

The 1882 Chinese Exclusion Act and the Legacy of the Civil War

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The 1882 Chinese Exclusion Act enacted by the United States Congress is the only legislation passed against a particular nationality. Certain politicians played on voters' fears that Chinese immigrants, who played a major role in providing labor to build our transcontinental railroad, would take jobs away from white workers. The Chinese were accused of taking jobs that in reality, no one else wanted to do. This Act resulted in preventing the Chinese from becoming citizens and made it very difficult for the Chinese already in this country to obtain permission to bring their families here to join them.

PBS aired the program, "The American Experience: The Chinese in America," in which an elderly Chinese woman stated that she hated her husband because it had taken him so long to get her over to this country. They were young when he left China. When they finally reunited many years later, they did not recognize each other. Despite sending her money all the years they were separated, she believed that he deliberately took his time to bring her here because he was having such a good time in America without her. She never realized or understood that the Exclusion Act blocked his efforts year after year when he applied for permission to allow her to enter this country. Sarcastically, she said in Chinese, "*America, land of the free.*" She resented him to the day he died. Congress finally repealed the Chinese Exclusion Act in 1943 when China and the United States were allies during World War II. But there was still a yearly quota that only allowed 105 Chinese to enter this country.

My father came to this country at the age of eighteen from Canton, China in March of 1938. He entered as a "paper son" as Ng Ming Jo, the assumed name of a deceased son of a family friend who received permission to bring his family over to join him. He found work in a hand laundry, working 12 hour days, ironing and folding shirts for 5 cents a shirt. When he closed his own hand laundry business in 1978, forty years later, a cleaned and ironed shirt was 55 cents. He enlisted in the army during WWII, serving as a private in Battery "A," 62nd field artillery battalion until his discharge in 1944. He returned to China to marry my mother in 1947, an arranged marriage. They moved to Bridgeport, Connecticut where he purchased his own Chinese hand laundry. We lived in a loft above the laundry until they saved enough money to buy their first house in 1956 for \$13,000. The last ten years before his retirement in 1982, he worked two jobs in the laundry during the day and as a school custodian in the evenings. My parents worked hard and never complained, at least not openly, as much as I did, whenever I felt we were being taken advantage of because we were Chinese.

I once asked my father why he came to America despite his lack of opportunities denied him because of his nationality. He said it was to find a better life for himself and for his family. America was the land of opportunity for him. In my own mind, I questioned his answer. But as

my interest in Abraham Lincoln and the Civil War grew, Lincoln's words helped to define what my father said to me in much clearer and in much deeper terms. In his December 3, 1861 annual message to Congress, Lincoln stated that, *"The central idea prevailing this struggle (the Civil War) is the necessity that is upon us, of proving that a popular government is not an absurdity. We must settle this question now, whether in a free government the minority have the right to break up the government whenever they choose. If we fail it will go far to prove the incapacity of the people to govern themselves."* He further saw this struggle in universal terms. It was not *"altogether for today. It is for a vast future also,"* for this struggle, *"embraces more than the face of these United States. It presents to the whole family of man, the question, whether a constitutional republic or a democracy...can or cannot maintain its territorial integrity."* 1

However, the issue of slavery clouded the clarity of this issue. Lincoln understood this. In his second annual message to Congress in December 1862 when he felt it was time to issue the Emancipation Proclamation, he defined the war's true meaning in this passage of eloquence and power, *"Fellow citizens, we cannot escape history...The fiery trial through which we pass, will light us down in honor or dishonor, to the latest generation...In giving freedom to the slave, we shall nobly save or meanly lose, the last best hope of earth."* 2

The North's victory in a war that would claim over 620,000 lives settled both issues. The consequences of the Civil war have profoundly influenced our entire national character to the rest of the world. The United States has become the land of economic opportunity and *"the last best hope of earth."* I cannot help but marvel how a Chinese boy of eighteen in 1938 who despite never knowing of Abraham Lincoln nor hearing these words came to understand the universality and vision of his message.

During the Civil War the enemies of the national government were fellow Americans. President Lincoln responded with measures appropriate for facing an enemy within its borders. He suspended the writ of habeas corpus and allowed the imprisonment of citizens suspected of treasonous acts. But in the use of these powers Lincoln understood the potential for abuse. He restrained his generals from enforcing these measures against citizens for the sole "political crime" of opposing the war effort through exercising their right of free speech rather than through seditious acts. After the military arrest of the "Copperhead," Senator Clement Vallandigham, Lincoln commuted his sentence and banished him within Confederate lines, depriving him the role of martyr and removing him from any public forum to incite trouble in the North. 3

With the North's victory becoming more and more apparent, there were public demands and those of the Radical Republicans to severely punish Jefferson Davis and top Confederate officials. Lincoln's response was to hint to both Generals Grant and Sherman that he would not

object if they escaped “*unbeknown*” to him. He never lost faith in the “*better angels of our nature*.” President Abraham Lincoln exhibited the wisdom, tolerance and leadership necessary to maintain a republic.

I have faith this country will never again pass laws as the Chinese Exclusion Act or mass detain nationalities solely on the basis of race as the Japanese on the west coast during WWII. However, Congress has passed laws that limit our civil liberties, as in portions of the Patriot Act. Laws are currently being proposed and debated on both the state and federal levels, which will severely restrict immigrant access to our Nation’s borders.

The world today is much more dangerous than it has ever been or could have been imagined. However, we must not and cannot forget the legacy of a war that was so costly won in terms of human lives and national treasure, to give up our individual freedoms and once again limit or deny access to our borders under the guise of economic and personal security from possible acts of terrorism. In a world froth with the real horrors of oppressive totalitarian governments, ethnic cleansing, human trafficking, hunger and disease, it is imperative that as Americans, we must balance our legitimate concerns for physical and economic security with the promise of a “new birth of freedom” and “the last best hope of earth” for opportunity of a better life that this country, the United States, has come to symbolize to the peoples of the world.

My father wanted to die with his real name. In 1968 we petitioned the United States Superior Court to legally change his name and the family’s surname to that given to him at his birth. Even after thirty years of being in this country he was afraid of being deported once the government discovered that he entered this country illegally. I reassured him by reminding him that he had broken no other laws, served his country in the military, shared the same birthday, February 22nd as George Washington (of which he was most proud) and, most importantly, the government would never deport a “taxpayer!”

Chack Fong Moy died on February 10, 2001 with his name restored and as a naturalized citizen of the United States. He added his name to those of the countless number of unknown immigrants who contributed to the history of this Nation.

Footnotes:

1 The Collected Works of Lincoln, Roy P. Basler, Marion D. Pratt and Lloyd A. Dunlop, Editors, Rutgers University Press, New Brunswick, New Jersey, 1953, Vol. IV, pg. 426

2 CW, Vol. V, pg.537

3 Copperhead- a Northerner who supported the Southern cause during the Civil War