers, and, most important, include a path to legality and citizenship for the 11 million aliens already here illegally.

It was an immigrant — George Santayana, a Spanish-born philosopher — who noted famously, “Those who cannot remember the past are condemned to repeat it.” Congress has just apologized for America's reprehensible treatment of Chinese. Can memories be so short that it makes the same mistake all over again?

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