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Abstract

This dissertation has the purpose of analyzing the rise and fall of the Chinese Empire and its relations with the United States of America. Therefore, three important themes have been tackled in this research:

1) A historical background has been presented about the position of china in the world and the last three dynasties that led to the fall of imperial china.

2) The pull and push factors that pushed the Chinese to move to the United States of America.

3) The persecution and violence that the Chinese had gone through and the different discriminatory laws and clauses widespread against the Chinese.

This work has mainly focused on the California Gold Rush and the Chinese active participation to the transcontinental Railroad.

Accordingly, a heated analysis about the Chinese immigration had been presented and its role riding the popular Anti-Chinese fervor and fear of an overpopulation and control of the Chinese people. Indeed for more than 150 years of menial labor and discrimination, as well as service and contributions to American culture, immigrants from China have not been welcomed with open arms. But Chinese Americans had battled long to make a place for themselves, in exotic Chinatowns in New York to San Franciscan shores.

In this country of immigrants and American dream and freedom, the first Chinese who settled in America learned quickly that freedom was not distributed fairly. In fact Chinese Americans endured poverty and hostility. But the lure of gold, money and the opportunity for a better life continued to glimmer on the horizon. However, prejudice that they experienced from the bias some hold against all minorities to an ethnic superiority from those born in China.

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Map 1.4: Qing dynasty: <http://www.chinatownconnection.com/qing-dynasty.htm>



Table 1: China's National Minorities:**(1) Population and location.**

<i>National Minorities</i>	<i>Population*</i>	<i>Areas of Distribution</i>
Zhuang	13,378,162	Guangxi. Yunnan, Guangdong, Guizhou
Hui	7,219,352	Ningxia. Gansu. Henan. Xinjiang, Qinghai, Yunnan, Hebei, Shandong, Anhui. Liaoning, Beijing. Inner Mongolia, Heilongjiang, Tianjin, Jilin, Shaanxi
Uygur	5,957,112	Xinjiang. Hunan
Yi	5,453,448	Sichuan, Yunnan, Guizhou, Guianxi
Miao	5,030,897	Guizhou, Yunnan, Hunan, Guangxi. Sichuan, Guangdong, Hubei
Manchu	4,299,159	Liaoning. Heilongjiang, Jilin, Hebei, Beijing, Inner Mongolia
Tibetan	3,870,068	Tibet, Sichuan. Qinghai. Gansu. Yunnan
Mongolian	3,411,657	Inner Mongolia, Xinjiang Liaoning. Jilin. Heilongjiang, Qinghai. Hebei. Henan, Gansu. Yunnan
Tujia	2,832,743	Hunan, Hubei, Sichuan
Bouyei	2,120,469	Guizhou
Korean	1,763,870	Jilin. Heilongjiang. Liaoning. Inner Mongolia
Dong	1,425,100	Guizhou, Hunan, Guangxi
Yao	1,402,676	Guangxi, Hunan. Yunnan, Guangdong. Guizhou

(1) Population and location.

<i>National Minorities</i>	<i>Population *</i>	<i>Areas of Distribution</i>
Bai	1,131,124	Yunnan
Hani	1,058,836	Yunnan
Kazak	907,582	Xinjiang, Gansu, Qinghai
Dai	839,797	Yunnan
Li	817,562	Guangdong
Lisu	480,960	Yunnan, Sichuan
Baoan	9,027	Gansu
Monba	6,248	Tibet
Drung	4,682	Yunnan
Oroqen	4,132	Inner Mongolia. Heilongjiang
Tartar	4,127	Xinjiang
Russian	2,935	Xinjiang
Loba	2,065	Tibet
Gaoshan **	1,549	Fujian
She	368,832	Fujian, Zhejiang, Jiangxi, Guangdong
Lahu	304,174	Yunnan
Va	298,591	Yunnan
Shui	286,487	Guizhou, Guangxi
Dongxiang	279,397	Gansu, Xinjiang
Naxi	245,154	Yunnan, Sichuan
Tu	159,426	Qinghai, Gansu
Kirgiz	113,999	Xinjiang, Heilongjiang
Qiang	102,768	Sichuan

(1) Population and location.

<i>National Minorities</i>	<i>Population</i> *	<i>Areas of Distribution</i>
Daur	94,014	Inner Mongolia, Heilongjiang, Xinjiang
Jingpo	93,008	Yunnan
Mulao	90,426	Guangxi
Xibe	83,629	Xinjiang, Liaoning, Jilin
Salar	69,102	Qinghai. Gansu
Bulang	58,476	Yunnan
Gelao	53,802	Guizhou, Guangxi, Sichuan. Hunan
Maonan	38,135	Guangxi
Tajik	26,503	Xinjiang
Pumi	24,237	Yunnan
Nu	23,166	Yunnan
Achang	20,441	Yunnan
Ewenki	19,343	Inner Mongolia. Heilongjiang
Uzbek	12,453	Xinjiang
Benglong	12,259	Yunnan
Jing	11,995	Guangxi
Jinuo	11,974	Yunnan
Yugur	10,569	Gansu
Hezhe	1,476	Heilongjiang
Other national minorities (to be specifically identified)	879,201	

Source: Sucheng, Chan, Entry Denied: Exclusion and the Chinese Community in America, 1882-1943(Temple University Press, 1991)p. 29

Table two: Hui-Kuan of the continental United States, 1893-1911:

Hui-Kuan of the continental United States, 1893-1911

Hui-kuan name	Member's area of origin
Yang-ho (Yeung Hop)	Hsiang-Shan (Heung-shan, modern day Chung-Shan)
Ts'ao-ch'ing	Ts'ao-ch'ing prefecture except those from Hsin-Ning district (modern T'ai-shan, or T'oi-shan)
En-k'ai (Yen Hoi)	En-p'ing and K'ai-p'ing (Hoi-ping)
Kang-chou (Kong Chow)	Hsin-hui (sunwui) and Ho-shan
Ning-yang (Ning Yeung)	Hsin-ning (T'ai-shan) district except those of the The Y ü(Yee) surname
Ho-ho (Hop Wo)	Y ü(Yee) surname of Hsin-ning district plus the Wangs of k'ai-p'ing (hoi-ping)
Szu-I (Ssu Yap)	Szu-I people who were not members of the Ts'ao-ch'ing, Hsin-ning, Ho-ho, En-k'ai or

Kang-chou hui-kuan

San-I (Sam Yap)	san-i districts (Nan-hai, P'an-yü, Shun-te)
Jen-ho (yan Hop)	Hakkas

Sources: Liang Ch'i-chao, Hsin-ta-lu yu-chi, pp.386-387, and Chinn, Lai, and Choy, History of the Chinese in California, pp.2-4.

**Table three: Means of Employment of Chinese in the Continental United States, 1893-1911:
Means of Employment of Chinese in the Continental United States, 1893-1911**

Means of employment	Approximate Number of People Involved	Percent of Chinese in the continental United States
Laundry proprietors and employees	40,000	33.3%
Factory workers		
Canneries	15,000	12.5
Others	2,500	2.1
Shop owners and employees		
General stores	6,500	5.5
Clothing shops	3,000	2.5
Restaurants proprietors and employees	5,500	4.6
Farmers and agricultural laborers	4,500	3.8

Fishermen	3,000	2.5
Cooks and houseboys	2,000	1.7
Translators	500	0.4
Medical doctors/practitioners	200	0.17
Missionaries, pastors, priests	200	0.17
Students	200	0.17
Women	2,000	1.7
Children	3,000	2.5
Unemployed	10,000	8.3
Unknown (including more unemployed, Gamblers, Smugglers)	21,900	18
TOTAL	120,000	99.9

Principal source: Liang Ch'i-chao, Hsin-ta-lu yu-chi, pp.392-393.

Table four: Total Number of Cases Filed by Year, 1882-1891:

YEAR	NUMBER	PERCENTAGE
1882	4	+
1883	116	2
1884	376	5
1885	475	7
1886	321	5
1887	1083	15
1888	3297	47
1889	332	5
1890	1046	15
1891	30	+
TOTAL	7080	101

Total Number of Cases Filed
by Year, 1882-1891

- Percentages add up to
more than 100 because of
rounding.

- + Less than one
percent.

General introduction

Chinese Americans constitute one group of Overseas Chinese, people of Chinese birth or descent who live on the American soil. Historians agree that in dealing with the history of Chinese immigrants in the United States, one must always bear in mind that the term Chinese American is usually used to include not only immigrants from China, Hong Kong, Macau and their descendants but also immigrants and descendants of Overseas Chinese people who migrated to the United States from places such as Singapore, the Philippines, Vietnam, Indonesia, Burma, Taiwan and Malaysia.

According to U.S. government records the first Chinese immigrants arrived in 1820. Fewer than 1,000 men are known to have arrived before the 1848 California Gold Rush¹ which attracted the first significant number of laborers from China who tried their hand at mining and performed menial labor. Most of the early immigrants were young males with a low educational level from the Guangdong province².

The thesis examines what occurred to Chinese immigrants once they reached the Americans soil. Did they succeed? And if it is the case, how difficult was their struggle to face racism and discriminatory laws enacted against them? What were the different steps of assimilation? And how much it was hard to adjust to mainstream America?

In fact, between 1882 and 1943 Chinese were banned from immigrating, when the Chinese Exclusion Act³ was in effect. Since the repeal of the Act in 1943, immigration of Chinese continued to be heavily restricted until 1965⁴. In the middle of the nineteenth century, Chinese came to “Gold Mountain” as most of them called America, to join the gold rush that begun in California and seek better living conditions. Initially welcomed, they became a significant element of the labour force that set up the economic foundation of the American West. Chinese were found throughout the U.S. territory region, laboring in agriculture, mining, industry, and were present wherever workers were needed. They

¹ Frederic P. Miller, Agnes F. Vandome, John McBrewster, Chinese American, Alphascript Publishing, 2010, p.92.

² Guangdong is a province on the southern coast of People's Republic of China. It is China's most prosperous province, with Jiangsu and Shandong in 2nd and 3rd in step.

³ The Chinese Exclusion Act was a United States federal law signed into law by Chester A. Arthur on May 8, 1882, following revisions made in 1880 to the Burlingame Treaty of 1868. Those revisions allowed the U.S. to suspend immigration, and Congress subsequently acted quickly to implement the suspension of Chinese immigration, a ban that was intended to last 10 years.

⁴ David E. Kyoso , Immigrants in The United States, 2010, p.19.

were acknowledged for their great contribution to the construction of the Transcontinental Railroad, which united the country economically and culturally.

In spite of their essential role in the development of the American West, the Chinese suffered tough exploitation. They were discriminated against in terms of pay and were forced to work under unbearable conditions. White workers saw them as economic competitors and racially inferior, thus encouraging the passing of discriminatory laws and engaging of widespread acts of violence against the Chinese.

Under the slogan “Chinese must go!” an anti-Chinese movement emerged and worked hard to prevent the Chinese from means for making a living⁵. The movement’s objective was to drive them out of the country. This hostility froze all the efforts of Chinese to become American citizens. It forced them to retreat to Chinatowns, where they found safety and support. In these confined areas, they managed to earn their living, but were isolated from the rest of the population, things more difficult to assimilate into mainstream society.

As a consequence, Chinese workers were prevented from immigrating to America by the Chinese Exclusion Act of 1882⁶. Its passing was a turning point event in the history of America. The act marked the departure from the traditional American policy of unrestricted immigration.

After that China became an ally during World War II, the exclusion laws were finally repealed by the Magnuson Act in 1943. This bill made it possible for Chinese to become naturalized citizens and gave them an annual quota of 105 immigrants. While the Act put an end to an injustice that lasted more than sixty years, the damage to the Chinese community had already been done. Between the 1890s and 1920s⁷, the Chinese population in America declined. The worst effect was to undermine the one thing that was most precious to the Chinese, their families. Chinese men were forced to live lonely in the almost all-male society that was Chinatown. At the same time, wives and children were forced to remain in China, supported by aids from relatives established in the United

⁵ John Higham *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New York: Antheneum, 2002), p. 25

⁶ Kathleen R. Arnold, *Anti-Immigration in the United States: A Historical Encyclopedia* (ABC-CLIO, 2011), P. 109.

⁷ *Ibid*, p184.

States and rarely seeing their husbands and fathers. This separation made it difficult to maintain strong family ties.

As the annual quota of 105 immigrants indicates, America's immigration policy was restrictive and discriminatory against Chinese and other Asians. Equality in immigration only came with the enactment of the Immigration Act of 1965, which abrogated the unjust national origins quota system that had been established earlier. Since the 1960s, Chinese have immigrated to the United States in significant numbers, taking advantage of the immigration policy's emphasis on family reunification⁸.

The present day, Chinese-Americans are doing relatively well. Most of the time, they are seen as hard-working professionals or businessmen with stable families. In fact, a large public opinion states that they have average household incomes and educational levels higher than their white counterparts. While problems of discrimination still exist, they are less significant as they used to be years ago.

⁸ Ibid,127.

I - Ancient China:

The general idea of this chapter revolves around the history of the celestial country. I tried to give an overview of the historical, geographical, social and religious aspects which constituted imperial China. A special concern was directed towards three dynasties which succeeded to each other, and culminated by the establishment of the People's Republic of China in 1911. This state of facts occurred after the decline of the Qing dynasty (1868-1911).

I also tried to give an idea of the social and religious aspects of Chinese people who due to their Confucius beliefs and structured social life based on respect and discipline knew how to acquire the attention and respect of the world. This can be seen and felt in the sequence of events that shaped the Chinese continuous 5000 years of history.

I-I The pre-Qing Era

Nineteenth century China witnessed the fall of the last of its numerous dynasties "Qing Dynasty"⁹ and was a turning point in the making of nowadays China. In fact it is during that period that most of the social, economic and political changes took place and meanwhile paved the way to the founding of the Chinese Republic. China's history one of the world's ancient one traces back its origins 3000 to 5000 years B.C. In a succession of events it has been marked by several invasions and intrusions of either neighbouring countries or western ones.¹⁰

This long-lasting cultural and geopolitical influence throughout time created and maintained a strong historical presence in Chinese mind within mainland China and beyond. Land of the origins of the Chinese Diaspora to Southeast Asia, Australasia, South and North America, China is visualized as "a majestic flowing stream"¹¹ as noted by

⁹ Qind Dynasty : (1644-1912) The last Chinese dynasty before the emergence of the republican nation-state.

¹⁰ Benson Tong, The Chinese American (Greenwood , 2000) p,68

¹¹ Weiming Tu, The living tree: the changing meaning of being Chinese today (Stanford University Press, 1994) P, 1.

Benson Tong and it embodies complexities in language, religion, customs, policy, hereditary system, and natural environment.

A large land of about four million square miles of vast areas stretching from East to West, North to South including Mongolia, Manchuria, Tibet and Chinese Turkestan with a population of 430 million in the middle of the nineteenth century constitutes a body of diversities and contrasts. And as documented by some historians, the Chinese civilization is described as a pattern of dynasties one succeeding to the other in a sequence of progress, achievements, decay and rebirth under a new family. **(Refer to map one, page VIII)**

Historians recognize that one striking feature of the Chinese has been their ability to absorb the surrounding populations into their own civilization. This is due to many factors such as their technology, political institutions, and the refinement of their artistic and intellectual creativity and mainly to the weight of their population numbers. This process of assimilation continued over the centuries through conquest and colonization until the unification of the whole of the country.

In fact scholars and mainly historians trace the origins of the Chinese identity to the middle Yellow river¹² basin north of China, where some tribes known as the Huaxia¹³ developed a Neolithic culture which they worked hard to expand southward down the Yellow River and the Huai River valleys. In their process of expansion they encountered a group of tribes the Dongyi which they absorbed and put under their control. By the twenty first century B.C., the Huaxia had established in Henan the first national state in China, the Xia. This state and its cultural heritage became later on the foundation for the modern Han Chinese people and culture which today constitute the majority of the population.

In the following centuries the Huaxia people penetrated all of the northern parts of China and founded a considerable number of states. One prominent state, The“Qin”,

¹² The Yellow River or Huang He / Hwang Ho, is the second-longest river in China (after the Yangtze River) and the sixth-longest in the world at the estimated length of 5,464 kilometers. The Yellow River is called "the cradle of Chinese civilization", as its basin is the birthplace of the northern Chinese civilizations and was the most prosperous region in early Chinese history.

¹³ Huaxia is a name often used to represent China or Chinese civilization. In the narrow, original sense, Huaxia refers to a group (or confederation of tribes) of ancient people living along the Yellow River who formed the nucleus of what later became the Han ethnic group in China.

succeeded in unifying most of China and even areas inhabited by other tribes than the Huaxia. The expansion of this ethnic group into a huge Empire helped spread the Yellow River culture to the entire parts of China for centuries to come. Almost all the foreigners that the Chinese rulers witnessed came from the underdeveloped societies along their borders.

This particular status conditioned the Chinese view of the outside world. The Chinese saw themselves and their country as the centre of the universe and derived from this state of mind the traditional name for their country “The Middle Kingdom” (Zhongguo)¹⁴.

II - The Middle Kingdom

The "Middle Kingdom" of China sits as the anchor of Eastern Asia between Burma, Laos, and Vietnam in the south, Afghanistan, Pakistan, Nepal, Sikkim, Bhutan, and India in the southwest, Mongolia and Russian Siberia in the north, and Korea in the northeast. The third largest country and the most populous nation on earth, China forms a vast basin cut off from the rest of Asia by a rim of mountains, deserts and plateaus.¹⁵

II-I Geography

The view of China as the middle Kingdom and that it was the core of the universe and superior to any other civilization existing on earth is mainly due to its geographical situation. This state of mind remained anchored in the spirit and the imagination of popular China for a long period of time. Northern and Western region of China is a large and empty area of wind-swept desert or grassland country of the steppes of Mongolia and the Gobi desert. In the Southwest lie the rugged and lofty Tibetan plateau and the Himalayas. In the South, stands steamy and dense tropical jungles, and in the East, the threatening Yellow Sea and Chinese Sea. In fact, these latter formed great barriers which kept China relatively isolated, although commercial contacts with the outside world were not frequent.

¹⁴ Middle Kingdom or Middle Country, Mandarin Zhongguo, Chinese name for China. It dates from c.1000 B.C., when it designated the Chou Empire situated on the North China Plain.

¹⁵ Scott Kennedy, beyond the Middle Kingdom: Comparative Perspectives on China's Capitalist transformation, Stanford university press, p 25.

This pre-modern historical contact, however, remained one way. The cultures of South East Asia, Japan, and India shaped marginally the Chinese civilization. Besides, the Chinese neighbouring societies were either sedentary people who chose to imitate the Chinese culture and way of doing things, especially the Koreans and Vietnamese, or rural people, such as the Mongols and the Kazakhs, who from time to time tried to challenge China militarily but not culturally.

In fact, in a discontinuous way many visitors to China submitted themselves to the ritual of the tributary system before the disruptive nineteenth century contact with the outside world. The farther these people stayed from civilized China, the more barbaric and lowly they were considered by the Chinese. Thus, to express their cultural superiority the Chinese structured and maintained the tributary system. Within the framework of these relations with the external world, China served as the lord and the other states as the vassals. All foreign rulers and their subjects were obliged to present tribute or presents to the Chinese court as a sign of submission and, in return, they received imperial gifts, trading privileges and protection.

China's vastness and highly diversified landscape had both a socioeconomic influence and cultural expression on the Chinese life and which, in turn, shaped the Chinese Diaspora. China proper with its provinces can be differentiated physically and culturally from inner Asia. This former, with no population, has been of a secondary economic importance to China, but served as a protection to the so-called barbarians of the North and West of inner Asia. The topography of China shows a fragmented land along the North-South and then again within each half. The most notable fragmentation element is a mountainous region, constituted of the Chinling range, which stretches across central China from Tibet toward the China Sea. This separates the Yellow River drainage zone of the north from the Yangtze River drainage zone of the south. Even though both Northern and Southern China are characterized by two major waterways, there remain differences between the two areas.

The Yellow River is considered as the main waterway of Northern China's traffic. It brings with it heavy sedimentation which has seriously prevented navigation. In the past the accumulated silt led to the rising of the river's bed, breaking the dykes, thus creating catastrophic floods. It is for that reason that the Yellow River owed the name of "China's

sorrow”. The North also owns a coastline suitable for sea traffic development. The main southern waterway The Yangtze River is less hostile; it is navigable all the way and its different canals provide an easy access to the surrounding lands. Unlike the North, the South has a rough coastline suitable for ports and maritime trade. In fact, this maritime network gave a considerable advance of the south and kept him ahead of the north in terms of economic development.

The North is constituted of two reasonably inhospitable regions; the vast and somewhat arid lowland plain in the East and a highland plateau in the West. The North also suffers from a rigorous climate; relatively dry all the year, it is very cold winter and very hot in summer. Because of these climatic conditions, the growing season during the imperial times was very short, and only dry crops such as wheat and millet were cultivated, mostly for subsistence purposes.

Southern China, however, is by far a contrast to the North; the former boasts of a rich landscape of valleys and hills, and an abundant number of lakes, rivers, streams and other waterways. Unlike the North, the South has inherited a favourable monsoon rainfall¹⁶ and moderate variations in temperature. All that has resulted in a nine to twelve months high growing seasons and the farming of such crops as rice, fruits and beans. The south is also divided into smaller areas, separated from each other by a number of low but rough hills. Guandong,¹⁷ the southernmost coastal province, stands as a vivid example of this characteristic. It is protected from the Yangtze River basin by a mountainous barrier. Supplied by many rivers, the Southern part of this province forms a delta known as the Pear River Delta. This delta region is fertile and hilly. In the nineteenth century it was heavily terraced for both subsistence and commercial farming.

Because of its unique southerly position and protective coastline, Guandong has developed an interesting commercial pole and attracted traders from the southern territories of Asia and Southeast Asia centuries before. During the sixteenth century, Portuguese travellers, followed by the English, Dutch, French, and Americans developed an interest to the Guanzhou (Canton), the maritime centre, for its lucrative coastal traffic in silk, tea, porcelain and other Chinese products. Following such exposure to these

¹⁶ Monsoon is traditionally defined as a seasonal reversing wind accompanied by seasonal changes in precipitation.

¹⁷ Guangdong is a province on the southern coast of People's Republic of China.

influences from abroad, which included science, Christianity, and stories from other lands, America included, the people of this sub-region became gradually receptive to new ideas and change. In fact, most of the Chinese population which migrated to the United States of America drew its genes from that area.

II-II Language

China exhibits a marked linguistic diversity. Such divergences are mainly the result of internal geographical isolation across time. The used language is divided into at least half a dozen of mutually unintelligible regional dialects, each of which has a number of local variants. Chinese dialects differ from one region to another and significantly in pronunciation but less on idiom and syntax. Cantonese (known also as Yue), to use one example, is a dialect spoken mostly in the Southeast, especially in the province of Guangdong. It is, therefore, the one which has been historically used in many communities in the United States. There are about 50 million speakers of this dialect within and outside mainland China, including other varieties such as Sanyi and Zhongshan which are current among Chinese abroad especially in the Americas and Hawaii¹⁸.

Most of the dialects such as Cantonese fluctuate dramatically from Mandarin, the official dialect used by most Chinese today. However, all are written alike. Despite the existence of this multitude of dialects, China is linguistically united thanks to the standardization of the written language which is used by every group and region. The Chinese written language, which earliest archaeological evidence dates back to the Shang Dynasty (1765-1122 B.C.), is unique. The complex characters, about forty thousand, which characterize it are not letters, but began as pictures or symbols. In fact, the characters are not phonetic representations, but actually ideographs.

Another significant element in the Chinese language is the emphasis on word relations. Ideas are often presented by compound expressions consisting of antonyms; as an example we can find this combination in “buy-sell” used for “trade” and “advance-retreat” for movement. The antonyms are not seen as opposites but as united concepts

¹⁸ Benson, Tong, Chinese Americans, p 144.

forming a complete idea. The meaning of each character can be determined only in relation to other words. All this reflects the focus of Confucianism¹⁹, the centre of the Chinese thought is not based on the individual, but on the web of human relations. The emphasis here is on the person's oral obligations to others, not on the individual's human rights. The complexities of the Chinese language have, in the words of Chinese historians "the character of an institution, rather than a tool of society".

II-III Structure of the Chinese Society

The class structure in the Chinese world also tended to preserve the old order of Confucianism. The scholar-gentry or scholar-official class was one of the four major classes in the traditional Chinese society. By the late Qing, society was highly classified with status distinctions maintained via the sanctions of ritual and law. The four classes were ranked according to their social value in the following order: scholar-officials, farmers, artisans, and merchants. This classification highly placed the government service above all the other occupations and attached less or no social value to wealth or military valour. It also privileged scholastic achievement but nominated intellectuals into government service. This class structure has shaped the fortunes of early Chinese immigrants in the United States, more particularly how host countries received them and how ethnic relations played out. . **(Refer to table one, page X)**

In late Qing, the scholar-official class, which at the start of the twentieth century, made up only three percent of the population. It was outranked by the hereditary nobles. At the high level of the social hierarchy during the reign of the Qing Dynasty were two groups of hereditary nobles; the imperial Manchu clansmen and certain civil and military officials, including the well known fighting bannermen²⁰. Both groups received special allowances of property, food, and money, as well as certain other social and financial

¹⁹ Confucianism is a Chinese ethical and philosophical system developed from the teachings of the Chinese philosopher Confucius. It is a complex system of moral, social, political, philosophical, and quasi-religious thought that has had tremendous influence on the culture and history of East Asia. It might be considered a state religion of some East Asian countries, because of governmental promotion of Confucian philosophies.

²⁰ Ibid, p120

benefits in accordance with their status and rank. By late Qing the court created a system of nine ranks for officials, and each rank came with a certain official dress and other symbolic marks of status. Those who belonged to this scholar-official class spent years mastering the classics and sat for strenuous examinations held at different levels of increasing difficulty with the climax being the metropolitan or national ones held in Beijing. Those who constituted the lower gentry had passed only the preliminary or first-level examinations, which did not qualify them for bureaucratic office.

Students who passed either the provincial or national examination won the right to be part of the upper gentry, and won also the necessary qualifications for imperial offices. Some members of the upper gentry became part of this class by passing military examinations or by purchasing academic titles or bureaucratic ranks. Both the upper and lower gentry earned the legal privilege of wearing distinctive robes and caps, exemption from certain types of punishment if convicted of a crime, and avoidance of the labour service tax and many other taxes. In fact the gentry class in China, unlike those in Europe, did not resemble a landed elite. Though most did live in the rural areas, and many were landlords, by the eighteenth century the scholar-gentry often served as the administrative brokers between imperial officials and the local people. Thus, their income came from performing local services such as supervising schools, managing public works and welfare projects, organizing the militia, and mediating internal disputes. Over time, such income gradually replaced landed wealth as the major economic foundation of the gentry class. Before the social and political changes occurred during the Chinese Revolution of 1911²¹, few members of the scholar-gentry class found it necessary to leave their homeland to look for a better livelihood. Consequently, very few of them, except those who left to continue or acquire a higher education, could be found in the early Chinese immigrant community of nineteenth-century America.

Under the gentry class stood three classes of commoners. Peasants ranked higher than artisans or merchants because farming was considered as a productive contribution to life, whereas crafts and mercantile activities were seen as unessential, unproductive. One

²¹ The Xinhai Revolution or Hsinhai Revolution, also known as the Revolution of 1911 or the Chinese Revolution, began with the Wuchang Uprising on 10 October 1911 and ended with the abdication of Emperor Puyi on 12 February 1912. The primary parties to the conflict were the Imperial forces of the Qing Dynasty (1644–1912) and the revolutionary forces of the Chinese Revolutionary Alliance (Tongmenghui). The revolution is so named because 1911 is a "Xinhai Year" in the sexagenary cycle of the Chinese calendar.

can understand from this situation that the system based on agricultural values took over everything. In late imperial China, peasants made up at least 80 percent, of the population²². They laboured on the land, experienced limited social mobility, and lived on the margin of subsistence.

Because of the absence of primogeniture, inheritance by the oldest son, Chinese land properties became fragmented into small plots. Some families in southern China owned only few acres of land, which economists and historians consider insufficient for an economy of great extent to take place. Also, throughout nineteenth-century China, a very low percentage of peasant families were tenant farmers and others were small landowners, who in addition to working their own land, rented more parcels of land to make suitable profits.

Because of a widespread shortage of fertile land, as well as a considerable shortage of capital, rents were high, and rural interest rates reached higher levels. These particular conditions, explain partly the nineteenth-century exodus out of China and the movement in the Diaspora of the labouring class to the Americas. Probably due to necessity, a considerable number of Chinese peasants turned to handicraft activities to help consolidate their poor family incomes. Most of the rural workshops and peasant homes produced goods ranging from Wine, oil, and sugar to silk, cotton and iron utensils. Peasant women contributed largely in these activities and thus increased their economic importance to the family.

The social class under the peasants-the artisans- although ranked lower, often earned as much as, sometimes even more, income than did peasants. A wide range of occupational groups came under this class, including craftsmen, manufacturers of commodities, and service-oriented individuals. These artisans and labourers could work as independent labourers or be employed by gentry families, the merchant class, or the state.

By the late nineteenth-century, in the wake of early industrialization, part of this social class had become the new urban proletariat who worked in shops and factories using rudimentary technology. Unlike the traditional artisans, industrial workers did not enjoy family-like relations with the employers, and they were obliged to always maintain high levels of productivity, often living in decaying urban areas. It was this growing

²² Ibid,p,8.

proletariat class that rebelled during the Chinese revolutionary era in the start of the twentieth century, and their political effervescence, in turn, influenced to a certain extent the world view of the Chinese in America.

The Merchants ranked at the bottom of the four-class hierarchy. Mercantile activities were viewed as exploitative and degrading. In order to guaranty a large-scale business, merchants had to win the support and paternalism of the imperial officials. This social class was so unattractive that many merchants bought degrees and titles to gain higher prestige and enjoy certain privileges and benefits. As reported by historians, following the anti-Qing revolts of the mid-nineteenth century, which devastated the financial resources of the imperial government, around half of the official posts were obtained through purchase; many of these were bought by merchants. After the expansion of industry and commerce under the influence of the west by the late 1870's, the shame attached to mercantile activities began to decrease slowly. Due to these changes in attitudes and mentality, boundaries between the classes became distinct. But the stigma affecting mercantile activities, not to mention the governmental supervision of industrialism, never disappeared, as pointed out by the need to rationalize such activities in the name of preserving national strength and prosperity. This social attitude and the promise of mercantile freedom, explains in part why some of the merchant class made their way to the United States of America in the late nineteenth century.

II-IV Doctrine and Religious Belief

According to historians, what made the Chinese society united despite the different movements of rebel and the pressure of internal modernization was its strong and penetrating thought or philosophy. The presence of moral in every field of traditional Chinese culture, including music and the arts, is a clear indicator of the strong effect of Chinese thought in forming the Chinese identity. Human relations were at the top of the traditional Chinese thought, which was shaped by Confucianism with some peripheral

influences of Buddhism²³ and Daoism²⁴. This interest could be found in the five Virtues of Confucianism; ren (humanness or filial devotion and submission), li (propriety), yi (duty), zhi (humane wisdom), and xin (faithfulness)²⁵. There are other important elements of Chinese thought which included an emphasis on nature and natural processes, a strong belief in cultural superiority, awareness and respect for tradition, and a focus on Hierarchical order and social harmony. All of these characteristics made the traditional Chinese society a conservative one.

Different from other cultural traditions, the Chinese viewed their moral order as the one shaped by men and women; God is no longer at the centre of the universe but the human being. Buddhism and Daoism the two mainly official and recognized religions in traditional China, offered less contributions to this moral system. In fact the most important part of it was based on Confucianism. The heart of Confucianism in late Qing was the Three Bonds; ties between ruler and subject, father and son, husband and wife. Besides of these, the relationships between older brother and younger brother, and friend and friend constituted the five relationships.

These relationships implied submission, inequality, and non reciprocity; as an example a wife was subordinate to the husband and enjoyed no rights. In this ancestral composition, the family served as the central unit of society, and all the relationships outside of it are the reproduction of those inside of it. Thus the ruler-subject relationship reflected the father and son tie; the same with the ruler who supposedly received the mandate from Heaven to rule, had supposedly the position of a son to Heaven. For the Chinese, the emperor was considered as the mediator between Heaven and humankind, on one side playing one role as filial dependent to heaven, on the other side as paternal exemplary to the people. Thus in Confucianism the cult of Heaven, the family system, and the state constituted a unified entity.

Rituals played an important role in fostering the ideals of Confucianism that the whole universe is formed of one entity with no beginning and no end. In this philosophical

²³ Buddhism is a religion and philosophy encompassing a variety of traditions, beliefs and practices, largely based on teachings attributed to Siddhartha Gautama, commonly known as the Buddha (the awakened one).

²⁴ Taoism (or Daoism) refers to a variety of related philosophical and religious traditions that have influenced Eastern Asia for more than two millennia, and have had a notable influence on the western world particularly since the 19th century.

²⁵ Religion in the land of Confucius: LIFE Magazine - 4 avr. 1955 - Vol. 38, n °14, Page 64

perspective and dimension, rituals comprehend all the forms of codified social behaviour, ranging from the ordinary daily greetings to elaborate state and religious ceremonies. These kinds of rituals existed in all aspects of Chinese life. All the Chinese population from the highest level of the social hierarchy to the bottom had a deep understanding of their rituals and practiced them in such a way to preserve status differentiation, encourage social unity and welfare, and relay tradition. In many ways, ritual served to shape the Chinese character.

Religious beliefs served to sustain the established ethic order as specified by Confucian moral values. Although the two main religions, Buddhism and Daoism, remained perceivable during late Qing, highly practiced was a kind of popular religion, which implied a fusion of the teachings of Buddhism, Daoism, and Confucianism²⁶; the practices of local cults and ancestor worship; the worship of patron gods and spirits through sacrifice and divination (prediction, astrology, ...etc.). In fact, Chinese religion did not characterize a personal creator apart from the universe. Because of the prevalence of the rationalistic traits in Chinese thought, the ambition for a popular religious interest was deeply rooted in pragmatism rather than in theological beliefs. As an example a person would pray to a Daoist divinity for recovering, but on another day he or she might consult a fortune-teller to have his or her fortune told; she or he would not think that they have been unfaithful to any religion.

According to historians, religion has been an integrative tool for Chinese social institutions and organized groups. The worship of ancestors a cult carried out at different places such as shrines in the home, and sometimes at graves, formed a common and shared culture in traditional China. Periodical celebration sacrifices for the ancestors and the accomplishment of mortuary rites for the recently deceased were usual practices for most Chinese families. Every traditional activity had its own deity, whose birthday celebration constituted an important occasion commemorated with festivals and also parades.

Popular religion over the centuries had also attributed Buddhist concepts such as the transmigration of souls and the law of causal sanction (Karma).²⁷ In fact, the majority of Chinese in late Qing assume that the soul existed eternally, operating in an inexhaustible sequence of variable forms of life. The Buddhist bodhisattvas;²⁸ charitable persons who restrain from accessing nirvana to assist others, was also incorporated in popular religion. Generally speaking, Buddhism worked well with Confucianism; both of them stress the maintaining of a moral order via service, self-control, and altruism. The heart of Buddhist teachings, reveal that life is an interminable recurrence of births and deaths in a grieved world and only the eradication of selfish desires will clear pain and sorrow. In general, Buddhist morality is grounded in concrete social values such as love, courage, charity, self-control, and respect for all living matter.

Daoism also contributed to the popular religion by way of its mystical aspects of occult magic and the practice of sanctifying important, legendary, and historical personality. Time passing, the Chinese panorama became dotted with graves and temples consecrated to a considerable number of hosts of national, regional, and local gods. Daoism boosts spontaneity in union with nature. The essential principle of Daoism is the freedom of each individual, in opposition to Confucianism's target of bringing humans in line with established social conventions. The social principles of loyalty, faithfulness, integrity, duty, and filial piety constitute the centre of Daoism as they do in Confucianism. Daoism, inspired by the Buddhist idea of retribution, elaborated a system of merits and demerits that recompense good behaviour with prolonged life and reduce year for bad acts.

Much of this eclectic, popular religion was transmitted to early Chinese America. Discriminated against by different ethnic groups existing in America and obliged to live in segregated areas, Chinese immigrants reverted to religiosity for emotional livelihood and self-identity. The daily practice of religious rituals, specifically ancestor worship, also helped this newly formed society to keep ties with their families left behind in China.

²⁷ Karma: According to the Encyclopaedia Britannica article it is "the belief in rebirth, or samsara, as a potentially endless series of worldly existences in which every being is caught up was already associated with the doctrine of karma (Sanskrit: *karman*; literally "act" or "deed") in pre-Buddhist India, and it was accepted by virtually all Buddhist traditions. According to the doctrine, good conduct brings a pleasant and happy result and creates a tendency toward similar good acts, while bad conduct brings an evil result and creates a tendency toward similar evil acts".

²⁸ John P. Ferguson, *Essays on Burma*, p 64.

Certain earliest social institutions raised in American Chinatowns were mostly temples for collective worship.

Shrines commemoratives of divinities, built in headquarters of mutual aid associations, were also visited by early immigrants. Many festivals were and are still held in Chinatowns such as those of San Francisco, New York, and Los Angeles. Among these festivals, the Chinese New Year remains one of the festivals which is still celebrated in America²⁹. Another celebration in both mainland China and Chinese America was Qing Ming or the Pure Brightness Festival³⁰. The Chinese considered the visits to family tombs a necessary ritual. Since the Chinese in America lived far from the family tombs in their homeland, they visited the local Chinese cemetery on this occasion. In fact many Chinese mutual aid associations erected temples for those who had no loved ones buried in the area. Women played an important role in all celebrations and ancestor worship in either China or America. They have taken the responsibility of remembering the death dates of ancestors and praying them for the wellbeing of their families. They also learned and carried out the customs and details of rituals for each celebratory occasion. In general, the practice of popular religion with all its philosophical components ensured that the country's culture and way of life remained stable and uniform, even though it was loaded with an unsteady, ill-managed political system and continuously influenced by internal socioeconomic changes.

III The late Imperial China

Two main powers surrounding the Chinese territories left a notable imprint on the Chinese culture and history. In the 13th Century the Mongols from the North who were the first aliens to conquer all of China, left a deep impact in heightening the Chinese perceptions of threat from the North. The second alien power also invested China in the middle of the 17th Century and was the Manchu, than came from the North and the North-

²⁹ Chiou-Ling Yeh, Making an American Festival: Chinese New Year in San Francisco's Chinatown(university of California press,2008) p, 73.

³⁰ Festival of Pure Brightness is also called Tomb-Sweeping Day. It is the occasion for all Chinese to honor their ancestors.

East borders³¹. China saw itself surrounded by so-called barbarians whose cultures were, according to some scholars, inferior to the Chinese standards.

III-I The Yuan dynasty

By the middle of the 13th Century, the Mongols subdued Korea, most of the Muslim territories in Central Asia and the North of China. The leader of the Mongols Kublai Khan (1215-1294)³² directed his attacks against the Southern Song. It has been recorded that even before the decline of the Song Dynasty, Kublai Khan³³ had established the Yuan Dynasty (1279-1368 A.D) the first time that the Chinese territories were ruled by an alien power. The Mongols were culturally different from the Chinese; therefore this made the task of ruling them difficult. The Mongols were different from the Chinese at all levels and in all domains. They had different customs and rituals; they spoke a different language and had a different way of dressing. .

(Refer to MAP TWO, page VIII)

This background of differences was and proved, in fact, impossible to overcome. For that reason, most of the important posts were monopolized by the Mongols and other foreigners from Central Asia, Middle East and even Europe. The Han bureaucrats were discriminated against socially and politically. As the Chinese were not employed in government positions, they had the freedom to exercise their talents in art and literature. At that period great cultural achievements saw the light and a cultural diversity developed. Different genres of literary works were developed such as Drama and the Novel. The use of the written vernacular increased ostensibly.

The Mongols contact with populations from West Asia and Europe generated a considerable amount of cultural exchange. Advances were realized in many different fields such as travel literature, cartography and geography and scientific education. A number of Chinese innovations were introduced in Europe such as printing techniques, porcelain production and medical literature. In fact, the first contact with the West dates

³¹ Ibid,p179.

³² Palmira Brummett, Robert R. Edgar, Neil J. Hackett, Civilization past & present - Volume 1 - Page 219

³³ Kublai Khan was the fifth Great Khan of the Mongol Empire from 1260 to 1294 and the founder of the Yuan Dynasty in East Asia.

from this time and one of the most famous traveller-explorer of the period was Marco Polo the Venetian whose accounts of his trip to the great Khan's Capital "Cambalue"(now Beijing) amazed Europeans³⁴.

The Mongols undertook extensive public works. Means of communication and roads were developed; granaries were built throughout the Empire to face any eventual famine. The city of Beijing was rebuilt with new palaces, artificial lakes and parks. This excessive spending reduced drastically China's economic capacities and required the peasants to pay more taxes. Unsuccessful campaigns launched against Japan caused the destruction of a considerable number of Chinese ships. Trading with foreigners was made difficult for the Chinese; however foreign merchants were given high privileges and facilities to trade with China. They had no taxes to pay and were allowed to travel throughout the country without restrictions. Rivalry among the Mongol imperial heirs, natural disasters and numerous peasant uprisings led to the decline of the Yuan dynasty. The Mongols which were considered to be one of the world's strongest military forces took over a rich China and a hundred year later left an impoverished and degrading country.

III-II The Ming Dynasty (Chinese Han Return to Power)

The Ming Dynasty was founded by a peasant known as Hongwu Emperor³⁵ around 1368 and lasted until 1644. He was a former Buddhist who became a rebel army leader who led the revolt against the Mongols and put an end to the Yuan Dynasty³⁶. Because of his peasant origins; he passed laws that promoted the peasant life. He worked hard to keep the land tax low and in response to any possible famine he kept the granaries fully stocked. He also supported the creation of self-supporting communities, put agriculture at the top of its prerogatives, and made of it the country's source of wealth and income. However, economically he did not have any interest in promoting trade which he considered as parasitic and worthless.

³⁴ David S. Kidder, Noah D. Oppenheim, The Intellectual Devotional Biographies, p96

³⁵ The Hongwu Emperor was the founder and first emperor (1368–98) of the Ming Dynasty of China. His era name, Hongwu, means "vastly martial".

³⁶ The Yuan Dynasty was a ruling dynasty founded by the Mongol leader Kublai Khan, who ruled most of present-day China, all of modern Mongolia and its surrounding areas, lasting officially from 1271 to 1368.

In a Confucian view being a merchant was considered an inferior occupation and focused more on the belief that military duties were highly superior, meanwhile he developed a militant class ranked higher than any civil servant. In fact, for Hongwu having a strong army was a necessity, because in spite of the fact that he defeated the Mongols, they were still a threat to his empire.

The Ming Dynasty did not only put an emphasis on its defence, but also on its cultural development. One of its cultural achievements was the development of the Novel. The writings of the Chinese storytellers promoted these Novels and gave them a special status since they were written in the everyday language. Porcelain production also developed during the Ming Dynasty with two and three colours. Information on different fields was registered in encyclopaedias including medicine, geography and music. Dictionaries were also written; the most interesting and influential one was the one which reduced considerably the number of signs for Chinese characters to 214 as opposed to the 540 signs of previous dictionaries³⁷. Another great achievement of the Ming Dynasty was the construction of the Great Wall. In fact it is during the reign of the Ming Dynasty that a huge proportion of brick and granite works was accomplished, a new design was applied to the watch towers, and along the wall canons were installed. . **(Refer to map three, page IX)**

But as any previous emperor's state of mind and in order to avoid any attempt to overthrow his power and reign, Hongwu had control over his government. He put an end to the functions of the prime minister and his secretariat leaving himself with a great and incredible amount of work. As a consequence Eunuchs³⁸ gained an important position in the government hierarchy and Emperors were obliged to rely on them for administration and other purposes. As a result many families were not highly ranked in the leading spheres, and were not as influential or wealthy as they wished; gained more power and respect when one of their family members became Eunuch.

³⁷ Ibid,48.

³⁸ A eunuch is a castrated man , in ancient China castration was both a traditional punishment (until the Sui Dynasty) and a means of gaining employment in the Imperial service. They were employed by the emperor, with some serving inside the Imperial palace. Certain eunuchs gained immense power that occasionally superseded that of even the Grand Secretaries.

The Ming Dynasty reached the apogee of power during the beginning of the 15th Century. The Chinese army reconquered the territories of northern Vietnam and put an end to all the Mongols attempts to invade China. Although merchants and trade were not tolerated, the Chinese fleet established sea routes which were used for trade with countries in the China seas and the Indian Ocean and reached the Eastern coast of Africa. As a direct result, the Asian maritime nations sent representatives with tribute to the Chinese Emperor. At this particular time, China was far ahead of the rest of the world in naval capabilities.

The last of the Ming maritime expeditions was completed in 1433 A.D., and after the last voyage no other trips were even attempted. In fact records of the trips were destroyed and naval construction was limited to small-size vessels. As a consequence the Chinese coastline was the scene and target of pirates' attacks. Historians have reported that the end of the maritime expeditions was due in fact to the great expense of large-scale expeditions while there was a threat to repel from the North. Another contributing factor was the repeal of commerce and expansion as an alien to the Chinese government ideas. Some Confucian bureaucrats exercised great pressure which led to the revival of an agrarian-centred society.

The Ming reign which remained stable for a long period of time with no major disorders widespread the belief that the Chinese achieved the most self-sufficient and satisfactory civilization on earth and nothing coming from the foreigners was needed. The end of the Ming Dynasty was characterized by a set of socioeconomic problems, endless wars with the Mongols; harassment of the coastal cities by the Japanese weakened the Ming rule. Moral degradation, political corruption, irresponsibilities and carelessness at all levels of government institutions and the Eunuch domination of the court led to the downfall of the Ming Dynasty and paved the way to an alien takeover.

III-III The Qing Dynasty (Rise and Fall of The Manchu)

The Qing Dynasty (1644-1911) was founded after the decline of the last Han Chinese Dynasty (The Ming Dynasty). In fact the Manchu who came from the North East of China overthrew the reigning emperor Chonzheng (1368-1644) in 1644 and established

the Qing Dynasty. It was the second time that a foreign power ruled the whole of China. The first time that the whole of China was ruled by an alien power was during the Yuan Dynasty (1279-1368) under the control of the Mongols³⁹.

Contrarily to the previous alien ruling and although the Manchu were non Han Chinese and were fiercely rejected especially in the South, they were clever enough to assimilate an important part of the Chinese culture before invading the whole of the country. In fact the Manchu realized that in order to dominate the empire they would have to keep the Chinese way of doing things. They retained the established institutions of the Ming and some of the previous Chinese Dynasties. The form of government used by the Ming was adopted and kept by in place with slight changes. As an example in many government positions a system of dual appointments was used; the Chinese was required to do substantive work and Manchu partner, having more power, was to ensure loyalty to the Qing emperor. At the military level the Qing used an organization that was considered as the best in the world. The system of Banner men was adopted including different units and their number grew from 8 at the beginning to 24. These fighting men were personally so attached to the emperor that they became its own property. They were too loyal to the emperor. They also constituted a reservoir for the recruitment of civil bureaucrats. The Qing were successful in preserving their own identity and did not leave any chance to the Chinese to absorb them. To reach that stage of efficiency they had to adopt a strict strategy. They spent their summers in Manchuria, their homeland which was in fact closed to the Chinese. Intermarriages among the Chinese population were prohibited and banned. The Manchu continued to speak their own language and kept their official documents apart from the Han Chinese. **(Refer to MAP n °four , page IX)**

The Qing officials brought many changes in the Chinese dress and required the Chinese to wear Manchu clothes rather than the clothing style of the Ming Dynasty. They also required the Chinese men to shave their traditional queues. Chinese women were not obliged change their way of dressing but they were forbidden to bind their feet. These rules which the Manchu emperors tried hard to impose on the Chinese population proved impossible to enforce, and in 1668 A.D. the ruling was withdrawn⁴⁰. On the other hand, agriculture was a custom that the Qing did not try to change but it was kept on the expense

³⁹ Li, Gertraude Roth (2002). *State Building Before 1644*. Cambridge: Cambridge University Press. pp. 9–72

⁴⁰ "The Rise of the Manchus". University of Maryland web site. Retrieved 2008-10-19

of trade and commercial exchange. In fact this era witnessed the decline of China's economy. The rulers of the Qing Dynasty favoured a policy of isolation which proved fatal.

After the ascension of the Qing Dynasty a period of peace followed paving the way to many changes in different areas of activities. Taxes were reduced all over the country and more particularly in famine struck areas. Public works were renovated and maintained, commerce and international trade grew. This period witnessed a revival in arts and learning. The different genres of literary writing such as the Novel, Short story and Drama comprehended the famous works of that time. Poetry also flourished but the poems did not show any real innovation. In fact they followed the ready made examples of the previous dynasties. Commissions of intellectuals were created to undertake all the encyclopaedic works. Porcelain production, also witnessed changes in quantity and quality; important innovations took place regarding the use of new colours. The colours which were developed were shades of green, composition of black and yellow. A dark blue and shiny red were also used.

IV- Circumstances Leading to Chinese Immigration to America (Push Factors)

During the 19th Century China was confronted to an immediate change leading to a threatening future. It was weakened militarily by the western imperial countries and was resisting to the political initiative of Chinese modernizers because of its strong traditional culture. The absence of modernization pushed many of its population to look for a livelihood overseas.

IV-I The First and Second Opium Wars (1839-1842) - (1856-1860)

The Opium war or the Sino-British war was a conflict between the British on one side through the East India Company and on the other side Qing China. For the Chinese stand point the real reason was Opium trade whereas for the British it was the different and repeated insults and injuries their official envoys received from the Chinese

government. The objective of the war was to force China to open its doors to the Western merchants and especially allowing free trade in opium. And it ended by a total humiliation of the Chinese government through the signing of the Treaty of Nanjing, first of the unequal treaties that China had to accept and sign marking the end of the period of China's isolation.

Since the eighteenth century and before the Opium War China's relations with the outside world were confined to commercial exchange and some Evangelical missions⁴¹. In fact trading in goods from China was lucrative for Europeans and Chinese merchants alike. But the Qing trade restrictions were considerable which had a negative effect on the diplomatic and economic relations with the western world. Since the middle of the eighteenth century commercial exchange was confined to the single port of Canton (Guangzhou) South of China. British vessels sailing to Canton were faced with considerable and repeated inspections, taxes, and uncertain rates of custom duties.

Other charges were due to the hiring of ship pilots, and linguists who communicated with the Westerners in a "Pidgin English"⁴². Bribery was also one of the numerous unfair measures that the British and other Westerner merchants had to face. Items to be commercialized had to be cleared and contracted a year before and the prices were fixed by Chinese merchant guilds in the absence of competition or bidding, to the great frustration of British and other Western merchants who desired higher profit for their deals. Western traders had warehouses where they could stay while they traded, but they were not authorized to remain in Canton for a long time, and were supposed to leave the city as soon as they concluded their business.

The Western merchants were not allowed to bring their wives to Canton and their movements within the city were limited to few yards around their factories or warehouses. It was forbidden to them to communicate with Chinese officials or learn the Chinese language. In fact the imperial law was another cause of apprehension for the British who were frightened of the death penalty prescribed for any number of legal infractions. The

⁴¹ Susie Lan Cassel, *The Chinese in America: A History from Gold Mountain to the New Millenium* (Rowman Altamira 2002) p.23.

⁴² pidgin language, is a simplified language that develops as a means of communication between two or more groups that do not have a language in common. It is most commonly employed in situations such as trade, or where both groups speak languages different from the language of the country in which they reside (but where there is no common language between the groups).

British traders or officials found it difficult and frustrating to communicate their complaints regarding trading procedures to the Chinese government. Diplomatic tensions arose when the British did present their grievances, and requests directly to the Chinese government.

The diplomatic practices were dissimilar between the Chinese imperial government and the Western countries. China considered itself as the centre of the world civilization and all the countries around were naturally drawn to it because of its power, wealth and prestige. Consequently, foreign countries would send official envoys to China as tribute bearers who humbly request an audience with the emperor. Once permitted to enter China, the envoys would naturally perform the “kowtow” to the emperor⁴³. When their diplomatic functions were agreed, the foreign envoys were allowed to stay in China for few days of trading and sightseeing before being asked to return to their countries. The notion of other countries being equal to China or of foreign diplomats remaining in China continuously would have been inconceivable. In fact, the Qing government saw the implication with commercial affairs beneath the dignity of the Chinese government. For the Qing imperial government, commerce involved a close contact with simple men concerned with profit which was considered miserable in traditional Confucian principles.

Both countries had a divergent view regarding the diplomatic manners and principles to which they adhered. This was clearly noticeable when the British sent their different ambassadors at different periods of time to China, requiring from the imperial government more favourable conditions in commercial and diplomatic matters. During the eighteenth and the nineteenth centuries the commercial influence of the British in China reached its zenith while the United States came to the second rank. In fact Great Britain got the lion’s share of the Chinese trade.

In 1793, during the reign of the Chinese emperor Qianlong (1739-1796), British government sent the first special envoy, Lord Macartney with a wish list for a residential diplomatic representation in Beijing, a large scale trade through China, and exemption for British subjects from Chinese legal jurisdiction⁴⁴. The Chinese government greeted Macartney and his procession as tribute bearers. Macartney, however, refused to perform

⁴³ Michael Dillon, *China: A Historical and Cultural Dictionary* (Routledge 1998) p.175.

⁴⁴ Jiannong Li, *Political History of China, 1840-1928* (Stanford University Press 1956) p.16

the “kowtow” ceremony before the emperor, a thing that was at the origin of the diplomatic delay for both parties. In fact, the attempt of Macartney to approach the Qing government and get approval for several commercial and diplomatic requests was in vain. Thus, Macartney returned to England and later the requests of the British monarch King George III were denied by a letter addressed from the emperor Qianlong.

The same thing happened to all the representatives of Great Britain who were treated as tributary envoys by the Chinese government. Lord Amherst 1816 and later on Lord Napier 1834 faced the same problems as their predecessor and refused to perform the Kowtow ceremony. This alternation of envoys from the British side happened while China’s trade was monopolized by the Hong merchants at Canton, and the British trade in China was monopolized by the East India Company. There was no such an organization of American merchants in China; the Americans were free and active in the Oriental market, whereas the British had the monopoly of trade in the Chinese territory.

During the eighteenth century the Sino-British balance of trade was in favour of China’s goods⁴⁵. The Chinese product the British most desired was tea, but they also purchased rhubarb, silk and considerable quantities of porcelain. The Chinese purchased some products made out of wool and other small objects, but it was silver that flowed out of Britain into China. In fact, the commodity which the Chinese would purchase at any price was opium; a highly addictive drug that was most of the time smoked. British opium was produced in Bengal and then sold to smugglers who ran the narcotic into the Chinese ports.

Opium entered China in small quantities during the eighteenth century, but by the wake of the nineteenth century the opium habit began taking hold in the southern territories of China, and addiction rates climbed rapidly equalizing the balance of trade between the two countries, and tipping it in Britain’s favour. By the middle of the 1830s opium problem was reaching the edge of crisis proportions⁴⁶. The officials of the British East India Company claimed that this latter had nothing to do with the opium trade, but it was an open secret that the British were drug pushers who were making great profit at the

⁴⁵ David Curtis Wright, *The History of China* (ABC-CLIO 2011) p103.

⁴⁶ *Ibid*, 104

expense of an addicted Chinese population that would do and pay anything to sustain its dope habit.

Following the dissolution of the British East India Company in 1834, private traders made their way to get into the profitable opium business. Avoiding any further costly governmental facilitation to manage the rush of the private traders, the British government appointed a superintendent of trade in China Lord William John Napier. The policy followed by the superintendent was tough and inflexible leading seriously to a war conflict. In a zealous act, he called in British warships, and declared that he would “hand his name down to posterity as the man who had thrown open the wide field of the Chinese Empire to the British Spirit and Industry” (Hsü 1990, 175). The fiery British traders and industry captains were less confident about their superintendent attitude and behaviour, and they refused to support him. After this incident, the British crown appointed Captain Charles Elliot superintendent of trade in 1836, and instructed him to adopt a less conflicting attitude when dealing with the Chinese. He eventually engaged in open military conflict with China over Opium.

The Chinese imperial government, in its turn, appointed a Chinese official Lin Zexu as imperial commissioner, and sent him to Canton as the emperor’s personal representative to get rid of the opium problem once for all. Following his arrival to Canton in 1839, Commissioner Lin gave the British subjects and the other foreigners a deadline for handing over all their stock of opium. Once the deadline passed with no response, Lin besieged the area where foreign factories existed, and trapped many foreigners inside including the superintendent Elliot himself. Following these events a crisis emerged as the surrounded factories run out of food and supplies. To reach a compromise with the Chinese authorities, the superintendent issued a proclamation making all the opium in Canton the property of the British Crown, and no longer the property of the private traders. The idea behind doing so was to create a perfect justification for war if the Chinese commissioner had to trifle with the British property.

Commissioner Lin after having received the surrendered opium from the superintendent Elliot destroyed it. This later reported this act of offence to the British Crown, and in late 1839, he was advised that a British expeditionary force would be sent to China. As a result of these actions from one side and the other, a state of war was

declared by Britain at the start of 1840⁴⁷. An expeditionary force arrived in June 1840, and the British warships took the fight to the emperor's doorstep, at the shores of Tianjing, Beijing's outlet to the sea.

The British demands for the payment of an indemnity for the lost opium and a permanent cession of the island of Hong Kong were faced with a firm refusal. At the same time the city of Nanjing was under the menace of the British naval force which sailed up to the Yangtze River. It is under these circumstances that the war ended, and in 1841 the Treaty of Nanking was concluded aboard a British ship outside the city of Nanjing⁴⁸. The articles of the treaty provided the cession of Hong Kong in perpetuity to the British Crown, the opening to the British trade of five other port cities along the China's Southern and Eastern coasts, payment of a large indemnity, abolition of the trade restrictions and a uniform tariff.

As the first of humiliating "unequal treaties" imposed on China by imperialist powers, the Treaty of Nanking remained engraved in the Chinese consciousness. It was the treaty that gave birth to all, and led China's descent collapse from the heights of the Celestial Court to the terrestrial centre of earth as the "Sick Man of Asia."⁴⁹ The British first had drawn blood in China, and soon other western countries followed their path. In July 1844 The Treaty of Wanghsia was concluded with the Americans, and in October the Treaty of Whampoa was signed with the French. The remaining of the nineteenth century was a time of gradual gnawing off of the China by imperialist powers mainly Britain, Russia, and Japan. The treaty of Nanking marked the beginning of years of humiliation and dishonour to China.

The Opium War did not resolve the entire quarrel between Britain and China, and the Treaty of Nanking did not provide for Britain's ultimate objective of diplomatic representation in Beijing itself. The city of Canton refused to recognize the British even though other coastal cities were opened to the British as per the Treaty of Nanking. Trials to open Canton and enlarge trade to other Chinese cities were unsuccessful, and by the

⁴⁷ W. Travis Hanes III and Frank Sanello, *The Opium Wars* (Naperville, Illinois: Sourcebooks, Inc, 2002), p20.

⁴⁸ R. Derek Wood, 'The Treaty of Nanking: Form and the Foreign Office, 1842-1843', *Journal of Imperial and Commonwealth History* (London) 24 (May 1996), p181-196.

⁴⁹ Hosea Ballou Morse, *The International Relations of the Chinese Empire* (Longmans, Green, and Co., London, NY, Bombay, Calcutta, 1910), vol. 1, *The Period of Conflict, 1834-1860*, chapters 1 p. 13.

middle of the 1850s the British concluded once again that only war would oblige China to lean to their requests⁵⁰.

What the British needed was a provocation to justify their will of a military action. In fact, this happened on October 8, 1856, this time as an indignity to the flag and not to the crown, as it was the case before. The “Arrow”, a British registered ship, displaying the British flag, but owned by the Chinese government was boarded by Chinese forces looking for a wanted pirate. The British firmly protested the boarding and all that mattered them was the ship’s flag, and in response they cannonaded Canton for many days in late October. A while after, the British sent another expeditionary force headed by Lord Elgin, and joined by the French, to punish the Chinese.

In December 1857, British marines under the instruction of Lord Elgin attacked Canton, arrested the provoking governor-general and imprisoned him in British India. After that, in early 1858, the British forces sailed to Tianjin and menaced the city. The weakened Qing government engaged into a process of negotiations with the British which ended by the signing of the Treaty of Tientsin on June 26, 1858⁵¹. The treaty provided for residential British diplomacy in Beijing, the opening of other new ports, payment of indemnities for Great Britain and France, and free travel through all of China for all foreigners, including Christian missionaries.

In spite of all what happened, the struggle was not yet over. In March 1859 the Qing government offered little resistance when the British Ambassador tried to travel to Beijing to take up his function there. Once again, this obliged the British to dispatch another expeditionary force led by Lord Elgin. This time, British and French troops penetrated into Beijing, and burned completely the emperor’s Summer Palace (Yuanming Yuan). It was the first time that a modern imperialist power had ever attacked a Chinese Capital. In October 24, 1860, the Convention of Peking was ratified allowing the British a residential diplomacy in Beijing. It also included the cession to Britain of the Kowloon Peninsula opposite the island of Hong Kong, opening of Tianjing as a trade port, the right of French Catholic missionaries to own property in the Chinese hinterland, and the British ships were allowed to carry indentured Chinese labourers to the Americas. The Opium

⁵⁰ China after the cultural revolution - févr. 1969 - Page 2, Bulletin of the Atomic Scientists - Vol. 25, n°2 – Magazine

⁵¹ Robert Balmain Mowat, *international relation* (ayrpub 1931) p.153

Wars were not the only tragic event occurring in the history of china which had led to the collapse of the regional power. Other internal and highly disastrous episodes took place.

IV- II The Taiping Rebellion

The Taiping Rebellion stands as one of the most harmful internal upset that Qing China witnessed. A Christian-like uprising that was about to overthrow the Manchu reign. It was suppressed in 1846 with great difficulty, and caused the death of millions of Chinese people⁵². It was and still is considered as the most tragic civil war in the world's history. Nineteenth Century China witnessed a great increase of its population, and millions of people in the Chinese countryside were faced with famine and malnutrition. By the 1840s a great portion of the peasants abandoned farming and agricultural activities because of the shortage of fertile land and turned into bandits roaming in the countryside.

The leading man in the rebellion was Hong Xiuquan, a mentally unstable and clearly imaginative person who was convinced that he was the younger brother of Jesus Christ. He was born in Guandong province in a poor peasant family which noticed that he was an intelligent boy. Consequently, the members of his clan exempted him from all kinds of manual activities and allowed him to pass the imperial service examinations. After a successive failure in the exams, Hong suffered a serious nervous breakdown. And during his feverish delirium he saw images of a middle-aged man and an old man with a long white beard who gave him a sword and told him to eradicate demons.

When Hong recovered and returned to his daily life activities, he picked up a Christian leaflet he had had few years earlier and was surprised to find in it the interpretation of his vision and dreams. He deduced that the Biblical "Kingdom of Heaven" mentioned in the leaflet was China, that the demons were God and Jesus Christ. All of this meant to him that as personal instructions to rebel against the Qing imperial establishment and reconquer the Heavenly Kingdom of China in the name of his vision of the Christian faith. In 1847 he received religious instruction from an American Southern preacher from

⁵² Collected Writings of Chairman Mao — Politics and Tactics p.125 (2009)

Tennessee, who found him unstable and greedy, and in general inappropriate for Christian conversion and kept himself away from him⁵³.

Hong began gathering followers and converts to himself. He learned about the early Christian community of believers and tried to reproduce this communal sharing among his followers. Further reading in the Old Testament about the armies of Israel impassioned him more, and by the 1850s he had changed his followers from few desperate peasant fighters into a militant Christian-like movement the members of which cut their queues and pledged allegiance to the “Heavenly Kingdom of Great Peace” (Taiping Tianguo). His armies rapidly spread northward through Hunan province, captured the city of Changsha, and continued their way to the Yangtze River with tens of thousands of devoted fighters. The “Taipings” as they came to be known, were victorious everywhere. They built a large navy and sailed all the way down the Yangtze River to Nanjing which they captured in 1853. The city became the movement’s capital after the killing of every Manchu found in it and was renamed Tianjing “Heavenly Capital”⁵⁴.

At its height, the Heavenly Kingdom included much of South and Central China, centred on the fertile valley of the Yangtze River. The control of the river meant the easy and continuous supply of the capital Nanjing by the movement. It was the starting point for different expeditions, in the West to secure the upper reaches of the Yangtze, and in the North to capture the imperial capital, Beijing. In fact, the Western expedition met with some mixed success, but the attempt to take Beijing failed. As a result Hong decided to remain in Nanjing and consolidate his power there. In late 1850s and early 1860s, Nanjing contrasted with other remaining parts of China; its streets were cleaner, its people happier, and its women much freer⁵⁵.

All the foreigners who were first fascinated with the Taipings, stepped back from them and remained neutral as the ruling government moved to crush the rebellion. By the early 1860s, the Christian missionaries concluded that Hong’s warped version of Christianity was quite heterodox, and western traders and diplomats feared the annulment by the Qing government of all the favourable agreements they signed with them in case the Taiping came to create a new dynasty in China.

⁵³ David Curtis Wright, the History of China (ABC CLIO 2011)p.108

⁵⁴ Kenneth Pletcher, The History of China (The Rosen Publishing Group 2010) p.237.

⁵⁵ Ibid p.108

Inside China, the rebellion faced resistance from the Chinese traditionalist middle class who also viewed the Taipings as heterodox. For them the ideology and religion of the Taipings was at the opposite of the Confucian ethical teachings. The Qing government, by this time was known as the Self-Strengthening Movement which lasted from 1861 to 1895⁵⁶. During this period the Qing authorities established something similar to a foreign diplomacy office, created schools for foreign language learning, reformed and expanded its customs service, and learned the fundamental principles of international law.

The main advocates of Self-Strengthening were Zeng Guofan and Li Hongzhang, the main heroes of the civil war with the Taipings. They emphasized the selective adaptation of Western technology, specifically military technology. During the Self-Strengthening era, most of the Chinese were confident that China could preserve its traditional heritage, and needed only to learn how to make and use the weapons of the West to defeat foreign domination. The Chinese provinces consulted foreigners to modernize their military corps and to create shipyards, arsenals, and telegraph lines. Thus a modern Chinese navy began to appear.

These efforts to modernize the whole of China were impressive but proved to be limited in scope and vision because they had little coordination and support from the Qing central government, which had been greatly weakened on the eve of the Taiping Rebellion. Being provincial rather than national in scope, self-strengthening efforts were vain because they were not followed by all the necessary changes for an effective updating. But the imperial forces were reorganized thank to the great work the two leaders of the Self-Strengthening movement did. The imperial reconquest started effectively and in 1864 imperial control in most areas was well established especially after the fall of the capital Nanjing in July 1864.

Although the fall of Nanjing marked the destruction of the Taiping regime, the fight was not yet over. Many loyal Taiping rebel groups did not give up the fight and continued to resist the imperial army in the border regions of Jiangxi and Fujian alone.

⁵⁶ Philip J. Adler, Randall L. Pouwels, World Civilizations: Since 1500, Volume 2(cengage Brain2011) p.110

The rebel forces fought for another half a decade it was only in 1871 that the last Taiping rebel army was completely destroyed by the government forces⁵⁷.

IV-III The Punti and Hakka Clan Wars (1855-1867)

The Punti-Hakka interethnic feuds occurred between 1856 and 1870 over fertile lands, a bloody conflict which raged across the province of Guangdong. The fighting was particularly violent in the area around the Delta of Pearl River, Taishan. The origin of this conflict was the Punti's resentment against the Hakka that they were increasing dramatically in number, and encroaching upon their land. From the Hakka's standpoint, they were marginalized, discriminated against, and had to farming unwanted, hilly land.

When the Ming Dynasty was overthrown by the Qing dynasty, Ming loyalists fled to Taiwan to raise a fighting force in the hope of retaking China for the Ming. In order to block these efforts, the Qing emperor ordered all residents of the coastal areas of Guangdong and Fujian provinces to move inland by approximately 30 km⁵⁸. As a consequence, an important number of losses among the Punti community had been recorded. After the rebel forces in Taiwan were pacified, the Qing emperor abrogated these edicts.

Few Punti people returned than what was expected, and then the Qing emperor provided advantages and incentives to repopulate these areas. The people who responded were the Hakka. For a period of time the two communities lived side by side peacefully, the population of Guangdong province increased dramatically, and time passing by life became gradually very difficult and unrest broke out. During the Taiping rebellion, the Hakka of the Pearl River Delta supported the imperial army and rallied against the rebel faction. Thus the imperial government decided to keep the area out of the reach of any rebellion sympathiser and made an aggressive incursion within the Punti villages⁵⁹.

⁵⁷ Xiaobing Li, China at War: An Encyclopedia (ABC-Clio 2011)p.527

⁵⁸ Hong Beom Rhee, Asian millenarianism, Page: 263

⁵⁹ Teresa M. Chen, Martin Yan, A Tradition of Soup: Flavors from China's Pearl River Delta(North Atlantic Book 2009)p.19.

Further to this, hostility emerged once again between the Hakka and the Punti, and as revenge the Punti attacked Hakka villages. Bloody battles raged, with both communities comforting their villages with walls, and training armies. Entire villages were involved in the conflict, and all able-bodied men were summoned to take part in the fighting arena against the other side. As far as the Punti are concerned, the clan war is related to the Chinese Diaspora in the nineteenth century, since the money for armaments was supplied from their relatives in Hong Kong, and abroad. The war reached devastating scales and thousands of people died, fled, and were sold. In fact some of those who lost in the clan wars were effectively sold to Cuba, and South America as coolies via Hong Kong and Macau, and some females were sold to Macau as prostitutes. To cool the conflict the Qing government implemented the strategy of segregation, consequently the Hakka were relocated to Guangxi province since they were the ones who suffered more losses in the clan war. The hostility between the Hakka and the Punti continued in the overseas communities by late nineteenth and early twentieth century⁶⁰.

IV- IV The Sino-Japanese War (1894-1895)

War that broke out in 1894 between China and Japan, was a conflict provoked by a dispute over control of Korea, which had been a tributary state to China since early Ming dynasty times. During the 1870s Meiji Japan asserted that Korea was an independent state. In fact, Japan wanted to transfer Korea from the Chinese to the Japanese sphere of influence. This war came to symbolize the degradation and degeneration of the Qing dynasty. It proved how successful modernization had been in Japan since the Meiji restoration as compared with that in China⁶¹.

In reality, it was a Japanese attempt to encroach upon the Russian expansion down the Korean Peninsula to threaten Japan. The Japanese officials thought that dominance over the Korean Peninsula by any great power would immediately threaten their national security. Since 1875 China had allowed Japan to recognize Korea as an

⁶⁰ Nicole Constable, *Christian Souls and Chinese Spirits: A Hakka Community in Hong Kong*(University of California Press 1994) p,134

⁶¹ Paine, S.C.M. *The Sino-Japanese War of 1894–1895: Perception, Power, and Primacy*, 2003, Cambridge University Press, Cambridge, p412

independent state. Then, as China tried to exercise an influence over its former tributary state, this provoked rivalry with Japan and a split in Korean public opinion.

Japan's desire to dominate Korea reached its apogee in the 1890s, and in July 1894 a Japanese warship sank a Qing ship in the Korean waters. On August 1st China and Japan declared war on each other. An important Japanese army composed of thousands of fighters landed in Korea. Surprisingly, the smaller but faster, and better trained Japanese naval force defeated the Qing fleet. In a series of battles around Seoul and Pyongyang, the Japanese army defeated the Chinese and forced them to retreat north. In fact, the troops of the great Asiatic State fled the battle fields in total confusion, and abandoning vital supplies⁶².

Other victories came to account for the Japanese supremacy in the battlefield and open wide the way to China. By November 21 the Japanese invested Port Arthur (modern Luda). The Northern fleet of China was ill-treated by the Japanese naval forces at the Yalu River, losing many warships, retreating behind their fortified naval bases, and later on caught by a surprise Japanese land attack across the Liadong Peninsula which smashed the ships in harbour with attacks from the landward side. In February 2nd after the capitulation of Weihaiwei and an easing in tough winter conditions, Japanese army pressed its advance into Manchuria⁶³.

In April 1895 after their defeat on the battlefield the Chinese were forced to sue for peace and sign the Treaty of Shimonoseki. Korea became a Japanese protectorate even though it was nominally recognized as an independent state, and China was constrained to cede in perpetuity Taiwan, The Liadong Peninsula, and the Pescadores to Japan. On the back of, China had to pay an enormous war indemnity which was estimated around 200 million taels, and open four more treaty ports to external trade. The defeat of the Chinese in the Sino-Japanese War marked the emergence of Japan, not China, as the prevailing military and economic power in East Asia. It also unveiled China's weaknesses which was considered as the "Sick Man of Asia"⁶⁴.

⁶² MacKinnon, Stephen R., Diana Lary and Ezra F. Vogel, eds. *China at War: Regions of China, 1937–1945* (Stanford University Press, 2007). xviii, 380p.

⁶³ Long-hsuen, Hsu; Chang Ming-kai, *History of the Sino-Japanese war (1937–1945)*. (Chung Wu Publishers 1972) p127

⁶⁴ *Ibid* p46.

Soon other foreign countries claimed their share of the “Chinese cake” that was being divided among the supreme powers (Imperialist nations). Indeed in 1895 the Russians joined the French and the Germans in the so-called triple intervention and threatened and forced Japan to surrender its hold over the Liaodong Peninsula, but China was obliged to pay a further 30million taels. A short time after, the Russians obtained railway rights in Manchuria and confiscated the port cities of Dairen and Port Arthur on the Southern point of the Liadong Peninsula. On the other hand, the Germans in 1897 obliged the Qing government to lease part of Shandong province to them for ninety-nine years. A year after, China was once again constrained to give up more territories to the British; the new territories opposite the island of Hong Kong on the mainland were leased to Britain for ninety-nine years (The lease ended in 1997 and the British returned the new territories as well as Kowloon and the island of Hong Kong, back to China)⁶⁵.

The Americans, busy in 1898 with their war with Spain and their later beginnings of empire in the Philippines, Puerto Rico and Cuba, were too slow to engage in the partition of the Chinese land. As most of the foreign European powers, their perception of China and Japan was highly influenced by the Sino-Japanese war. Before the war, the Japanese were considered as strange people absorbed by a somehow inefficient rules of civilities instead of the pursuits of European powers. In contrast, China, celebrated by great philosophers of the enlightenment era, continued to retain respect and admiration of the West. On the outset of war, China was described by the British-owned North-China Herald as the” only great Asiatic State that really commands the respect of the Great Powers of the World.”⁶⁶

After a short period of time everything changed. China with its larger population, years of military modernization, resource base, and superior battle ships, lost badly every battle. Its army fled the battlefield in disarray, abandoning vital supplies. Meanwhile its

⁶⁵ Zarrow, Peter. "The War of Resistance, 1937–45". China in war and revolution 1895–1949. London: Routledge, 2005.p241

⁶⁶ North-China Herald : The English North China Herald is usually referred to as the first printed source in any language for the history of the foreign presence in China from around 1850 to the 1940s. It is considered as the first – and sometimes only – reference for information and comment on a range of foreign and Chinese activities.

civil officials were busy in preserving their own power at the expense of their domestic rivals, than on cooperating to defeat the foreign enemy.

IV-V The One Hundred Days of Reform :

The Hundred Days' Reform was a failed 104-day national cultural, political and educational reform movement from 11 June to 21 September 1898 in late Qing Dynasty China. It was undertaken by the young Guangxu Emperor and his reform-minded supporters. The movement proved to be short-lived, ending in a coup d'état ("The Coup of 1898") by powerful conservative opponents led by Empress Dowager Cixi. With the help of certain senior officials of the Qing court, who were supporters of reform, Kang Youwei was permitted to speak with the Emperor, and his suggestions were enacted. Some of Kang's students were also given minor but strategic posts in the capital to assist with the reforms. Some essential preconditions of reform were:

- 1) Modernizing the traditional exam system
- 2) Elimination of sinecures (positions that provide little or no work but give a salary)
- 3) Creation of a modern education system (studying math and science instead of focusing mainly on Confucian texts, etc.)
- 4) Change the government from absolute monarchy to constitutional monarchy with democracy.
- 5) Apply principles of capitalism to strengthen the economy.
- 6) Completely change the military build up to strengthen the military force.
- 7) Rapidly industrialize all of China through manufacturing, commerce, and capitalism⁶⁷.

⁶⁷ China after the cultural revolution - f évr. 1969(Bulletin of the Atomic Scientists - Vol. 25, n °2 – Magazine)
P.2

The reformers declared that China needed more than "self-strengthening" and that innovation must be accompanied by institutional and ideological change. Opposition to the reform was intense among the conservative ruling elite, who, condemning the announced reform as too radical, proposed instead a more moderate and gradualist course of change. With the tacit support of the political opportunist Yuan Shikai and the backing of conservatives, Empress Dowager Cixi engineered a coup d'état on September 21, 1898, forcing the young, reform-minded Guangxu into seclusion. The emperor was put under house arrest within the Forbidden City until his death in 1908⁶⁸. Cixi then took over the government as regent. The Hundred Days' Reform ended with the rescinding of the new edicts and the execution of six of the reform's chief advocates, together known as the "Six Gentlemen": Tan Sitong, Kang Guangren (Kang Youwei's brother), Lin Xu, Yang Shenxiu, Yang Rui (reformer) and Liu Guangdi. The two principal leaders, Kang Youwei and his student Liang Qichao, fled to Japan to found the Baohuang Hui (Protect the Emperor Society) and to work, unsuccessfully, for a constitutional monarchy in China. Another leader of the reform, Tan Sitong, refused to flee and was arrested and executed⁶⁹.

Conclusion

The historical background encompasses different features of the Chinese people and their contribution to the making of the Chinese Diaspora all over the world and more specifically in the United States of America. I have tried to answer questions that are directly linked to the Chinese people as individuals and as a group constituting a somehow complex society. Who are the Chinese people? Where do they come from? What are the essential elements that constitute their personality? The answers given to these questions gave me a quite clear view of the mystery that revolves around China, the Celestial country, and its people.

⁶⁸ Robert L. Worden, Andrea Matles Savada, Ronald E. Dolan, China a Country Study (Broad Book USA 2004) p325

⁶⁹ Ibid,p28.

CHAPTER TWO

introduction

This chapter represents the transition from mother land China to the United States. I have tried to shed light on the role played by traders, missionaries and educators in bringing closer two distinct civilizations. On the one side stands China with its vast territory, mysterious population, culture and way of life, on the other hand stands a country of immigrants mostly from a European stock. I also mentioned the essential pull factors that attracted Chinese people and made them do the tough voyage from China to the United States seeking refuge from an authoritarian regime, and a better living. A special attention was given to their journey to America and how they established themselves in ghettos called Chinatowns, an enclave in which they tried, with a great success, to reproduce their traditions, customs and social organization. At the very end I proposed to have a look at some activities they excelled in other than mining and labouring in railroad projects.

I. Contact with America (Traders and Missionaries)

The Chinese who left their motherland came to America in many waves with special hopes and desires. In fact, the Chinese did not migrate to the United States in large number until the California Gold Rush in 1849 and the expansion of the Trans Mississippi frontier. This migration across the Oceans started first around the 16th Century with the advent of the Sino-US maritime trade⁷⁰.

I-I) Traders and Merchants

An illustration of the commercial exchange between the United States and China is the Empress of China (1784)⁷¹; one of the famous vessels built by a group of capitalist Englanders with the objective of trading with the Chinese Empire and discovering new markets. It was also the earliest ship to make direct link with China, though, trade between the two countries had begun before the US revolutionary war.

⁷⁰ Gary Y. Okihiro, The Columbia Guide to Asian American History(Columbia university press 2001) p.91

⁷¹ Empress of China 1784: First vessel to have sailed to China whose clipper was composed by rich American merchants

Some historians declared that the first Chinese immigrants were shipbuilders in California between 1571 and 1748; others confirmed that they were employed in the far west in 1788 and some scholars believed Chinese settlement preceded the English and Spanish ones and at the apogee of the Ming Dynasty in the early 15th Century, large-scale expeditions explored the Indian Ocean. As stated by some government records the existence of a small number of Chinese immigrants since the very beginning of the nineteenth century was largely considered; three Chinese in 1830, eight in 1840, and 785 by 1850. Yet, the United States census of 1860 recorded 34.933 Chinese, the majority of them settled in California where, to this day, the greatest concentration of Chinese people is found⁷².

Chinese historians acknowledge that the most important Chinese immigration influx, across the Pacific Ocean, occurred around 1860 at the onset of the «Coolie Trade »⁷³. China was considered as an exhaustive source for cheap labor; poor and unlucky Chinese, mostly unskilled, migrated looking for better economic and social conditions. The deteriorating social, economic, and political conditions in China during the last days of the Qing dynasty (1850-1911) pushed many Chinese to look for better living overseas.

Historians argue that the tea chunked into Boston harbor during the famous «Boston Tea Party »⁷⁴ at the beginning of the American Revolution came from China shipped on the vessels of the East India Company⁷⁵ which reached China's southern sea-coasts in 1620, thus establishing a trade network involving India, China, the American colonies, and England.

Many years later, American maritime merchants sailed to China and a while after Chinese sailors made regular trips from Canton, the only port designated by the Manchu Emperor for foreign trade. During that era president George Washington nominated Major Samuel Shaw, a well known Boston merchant, as the first American consul to China in

⁷² Iris Chang, *Chinese in America*, Penguin Books, 2004

⁷³ Coolie trade: Refers to trade contracts which conditions are quite similar to slaves or Indentured servants

⁷⁴ Boston Tea Party : An incident which took place on December 16, 1773 and in which 342 chests of tea belonging to the British East India Company were thrown from ships into the Boston harbour by a group of American patriots as a reprisal to the tea taxation.

⁷⁵ East India Company (1600-1873): English company formed for the purpose of trade exploitation with East and Southeast Asia and India.

1786. His mission was to promote cultural and commercial relations between the two countries. He stayed in China for three consecutive terms and died in Canton in 1794⁷⁶.

After the establishment of trade relations many refined objects of ivory, jade, porcelain, silver, gold and other precious stones and metals painfully manufactured by poor Cantonese artisans, were brought to the United States to decorate the luxurious homes of the wealthy traders and investors who became rich on the trade exchange with China. Indeed, many American families gained wealth and social importance through trade in different products with Cantonese population. A large use of Teak-furniture, embroideries, lamps, porcelain and figurines marked the rising of an era of Chinese artistic influence.

This trade exchange has lasted to the present but with less sophisticated and luxurious items. Many of the fine objects were offered to museums. To the present day the Boston Museum has one of the best collections of Chinese art, galleries and homes in other big cities are possessors of some samples of Chinese crafts. Large amounts of money have been spent in China to supply the New World with different types of teas, silks, spices, rice and other products.

On the other hand China's customers purchased a considerable number of consumer goods, machinery, radios, gramophones, bathing suits and many other items. A large number of Americans had few direct contacts with Chinese until the nineteenth century. But they had images of the captivating land; source of the various products that contributed to their welfare. In fact, this explains why, on the one hand, China has held a somehow great influence over the imagination of the average Americans; while, on the other hand, their behavior toward Chinese immigrants, or their offspring, was tough and authoritarian, since nearly most of the early Chinese immigrants worked in their residences as cooks and domestics⁷⁷.

This era of large emigration of people with a different socioeconomic background, as well as the conditions under which the receiving country accepted them, changed the characteristic of the race relations between white men and Asians. This relationship left a

⁷⁶ Tamara C. Emerson, *Relating Transcendentally: New England Transcendentalism, U.S evangelicalism, and the antebellum orientalizing of China* (proquest 2008) p.104

⁷⁷ Chinese were and still are, excellent in undertaking domestic works which were intended, in the American's mind, to be fulfilled by women.

deep mark on the way the Chinese looked at themselves through western eyes. At this specific time, Chinese students and intellectuals willing to discover the reasons for white dominance over the world, started to come to the United States to study.

Thus two distinct types of Chinese people, representing the opposites of the social hierarchy, came to North America nearly at the same time. They differed in their objectives, time of residence, aspirations, standard of living and style of life. These two different groups of immigrants did not meet each other because an immense virgin territory separated them until the end of the nineteenth century when the Chinese began to move around the continent.

I-II) Missionaries and Educators

Occurring at the same time, during the era of Chinese settlement in the United States of America, a flow of American missionaries and educators, as well as merchants, discovered China and her large population. The first ones to arrive in Canton to initiate the acceptance of Western science and medicine was Dr Peter Parker of Massachusetts, who opened the first American hospital in China.

In fact, it was the first hospital to be established in China. In November 4, 1836 Dr Parker's ophthalmic hospital opened its doors, but a while after he was submerged with patients looking for cures for different types of diseases and many had to be turned away. Dr Parker's medical activities were financed by the Presbyterian Board of Foreign Missions of New York⁷⁸, whose interest in China has remained strong. After 1950, when it became obvious that foreign missionaries and their enterprise would be eradicated by the authorities of the People's Republic of China, this board and others began concentrating their efforts in other Asian countries such as Taiwan and Hong Kong⁷⁹.

Thus, the religious and practical facets of race relations also enter into consideration. Even though these followed American trade relations with China, they have been very important in maintaining the image Americans have of Chinese people and China. In fact traders and officials have little concern about the ordinary man in the street; power and

⁷⁸ Presbyterian Board of Foreign Missions of New York was created in 1837. It started as a benevolent society with no legal status. A while after in 1862 it was incorporated by the state of New York. Under the Board's administration missions were established in central and South America, Africa, China, Japan, and Persia ... etc with the objective of spreading the Christian faith.

⁷⁹ Ibid, p78

profit relations are the main reasons for their settlement and work in China. The missionaries, educators and welfare workers witnessed the major human needs of the Chinese and worked hard to reach them by means of, education, medicine, and little by little implementing new values, ideas and behaviors.

Though traders, diplomats, missionaries, educators and welfare workers in China had various objectives, nevertheless they were often seen by the Chinese as intruders and allies of the so called invaders, particularly during war times when American military forces exhibited their strength. Moreover, the ordinary people had to carry the heavy load of the payment of excessive indemnities drawn by foreign governments, including American, for their fellow citizens killed during internal political disturbances and conflicts, such as the Boxer Uprisings during the 1900's. They disapproved the tendency of Westerners to live in segregated communities and missionary compounds, located inside or outside the areas designated as foreign concessions, and protected by extraterritorial treaties⁸⁰.

The mission boards and officials took those measures to protect themselves from the so called «Heathen ». The fact that foreign mission boards were able to obtain, for an endless period of time, land and properties for the creation and maintenance of missionary compounds, hospitals, churches, schools and homes, resulted in small American territories scattered through China. These missionary precincts were mainly restricted to the different political and economic fields of interest held by Western nations acquiring extraterritorial privileges and rights, and this, in one way, made the race relations more and more complex. In fact, what must be really recognized is that the missionaries, doctors, educators and social workers contributed to the nostalgic imagery of the Chinese, which they transmitted to Americans at home. On the contrary, in China they contributed to the exhibition of racial superiority by living in territories outside of the majority of Chinese.

⁸⁰ Derk Bodde, CHINESE IDEAS IN THE WEST (Columbia university) p48

II) Type of Immigration

According to historians during the nineteenth century most of Chinese immigrants who reached the United States came under the credit-ticket system⁸¹, some of them as contract laborers and the others as free laborers. The members of the first category went to Hawaii; some of them arrived there as early as the 1830's. Gradually Hawaiian workers were replaced by the Chinese workers in the sugarcane fields. Workers were employed through the system of emigration brokers who gave to the Chinese a free passage to the islands. Labor contracts were elaborated by planters employing Chinese laborers for a period of five years to work in plantations and receiving in return remunerations, food, medical care and shelter⁸².

About 50.000 of these Chinese laborers, who arrived between 1852 and 1900, faced other ethnic groups, such as Japanese workers, as a consequence of an attempt made by planters to organize workers by constituting an ethnically diverse, but divided, labor force. The great majority of the Chinese immigrants, who came to the United States, relied on the credit-ticket system. In this latter, emigrant rent money from a broker to pay for the trip, and in return the broker receives the advanced money plus interest from the earnings made by the emigrant in the new country.

A considerable number of emigrants also borrowed from their relatives for their voyage through the Pacific Ocean. Nearly the majority of the first waves of Chinese immigrants were men, even though approximately half of them were married and several set up families before immigration. The situation in the United States was different from the one in Hawaii, in fact; in Hawaii, missionaries and planters encouraged women's immigration in order to maintain social control and to preserve good morals in this all male environment. As a result; in 1900, 13.5 percent (3.471) of the 25.767 Chinese in

⁸¹ Credit-Ticket system : The credit-ticket system was a form of emigration prevalent in the mid to late nineteenth century, in which brokers advanced the cost of the passage to workers and retained control over their services until they repaid their debt in full

⁸² Lucy E. Salyer, *Laws Harsh As Tigers: Chinese Immigrants and the Shaping of Modern immigration law*(the university of North Carolina Press 1995) p259

Hawaii were females; whereas only 5 percent of the 89.863 Chinese in the United States were females.⁸³

III) THE PULL FACTORS FOR THE CHINESE IMMIGRATION :

The very specific pull factor, the lure of the gold rush and the promise of improved economic opportunity, played an important role in China's nineteenth century immigration and influenced many immigrants in choosing "Gold Mountain" as their final destination. Moreover, there were a lot of conditions that attracted the Chinese people to the United States such as the promise of freedom, hope for a new better and prosperous life nourished by the idea of finding jobs that would promote their social and economic conditions. We will modestly give a moderate overview of two major attractive factors which paved the way to the Chinese immigration to the Americas and especially the United States of America⁸⁴

III – I) THE CALIFORNIA GOLD RUSH (1849):

The Gold Rush was one of the most significant events in the history of the United States and especially of California. It attracted people, impatient to find gold, from all over the United States and the world. The story began when in January 1848; gold was discovered for the first time by James Wilson Marshall⁸⁵ while he was constructing a saw mill along the American River northeast of present-day Sacramento. The news did not spread throughout the American soil although the discovery was reported in the San Francisco newspapers, mainly because most of Americans did not believe the account.

The discovery caused a big excitement in May 1848 which boosted the beginning of the gold rush fever when Sam Brannan, a storekeeper in Sutter's Creek, brandished a bottle filled with gold dust around San Francisco shouting "Gold! Gold! Gold from American River!"; workers gave up their jobs and the populations of the majority of the coastal towns were turned to groups of prospectors ran to the gold fields. The gold-seekers,

⁸³ Roger Daniels, *Asian America: Chinese and Japanese in the United States since 1850*, University of Washington Press, Seattle, 1988.

⁸⁴ Haiming Liu, *the transnational history of a chinese family immigrant letters family business and reverse migration* (Rutgers University Press 2005) p7

⁸⁵ James Wilson Marshall the first American to discover gold at the hills of California and declared openly to the crowd.

called "Forty-niners" (as a reference to 1849)⁸⁶, were usually confronted to a large adversity and oppression on their trip to America. Apart from the fact that the majority of the newly arrived were Americans, the Gold Rush also attracted millions of workers from Latin America, Europe, Australia, and China.

In the late 1850s, there were approximately 15,000 Chinese mine workers in the "Gold Mountains"⁸⁷. Because anarchy was a dominant feature in the gold fields, the robbery by European miners of Chinese mining region was a legal act and even the Chinese gold seekers were usually victims of brutal attacks and raids. Consequently Chinese miners elaborated a new approach in response to this hostile situation which was completely exceptional from the white European gold miners. Their strategy differed from the one followed by the white workers who worked as individuals or in a small number, whereas the Chinese created large groups. The advantage of this distinctiveness is the barrier which protected them from assaults in one hand and, because of their methodological organization; their profit was much higher in another hand.

Moreover for security reasons Chinese gold seekers favored remote areas that normally other workers usually avoid because of their difficulty. In addition in 1870, one third of the men in the Californian gold fields were Chinese. Mainly because the majority of the gold fields were exhausted in the beginning of the twentieth century, the Chinese were the only workers who spent more time on the fields than the other workers.

Comparing to the beginning of the California gold rush until 1882 when an American federal law ended the Chinese influx, nearly 300,000 Chinese were already settled in the United States. Mainly due to the valuable opportunities to earn more money were by far better in America than in China. These migrants usually stayed longer than they had expected at first, regardless of the increased xenophobia and hostility they were confronted with.

⁸⁶ Forty-niners(1849) : These early gold-seekers, called "forty-niners," traveled to California by sailing ship and in covered wagons across the continent, often facing substantial hardships on the trip. While most of the newly-arrived were Americans, the Gold Rush also attracted tens of thousands from Latin America, Europe, Australia and Asia.

⁸⁷ Gold Mountains also known in Cantonese as Gam Saan (Jinshan in Mandarin): the place where most of the Chinese immigrants settled to seek fortune.

III - II The construction of the Transcontinental Railroad:

After the gold rush fever came to an end in the 1860s, the majority of the American work force obtained jobs in the railroad industry⁸⁸. Employing Chinese for the Central Pacific Railroad instead of white workers kept labor costs very low, since the company would not pay for their accommodations. Moreover, and as it was acknowledged from history records, Chinese Laborers used to enduring poor living conditions in their homeland were willing to accept prepaid long-term labor contracts in order to work in America, especially when the majority of them gave the whole amount of money to their family and did not expect to be able to return home one day.

Furthermore with the California Gold Rush and the opening of the West came a strong interest in building a transcontinental railroad. As a result, the Central Pacific Railroad Company was founded, and the building of the line East from Sacramento began in 1863⁸⁹. Even if the beginning of the pain begun on relatively flat land, labor and financial difficulties were omnipresent, resulting in only 50 miles of the railway being laid in the first two years. It was reported that the company needed over 5,000 workers; by 1864 it only registered 600 on the payroll⁹⁰. Chinese laborers were favorable, since they had already helped in the construction of the California Central Railroad, the railroad from Sacramento to Marysville and the San Jose Railway.

The first Chinese were hired in 1865 at approximately \$28 per month to do the very tough work of blasting and laying ties over the dangerous fields of the high Sierras. They lived in simple houses and cooked their own meals, often consisting of fish, dried oysters and fruit, mushrooms and seaweed⁹¹.

The job undertaken by the Chinese laborers was well done that thousands more were recruited until the completion of the railroad in 1869. Chinese labor provided the huge labor- hand needed to build the majority of the Central Pacific's difficult railroad tracks through the Sierra Nevada Mountains and across Nevada. In the decade (1861-1870)

⁸⁸ Marilyn Miller, *The Transcontinental Railroad* (decitre 1987) p.15

⁸⁹ Joseph Gustaitis, *Chinese Americans* (Marshall Cavendish 2009) P21.

⁹⁰ Linda S. Watts, *Encyclopedia of American Folklore* 2006 p 178.

⁹¹ *Pacific Railroad Complete*. Cartoon in *Harper's Weekly*, June 12, 1869, page 384.

64,301 were recorded as arriving, followed by 123,201 in (1871-1880) and 61,711 in (1881-1890).⁹²

In order to accomplish one of the notable construction exploits in America at that time, the Chinese worked from dawn to sunset in twelve hour shifts six days a week. Sunday was the only rest day in which they could patch their clothes, talk to each other, smoke, and, of course, gamble⁹³. Their troubles were intensified by the continuous ill-treatment and antipathy of the railroad executives. In fact, the Chinese worked harder and longer than white laborers, but were less remunerated because they had to pay for their own lodgings.

Added to all the miseries they suffered from, the cost in human life was tremendous. Snow slides and avalanches swept away integral teams of Chinese workers. In 1866, the Dutch Flat Enquirer declared on Christmas day, that “a gang of Chinamen employed by the railroad...were covered up by a snow slide and four or five died before they could be exhumed. Then snow fell to “such a depth that one whole camp of Chinamen was covered up during the night and parties were digging them out when our informant left”.⁹⁴ After a period of time and when snow fused, the company made the macabre discovery of corpses standing up straight, their hands frozen still grasping picks and shovels.

There were many obstacles that endangered the heavy task of the Chinese in the construction of the remaining portions of the central pacific railroad. Winter was not the only observable difficulty that affected the workers. Landslides drifted waves of soil over the completed track, blocking its access and sometimes suffocating workers. Wagons and carts were blocked in a sea of mud due to melting snow. Through the mountains, in the Utah and Nevada deserts, the teams of workers had to face severe weather conditions. In that area the temperature can easily fall down to 50 degrees below zero freezing the ground so that it required the use of explosives or rise up to 120 degrees causing dehydration and heatstroke⁹⁵

⁹² Asian Immigration to the United States, Padma Rangaswamy and Dorothie Shah, p168

⁹³ Gambling was and is still one of the favorite pastimes for Chinese

⁹⁴ The Dutch Flat Enquirer a weekly newspaper was issued on the 29th of May 1860 in the town named Dutch Flat of Placer County, California.

⁹⁵ Iris Chang “The Chinese in America : The transcontinental railroad

In brief during the 1870s, millions of Chinese laborers played a crucial role in the building of a large network of earthen levees in California. As a result it opened up huge areas of highly fertile swamplands for agricultural production. A lot of workers stayed in that region, and made a living as farm workers or sharecroppers, until they were driven out at the beginning of the anti-Chinese violence in the mid-1890s⁹⁶. The striking contributions of the Chinese workers to the construction of the transcontinental railroad, linking the Eastern and Western territories of the United States in August 1885, were forgotten. A common saying, among the old generations in the Western states, says that the eastern limit of the transcontinental railroad was built by “whisky” (reference made to the Irish laborers) and the Western limit by “tea” (reference made to the Chinese laborers⁹⁷)

IV) The Journey to America:

The voyage across the Pacific Ocean was a troublesome one for the Chinese immigrants. Under the Qing dynasty, as early as the mid-eighteenth century, even though anti-immigration laws went loose, in Hong Kong⁹⁸ American consular officials in charge of executing anti-coolie laws placed some legal obstructions on immigration. Immediately after the passage of the 1862 Act⁹⁹ to prohibit Coolie Trade, every single immigrant went through a particular and meticulous inspection by the American consul to avoid involuntary travel.

However, from 1862 to 1871, the certification process, due to incompetence, became mechanical. It was completely different for the Page Law of 1875¹⁰⁰, which was achieved to manage and regulate the rise of Chinese prostitutes to America, who for the Euro-American society, were degrading the American society at all levels¹⁰¹. The American immigration officials assumed that all Chinese women looking for entry to the United States were potential prostitutes. Because of the unequal application of law by American

⁹⁶ The Chinese and the Transcontinental Railroad (Brownstone), p.65–68; McCunn, p.32

⁹⁷ Ibid p.76

⁹⁸ Hon kong was the port departure for many Chinese emigrants.

⁹⁹ 1862 Act also called “The Pacific Railway Act” was signed into law by President Abraham Lincoln on July 1, 1862. This act provided Federal government support for the building of the first transcontinental railroad, which was completed on May 10, 1869

¹⁰⁰ Page Law 1875 : Bars entry of Chinese, Japanese, and “Mongolian” prostitutes, felons, and contract laborers.

¹⁰¹ James A. Tyner, *Oriental Bodies: Discourse and Discipline in U.S. Immigration Policy, 1875-1942*(Lexington Books2006) p.23

officials in Hong Kong, Chinese men, until the period of exclusion, no women, could carry on the procedure to journey from their motherland to America.

A while after the signing of the Burlingame Treaty (1868)¹⁰² between the United States and China, the Chinese ensured the right to open wide the doors to voluntary immigration to America. The law prohibiting emigration established by the Qing dynasty was finally revoked. Moreover the treaty terms ensured the Chinese residents equal protection of all legal rights enjoyed by other foreigners established in the United States, and afterward, in the outset of the 1870s, the federal judiciary organisms enlarged its scope and provided for the right to live and work in America¹⁰³.

From 1849 to 1867 Cantonese made the tough journey to America by sailing on voyages that lasted more than fifty days and reaching sometimes hundred days. Different from sailing ships, which would withhold departure until fully booked, steamers offered a planning and a fast voyage. The time spent to get to San Francisco was reduced from months to weeks. Another interesting point was that steamships could assemble more passengers aboard. All these attractive advantages, coupled with a lower fare, encouraged and boosted immigration.

It is worth to note that, the majority of the passengers who made the trip to America traveled in a section of inferior accommodations except for those of privileged background. They ate poor and tasteless food, strayed for limited water, slept in decaying seats or beds and suffered from inadequate ventilation. Sometimes even basic physical functions proved difficult because of over crowding. During windy days, immigrants twisted themselves in their rudimentary accommodations, and people leaped in all directions.

When their ship sailed across the high seas, they struggled; being unsure about their future and afflicted by the cruel separation from the loved ones, to hold onto the dream of finding a new start, of forming an unknown start. That cautious expectation, fused with sadness was reproduced in the following twentieth century Cantonese family song:

¹⁰² Burlingame Treaty : In 1868 the United States and China signed the Burlingame-Seward Treaty recognizing right of their citizens to emigrate.

¹⁰³ Charles J. McClain, *In Search of Equality: The Chinese Struggle Against Discrimination in Nineteenth-Century America* (University of California Press 1996) p.30

“Drifting on a voyage of thousands of miles”¹⁰⁴

I reached the Flowery Flag Nation to take my chances

Sorrow is to be so far away from home”¹⁰⁵.

IV-D) Coming to America:

When Chinese immigrants first set foot on the American soil, they were submerged by great expectation. Huie Kin, a Chinese male immigrant who arrived in 1868, recalled that the "feeling that welled up in us was indescribable," "to be actually at . . . the land of our dreams."¹⁰⁶ The passage through the US customs authorities for the majority of new immigrants was a harsh experience, exception made for those who were smuggled into the United States by way of Mexico or Canada.

In 1910, there were two main reasons that pushed the American government establish a building of two floors in order to be used as the new immigration station in San Francisco Bay; the first reason was due to Chinese complaints and the second one was due to the fact of isolating those with supposed contagious diseases. A huge number of Chinese immigrants came to the West Coast by way of Seattle's immigration station. Immigrants who entered in New York City were processed at Castle Garden, the immigration depot that operated until 1890, when Ellis Island¹⁰⁷ became the new processing center¹⁰⁸.

Chinese immigrants went through a deep examination by immigration officials. This questionnaire process was made mainly because most Chinese immigrants were suspected of lying in order to enter America. Indeed lots of Chinese entered the United States illegally, but only because Chinese exclusion laws imposed it. By the turn of the century, ethnic hostility increased significantly and the laws became extremely strict about Chinese immigration, thus these latter relied on duplicity to enter the United States in order to reunite families or continue the financial support of their relatives left in China.

¹⁰⁴ Benson Tong, the chinese Americans (University Press of Colorado, 2003)p,29

¹⁰⁵ A Folk song performed by the majority of Cantonese (Chinese from South East China) who were the first Chinese to leave China to America.

¹⁰⁶ Benson Tong, the chinese american,p94.

¹⁰⁷ Elis Island Ellis Island, in Upper New York Bay, was the gateway for millions of immigrants to the United States as the nation's busiest immigrant inspection station from 1892 until 1954.

¹⁰⁸ Ibid,p.30

Any Chinese merchant or one that declare to be so would claim American birth and could thus demand citizenship which is guaranteed by the Fourteenth Amendment. After, he could claim the birth of a new son (rarely a daughter) upon his return from each visit to China. A potential immigrant could then, after buying that "slot," declare to be the merchant's son or daughter and claim entry to the USA. This practice was done because most Chinese were aware that merchants were exempted from exclusion laws, bought business shares in order to claim they were merchants or bribed merchants to register them as partners.

In 1906 after the devastating San Francisco earthquake,¹⁰⁹ most of the municipal records were destroyed. Consequently it was impossible to check information given by new immigrants, and such claims quickly increased. The purchase of a false identity did not guarantee entry. To prepare for the trial of a thorough examination, Chinese emigrants studied purchased duplicated sheets containing information about their "families." Those who failed the initial interrogation could appeal or be reexamined¹¹⁰.

During this examination, Chinese relied on their network of family, clan, and community across the United States and China to provide financial assistance, and advice regarding immigration. About 10 per cent of all Chinese who arrived on Angel Island¹¹¹, were however forced to return to China. The fraud well performed by these returnees became part of the reasons for implementing anti-immigration laws¹¹².

VI-II Area Distribution and Accommodation of Chinese Immigrants

Small numbers of Chinese immigrants started arriving in the United States during the 1820s. However, nearly all of these early arrivals were men, and they often married European-American women. Only after 1850 did significant numbers of Chinese people arrive in this country, mostly during the California gold rush and the accomplishment of

¹⁰⁹ Fires set off by the 1906 earthquake in San Francisco destroyed all of the municipal records, thus paving the way to the so called "paper sons".

¹¹⁰ Marc Tyler Nobleman, *The San Francisco Earthquake of 1906* (Capstone Press 2000) p.30

¹¹¹ Angel Island: Located in the middle of San Francisco Bay, Angel Island Immigration Station was routinely the first stop for immigrants crossing the Pacific Ocean. From 1910 to 1940, the Angel Island Immigration Station on what is now Angel Island State Park in San Francisco Bay served as the processing center for most of the 56,113 Chinese immigrants who are recorded as immigrating or returning from China; upwards of 30% more who showed up were returned to China.

¹¹² Erika Lee, *Judy Yung, Angel Island: Immigrant Gateway to America* (Oxford University Press 2010) p.57

railroad work. These Chinese Americans tended to live close together in Chinatowns in the major cities, and the largest community was in San Francisco.

The Chinese Exclusion Act of 1882 (repealed in 1943) stopped immigration of people from China to the United States until the 1950s and 60s. Immigration rates have been rising, especially, since 1977¹¹³, when China officially began to permit emigration. Many of these more recent immigrants have been settling in suburban areas of the country and avoiding the Chinatowns of the major cities¹¹⁴.

Throughout this period of immigration Chinese Americans were confined to segregated ghettos, called Chinatowns, in major cities and isolated regions in rural areas across the country. Economic development and racial exclusion defined the patterns of settlement for the Chinese Americans. Before the Chinese Exclusion Act of 1882, the patterns of settlement followed the patterns of economic development in the western states. Since mining and railway construction dominated the Western economy, Chinese immigrants settled mostly in California and states west of the Rocky Mountains.

As these industries declined and anti-Chinese feelings intensified, the Chinese fled into small import-export businesses and service manufacturing industries in such cities as San Francisco, New York, Boston, Philadelphia, Chicago, Los Angeles, and Seattle. By the earlier twentieth century, approximately over eighty percent of the Chinese population was found in Chinatowns in major cities in the United States.

From the very beginning and up to the present, a large number of Chinese-Americans are in San Francisco, New York and their outskirts. The remainders are distributed all over the country, where the second and third generations were brought up without being subjected to the same influences and pressures of the early immigrants. As Chinatowns were gradually losing their tourist attracting functions, many families made the tough experience of moving away from them. In fact, many second generation American-Chinese found themselves growing among the dominant ethnic group at an early age. As a

¹¹³ Minorities: race and ethnicity in America (Thomson Gale, 2006) p,1-6.

¹¹⁴ Takaki, Ronald (1998). Strangers From A Different Shore: A History of Asian Americans. New York: Back Bay Books

direct consequence, they are experiencing, to a certain extent, less social, educational and occupational barriers.

Another model of habitation for native-born is the consequence of World War I, when sojourners and their family members lived together with other racial groups in the Southern States. A solitary Chinese family running a small general store lives among African-Americans and Caucasians. They are isolated from other Chinese. For instance, in Mississippi the Chinese have a long history of cotton farming and American Chinese grew up interacting with their African-Americans and Caucasian helpers¹¹⁵.

While after World War II, the South- Western States became interested in growing cotton. In these states, such as Arizona, the Chinese and their children provided food and services for the Spanish-Americans, Indians, Caucasians and African-Americans. For that reason they had to adjust to whichever group their businesses require. That was the case of the American Chinese of northern cities; who whenever they had the opportunity, migrated to larger northern cities. Grocery stores and some other enterprises of the main ethnic group have chased their clients. Furthermore, some American-Chinese were willing to carry on businesses or occupations that were condemned to bankruptcy. It is obvious that work and its accompanying demands were the predominant factor regulating the residence of American-Chinese.

VI-III Chinatowns Social, Political and Economic life

The first Chinese immigrants who set foot on the American soil during the California gold rush and later on moved to the working sites of the transcontinental railroad, gathered in ethnic enclaves named Chinatowns. They relied on some ethnic networks and institutions to find accommodation and jobs. They left behind them their families, friends and neighbors and looked for a better life in the USA where they established themselves in a solid community within what would be called later on Chinatowns.

Commonly known as a Pacific port city, San Francisco has the oldest and longest continuous running Chinatown in the Western part of the United States. It originated around 1848 and was the open door for the stream of immigrants who arrived during the

¹¹⁵ Najia, "Chinese immigrants, African Americans, and racial anxiety in the United States, 1848-82", p.123

middle of the 19th century as indentured laborers (coolie system) or under the credit ticket process mainly for the California gold rush and the construction of the North American transcontinental railroads. This ethnic enclave later turned to be a tourist attraction in the beginning of the twentieth century¹¹⁶.

In 1906 San Francisco's Chinatown was nearly, but not completely destroyed by an earthquake, nor did all of its inhabitants re-locate elsewhere. There were proposals by real estate speculators and politicians to expand the Financial District's influence into the area, and moving the Chinese community to the southern part of the city. In response, many of Chinatown's residents and landlords stayed behind sustaining their neighborhood's claim, sleeping out in the open and makeshift tents¹¹⁷.

Many businesses and housing based in brick buildings survived with little damage and continued functioning, if only in a limited capacity. In just short years after the earthquake, the landmark Sing Fat and Sing Chong buildings were completed as a statement of the Chinese community's resolve to remain in the area. As a result of this action, Chinatown remains the longest, continuous running Chinese community outside of Asia. Still a community of predominantly Taishanese-speaking inhabitants, San Francisco's Chinatown became one of the most important Chinese centers in the United States. San Francisco's Chinatown is the oldest Chinatown in North America and the largest Chinese community outside Asia. Since its establishment in 1848, it has been highly important and influential in the history and culture of ethnic Chinese immigrants to the United States and North America. Chinatown is generally recognized as a dynamic enclosed area that continues to preserve its own customs, languages, places of worship, social clubs, and identity¹¹⁸.

Popularly known as a "city-within-a-city", it has developed its own government, traditions, a large number of restaurants over a hundred, and as many shops. It is endowed with hospitals, several parks and squares, a post office, and other necessary infrastructure. Visitors to Chinatown can easily become immersed in a microcosmic Asian world, filled

¹¹⁶ New York Magazine - 14 oct. 1985, Vol. 18, n°40 - Magazine

¹¹⁷ Chia Ling Kuo, *Social and Political Changes in New York's Chinatowns: the Role of Voluntary Associations* (New York Praeger 1977) P.160.

¹¹⁸ Par Roger Daniels, *Asian America: Chinese and Japanese in the United States Since 1850* University of Washington Press 1988) pxiii.

with herbal shops, temples, pagoda roofs and dragon parades. In addition to it being a starting point and home for thousands of Chinese immigrants, it is also a major tourist attraction drawing more visitors annually to the neighborhood than the Golden Gate Bridge.

VI-III-I Social and Political Organizations

The Chinese community in the United States did not have a fixed or static social structure. Different types of organizations were competing for community leadership long time before the foundation of the political parties. This rivalry caused a gradual increase in the number of social organizations as well as recurrent transformations in the social balance.

According to historians, these organizations may be divided into two distinct types based mainly on eligibility for membership. Some of them had a membership that was decided on the basis of place of birth; these may be called organizations with restrictive entrance requirements. They included the regional associations (or hui-kuan), the Chinese Six Companies, and the family associations (Surname Associations)¹¹⁹.

Organizations of the second type had a membership based mainly on occupation or personal choice. These may be called organizations with open membership requirements. They embodied the Christians, the merchant guilds, and the Triad secret societies. It is worth to note that all of these groups, with either restrictive or open membership requirements, reproduced organizations already established in China.

a) Organizations with Restrictive Membership (Hui-Kuan/Chinese Six Companies Association)

Once Chinese set foot on the American soil they did their best to create social ties and political organizations, not only to assimilate to mainstream America but also to keep strong relationships to their motherland. Therefore, clans became eminent in the United States. In fact American Chinese communities did not have

¹¹⁹ Jeffrey Scott McIlwain, *Organizing Crime In Chinatown: Race and Racketeering in New York City, 1890-1910*(Mc Farland 2004) p.30

static social structure. Therefore different types of organizations arose and competed for community authority.

a-1) First Type of Organization

The Chinese Consolidated Benevolent Association named also the Chinese six Companies (San Francisco's Chung-hua tsung hui-Kuan) is the most powerful of the regional associations created throughout the Americas. During the 1890s The Hui Kuan represented ninety five percent of the Chinese population in the Americas. The regional associations formed federations in major centres of Chinese population and in San Francisco the Hui kuan and their federation, the Six Companies, became the most influential of the Chinese organizations in the Americas and more particularly in the United states¹²⁰.

The name Six Companies takes its origin from six district associations; Ning yang, Kong Chow, Young Wo, Shiu Hing, Hop Wo, and Yan Wo which merged (see table 1). Each of these district organizations provided a member for the board of control. The name remained the same, although the Sam yap District Association later joined the six already existing. The chosen word companies reproduced the idea of unity under a chief and resembled a military hierarchy in which the orders given to each of the delegates comprising the board of control are obeyed¹²¹.

The Chinese Six companies association was established in the latter part of the 1850s as an umbrella organization to speak for the Chinese community. And by the turn of the century, the Six Companies was recognized and accepted by most Americans as the voice of all Chinese in the United States. It effectively did recognize the higher authority of the United States governmental branches in various types of cases, although many Americans considered it as a government within a government¹²².

Besides of being the spokesmen for all the Chinese all over the country, many important social services were provided by the Chinese Six Companies. They ensured

¹²⁰ Charles J. McClain, In Search of Equality: The Chinese Struggle against Discrimination in Nineteenth-Century America (University of California Press 1996) p.291

¹²¹ L. Eve Armentrout Ma, Revolutionaries, monarchists, and Chinatowns: Chinese politics in the Americas and the 1911 revolution (University of Hawaii Press, 1990) P17

¹²² Ibid, p.18.

the repatriation of bones of deceased members for a proper burial in their motherland; a service regarded as extremely important for immigrants. They gave hand to new comers to find jobs, lend them some money when they are short of, and maintained hostels in different American communities where transient members could have lodging for a small cost. As a direct consequence, each Hui Kuan defended the interests of its members against nonmembers, whether Chinese or white American.¹²³

The Chinese six companies accomplished a number of specific duties. It most of the time acted as soliciting and collecting organization: collecting money for disaster relief in Kwantung¹²⁴, assisting financially to realize a library in Canton, and so forth. It also played a significant role in carrying objections of all the Chinese community to the appropriate authorities when a discriminatory legislation was not yet settled or initiated test cases to overturn this latter. It made many attempts to prevent friction between Chinese and Americans, founding its own police force to protect San Francisco's Chinatown. At the educational level, it founded a school in San Francisco to teach Chinese language, history, and philosophy, established a Chinese hospital in the same city, and up to 1907 it took part, as a witness, in the commercial contracts between Chinese¹²⁵.

One particular feature worth to notice was the need for protection between members of the different Hui Kuans. This was due to the fact that their members came from different regions in China and each one looked at the other as a potential enemy. These regional distinctions were frequently emphasized by important variations in the dialects used. As a result Hui Kuan reorganized themselves along the regional lines and institutionalized the regional distinctions. Historians reported that more than ninety five percent of the Chinese immigrants in the United States came from the city of Canton or its proximate area. However, they partitioned themselves into three major regional groups associated to this somewhat small area: hakka, Hsiang-shan, and Punti.

¹²³ Par James S. Olson, Heather Olson Beal, *The Ethnic Dimension in American History* (Wiley Publishing 2011) p.88

¹²⁴ Kwantung or Guandong is the province where more than ninety percent of the Chinese immigrants came from.

¹²⁵ In 1907 the Chinese Chamber of Commerce was founded, an organism that put an end to the interference of the Chinese six companies in commercial affairs.

In their turn, these latter were further subdivided into other smaller groups of a different degree of influence¹²⁶.

The Chinese Six Companies officially established the power structure. The labor contract and the credit-ticket systems were the principal channel through which Chinese immigrants gained enough money for the passage to America. Thanks to these systems, rich overseas Chinese businessmen with suitable social and commercial connections back in china (Kapitan China)¹²⁷ located people in China who needed jobs. Accordingly, they either plan for them to sign a contract to work for a period of time in America, or lend them enough money to buy their travel tickets. Many American businessmen got in contact with the kapitan China or his agent when they were in need for Chinese laborers.

The position that the Kapitan china had was in the United States lessened after the passage of the Chinese Exclusion Act in the 1880s, but they still had the financial means to keep the position of the main source of credit and to assist considerately to causes of community concern. Thus, even though the Hui Kuan and the Six Companies were presided by notables coming from China (imported notables), the middle rank of officers was staffed by the Kapitan China. In fact, the official position in the Six Companies organization was normally detained by the wealthy, but a while after the 1890s the members of the organization and its subdivisions agreed to rotate the presidency each three months. The newly established rules were modeled on those of the United States during the federal period. By 1903, the Hui Kuan also drafted organizational regulations patterned after the American model, which included the annual election of officers¹²⁸.

In spite of all those organizational changes, and in transgression to the newly established rule and decision to rotate presidency of the Six Companies, from 1901 to mid-1903 two of the Hui Kuan (The San-I hui-kuan and the Ho-ho hui-kuan with the surname Yu) rotated the presidency of the Six Companies exchanging between

¹²⁶ L. Eve Armentrout Ma, *Revolutionaries, monarchists, and Chinatowns: Chinese politics in the Americas and the 1911 revolution*(University of Hawaii Press, 1990)P 18

¹²⁷ “Kapitan China” refers to some Chinese businessmen who used their social status and wealth to finance the trip of Chinese labourers through labour contracts or credit-ticket systems.

¹²⁸ Ibid, p.26

themselves. There were other deficiencies attributed to the Six Companies organization. Many hui-kuan officers were corrupt. Others were leaders of fighting tongs and maintained power through threat of violence. In many ways, the hui-kuan also intentionally restricted the power of the Six Companies. Most important, the Six Companies relied on them for much of its finances. The hui-kuan at times refused to pay their assigned donation in order to make a point.

a-2) Second Type of Organization

In addition to the Hui-kuan/Six Companies, there was a second important type of organization with restrictive membership requirements: Surname Associations or family associations. In this organization membership is restricted to the people of one or more specific surnames. According to historians the largest number of surnames in all the associations in the Americas did not exceed four. These associations emerged at first in North America and acquired a great notoriety there.

The first surname association was the multisurname So-yuan t'ang (soo Yuen benevolent Association) established in 1859. The majority of the surname associations in North America were created during the period between 1870 and the mid 1890s. Approximately the more notable ones were scattered in Canada (Ma, Mar) and the Continental United States (Li, lee and Huang, wong). By the turn of the century, nearly all the Chinese immigrants in the United States integrated a surname association as had many in Canada, Hawaii, and Mexico. Most of the larger multisurname groups maintained a shared ancestor even if they had different names, and members of component groups assumed each other blood relatives¹²⁹.

Most of the functions or missions undertaken by the surname associations were the same as those fulfilled by the Hui-Kuan. They provided hostels for members and helped them to get jobs and loans. They organized young fighting men in order to protect their members against any intruders. But they did not have any authority over

¹²⁹ L. Eve Armentrout Ma, Revolutionaries, monarchists, and Chinatowns: Chinese politics in the Americas and the 1911 revolution(University of Hawaii Press, 1990)p.22-23

Chinese willing to return to their homeland. They did not also organize the return of bones of dead kinsmen and had very much less influence with Americans than did the Hui-Kuan through the Six Companies Association.

b) Organizations with Open membership:

b-1) Chinese Christians

There were many associations in the overseas society which membership was a matter of choice rather than determined by accident of birth. The most noteworthy of these were the Chinese Christians, the Merchant Guilds, and the Secret Societies. In spite of their relatively small number, the overseas Chinese were either Christians or appertained to a merchant guild. Contrary to what one can believe, they had a great influence. As stated before, adherents to the merchant guilds (Kapitan China) were wealthy and had a financial power within the Chinese communities and, during the outset of immigration, an important source of credit for those who wished to get to the Americas. The Christian community comprehended the most distinct political activists with reform ideals of the whole overseas communities. Christians also played the role of interpreters of the Chinese community to the rest of America, and provided assistance to their fellowmen when they were in conflict with Americans¹³⁰.

According to historians and anthropologists, to adhere to a religion does not make of a person a member of a social group, but Chinese Christians were left by themselves and also by the rest of the Chinese community to found a particular social organization. This feeling was specific to Christians and was not evident in the believers at surname holy places or Chinese temples in America. Thus, for example, most of the Chinese language works always called a newspaper in San Francisco Chung Sai Yat Po (East-west News) a Chinese newspaper. This did not signify that the newspaper tried to convert people to Christian faith. In fact, it meant that the whole

¹³⁰ Fenggang Yang, *Chinese Christians in America: Conversion, Assimilation, and Adhesive Identities* (Penn State Press 1999) p146

personnel were Christian, and the newspaper was persuaded that it represented the political and social views shared by all of America's Chinese Christians¹³¹.

Chinese Christians were more important and numerous in North America and Hawaii than in other regions in Latin America. Religious groups such as the Presbyterians, Baptists, and Methodists were constituted in the Chinese community in North America. Among these congregations the Presbyterians were the most active. At the beginning, missionaries and preachers were all white Americans, but by the turn of the century, these were replaced by Chinese. There were only few churches scattered over the territories of San Francisco bay, around Los Angeles and New York. The groups were considerably small consisting almost of adult men members which numbers ranged from ten to fifty. Nearly the majority of these churches provided free learning in written Chinese and in spoken and written English for both categories adults and children, an important social service for a community controlled by the few people who either spoke English or could have at their disposal an interpreter.

b-2) Merchant Guilds

At the beginning of the Chinese settlement in America the merchant guilds were a type of merchant association at the head of the community and guiding all of it. However, by the 1880s these associations declined and were replaced by the more wholly commercial merchant guilds. The United States of America had two important merchant guilds, each with independent branches mostly established in commercial cities: the Shew hing Association and the Guest Businessmen's Association.¹³²

Both of these guilds were rather traditional types organizations strongly linked to the Hui Kuan. The principal types of commercial services provided were money lending, the import-export business, investing in gambling and similar activities, and opening small shops (laundries, small groceries, and the like). Moreover, wealthy businessmen chose to use their surplus of wealth for the benefit of the associations they belonged to and to buy property in kwantung, or to help their villages and clans in

¹³¹ L. Eve Armentrout Ma, Revolutionaries, monarchists, and Chinatowns: Chinese politics in the Americas and the 1911 revolution(University of Hawaii Press, 1990)p.22

¹³² Some merchant associations were at the very beginning of the Chinese settlement in the United States real enterprises guiding almost all of the Chinese community.

China. Thus, at the end of the century, the guilds were still considered as an important organ of traditionalism¹³³.

b-3) Secret Societies and Triads

Considered by most historians as the major actors in the political scene, the role played by secret societies was considered more significant than the one of the Christians and merchant guilds. They were popular and a powerful force in the United States, a force that political leaders could not neglect. The standards the secret societies followed were those of any political party. They pretended to surpass wealth, social class, family, regional and ethnic divisions. Their members were united by common objectives giving to their organization a voluntary aspect. The secret societies triads voiced their political project to overthrow the Qing (Ch'ing) dynasty and revive the Ming one¹³⁴.

According to history secret societies which were active in the Americas and especially the United states were descendants of the Triads (also called San-ho hui, San-tien hui etc). In other words, in order to become a Triad member, one had to pass through some initiation ritual in which he swore brotherhood to the rest of the members and also make the oath to overthrow the Qing (Ch'ing) dynasty and reestablish the Ming's rule¹³⁵.

At the end of the nineteenth and beginning of the twentieth centuries, the Triads underlined the brotherhood ties more than the wish to revive the Ming dynasty. However, the Manchuism¹³⁶ resentment remained entire among them. Even if they were banned by the Chinese administration, the Triad lodges were largely spread in the Southern regions of china. They were also established among overseas Chinese in Southeast Asia, Australia, and definitely in the United States of America. Some Chinese revolutionary leaders who traveled to the Americas and mainly to the United

¹³³ Ibid, p.34

¹³⁴ Ming Dynasty : As stated in Chapter one, the Ming dynasty preceded the Qing's one

¹³⁵ <http://www.funfront.net/hist/china/chin-revo.htm>

¹³⁶ In reference to the Manchu dynasty (1644-1911) which was toppled at the beginning of the Twentieth century by a group of revolutionnaires.

States estimated that around ninety percent of the Chinese in North America and Hawaii were members¹³⁷.

In the United States the membership was mainly composed of Szu-i male laborers. It had as members some Christians, a few of the wealthy, and more of the middle ranking merchants, and it comprehended persons of all regional milieu and many surnames. In fact, the triads in China had a chief hierarchy, even though there was a ranking system. Most of the time, individual triad members were persons who share common objectives or complaints, or were merely persons of one geographic area. There was much more and greater centralization in the United States. A considerable number of lodges consisted of a head lodge (found in a major population center such as San Francisco) and sub-lodges distributed over a vast geographic region, especially rural ones.

San Francisco was the location where the headquarters of the Chih-Kung t'ang lodge and federation were established. From the turn of the century until the 1950s the leader of both was a man called Huang San-te (Wong Sam Duck). The Chih-kung t'ang was an offshoot of the foremost Triad lodge established in North America. Leaders of federations were commonly Szu-I men from small surname groups, though by the 1890s the masses included San-I, Hsiang-shan, and Hakkas¹³⁸, and people from large as well as small surname associations. By the turn of the century, the federation counted more than thirty lodges. It had the right to collect certain fees from the members of the various lodges and was presumably the only organ to settle conflicts that could emerge between lodges¹³⁹.

If we have to compare these social organizations with their counter parts in China, one shall say that they differed significantly. The prominent feature of the organizations in China was fragmentation, whereas in America centralization characterized them? and this was due to many factors. Economic concerns and some

¹³⁷ Ma, L. Eve Armentrout, *Revolutionaries, Monarchists, and Chinatowns*, university of Hawaii Press, 1990

¹³⁸ San-I, Hsiang-shan, and Hakkas literally means "guest families". The Hakka's ancestors were often said to have arrived from what is today's central China centuries ago. In a series of migrations, the Hakkas moved, settled in their present locations in southern China, and then often migrated overseas to various countries throughout the world. Hakka people have had a significant influence on the course of Chinese and world history: in particular, they have been a source of many revolutionary, government, and military leaders.

¹³⁹ Ibid.p,16

American policies limited considerably the number of women (wives) who were able to come to America. Inter-marriage with Americans was exceptional, consequently family unit, which is considered as the nucleus of any society or community was scarce, to the limit of no existence.

Instability continued to plague the Chinese immigrants as employment opportunities decreased significantly after 1880. In the USA the amount of discriminatory legislation directed against Chinese grew fast with the objective of holding back the tide of immigration. By the end of the nineteenth century, the great majority of Chinese in America, exception made to those who fulfilled agricultural works, were physically driven out of the rural areas into urban areas by rancorous white population. This unsafe situation helped maintain the unstable conditions and led to the continuous prospering of the Chih-kung t'ang and its affiliated lodges.

The Chih-Kung t'ang was constituted of two main types of lodges: (1) the fighting Tongs¹⁴⁰ and all the remaining others. Moreover they were the famous lodges which attracted the attention of the American media and police departments because of their tendency toward brutal and destructive disputes, and which most of the time ended into 'tong wars' and the killing of members of other lodges. History showed that the number of lodges that were considered as fighting tongs was relatively small, minimum six or eight. Their major activities were gambling, prostitution, opium smuggling, and after the American legislator enacted the Chinese Exclusion Act of 1882, the smuggling of Chinese into American.

It is worth to note that in the continental United States, the majority of the lodges in the Chih-Kung t'ang federation were not 'fighting tongs.' These other lodges were almost never involved in open warfare or any criminal activity. In fact, many were organized in occupational lines, from time to time acting as labor unions resolving problems but employees and employers, as well as calling for strikes. An example of these last-mentioned kind of lodge, the San Francisco Cigar industry workers and another occupational lodge known under the name of 'Yang-wen Cheng-wu szu, which was noticeably powerful by the end of the century. Its membership was mostly

¹⁴⁰ 'Fighting tong' and 'tong wars' were a major phenomenon mainly occurring within the borders of the United States.

constituted of translators who worked for other secret society lodges, for the American immigration officials, and for other United States government branches. Hui-kuan and surname associations were mainly restricted to urban areas, whereas the Triads organized sub-lodges in rural communities as well¹⁴¹.

V - Job Opportunities After Mining and Railroad Construction

Once the works of the transcontinental railroad ended in 1869, a large number of Chinese men found themselves jobless. They wandered looking for any work they needed not only to feed themselves but also to provide money they had to send back home. They had to look for new jobs. Although they proved to be energetic and innovative workers, many of the traditional jobs were closed to them because of race reasons. This did not discourage them and by means of ingenuity and perseverance they found solutions by accepting opportunities that others considered sordid and dangerous¹⁴².

V-I Farming:

The transcontinental railroad made it lucrative to ship fresh products to different regions in the United States, thus, most of the swamplands and valleys of California were turned into farmland. This situation created a great demand for farm labor. To take the most of this opportunity, some Chinese with entrepreneurial ideas established themselves as labor contractors. Their capacity to speak Cantonese¹⁴³ allowed them to recruit and control large teams of migrant labors, while their acquaintance with American ways allowed them to make a benefit out of it with the white farmers¹⁴⁴.

In fact, these brokers collected money from both sides, charging Chinese workers fees for finding them jobs and charging the farmers for appointing workers. It was not known at that time, if the brokers really recruited new workers from China, or simply used the collective of the dismissed railroad employees, but what was sure is

¹⁴¹ Ibid, p22

¹⁴² Sue Fawn Chung, Nevada State Museum, the Chinese in Nevada (Arcadia Publishing 2011) p 33

¹⁴³ Cantonese is the language spoken by the majority of the first Chinese immigrants who travelled to the United States, it is generally used in the region of Quantong (Guandong).

¹⁴⁴ Mary Beth Norton, Carol Sheriff, David W. Blight, A People and a Nation: A History of the United States(Cengage Learning 2011) p.509

that they were the major actors in bringing closer capital and labor. The contracts accomplished with the owners of farmlands, the Chinese labors did their own cooking or paid a professional cook to do it. They also slept in their tents or simply under the open sky.

History accounts that the Chinese dominated the farmland labor: in 1870, one in ten California farm laborers was Chinese; by 1884, it was one in two; by 1886, almost nine in ten.¹⁴⁵ They represented the basis for the western farm production. They planted crops, plowed the soil, and the outcome was the production of two-thirds of the California vegetables. Thanks to Chinese hard labor, the fruit shipment reached high rates-from nearly two million pounds in the early 1870s to twelve million fifteen years later. Since the Chinese appeared in the farmlands, grain rapidly transcended mining as the large source of revenue for the state. Thus, in 1870, California was celebrated as the wheat capital of the United States. (Refer to table three, page XIV)

V-II Sea Jobs (fish canning factories):

Chinese had also the opportunity to work in fish canning factories. In this new type of work, Chinese labor contractors arranged a new kind of transaction with the salmon-canning factories established in the coast of the Pacific Northwest. The canneries paid the contractors for the volume of work produced, while the contractor gave the laborers a fixed remuneration. No doubt that this type of arrangement had tough consequences on the laborers. The Chinese labor contractors became harsh supervisors and the working conditions in the canning industry, in general, became very bad and rude.

The Chinese experienced the atrocity of the job well before arriving at the work site. They were ill-treated on board of the vessels taking them to Alaska. They received no water for washing their living area. As a consequence their quarters were in such a degrading stage of insalubrities that most of the ship masters wore rubber boots as a protection when inspecting them. At the beginning of the 1880s, more than three thousand Chinese laborers were working under those conditions.

¹⁴⁵ Iris Chang, *The Chinese in America*, Penguin Books, 2003.

The working conditions in the fish cannery industry were so harsh that some scholars described them as horrifying. One of them, Rudyard Kipling, after a visit made to those human prisons, wrote, “Only Chinese men were employed in the work, and they looked like blood-besmeared yellow devils, as they crossed the rifts of sunlight that lay upon the floor.” One witness described the scene in the cannery as “not so much like men struggling with innumerable fish as like human maggots wiggling and squirming among the swarms of salmon.”¹⁴⁶

The Chinese showed that they were eager to work in such conditions, furthermore their speed was striking. It was reported that a Chinese butcher can behead and debone up to thousand fish, or eighteen tons, a day. It was evident that many Chinese laborers died in that inhuman environment which turned them down to the level of machines. Frequent accidents and a wide range of diseases were the major causes of death rate oh Chinese immigrants in the Columbia River Basin Canneries. Unfortunately, there are no history records regarding the number dead workers. Decades later, with the invention of the fish-butcher machine, the number of workers was reduced to two operators replacing dozens of laborhand. In recognition to the work accomplished by these immigrants, the manufacturer named it “the Iron Chink.”¹⁴⁷

All along the West Coast a network of Chinese fishermen grew fast. Many Chinese moved to Monterey, California where they tried to establish themselves and earn a living. Unfortunately they underestimated the strength of the white fishing lobby, and history was rewritten again against Chinese. In fact, in order to intimidate those Chinese who competed with white fishermen, these latter, in 1860 convinced the government to impose a four dollar a month fishing license on the Chinese. In the 1870s other immigration groups rallied against Chinese fishermen and tried through legislation to limit their nets, then their catch. In 1880, California state legislator

¹⁴⁶ Iris Chang, *The Chinese in America: a narrative history* (University of Michigan 2003) p.74

¹⁴⁷ Iris Chang, *The Chinese in America*, Penguin Books, 2003, P74

decided to suppress fishing licenses from aliens ineligible for naturalization, which implicitly meant, all Chinese and this had ruined the Chinese fisheries¹⁴⁸.

V-III Entrepreneurial Activities

During this period, a different type of business activities flourished within the Chinese community in America. An urban population started to appear gradually, and to earn their living. Some decided to take in charge the needs of the farm workers and miners by setting up small Chinatowns in the rural communities. Others took their way toward Los Angeles previously known as a way station for prospectors, supplying equipment and food. In fact, Chinese moved to Los Angeles to open their own casinos and stores¹⁴⁹. Another group reached the Pacific Northwest in growing cities like Portland, Seattle where they ran restaurants, laundries and businesses to sustain the fishing industry¹⁵⁰.

In addition Chinese in San Francisco adapted to the change that occurred in the city. Becoming one of the major manufacturing centres in the United States San Francisco offered a potential that the Chinese were looking for. Even though the Chinese vegetable peddlers continued their business, and the Chinese washer men controlled most of the city's laundries, many others made their way into the world of mass production. Most of those who made the transition did start as workers. By 1870, the Chinese composed most of the labour force in the major industries of the city: boots, cigars, woollens, and sewing.

But things were different in America, their employers were Chinese. In fact, in China those who chose to become merchants or traders were, by Confucianism principles, relegated to the bottom of the social hierarchy¹⁵¹, more importance was given to the scholars, officials, and farmers. But, in the United States, success in trading and commerce is venerated. By the 1870s, the number of Chinese businessmen

¹⁴⁸ Mary Ting Li Lui, Mary Ting Yi Lui, *The Chinatown Trunk Mystery: Murder, Miscegenation, and Other Dangerous Encounters in Turn-of-the-Century New York City* (Princeton University Press 2004) p.166

¹⁴⁹ At that time Los Angeles was considered as a lawless city full of prostitutes and gamblers.

¹⁵⁰ Laurence J. C. Ma, Carolyn L. Cartier, *The Chinese Diaspora: Space, Place, Mobility, and Identity* (Rowman & Littlefield 2003) p. 130.

¹⁵¹ The Confucian social hierarchy valued the scholar, the official, and the farmer and not the merchant which activity was considered as degrading.

reached almost five thousand. Most of them represented a threat to their white counterparts and were successful in their businesses. These Chinese were the owners of half the city's cigar factories and nearly most of the slipper factories were between the hands of Chinese¹⁵².

Conclusion:

China was not always isolated from the outside world. Many countries especially the United States through some traders and explorers tried to make a kind of relationship based on commercial exchanges. These earlier contacts were the prelude to an influx of immigrants who reached the Eastern shores of the United States. Their voyage was viewed by historians as a struggle with an unknown enemy and their settlement in the United States was worse than that. They were poor labourers and most of them were illiterate having as means for survive their hand power. Though they were in an uncomfortable situation, they managed to establish themselves in a foreign country totally different from theirs.

¹⁵² Iris Chang, *The Chinese in America*, Penguin Books, 2003, P77

Chapter three:

Introduction:

In this chapter my real concern was directed toward the sufferings endured by the Chinese immigrants before and after the passage of the Chinese Exclusion Act of 1882. The different ordinances and laws enacted against Chinese had worsened their poor living conditions. From the very beginning “Strangers from a different shore” to take the words of Ronald Takkaki; crumbled under dozens of acts and laws that barred the essential rights of a human being. The Police Tax, the Laundry Ordinances, the Queue-Cutting ordinances, and the Cubic Air Ordinance marked the Chinese immigrants’ social life in the United States reducing it to the level of slaves. These people who came to seek a better living in America were once again confronted to the harshness and egocentrism of the host country population and officials, but still they made great efforts to assimilate and adjust themselves to mainstream institutions.

I The Anti-Chinese Movement:

According to historians the origin of the hatred directed against Chinese may date back to the fifth century B.C., when the military engagement between the "civilized" Greeks and the "barbarian" Persians released a considerable number of publications about Asia, a continent full of exotic and mysterious peoples. The Mongol invasion of Europe in the thirteenth century gave basis to the Yellow Peril image of Asia. This fear of an "Oriental" conquest found fertile soil in America.¹⁵³ In the minds of European settlers, American Indians, the descents of Asians, stood in the way of progress, of America's evolution from savagery to civilization. Similarly, African-Americans represented a threat to the development of American civilization since their slave labor constituted unfair competition for free workers, an argument that was used later on for claims made against the Chinese.

By the early 1870s the anti-Chinese resentment reached such a rate that it contributed in the formation of anti-coolie groups, boycotts of Chinese manufactured goods, and anti-immigration laws. Anti-Chinese laws were passed in San Francisco to lessen their housing and employment privileges. In 1862 the California legislature passed An Act to protect

¹⁵³Sucheng Chan, *Exclusion and the Chinese Community in America, 1882-1943*, p.46

free white labor against competition with Chinese coolie labor,¹⁵⁴ and to limit the immigration of the Chinese into California. This which is also called Anti-Coolie Act¹⁵⁵ of 1862 was passed by the California legislature in order to calm down the anger of white laborers regarding the very low wages that the Chinese immigrants perceived during the California gold rush. The act was intended to protect white laborers by imposing a monthly tax on Chinese immigrants seeking to do business in the state of California¹⁵⁶.

In 1870 the California state legislature passed a discriminatory regulation that required each Chinese immigrant to bring proof that he or she possessed "good character." The law, and the amendments which came after, also required the state commissioner of immigration to collect from a ship's owner or consignee a monetary guaranty for every passenger considered to be a non-citizen, beggar, with mental disorder, handicapped person, or prostitute. The common idea shared at that time was that most Chinese would undoubtedly fall into one of these categories.

However, later a larger group of coolies, unskilled laborers usually working for very little pay, migrated to America in the mid 1800's, American attitudes became negative and hostile. By the middle of the nineteenth century, there were 25,000¹⁵⁷ Chinese working in California, mostly living around the "Gold Rush" area in San Francisco. Moreover the Chinese had to deal with harsh local ordinances which also aimed to restrict their subsistence and eventually oblige them to go back to China. This kind of prejudice became current especially after the passage of the 1870 Civil Rights Act,¹⁵⁸ which was supposed to protect their right to testify in court and repeal the application of unfair exactions and taxes.

¹⁵⁴ Chinese Immigrants, African Americans, and Racial Anxiety in the United States, Najia Aarim, p67,

¹⁵⁵ Anti-Coolie Act: The 1862 the California's act was intended to protect free White Labor against competition with Chinese Coolie Labor, and also to Discourage the immigration of the Chinese into the State of California. The act, which would be referred to as the Anti-Coolie Act of 1862 in short, was passed by the California legislature in order to calm down the anger among white laborers about salary competition created by the influx of Chinese immigrants at the height of the California gold rush.

¹⁵⁶ Elmer Clarence Sandmeyer, *The Anti-Chinese Movement in California* (University of Illinois Press) p.78.

¹⁵⁷ Geoffrey Ward, *The West*, page 147

¹⁵⁸ Civil Rights Act 1870: The Act was originally enacted a few years after the American Civil War, along with the 1870 Force Act. One of the chief reasons for its passage was to protect southern blacks from the Ku Klux Klan by providing a civil remedy for abuses then being committed in the South. The statute has been subject to only minor changes since then, but has been the subject of voluminous interpretation by courts.

The act removed the legal incapacity imposed by the *People v. Hall* (1854) decision¹⁵⁹, where Chinese testimony against Caucasians, as well as that of American Indians and African Americans, on the basis of their racial inferiority, was considered invalid. This provision, together with the equal-protection clause of the Fourteenth Amendment, invalidated anti-Chinese state laws. In the same year Congress answered by amending the 1790 Nationality Act¹⁶⁰ so that Chinese would not be covered by the extension of naturalization to African Americans.

To avoid the Civil Rights Act, ordinances were passed by local governments that seemed neutral but could be applied against the Chinese. In San Francisco, the cubic-air law, stating that the Chinese lived in overcrowded, dirty conditions, forced every one of them to have at least 500 cubic feet of air per person¹⁶¹. The queue ordinance¹⁶² involved that the hair of all prisoner men in jails to be cut to within one inch of the scalp, a disgrace to Chinese nationals, and the sidewalk ordinance¹⁶³ prohibited peddlers from using poles to carry loads on the sidewalk. In Los Angeles local officials required vegetable peddlers, a trade group dominated mainly by Chinese, to acquire certain licensing and meet some regulatory requirements.

By the early 1870s, as anti-Chinese hostility grew harsh, the "coolie" stereotype of the Chinese immigrant began appearing in a number of novels about the California frontier by such writers as Bret Harte and Ambrose Bierce¹⁶⁴. Fictional works, which spoke about a potential "Oriental" invasion by the mindless, monolithic Chinese mass, such as Pierton W. Dooner *Last Days of the Republic* (1880), echoed the larger fear of Chinese immigration.

¹⁵⁹ The Chinese Struggle for Civil Rights in Nineteenth Century America: The First Phase, 1850-1870, Charles J. McClain, p530.

¹⁶⁰ The original United States Naturalization Law of March 26, 1790 provided the first rules to be followed by the United States in the granting of national citizenship. This law limited naturalization to immigrants who were "free white persons" of "good moral character". It thus, left out indentured servants, slaves, free blacks, and later Asians.

¹⁶¹ <http://www.funnelbrain.com/c-73176-cubic-air-law.html>

¹⁶² In china if you cut your queue it was a crime punishable to death so because of this many Chinese began to pay their fines

¹⁶³ An ordinance regulating the use of certain public sidewalks and other public areas within the city limits of the; regulating vending, placement of merchandise, landscaping, decorative items and other encroachments; providing definitions, exceptions, enforcement and effective date.

¹⁶⁴ Intimate frontiers: sex, gender, and culture in old California, Albert L. Hurtado, Page 136

A major factor in the shift from simply negative representations of the Chinese to their exclusion altogether was the unstable economy. Low wages and high unemployment characterized the years of 1873 to 1878. During this severe recession, American labor groups blamed the Chinese and their capitalist employers. White workers were against the industrialists' employment of Chinese laborers and were persuaded that the status and occupations of white workers would improve as the Chinese filled the lower-ranking jobs. The fact that the Chinese, in the middle of this recession, had migrated to the highly populated Northeast, established themselves in New York, Boston, and Philadelphia, and found work in major industries showed the signs of an imminent "Oriental" invasion¹⁶⁵.

I-1 The Laundry Ordinances

History records state that the San Francisco most excessive ordinances were those related to laundries. During the 1870s, the Chinese were owners of 240 laundries among the 320 that were created in San Francisco¹⁶⁶. Considered symbols of Chinese economic success in America, the laundries also brought to the mind of the white community that the Chinese, far from being mere sojourners, intended to stay. American proprietors and local newspapers railed against the Chinese laundries, and hatred reached its apogee when crowds in three-day violence in 1877 destroyed some of these laundries. In response to this public hostility, the city officials enacted ordinances designed to harass or force the dispossession of Chinese laundries by maintaining licensing until they met certain conditions¹⁶⁷.

In fact, laundry labor was the most popular business that the Chinese mastered since the gold rush time. It was reported that during the depression time and especially in 1920, thirty percent of all employed Chinese worked in laundries: Among the 45,614 Chinese laborers, 12,559 were working in laundries¹⁶⁸. Creating its own laundry was an activity that many immigrants wanted to reach because it had the advantage to make any person the owner of his business very fast. It did not need any important financial support;

¹⁶⁵ Michael H. Hunt, *The Making of a Special Relationship: The United States and China to 1914* (Columbia University Press 1985) p.85-86.

¹⁶⁶ Yick Wo at 125: *Four Simple Lessons for the Contemporary Supreme Court*, Marie A. Failing, p120

¹⁶⁷ Iris Chang, *the Chinese in America* (Penguin Books, 2004) p.48-49

¹⁶⁸ *Ibid*,186.

operating costs were reduced since the laundry proprietors saved rent by living in their shops, and it did not require any special training.

The reality of the laundry business was tough. The majority of the Chinese washer-men were living in bad conditions. They had a simple life and were less charged for their services than white laundries, leaving them with thin profit margins. Their free time was almost non-existent and their work was consuming every waking moment. Working conditions were very bad. In their shops the environment was highly polluted, the air was a mixture of steam and lint. The laundry men labored on a wet and slippery floor, washing and pressing. To take the words of Iris Chang “In time, the laundry became a humid prison”. The washer-man not only worked in his laundry but he also slept there at night. He seldom left his shop because he was always solicited by suppliers or clients. Sometimes working entire day and not having time to eat¹⁶⁹.

The task was tough for the Chinese laundry men who spent most of their time working in confined areas. And discriminatory legislation also played an important role in making things worse. Between 1873 and 1884, the San Francisco Board of Supervisors passed many anti-Chinese ordinances. One of these latter was a fire safety ordinance which ordered all laundry owners established in wooden buildings to be licensed or risk heavy fines and six months of imprisonment. All the Chinese saw the ordinance as discriminatory and directed against them since all of their laundries were housed in wooden buildings. After all, the Chinese laundry men decided to acquire the license but unfortunately most of their applications were automatically rejected. They protested by refusing to comply with the law and keeping their washing stores widely open.

When the interests of their community were threatened, Chinese did not hesitate to fight for their right. This was deeply felt and observed during the Great Depression, when New York Chinese laundry proprietors successfully fought white competitors who tried to drive them out of their businesses through restrictive municipal laws. The city town councillors proposed in 1933 that U.S. citizenship be required for the establishment of a laundry, and impose high license charges and security bonds that were beyond the means of the majority of Chinese laundries, which were considered as small businesses.

¹⁶⁹ Ibid,p.169

According to historians, if the ordinance had passed, it would have ruined the Chinese laundry industry in New York.

As a direct consequence, the Chinese laundry-men established the Chinese Hand Laundry Alliance.¹⁷⁰ This latter openly gave a public statement in which they declared that if they did not rapidly fight the ordinance, “tens of thousands of Chinese laundry men would be stranded in this country, and our wives and children back home would be starved to death.” After that, the CHLA with the help of a prominent lawyer made a great pressure on the city officials and succeeded in reducing considerably the license and bond fees and also exempt all “Orientals” from the U.S. citizenship requirement.

In 1885 the Board of Supervisors refused to grant a license to operate his business to a Chinese laundry man named Yick Wo, even after he had obtained all the necessary authorizations which proved that his building is safe and went successfully through the fire and health inspections. As a direct response, the Chinese laundry association which filled a lawsuit that eventually, as all the judiciary actions taken by Chinese, made its way to the Supreme Court. This high judiciary institution ruled that while the ordinance appeared to be “fair on its face and impartial in appearance,” Its application was not. It also concluded that any law applied in a discriminatory way, either to U.S. citizens or foreigners, was unconstitutional since it violated the Fourteenth amendment¹⁷¹.

I-2 The Queue-Cutting :

In 1870 Congress passed a civil-rights Act, aimed to preserve the rights of the recently freed blacks in the Southern states, but including as well a clause that was aimed specifically at withdrawing Chinese civil disadvantage. Among other things, it provided them with the right to testify in court and forbade all types of imposed prejudicial penalties, taxes, licenses and exactions. There was also the fourteenth amendment to the

¹⁷⁰CHLA : The Chinese Hand Laundry Alliance was a labor organization formed in 1933 in New York to protect the civil rights of overseas Chinese living in North America and "to help Chinese laundry workers break their isolation in American society. Although hand laundries no longer exist, the organization continued to support the civil rights of Chinese Americans into the twenty-first century.

¹⁷¹ Naomi Hirahara, Distinguished Asian American Business Leaders (Greenwood Publishing Group2003) p.210

United States Constitution, which, in one of its clauses, guaranteed to all the people within the United States the "equal protection of the laws."¹⁷²

This act and the fourteenth amendment made things difficult for California and some other western states to discriminate openly against the Chinese, but they did not stop their motivation for the enactment of anti-Chinese laws. To reach their objectives the states went through different ways. Instead of leading legislation openly against the Chinese, they started to pass laws which seemed neutral on their face but were, in fact, directed implicitly, through their terms, towards the Chinese or were implemented against them. Among these measures was the Queue-Cutting ordinance established in 1876 by San Francisco and the succession of other measures that the local government passed in the 1870s and 1880s to get rid of the Chinese from the laundry trade. As a direct consequence these laws gave rise to many federal cases, major of them were, respectively, *Ho Ah Kow v. Nunan*, and *Yick Wo v. Hopkins*¹⁷³, where it was declared unconstitutional¹⁷⁴.

Since the queue was the symbol of national identity for Chinese, the provisions of the ordinance required the prison officials to cut the hair of all convinced Chinese prisoners to within one inch of the scalp, an act lived by the Chinese as a disgrace. After an endless give and take from both parties involved in the conflict, the Board of supervisors passed the Queue-Cutting ordinance, and it was approved by mayor Andrew Jackson Bryant and signed into law in 1876 after being vetoed by the previous mayor William Alvord who stated that “ this order, though general in its terms, in substance and effect, is a special and degrading punishment inflicted upon the Chinese residents for slight offenses and solely by reason of their alienage and race.”¹⁷⁵

I-3 The Cubic –Air Ordinance

As early as the 1850s, some San Francisco inhabitants complained about the bad living conditions in the Chinese area of the city. They declared that the area was very crowded and dirty. It was very difficult, at that time, to determine to which extent that sudden collective movement of indignation was motivated either by a real concern for the

¹⁷²The fourteenth amendment of the US constitution requires each state to provide equal protection under the law to all people within its jurisdiction.

¹⁷³ For more details see Charles J. McClain, Jr., “The Chinese Struggle for Civil Rights in Nineteenth century America: The First Phase, 1850-1870,” *California Law review* 72, July 1984.

¹⁷⁴ Chinese Historical Society, *Chinese America: History and Perspectives* (2003) p.54

¹⁷⁵ en.wikipedia.org/wiki/Pigtail_Ordinance.

public health or it came from a racial attitude. According to historians, it was also difficult to get tangible comparisons of living conditions in Chinatown and those common anywhere in the city. But, this situation did not discourage the San Francisco Board of Supervisors who undertook several investigations and enacted an ordinance in 1870 requiring every lodging house to have at least five hundred cubic feet of air per inhabitant. Though the law looked general in its terms, it was implicitly implemented especially against the Chinese¹⁷⁶.

The consequence for any transgression of the law was a fine or a jail sentence. When Chinese were caught and convicted under it, they always chose to go to prison; each day spent in prison discharged two dollars of the fine. Some people considered this as a practice intended to bar the ordinance's objective and urged the board to counteract. The San Francisco Evening Bulletin, for example, stated that this trick of refusing to pay fines and prefer rather to stay in jail was "the brainchild of the leading men of the Chinese quarter, who declared, in substance, that they would make the city sick of prosecuting and maintaining Chinamen in prison."¹⁷⁷

As a response to that pressure, in 1873 the board of supervisors took an action that, according to scholars must be ranked as one of the most malicious of all official measures directed against the Chinese during their stay on the American soil during the nineteenth century. Knowing that all male Chinese, under the Manchu reign, were asked to wear their hair in a queue, the board established a law requiring jailers to cut the hair of every male prisoner to within one inch of the scalp. In this way, they believed that Chinese who broke the cubic-air ordinance would make the choice of paying a fine rather than go to prison.

Some statesmen such as, Mayor William Alvord,¹⁷⁸ rejected the law, saying that it violated treaties between the United States and China and the Civil Rights Act of 1870. As an immediate consequence and after an official debate some doubts had been expressed about the legality of the law, and a report had been transmitted to the board of supervisors on behalf of the leaders of the Chinese district associations and Chinese merchants, affirming that, if the bill were passed, there would be, undoubtedly, tough

¹⁷⁶ Shehong Chen, *Being Chinese, Becoming Chinese American* (University of Illinois Press 2002) p.97.

¹⁷⁷ A statement for non-exclusion, Patrick Joseph Healy, Poon Chew Ng – 1905,p 246

¹⁷⁸ William Alvord (January 3, 1833 – December 21, 1904) was a San Francisco merchant, banker and political leader. From 1871 to 1873 He was elected Mayor of San Francisco., later on in 1878 he became president of the Bank of California and kept this position until his death.

reprisals. In fact the Chinese were ready to ask for the repeal of the Burlingame Treaty, the repatriation of all Chinese, and the expulsion of all Americans living in China.

Reaching the point of no return, the Chinese were determined to look for an opportunity to question its validity. In fact, that opportunity came on February 26, 1878, when twenty-nine Chinese were arrested for transgressing the state cubic-air law. The following day, the Chinese Six Companies petitioned federal court in San Francisco for a writ of habeas corpus on behalf of Ah Wing, one of the prisoners. This would make the legislature rethink about the constitutionality of the law under which he was being detained.

In the petition they testified that the state law was directed against the Chinese and was intended to annoy them. In the same path, Ah Wing's lawyer brought the evidence that it was in opposition to the Burlingame Treaty of 1868 and to the Civil Rights Act of 1870, both of which promised equality of treatment under the law for all people living in the US territory. After that, the federal court decided that “the state law on its face was a constitutional exercise of the state power to promote public health and safety, and that it would not be appropriate to inquire into legislative motivation or into the way the measure was being enforced”. In fact, the judge who ruled on the case did, however, mention that he was sceptical about San Francisco's queue-cutting ordinance and that if that measure were before the court he might be obliged to find it unconstitutional¹⁷⁹.

A short time after, the Chinese brought another case. Ho Ah Kow had been convicted of violating the cubic-air law and condemned to the city prison, where, in conformity to the city ordinance, the personnel cut off his queue. Taking advantage of the federal statute that allowed private persons to bring suit against state or local officials who had deprived them of rights secured by federal law, Ho Ah Kow filed an action against the officer in charge of the city jail, declaring that cutting off his queue violated rights guaranteed by the federal law and by treaty. He claimed it had caused him great mental pain and asked for ten thousand dollars in compensation for his loss¹⁸⁰.

The judiciary procedure was engaged rapidly, but the court, perhaps recognizing the importance of the matter, (The facts took place in a period of intense anti-Chinese agitation in San Francisco), was not urged to render judgment. Indeed, it was after a

¹⁷⁹ The Economist (06-19-2003). Chinese immigration. Retrieved on March 1, 2008.

¹⁸⁰ Chinese Historical Society, Chinese America: History and Perspectives (2003) p.54

period of time that an opinion was issued; it gave a vibrating victory to the Chinese claimant.

II Discrimination and labour protest:

Chinese immigrants also challenged the United States to live up to its promise of equality and opportunity by resisting economic discrimination through class alliance within the community and with other ethnic groups. In this way, the Chinese lamed the perception that they were "docile" and "servile."

The Chinese railroad workers went onto many days of strike in 1867, in which they demanded higher wages and shorter hours from the Central Pacific. Less well known would be the agitation among contracted Chinese labourers in the South. The Chinese protested against planters and railroad owners who retained wages or who arbitrarily changed the terms of the contracts. Aware of the growing shortage of Chinese workers following the enforcement of the exclusion laws, farm labourers in California in the 1880s and 1890s also went into strike again for higher wages and for the recognition of their rights as workers, including advances for their labour and better working conditions. The growing consciousness of such rights also affected the minds of Chinese salmon workers of the Pacific Northwest, who demanded an advance on their wages before boarding the ships departing for the north.

In Hawaii, apart from individual acts of violence against bosses and plantation property, dissatisfied Chinese workers in 1891 gathered in one group to protest against misleading expectations in their labour contracts¹⁸¹. Nine years later, Chinese and also Japanese labourers collectively struck over the same issue. In so doing, the Chinese and Japanese offered the possibility of creating an identity and consciousness based on a social class¹⁸².

Chinese labourers could not seek the support of the white-dominated organized union movement. Save for isolated cases, such as the admittance of Chinese miners into United Mine Workers' locals in Wyoming in 1907 and failed attempts made by the Knights of Labour to organize Chinese laundry workers in New York City in the 1880s

¹⁸¹ Revolutionaries, Monarchists, and Chinatowns, L. Eve Armentrout Ma, university of Hawaii press

¹⁸² Fiona Devine, Social class in America and Britain (Edinburgh University Press 1997)

and 1890s, the exclusion of Chinese, along with other Asian labourers from national labour unions was thorough and complete. For example, when Chinese cigar workers in San Francisco walked out in 1885, white unions did not offer them help, moreover, they accused them of being arrogant and misguided.

Because of the fragility of institutionalized organizing, Chinese workers, from farmhands in the San Joaquin Valley to plantation labourers in the Deep South, often relied on co-ethnic labour contractors (who hired workers and supervised the workplace on behalf of white employers) to help them secure the best jobs and sometimes to offer protection against an employer's oppression. Labour contractors also, however, frequently exploited their subordinate co-ethnics by way of excessive profits from supplying food and necessities and lucrative commissions for finding them work. In this way, co-ethnic workers became dependent on them, and so racial solidarity triumphed at the expense of class-based alliance among Chinese workers and other ethnic groups.

Meanwhile the exclusion laws led to a high decrease in the Chinese population -- from a high of 105,465 in 1880 to a low of 61,639 in 1920.¹⁸³ This sudden decline within just forty years had no precedent in the history of American ethnic groups. Furthermore, exclusion laws, by interrupting entry and family formation, gave rise by 1920 to a community of mostly middle-aged men. Such facts, coupled with a heavily male-dominated culture, a history of economic and social discrimination, a heritage of white violence, and a high degree of cultural difference between the Chinese and the Euro-American society, probably explain why the acculturation of the Chinese occurred rather slowly¹⁸⁴.

III Chinese Resistance to Anti-Asian Laws

The Chinese did try to resist such prejudices, and in doing so, demonstrated knowledge of American governmental institutions and a remarkable ability in manipulating them. In the 1850s, taxation on miners gave rise to protests from Chinese mutual aid associations. The leaders of these associations, through lawyers, succeeded in preventing the passage of certain discriminatory legislation, and they were helpful in securing protection for the Chinese under the Civil Rights Act of 1870. As the anti-

¹⁸³ A Nation of Peoples: A Sourcebook on America's Multicultural Heritage, Elliott Robert Barkan – 1999,p 124.

¹⁸⁴ Benson Tong, The Chinese Americans (University Press of Colorado, 2003)p.65

Chinese movement reached highest levels, however, their strategy of questioning lawmakers became gradually useless¹⁸⁵.

In exasperation, some Chinese community leaders advised their compatriots in China to discourage immigrants from coming to America. For the most part, their resistance now had to take place within the courts of law. This decision to employ American jurisprudence constituted a departure from the traditional Chinese submission to the government's laws and probably reflected the Chinese accommodation to the American way of life.

In 1862 the plaintiff Lin Sing successfully challenged the validity of the monthly tax on Chinese residents in California on the grounds that it violated the Constitution or laws of the United States, particularly the federal power over foreign commerce (in this case, the Chinese). In the next several decades, Chinese litigants followed this line of attack. When the Chinese in Idaho heard about the Civil Rights Act of 1866 and the subsequent Fourteenth Amendment, which guaranteed every U.S. citizen, equal protection under the law, they found the basis to fight discriminatory state laws. In several suits they fought against high taxes, which were levied on every Chinese resident, and the special monthly tax on Chinese gambling houses. Finally, they failed, mainly because the courts stated that the Chinese were not citizens, consequently they were not covered by the equal protection clause¹⁸⁶.

In the late 1870s, the Chinese community in San Francisco questioned the constitutionality of the queue-cutting ordinance, arguing that it weakened the equality of treatment promised to the Chinese by the Burlingame Treaty, the Civil Rights Act of 1870, and the due-process and equal protection clauses of the Fourteenth Amendment¹⁸⁷. Almost occurring at the same time with that were suits against that series of laundry ordinances, which concluded with the statement that the Chinese, in spite of not being citizens, deserved equal protection of the laws.

¹⁸⁵ Par Patricia Wong Hall, Victor M. Hwang, *Anti-Asian Violence in North America: Asian American and Asian Canadian reflexions on hate, healing and resistance* (Rowman & Littlefield 2001) p.43

¹⁸⁶ Benson Tong, *the Chinese Americans* (University Press of Colorado, 2003) p.54

¹⁸⁷ Fourteenth Amendment : The Fourteenth Amendment (Amendment XIV) to the United States Constitution was adopted on July 9, 1868, as one of the Reconstruction Amendments. Its Citizenship Clause provides a broad definition of citizenship that overruled the Supreme Court's ruling in *Dred Scott v. Sandford* (1857) that had held that black people could not be citizens of the United States

The Chinese, however, suffered a great disappointment on the question of naturalization. Because the courts found that a white person was a Caucasian and since Chinese were not Caucasians, they were barred from citizenship. The failure to gain citizenship encouraged the anti-immigrant movement. Since they could not vote, not only were the Chinese unable to deviate the movement against them politically, they also must in the white mind, deserve exclusion from citizenship because of their racial inferiority. They realized that they had to fight for their cause in Congress itself.

IV The Chinese Exclusion Act (1882)

Until 1878 the federal government did not regulate or restrict the entrance of overseas immigrants. In 1882, Congress passed a general immigration law excluding undesirables and persons expected to become a public charge. In the same year Chinese Exclusion Act was passed, particularly directed against Chinese, prohibiting their entrance on the basis that free immigration from China led to the creation of a race problem. It was for the first time in its history, the United States adopted a policy of exclusion based on race and nationality¹⁸⁸.

The 1882 act suspended the entry of Chinese labourers for ten years. Chinese labourers already in the United States since 1880 could remain, but they were controlled by certain entry and exit regulations. This legislation did not apply to merchants, diplomats, teachers, students, and travellers (the exempt classes) but did require them to possess documentation attesting to their right to enter. The act denied all Chinese, on the basis of race, access to naturalization.

Almost immediately after the passage of that act, the Chinese tried to minimize its severity. Using the arbitration of the federal courts, Chinese succeeded, to a certain extent, to diminish the regulations controlling the entry and the exit of labourers with "prior" resident status and those of merchant background. Because so many Chinese entered following these rulings, Congress in 1884 tightened the regulations. In that same year, the courts, in decisions with great consequences for family formation, ruled that Chinese

¹⁸⁸ John Seennichsen, the Chinese exclusion act of 1882 (Greenwood publishing group 2011) p.67

children born in the United States were U.S. citizens and that wives and children of Chinese merchants could enter the country (not those of the Chinese labouring class)¹⁸⁹.

Following the wave of violence against the Chinese in the American West in 1885 and 1886, the Qing government, in an act to stop further loss of lives and property, agreed the revision of the 1880 treaty, including a twenty-year moratorium on the immigration of Chinese labourers in exchange for a guarantee of protection of the Chinese residents already in the United States. By the early 1890s, prejudice against the Chinese had expanded to include certain European immigrants. In the late 1880s Congress passed laws to reduce the importation of foreign labour under contracts, which theoretically had weakened the labour market.

To further control this immigration wave, Congress passed a new law in 1891 that allowed the federal government to take full and exclusive control of immigration; to exclude certain criminal, immoral, or indigent classes; and to deport those already admitted into the United States if they were found excludable. Coinciding with this hostility, Congress passed the Geary Act of 1892¹⁹⁰. Applied specifically to the Chinese, the law required all Chinese labourers in the United States to register for a certificate of residence. Excluding that, they could be arrested and even deported.

This new law angered the Chinese; the Chinese vice-consul in San Francisco complained that this system of registration placed the Chinese "on the level of your dogs."¹⁹¹ The Chinese Six Companies, the umbrella organization for Chinese mutual aid associations, pushed the community not to register because the law was unconstitutional. The companies also hired lawyers to bring a test case of *Fong Yue Ting v. United States* (1893) but the suit ended with an affirmation of the right of Congress to expel or deport, which the Supreme Court considered to be part of the state's internal powers over immigration. This support of the new law had a negative effect on the number of Chinese arrivals: 39,579 had been admitted in 1882; only 472 entered in 1893¹⁹².

¹⁸⁹ Ibid,p42

¹⁹⁰ Geary Law renews exclusion of Chinese laborers for another ten years and requires all Chinese to register.

¹⁹¹ The Chinese in the United States of America by Rose Hum Lee.

¹⁹² Ibid,p42

Two years after the passage of the Geary Act, the United States and China concluded the Gresham-Yang Treaty¹⁹³ of 1894 in which the weak Qing government agreed to accept the contents of that act and the extension of the exclusion of Chinese laborers for another ten years. In return for that, the United States allowed the return of resident laborers who had left temporarily and who had family or property in the United States¹⁹⁴.

In 1904 China declined to renew the Gresham-Yang Treaty, and Congress made Chinese exclusion indefinite. Thus the long discriminatory era that began in the 1870s, limiting and then excluding Chinese immigration finally came to a humiliating end. It was only after forty years that Congress reconsidered these discriminatory barriers. Even then, real changes would not occur until 1965¹⁹⁵.

Though the Chinese community had little success in fighting those federal laws, Chinese individuals, by filing writs of habeas corpus,¹⁹⁶ found a way to gain possible admittance into the United States even though they were initially refused by immigration authorities. As many as 85 to 90 percent of the petitions filed between 1882 and 1891 ended with the repeal of the earlier decision to exclude.

Furthermore, Chinese launched civil disputes with whites often had recourse to U.S. courts to obtain compensation. In general many Euro-American companies or individuals owed Chinese workers wages or money for provided services or goods delivered. As an example, In Idaho, in 1870, four Chinese laborers known only as Ah Lung, Ah Tung, Ah Hee, and Ah Why – raised separate case against Robinson, Taylor, and Company for unpaid wages. this company owed, on the average, each man only \$15.00, and knowing that in traditional China civil disputes were resolved by village or clan leaders, it is clear that these Chinese plaintiffs acquired a certain knowledge of the American judicial system¹⁹⁷.

¹⁹³ Gresham-Yang Treaty: The Law: U.S.-Chinese agreement that suspended immigration of Chinese laborers to the United States for ten years but allowed conditional readmission of immigrants who were visiting China

¹⁹⁴ Benson Tong, *the Chinese Americans* (University Press of Colorado, 2003) p.60

¹⁹⁵ Ibid, p.60

¹⁹⁶ Habeas Corpus: in latin “you have the body” is a legal action which requires a person under arrest to be brought before a judge or into court. It ensures that a prisoner can be released from unlawful detention, in other words, detention lacking sufficient evidence.

¹⁹⁷ Ibid,p.62

Generally speaking, the action that the Chinese brought before American courts during the late nineteenth century confirmed that they never remained ineffective while discriminatory laws and its related violence fell on them. Through their cases Chinese plaintiffs questioned the limits of governmental authority and the rights of citizens and non-citizens and in an indirect way contributed to the shaping of American democracy and republicanism.

V Implementation of the Chinese Exclusion Laws, 1891-1924:

In order to have a clear view of the enforcement of the Chinese Exclusion laws one should acquaint himself with real discriminatory actions undertaken by local, state and federal authorities. History records gave an account of three Chinese immigrants, among many others, who sailed from Hon Kong to San Francisco on June 11, 189. Yeap Shee made the trip to the United States to join her husband, Young Ah Chew, a merchant in San Francisco. Another traveler, Fong Yot Hing, had been born in San Francisco in 1875 but had left to live in China when he was only six years old. Now he was returning to his birthplace in Chinatown following the instruction of his older brother to learn the family's goldsmith business. The third passenger, Fong Sam Toy, was coming back to his trade company after a visit to China to get married¹⁹⁸.

These passengers, as did all Chinese coming to the United States, had to go through and overcome the obstacles created by the existing federal Chinese exclusion laws to prove they had a right to enter. Though the collector of customs, as supervisor of the Chinese Bureau, allowed several of the Chinese passengers to land, he refused entry to others, including the three mentioned above. Yeap Shee, Fong Yot Hing, and Fong Sam Toy preferred to question the collector's decision by raising a case at the local federal district court for writs of habeas corpus. As a direct consequence, the District Court Judge ordered the collector to allow all three to enter and reside in the United States.

Since the passage of the Chinese Exclusion Act in 1882, in a continuous way, Chinese directed most of their actions to the federal district and courts, especially in northern California, where the large settlement of Chinese existed and still exist. By 1891, Chinese had filed 7,080 petitions in the federal courts at San Francisco to challenge the

¹⁹⁸ Roger Daniels, *Asian America: Chinese and Japanese in the United States Since 1850* (University of Washington Press 1988) p.43-44

collector's decision to deny them entry and had won annulments in 85 to 90 percent of the cases.¹⁹⁹ (Refer to table FOUR, page XVI)

According to anti-Chinese groups and officials from the collector's office and the Department of Justice, the courts made, more or less, an effective application of the Chinese exclusion laws.

But things changed when William W. Morrow²⁰⁰ was nominated judge at the district court in 1891. Public worries about the Chinese diminished for a while and the hopes for an intense enforcement of the Chinese exclusion laws appeared in the horizon. After the death of Judge Ogden Hoffman of the district court and Judge Lorenzo Sawyer of the circuit court in 1891 new federal court judges -- Morrow in the district court and Joseph McKenna in the circuit court -- who had demonstrated their loyalty to anti-Chinese forces when they had been California's representatives to Congress. Furthermore, a new collector of customs, Timothy Phelps, had been appointed to enforce the Chinese exclusion laws. With a new, more cautious collector and the new judges, a more cooperative and efficient relationship in the enforcement of the Chinese exclusion laws seemed possible.

Furthermore, in 1889 the U.S. Supreme Court sustained the constitutionality of the Act of October 1, 1888,²⁰¹ barring the entry or reentry of all Chinese laborers. When Congress considered amendments to the exclusion laws in 1892, Senator William M. Stewart of Nevada claimed:

“There was a time when there was great diversity of opinion on the question of Chinese immigration to this country, but I think there is practically none now. The American people are now convinced that the Chinese can not be incorporated among our citizens, can not be amalgamated, can not be absorbed, but that they will remain a distinct element²⁰².”

¹⁹⁹ Sucheng chan, Entry Denied: Exclusion and the Chinese Community in America, 1882-1943

²⁰⁰ William W. Morrow (1843-1929) was a US Representative from California from 1885 to 1891. He studied law and was admitted to the bar in 1869 and started practice in San Francisco.

²⁰¹ The Scott Act was a United States law that prohibited Chinese laborers abroad from returning. It was introduced to expand upon the Chinese Exclusion Act passed in 1882.

²⁰² Sucheng Chan, Exclusion and Chinese Community in America, 1882-1943 (Temple University Press, 1994) , p47

Stephen Chase Houghton, a U.S. commissioner appointed to assist the circuit court with the Chinese habeas corpus cases, commented in 1890 that the Chinese litigation was "really practically over." According to Houghton the success of the legislation restricting Chinese immigration, decreased the number of Chinese entering the United States and, consequently, very few cases came before the court. However, the courts' involvement was not over since the district and circuit courts in San Francisco, between 1891 and 1905, heard 2,657 Chinese habeas corpus cases. In fact, the court provided an important channel for Chinese to enter the United States.

VI The Chinese involvement in the American society:

VI-1 Contributions to the American Law

According to historians a commonly shared view from the very beginning of the immigration to the present; is that the political institutions of the United States did not inspire or interested the Chinese. It had been reported in one of the famous San Francisco's dailies that the Chinese immigrant, "knows and cares nothing more of the laws of the people among whom he lives than will suffice to keep him out of trouble and enable him to drive a thrifty trade."²⁰³

Most of the American citizens and decision makers during the nineteenth century made this lack of interest in American institutions the basis for their movement of protest and resentment against the Chinese immigration and immigrants. Their main argument considered the continuous settlement of America by Chinese immigrants as a threat to their constitutional liberties and the republican institutions. And, associated to this state of mind, some scholars have openly affirmed that the Chinese indifference toward the American political institutions and life was a major reason for their sufferings from oppression and exclusion²⁰⁴.

In fact, history records showed that, during the nineteenth century, the leaders of the Chinese community were, to a certain extent, conscious of the large political environment.

²⁰³ The Daily Alta 1869: Famous newspaper reporting most of the important events that shaped the daily life of the Chinese community.

²⁰⁴ Sucheng Chan, *Exclusion and Chinese Community in America, 1882-1943* (Temple University Press, 1994) , p3-4

They had a deep insight in the mechanisms of American governmental institutions, and for a very long time made use of those institutions to better their living conditions.

From the outset of the immigration and during the nineteenth century, the leaders of the Chinese community in California were, on a regular basis, in contact with the institutions of the American government. The Chinese leading group did not stay ineffective facing the harsh and cruel actions of the American administration. The chiefs of the Chinese district associations, representing various regions close to Canton from which the immigrants came, showed in 1853 in the building of the state courts with a lawyer and with a written presentation of their complaints. They complained, mainly, about the rising violence against Chinese in the mining areas and also about the obvious unwilling attitude of the courts to hear or accept any Chinese testimony. (One year later, a California Supreme Court decision denied Chinese the right to testify against whites.)²⁰⁵

In the following decades, Chinese leading groups approached judicial bodies, and in 1860 the chiefs of the district associations hired a lobbyist to represent their cause in a continuous way in the city state. These legal actions sometimes did succeed in preventing the passage of some extremely hostile legislation, but as the years passed on, they proved to be of less influence facing the constant evolution of the anti-Chinese antipathy. In fact, the Chinese succeeded in 1869 to persuade the congress to provide legislative protections in an era of reconstruction and civil-rights law-making.

In the American system of government, state legislatures have not absolute and endless powers. Their powers are limited by the federal Constitution, and the judiciary branch of government. Both of them can determine when state legislatures transgress these limits. From the early days of their settlement in the USA the Chinese knew the central importance of lawyers and courts in the American system and noticed how the courts could be used to block the excitement and acts of the Sinophobic white majority.

They began to seek help from the courts whenever their interests and civil liberties were threatened by local legislation, and in this judiciary endless battle they constituted an interesting judiciary background. In fact, they succeeded to repeal many of the discriminatory measures that were established by the state of California and its

²⁰⁵ Ibid, 19.

municipalities. Things did not begin to turn against them until the federal government took the decision to join the Sinophobe side and started to enact its own anti-Chinese measures. The decision to use the courts was unexpected if we consider the political ideology the immigrants brought with them (in traditional China conflicts were resolved at the village or community level²⁰⁶).

The idea of challenging the government's laws was considered as foreign to the doctrines of Confucianism. It is well known that in the pre-republican Chinese political scene the people had the right to rise against the ruling class, but that would occur only when the ruler lost the mandate of heaven through extreme misconduct²⁰⁷. Short of that, the people were expected to follow, rather than confront, the government and to submit obediently to its laws.

VI.2 Diminution of the Courts' Power over Chinese Cases :

Critics of the court turned to Congress to obtain legislation similar to the Immigration Act of 1891 to forbid judicial review in Chinese cases. Thus, the battle over court jurisdiction had not yet ended. Between 1898 and 1905, the administrative officials tried several strategies to minimize the court's influence in the enforcement of the Chinese exclusion laws. Since different practices accounted for the court's favorable position in Chinese cases, one solution to the problem was to persuade the court to adopt more strict standards of evidence. However, that approach did not prove very successful. Congress did not respond to the secretary of the treasury of appeals for legislation requiring the testimony of non-Chinese witnesses in citizenship cases before the court. Furthermore, the court rejected arguments made by the U.S. district attorney in San Francisco that the court should consider only the evidence taken by the Chinese inspectors²⁰⁸.

If the courts would not change their decision-making practices, administrative officials believed that they could have more control over the enforcement of the Chinese exclusion laws only by challenging the power of the courts to hear the citizenship cases. Consequently, they engaged a procedure to redefine their own roles and those of the

²⁰⁶ Elizabeth J. Perry, *Challenging the Mandate of Heaven: Social Protest and State Power in China* (M.E. Sharpe 2002) p.24

²⁰⁷ The philosophy of Confucianism was built on the basis of obedience and total submission to the monarch who was considered to acquire heavenly powers.

²⁰⁸ Estelle T. Lau, *Paper families: identity, immigration administration, and Chinese exclusion* (Duke University Press, 2006) p.32.

courts. Administrative officials thought that the first step toward success was to transfer administration of the Chinese exclusion laws to the Bureau of Immigration, presided by the commissioner general of immigration.

At that time, the Chinese Bureau was just one part of the Bureau of Customs. The customs collectors supervised a large and diverse office and, designated officials, could not give the Chinese Bureau the attention and energy necessary for a strict enforcement of the laws. Thus, in 1903 local administration of the Chinese exclusion laws was transferred from the collector of customs to the commissioner of immigration at San Francisco. The commissioner general of immigration in Washington, D.C., then assumed the general supervision of the laws, subject to the review of the secretary of commerce and labor.

This administrative change placed the enforcement of the Chinese exclusion laws under the Bureau of Immigration, an agency accustomed to operating without any court close study. Since the passage of the Immigration Act of 1891²⁰⁹, making the decisions of the bureau final in the admission of non-Chinese immigrants, the district and circuit courts in the Southern District of New York (with jurisdiction over Ellis Island) had rarely intervened in immigration cases not involving Chinese. As one New York federal judge commented in 1896, "If the Commissioners (of immigration) wish to order an alien drawn, quartered, and chucked overboard they could do so without interference." With the bureau's tradition of agency autonomy, it seemed likely that the commissioner general would resist judicial review of Chinese cases²¹⁰.

With the administration of the Chinese exclusion laws now under the strong hand of the commissioner general, the Bureau of Immigration turned its attention to lessening the power of the courts. Officials began by insisting that Chinese applicants should go through administrative channels before taking their cases to court. Though the statutes provided that Chinese denied entry, could take an appeal from the decision of the collector to the secretary of the treasury or the secretary of commerce, Chinese applicants preferred to appeal directly to the court. Upon the attorney general's instructions in September 1903,

²⁰⁹ Beginning in 1882, responsibility for administering U.S. immigration law, excluding the Chinese exclusion law, rested with the individual states. In the Immigration Act of 1891, the U.S. Congress assigned responsibility for enforcing immigration policy to the federal government in an effort to increase the effectiveness of immigration law. The act also expanded the list of excludable and deportable aliens.

²¹⁰ Dennis Wepman, *Immigration* (infobase Publishing 2007) p.225.

U.S. district attorneys at all ports requested federal courts to dismiss Chinese cases in which the petitioner had not first appealed to the secretary of commerce and labor²¹¹.

A few months later, the attorney general instructed the U.S. district attorneys to challenge all habeas corpus. Petitions on the basis that the decision of the Bureau of Immigration to allow or deny entry, under the review of the secretary of commerce and labor, was final and definite, whether or not the Chinese applicant claimed to be a citizen. If the argument of the attorney general was accepted, the courts would no longer review the findings of the administrative officials²¹².

A case from New York in 1904 gave the officials a significant, though not a total, victory. In *United States v. Sing Tuck*, the Supreme Court focused on the issue of "exhaustion." Judge Oliver Wendell Holmes declared that the applicant must go through "the preliminary sifting process provided by the statutes . . . before the courts can be called upon," even if he claims to be a citizen. Holmes refused to decide whether administrative officers had judiciary power to decide the citizenship of any Chinese person.

Holmes pointed out that the act of 1894 explicitly limited the jurisdiction of the administrative officials to aliens. He criticized the majority opinion for allowing an inspector of immigration, "a mere ministerial officer," the power to decide whether a citizen could enter the country. Brewer cut through the arguments of the majority to suggest that racial prejudice lay behind the willingness to subject Chinese American citizens to such "harsh and arbitrary" proceedings:

Must an American citizen, seeking to return to this, his native land, be compelled to bring with him two witnesses to prove the place of his birth, or else be denied his right to return and all opportunity of establishing his citizenship in the courts of his country? No such rule is enforced against an American citizen of Anglo-Saxon descent, and if this be, as claimed,

²¹¹ Ibid, p124

²¹² Lucy E. Salyer, *Laws Harsh As Tigers: Chinese Immigrants and the Shaping of Modern immigration law* (the university of Carolina press 1995) p.107

*a government of laws, and not of men, I do not think it should be enforced against American citizens of Chinese descent*²¹³.

Justice Holmes explicitly left open the question of what action a court could take after the applicant had exhausted his or her remedies within the agency. Counting upon his successes, the attorney general pushed U.S. District Attorney Marshall Woodworth in San Francisco to set up a test case. Woodworth chose the case of Ju Toy, a cook from Oakland, California, who, upon his return from a visit to China, claimed to have been born and raised in the United States. The district court, finding the petitioner's evidence of citizenship exceptionally compelling, ordered that Ju Toy was allowed to enter the United States.

The government in 1905 appealed the decision of the district court to the Supreme Court in *United States v. Ju Toy* and received a favourable opinion. Justice Holmes, again writing for the majority, disposed of the rights of Chinese American citizens in a few brief pages. He held that the decision of the secretary of commerce and labour was final and conclusive even when the petitioner alleged citizenship: "Due process of law does not require a judicial trial" for citizens entering the United States, said Holmes. The courts should comply with the decision of the immigration officials and dismiss all petitions for habeas corpus, except those that allege that officials acted unlawfully or abused their authority²¹⁴.

The district court had approached the Chinese cases with divided loyalties. On the one hand, the judges and the commissioner shared their contemporaries' negative, stereotypical view of the Chinese and supported the Chinese exclusion policy. Consequently, they allowed certain procedures that made it more difficult for Chinese to prove their claims. On the other hand, the judges, and particularly the commissioner, also felt bound by the rules and norms of the court, which called for hearing and weighing evidence in individual cases, without regard to the fact that the litigants were Chinese or of Chinese descent. In this instance, institutional obligations surpass personal loyalties.

²¹³ Hyung-Chan Kim, *Asian Americans and the Supreme Court: A Documentary History* (Greenwood Publishing Group 1992) p.33

²¹⁴ Hyung-Chan Kim, *Asian Americans and the Supreme Court: A Documentary History* (Greenwood Publishing Group 1992) p.34

VII Chinatown Organizations and the Anti-Chinese Movement, 1882-1914:

The Chinese (Chinatown associations) played a critical role, using as instruments for mediation language, cultural, and structural exchanges between the immigrant community and mainstream institutions. In fact, within the Chinese community, in addition to interpersonal family and friendship networks, community organizations have been essential for the social adjustment and community solidarity and resistance.

Many social organizations flourished in Chinatown in the years between the passage of the first Chinese exclusion act and the onset of World War I. The absence of a strong tradition of individual rights among the Chinese gave these social organizations particular importance. The number of native-born Chinese Americans was so small during this period that, with one major exception, all the important social organizations were founded and run by immigrants from China; thus, not surprisingly, they strongly reflected the social environment of the homeland. Most, in fact, were variations on organizations found in China²¹⁵.

American influences were also of some importance, however, particularly in the negative sense: Chinese exclusion in particular and the anti-Chinese movement in general, forced these social organizations to come to terms with organized, institutionalized opposition to the presence of Chinese. In many respects, the relative success of the various Chinatown social organizations depended on their ability to meet the challenge of American opposition.

VIII Chinese Adaptation to the American Society:

There are different points of view regarding the assimilation or adaptation of Chinese immigrants to mainstream America. Some historians declare that they were less interested in the culture and way of life of their host country mainly because they did not intend to stay longer there. In fact, the first Chinese who crossed the Pacific Ocean were mere sojourners who did not intend to establish themselves in the United States. They

²¹⁵ Xinyang Wang, *Surviving the City: The Chinese Immigrant Experience in New York City, 1890-1970*(Rowman & Littlefield)p.110

were looking for a better life pushed from their own country by a degrading social, economic, and political system.

The 1960s Civil Rights movement, particularly the enactment of the Civil Rights Act of 1964 and the Immigration and Nationality Act of 1965 brought in a new period in Chinese American immigration. For the first time Chinese Americans were freed from a policy of racial oppression. The legislation restored many of the basic rights that were earlier denied to Chinese Americans. Under these new laws, thousands of Chinese people came to the United States each year to reunite with their families and young Chinese Americans mobilized to demand racial equality and social justice²¹⁶.

Equally significant are two types of Chinese immigrants that have been entering the United States since the 1970s. The first type consists of highly select and well-educated Chinese. The second type is made up of thousands of Chinese immigrants who have entered the United States to escape either political instability or repression throughout East and Southeast Asia. Others are came from different countries as ethnic refugees. They have run away from such threats as "ethnic cleansing."²¹⁷

Economic development and racial exclusion defined the patterns of settlement for the Chinese Americans. Before the Chinese Exclusion Act, the patterns of settlement followed the patterns of economic development in the Western states. Since mining and railway construction dominated the western economy, Chinese immigrants settled mostly in California and states west of the Rocky Mountains. As these industries declined and anti-Chinese feelings intensified, the Chinese fled into small import-export businesses and service manufacturing industries in such cities as San Francisco, New York, Boston, Philadelphia, Chicago, Los Angeles, and Seattle. By the earlier twentieth century, approximately over eighty percent of the Chinese populations were found in Chinatowns in major cities in the United States²¹⁸.

²¹⁶ Dudley L. Poston, Jr., Leon F. Bouvier, *Population and Society: An Introduction to Demography* (Cambridge University Press 2010) p.210.

²¹⁷ Alan Booth, Ann C. Crouter, Nancy Landale, *Immigration and the family: research and policy on U.S. immigrants* (Routledge press 1997) p.13

²¹⁸ David J. Wishart, *Encyclopedia of the Great Plains* (University of Nebraska Press 2004)p.161.

VII-I Assimilation a Choice or Necessity

Assimilation was never a viable choice for Chinese Americans, who were excluded and denied citizenship because they were deemed non-assimilable by the white mainstream. By congressional and judicial decisions, the Chinese immigrants were made ineligible for naturalization, which made them politically disenfranchised in a "so-called democracy" and exposing them to violations of their Constitutional rights.

Legally discriminated against and politically disenfranchised, Chinese Americans established their roots in Chinatowns, fought racism through litigation and participated with active roles in economic development projects and political movements to modernize China. Assimilation was seen as impossibility. In the nineteenth century, most Chinese immigrants saw no future in the United States for themselves. With this mentality, they developed a kind of tolerance for hardship and racial discrimination and maintained an efficient Chinese lifestyle. This included living modestly, observing Chinese customs and festivals through family associations, sending consistent amounts of money to parents, wives, and children. Parents tried to inculcate in Chinese language and culture into their children, send them to Chinese schools in the community or in China, motivate them to excel in American education, and above all arrange marriages.

The Chinese also joined social organizations and family associations that represented collective interests and well-being of persons with the same family names. These organizations acted to arbitrate disputes, help find jobs and housing, establish schools and temples, and sponsor social and cultural events. Their activities brought mixed blessings to the community. At times, these organizations became too powerful and oppressive, and they also obstructed social and political progress.

Protestant and Catholic missionaries came into Chinatowns, establishing churches and schools and trying to convert and assimilate the Chinese, as well as recruit Chinese Americans to support and work for their causes. Those Chinese Americans who were exposed to a segregated but American education very quickly became aware of their inferior status. Many became ashamed of their appearance, status, and culture. Self-hatred and the need to be accepted by white society became their primary obsession. This meant that they had to reject their cultural and linguistic heritage and pursue "Americanization."

This would entail adoption of American values, personality traits, social behaviours, and conversion to Christianity. Between efforts of the missionaries and political reformers, many churches and political parties were established, schools and newspapers were founded. Schools and newspapers became some of the influential and enduring institutions in Chinese America and also played an important role in introducing ideas of modernity and nationalism to Chinese culture and the Chinese²¹⁹.

Historians reported that the well known Chinese intellectual who marked the era of assimilation was Yung Wing who graduated from Yale University. For many years, Yung occupied several positions. He first became the private secretary of Doctor Parker who was a member of the American Board of Commissioners for Foreign Missions (ABCFM). Later, Yung worked as a translator for the Imperial Customs House in Shanghai and part time as clerk for English tea and silk merchants and also translating works for both Chinese and western business companies²²⁰.

Yung arrived in the United States in 1864. During the civil War and while waiting the manufacturing of machinery for an order filled for some companies, he visited Yale and travelled to Washington D.C. to volunteer for the Union Army, clearly showing his self-identification as an American citizen, however; the officials of the Volunteer department refused to enlist him on the pretext of not interfering with his obligations to the Chinese government²²¹.

According to historians Yung was somehow neglected in the study of Chinese Americans since his career was primarily in the service of the Chinese government. He played an important role in the development of late-nineteenth and early-twentieth century Chinese American history. In fact, he represented the transition from a primarily oriented life to an American-oriented life. The life of Yung Wing in America was a real example of assimilation. He was living in two worlds that of a Chinese reformer who wanted to

²¹⁹ Bulletin of the Atomic Scientists - Vol. 25, n °2 – Magazine, China after the cultural revolution - f évr. 1969 - Page 2.

²²⁰ K. Wong, Claiming America construction Chinese American identities during the Exclusion Era(Temple University Press 1998) p.23.

²²¹ Ibid,p.24.

bring China into the club of modern nations and that of a Chinese American Husband and father, concerned with the matters and affairs of his family in America²²².

Conclusion:

The social life of the Chinese immigrants in the United States was full of events, especially during the mid nineteenth century. In order to calm down the harshness and resentment of European American community and others they resorted to the judiciary system soliciting Local, State, and Federal courts to arbitrate their conflicts. In doing so they proved to be judicious and highly interested in acquiring the essential means of defence that could protect their threatened interests. In fact, they did not stay idle while they were discriminated against; on the contrary, frustrated Chinese reacted using the same judiciary channels used by their persecutors. In fact, they used the courts and important lobbyists to get their rights which were insured by the Civil rights laws and the fourteenth amendment of the US constitution. In general this showed the capacity of the Chinese to adapt to mainstream America.

²²² Kevin Scott Wong, Sucheng Chan, *Claiming America construction Chinese American identities during the Exclusion Era*(Temple University Press 1998) p.30.

General Conclusion

Reaching this point of the main concerns of this research one should state one essential thing which is that, although, the Chinese immigrants faced many hardships, they left a deep impact on the American society, and marked its history. Major contributions of the Chinese immigrants since they tread upon the American soil have been made. Primarily; they supplied labour for the America's growing industry.

Chinese factory workers were important in California especially during the Civil War (Chinese provided a quarter of California's labour force). They worked in different industries, and mill such as the wool mills, the shoe and garment industries. Besides, Chinese entrepreneurs and businessmen started their own factories and businesses, competing with the white population. Chinese labour force was also sought all around the country, on the East coast and in the South to substitute for the freed slaves. It is worth to mention that the Chinese were sought after mainly because they supplied cheap labour force and this helped in many ways in the worldwide effort to abolish slavery.

With the gold rush, the Chinese were prompted to exploit other Western state resources, thus, providing products of use to the American society. It has already mentioned ,the Chinese began the era of railroad building .The Central Pacific Railroad Company employed thousands of Chinese to construct the Transcontinental Railroad. The numerous railroads the Chinese contributed in their construction opened new horizons and brought wealth to many remote states. Moreover, the Chinese converted much of the land they settled in rich farm land. Their contribution at the agricultural level was of a considerable benefit since it supplied great numbers of fruits and vegetables.

Their skills were recognized and imitated on other farms all around the country. A brief account about different stages of Chinese immigration experience in America has been given trying to depict the hardships they faced. Finally an analysis on the hardship of a community when leaving its motherland and gradually assimilate into a new culture while keeping its own traditional customs, ethnicity and culture.

What is important to notice is that the Chinese, in many respects, contributed with their social and cultural heritage in the making of the melting pot known as the United States of America. They adapted their way of living to the one of the host country despite all the

racial discrimination, and social rejection they suffered from. Chinese communities' leaders were very active not only for the sake of helping their fellowmen in America but also for the welfare of their motherland which they sustained financially and politically. All the political, social, and economical changes that took place in China were reached thanks to the help of the political parties and their leaders and also, as we have seen, thanks to the intervention of the social organizations existing in the traditional Chinese society. These associations once in touch with the American institutions and political environment acquired an interesting competence in the political field.

Once again, I have to clearly state that my choice of the topic was not at random but was the fruit of a deep thought accompanied by the wish to discover the mystery which, in my opinion, evolves around the Chinese personality. How they succeeded to hold place and respect among the powers of the world. I have also been attracted by their discipline and high sense of respect, their faithfulness to all what they undertake.

Glossary

Angel Island—an island in San Francisco Bay used as an immigration processing and detention center from 1910 until 1940. People arriving from China were detained for weeks, months, even years on Angel Island while awaiting action on their request for entry into the United States.

Golden Gate Bridge—the bridge spanning the entrance to San Francisco Bay. Like the Statue of Liberty in New York Harbor, the bridge symbolized the promise of opportunity and prosperity in the United States for immigrants arriving on the West Coast.

immigration slots—openings for foreign-born offspring of U.S. citizens to enter the United States as U.S. citizens. Chinese men who were American citizens falsely reported the birth of children upon returning to the United States after visiting family in China, thus creating openings for unrelated young men to be eligible to enter the United States as citizens.

indemnity—compensation for loss or damage.

“paper sons”—young men who immigrated to the United States claiming to be citizens by virtue of having an American-born father. Many bought an immigration “slot” from a Chinese American man who had recorded the births of children who never existed. In this way, some Chinese were still able to enter the United States, circumventing the discriminatory Exclusion Act.

Oriental—a term coined by Europeans that was commonly used to refer to people of Asian or Pacific decent. It comes from the term “orient” meaning to face east.

reparations—compensation for some loss.

Six Companies—a group of six Chinese organizations in San Francisco that helped many Chinese immigrants to find jobs, housing, etc. It also worked to protect the rights of the Chinese in the United States by lobbying on behalf of the Chinese community and funding legal challenges to discriminatory legislation.

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Abstract

This dissertation has the purpose of analyzing the rise and fall of the Chinese Empire and its relations with the United States of America. Therefore, three important themes have been tackled in this research:

1) A historical background has been presented about the position of china in the world and the last three dynasties that led to the fall of imperial china.

2) The pull and push factors that pushed the Chinese to move to the United States of America.

3) The persecution and violence that the Chinese had gone through and the different discriminatory laws and clauses widespread against the Chinese.

This work has mainly focused on the California Gold Rush and the Chinese active participation to the transcontinental Railroad.

Accordingly, a heated analysis about the Chinese immigration had been presented and its role riding the popular Anti-Chinese fervor and fear of an overpopulation and control of the Chinese people. Indeed for more than 150 years of menial labour and discrimination, as well as service and contributions to American culture, immigrants from China have not been welcomed with open arms. But Chinese Americans had battled long to make a place for themselves, in exotic Chinatowns in New York to San Franciscan shores.

In this country of immigrants and American dream and freedom, the first Chinese who settled in America learned quickly that freedom was not distributed fairly. In fact Chinese Americans endured poverty and hostility. But the lure of gold, money and the opportunity for a better life continued to glimmer on the horizon. However, prejudice that they experienced from the bias some hold against all minorities to an ethnic superiority from those born in China.

Key words:

Chinese Empire; Canton; Opium Wars; Discriminatory laws; California Gold Rush; Transcontinental Railroad; Chinese labour; Chinese Americans; Chinatowns; Concessions minières; Anti-Chinese; Chinese communities; A group of six; Chinese Exclusion Act 1882.

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