The United States was a land of heinous extremes for the Asiatic immigrant arriving between 1850 and World War II. Here he could be more successful than he ever dreamed of being back home, or perhaps he could fall victim to the caustic effects of Americans’ supremacist attitudes. These attitudes combined with ever-increasing waves of Asian immigrants to the US led to a persistent anxiety among American lawmakers, and ultimately to the formation of many sinister laws to combat this perceived Asian ‘threat’ to their way of life. Thusly, US legislation from 1850 to WWII has sought to reduce the overall political influence of Asian-American groups, primarily by curtailing the number of Asian immigrants, denying citizenship to those who successfully immigrate, and restricting their economic advancement.

A large population is a good way to ensure the general success of the group. The vast majority of newly hatched oysters will die very shortly after birth, yet the species continues to thrive because female oysters produce eggs by the thousands. Only a small handful of these eggs need to survive to assure the species’ existence. Similarly, the vast majority of newly arrived immigrants would not gain the political power necessary to challenge the American nationalist status quo, but if they kept coming in large numbers, statistical logic suggested that more outliers would appear. The idea of strength in numbers was definitely not lost on the US Government, which quickly established laws that were meant to reduce the statistical advantage granted by a large sample size. In the 1870s, America’s Chinese population had become big enough to pose a tangible threat, leading to the passing of the Chinese Exclusion Act on May 6, 1882. Effectively barring all Chinese with the minute exception of occasional students and merchants (in whose presence the Americans saw some practical value), this law was the first to specifically target a particular ethnic group.¹ Its significance lies in the attitude of Asian exclusionism it set for the United States, while the slowly dwindling numbers of aging Chinese men too tired to fight back
supported its efficacy in the eyes of lawmakers and the public alike. The effects of this law and other exclusionist policies that followed in its wake were not limited to the people who lived through them, but continued to influence the success of their descendants; in 1976, almost a century after the passing of this law, the UCLA National Asian Pacific American Political Almanac reported only 100 Asian Americans holding any form of political office.² Obviously there is little political change possible when so few people of the demographic have official power.

Because not all Asian groups were explicitly prohibited from migrating to the United States, the government knew that another form of social control was necessary to keep immigrants in their place. They needed an inconspicuous way to further exclude them, a policy that was honest and justifiable in the nationalist American opinion and subversively potent to Asian settlers in the US. Not keen on rounding up every Asian in the country for deportation, the government fell back on an antiquated law from 1790 to realize its agenda: The Naturalization Act. The 1790 Naturalization Act states that naturalized citizenship is reserved for white aliens “of good character” who have lived on US soil for a minimum of two years.³ The Government could now readily throw the book at any Asian immigrant seeking citizenship, or so it thought.

Things were moving along swimmingly for the American exclusionist lawmakers until an educated Punjabi Sikh turned US military veteran (who was also white, according to official US demarcation) named Bhagat Singh Thind applied for citizenship. Despite the fact that previous court decisions had established that other people from Thind’s region were indeed Caucasian and therefore eligible for citizenship, his application was repeatedly denied and appealed until he reached the Supreme Court, where Justice George Sutherland turned Thind away on the basis that European immigrants assimilate far more naturally and effectively into American society.
than do the so-called “Hindus”, and that no reasonable person would understand south Asians to be white. This decision very clearly exemplifies how restrictive the law was in regard to granting citizenship and the benefits it provides. A Caucasian man who was American in every way except his name and his heritage could not achieve this feat, and so there was very little hope for the masses of aliens who were not as well assimilated. It is no coincidence that citizenship is required to hold American office, and through the Naturalization Act the powers that be were able to furtively control whom received political power. The exclusionist machine was gathering momentum.

Land ownership is a very exciting achievement in a person’s life. It represents a space of your very own where you are free to behave as you please without any consequence, to live your life how you see fit. Unfortunately, this economic milestone was denied to countless Asian Americans on the basis of the Alien Land Law, which was basically an extension of the 1790 Naturalization Act. It stated that in addition to being ineligible for citizenship, non-white aliens were also prohibited from owning land. Having been denied the right to owning land, few Asian Americans were able to work their own farms, and instead had to find agricultural work under somebody else or illegally circumvent the land law. Had they been able to establish farms in their own name, the collective economic resources of Asian Americans likely would have increased substantially, given their adeptness at agricultural pursuits. Unfortunately, this potential avenue to influence in the US was foreseen and preemptively shut down. Alone, alienated, and landless, Asian Americans had little hope of an uprising.

While not life-threateningly brutal, American legislation between 1850 and World War II was a definitely enemy to Asian Americans. Through a complicated legal scheme, the US government had effectively excluded Asian Americans from politics and American society in
general. They were silently pushed aside, their voices stifled by poverty and subjugation. If nothing else, the legacy of these laws can remind future generations of the dark times our country has seen and how to move past them.
Endnotes


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