

Abstract

Title of dissertation: "POSSESSING A NATION": CAPITALISM, LABOR, AND THE BUILDING OF THE U.S. GATEKEEPING STATE, 1865-1924

Kyle Leland Pruitt, Doctor of Philosophy, 2025

Dissertation Directed by: Professor Julie Greene
Department of History

Scholars have long sought to explain how and why the United States transformed from a nation with virtually "open doors" for global immigration into a nation with a closed "gate." While scholars of immigration differ on just how open the United States was prior to the Civil War, they generally agree that between the late nineteenth century and the early 1920s the federal government, which had traditionally encouraged immigration as an essential ingredient in the expansion of the nation's economy, became a massive "gatekeeping" state, excluding most of the world's population. Historians have analyzed why the building and guarding of a national gate became one of the federal government's essential roles in the late nineteenth and early twentieth century. They have mostly focused on the important role played by racial and demographic arguments against immigration and immigrants. This interpretation alone does not fully explain why the United States, whose capitalist engine relied on the labor of tens of millions of immigrants, would close its doors during the nation's rapid period of economic growth and expansion at the turn of the century.

“Possessing a Nation” explains why the United States closed its borders to most of the world’s population, by reconstructing a five-decade long debate (1864 to 1924) among workers, capitalists, politicians, and immigrants over the boundaries of America’s volatile and expansive capitalist social order. It analyzes how the building of a gatekeeping state, and the transformation of the U.S. into an exclusionary nation, entailed the creation of a gatekeeping *economy*. I argue that the closing of the nation’s borders went hand in hand with the invention, by labor leaders, rank and file workers, and their allies, of a protected national economic order which privileged the position of white workers within a global labor and racial hierarchy and necessitated permanent federal protection. As I demonstrate, the carving out of a national political economy and working class from an international order took shape through the highly contested formation and implementation of federal immigration laws that established the legal, political and ideological framework of the U.S. gatekeeping state. These include the Alien Contract Labor Laws (1885 and 1890); Chinese Exclusion Acts (1882, 1888, 1894, 1902); Immigration Act (1891); Immigration Restriction Act (1917); Emergency Quota Act (1921); and the Johnson Reed Act (1924). The construction of a federal gate, and gatekeeping economy, was the outcome of a protracted *class* conflict over the racial and political boundaries of a domestic labor market and capitalist social order which was profoundly shaped by global immigration. Each of this project’s five archive-based chapters reconstructs how this conflict pitted shifting political formations of protectionist labor leaders, workers, and their elite partners against dynamic coalitions of business interests, immigrants, diplomats and pro-immigration politicians and intellectuals who advocated for a more open domestic economy.

“POSSESSING A NATION”: CAPITALISM, LABOR, AND THE BUILDING OF THE U.S.
GATEKEEPING STATE, 1865-1924

Kyle Leland Pruitt

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Advisory Committee:

Professor Julie Greene, Chair
Associate Professor David Freund
Professor Madeline Hsu
Associate Professor Colleen Woods
Associate Professor Daniel Greene

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“The difference in living standards, say, between a French sans-cullotte and [a] Deccan farmer were relatively insignificant compared to the gulf that separated both from their ruling classes. By the end of Victoria’s reign (1901), however, the inequality of nations was as profound as the inequality of classes. Humanity had been irrevocably divided. And the famed ‘prisoners of starvation,’ whom the Internationale urges to arise, were as much modern inventions of the late Victorian world as electric lights, Maxim guns and ‘scientific’ racism.”

-Mike Davis, *Late Victorian Holocausts*, 2001

“No argument that can be made...can set so plainly before the American workingman the danger that threatens as the accompanying map sets forth. In what a small part of the earth is labor well regarded and well paid! In what a vast proportion of the earth is labor still unorganized, poorly paid and without consideration in the affairs of government!”

-San Francisco Call, 1896

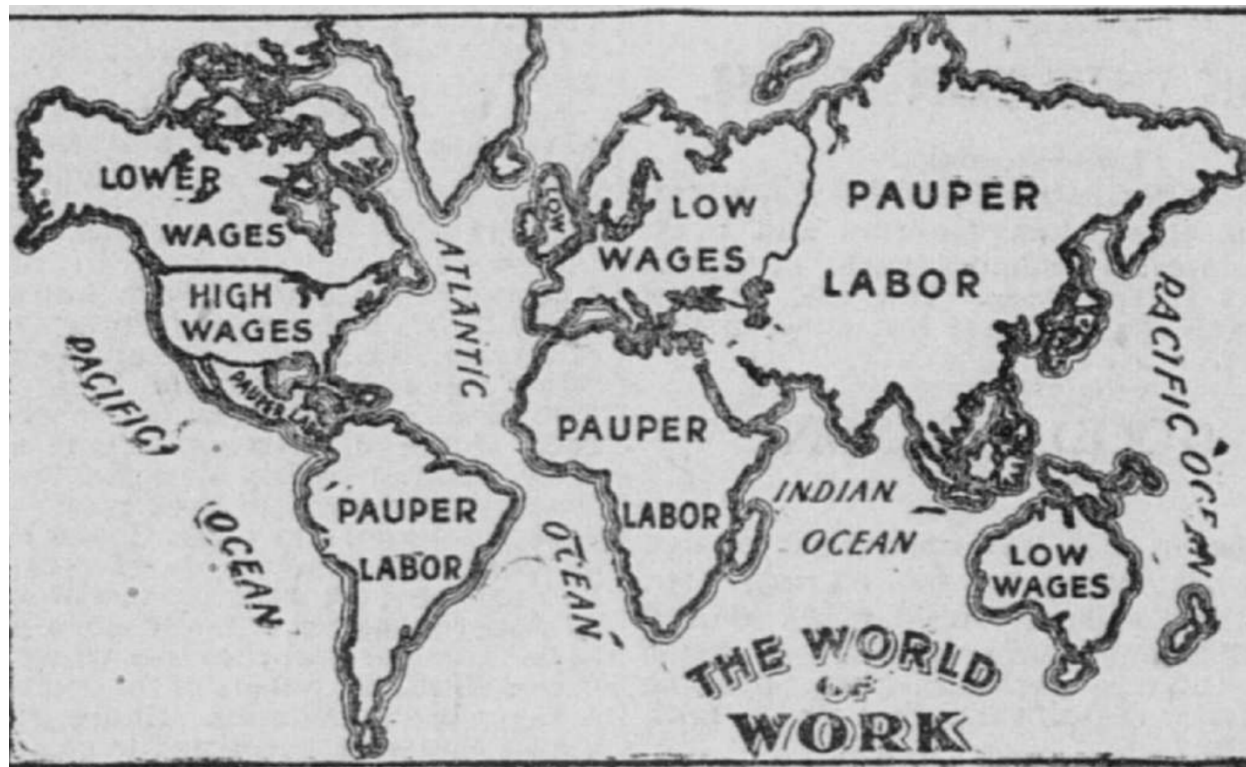


Figure 1: "The World of Work," *San Francisco Call* (September 30th, 1896).

To my mom and dad, I dedicate this dissertation.

Acknowledgements

This project is the product of family, friends, archivists and fellow historians. As a young graduate student in seminar, monographs and articles appeared to me as the sole creation of the historian. Little did I know that every work of history is a work of the collective.

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sub-field of history—it is a tradition rooted not only in the academy, but in the ongoing struggle for equity, freedom, and justice. I hope this project can be a small testament to this belief.

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Introduction

In 1882, Congress passed a law restricting the immigration of Chinese laborers to the United States. Three years later, lawmakers followed up with a statute prohibiting the immigration of European contract laborers. Yet, despite these laws, mass immigration from Europe as well as Asia helped transform the U.S. into a global industrial power. The volume of foreign workers coming to the United States only increased, and in turn became more and more significant for the country's industrialization.¹ By the late nineteenth and early twentieth century, Americans were engaged in an intense debate over whether the nation's increasingly chaotic and unequal capitalist order needed this labor.

In his 1907 book *Races and Immigrants in America*, the social scientist and industrial investigator John R. Commons made the case for restriction. He observed that “cheap” foreign labor had been a crucial ingredient in the development of U.S. capitalism. However, he argued that this same capitalist order, reliant on foreign labor, now threatened the nation's white democracy. Most of the nation's white, male, native-born citizens, he claimed, were subject to precarity, mechanization, and unemployment. Mass immigration had created a disloyal, militant, and racially heterogeneous working class in which “cheaper races” were simply displacing their native born, citizen counterparts. These native-born workers, however, were not passive. Since the Civil War, Commons noted, “...a new force had come into American politics—the wage-

¹ On the formation of a global labor market and its relationship to the development of national capitalist orders, see Jürgen Osterhammel, *The Transformation of the World: A Global History of the Nineteenth Century* (Princeton: Princeton University Press, 2015); Jürgen Kocka, *Capitalism: A Short History*, (Princeton: Princeton University Press, 2016); Kevin H. O'Rourke and Jeffrey G. Williamson, *Globalization and History: The Evolution of a Nineteenth-century Atlantic Economy*, (Cambridge, MA: MIT Press, 2001); Immanuel Wallerstein, *The Modern World-System IV: Centrist Liberalism; Triumphant, 1789-1914*. (Berkeley and Los Angeles: The University of California Press, 2011); On mass immigration and capital accumulation in the United States, see David M. Gordon, et. al. *Segmented Work, Divided Workers: The Historical Transformation of Labor in the United States*; Stanley Lebergott, *Manpower in Economic Growth: The American Record since 1800* (New York: McGraw-Hill, 1964); Charlotte Erickson, *American Industry and the European Immigrant, 1860-1885* (Harvard: Harvard University Press, 1957).

earner.” As a result, “The old policies” of open immigration and “cheap” foreign labor “were violently challenged.” This had begun with the exclusion of Chinese workers in 1882 and the restriction of European contract laborers in 1885. With these achievements, the “American wage-earner... was able to set forward one supreme argument which our race problems are more and more showing to be sound: The future of American democracy is the future of the American wage-earner.” “To have an enlightened and patriotic citizenship,” Commons argued, “we must protect the wages and standard of living of those who constitute the bulk of the citizens.”²

A 1907 Congressional commission tasked with investigating immigration expanded upon this argument. The so-called “Dillingham Commission” (1907-1912) published a report in 1912 that found that the United States did suffer from “an oversupply of unskilled labor...”³ The Report did not stop there. It argued that the goal of federal immigration policy should not be to maximize profits by swelling the nation’s already large working class. Rather, the future development of the United States as an industrial and democratic nation necessitated the protection of the “standard of living” of its citizen wage earners from foreign competition. “The measure of the rational, healthy development of a country,” the Report determined, cannot simply be measured by “the extent of its investment of capital, its output of products, or its exports and imports... unless there is a corresponding economic opportunity afforded to the citizenry...” From this perspective, federal laws restricting foreign labor immigration were not a sacrifice for U.S. capitalism. On the contrary, these laws would help control American capitalism’s dangerous reliance on foreign labor and would help set the nation on a new

² John. R Commons, *Races and Immigrants in America* (New York, 1907). Commons’ book was based off of his investigative work for the U.S. Industrial Commission (1898-1902). See, *Reports of the Industrial Commission on Immigration and on Education*. Vol., 15. 57th Cong., 1st sess., HOR Document 184. (Washington: GPO, 1901).

³ United States Immigration Commission, *Brief Statement of the Investigations of the Immigration Commission, with Conclusions and Recommendations and Views of the Minority*, vol. 1 (Washington: GPO, 1911): 45-47.

trajectory of development: one characterized not by the exploitation of a heterogenous, foreign-born working class, but by the growing “standard of living” of a loyal class of citizen wage earners.

The argument laid out by Commons and the Dillingham Commission constituted a dramatic departure from how Americans had traditionally conceptualized immigration, labor, capitalism, and federal power. During the late nineteenth century, many Americans believed that the immigration of free, white laborers would be an essential factor in the expansion and development of the United States. By the last quarter of the nineteenth century, national immigration policy was organized around one major goal: the mobilization of foreign labor. By the 1920s, however, Congress eventually passed a series of laws, in the wake of the Dillingham Commission, that established a discriminatory system that regulated and restricted the movement of workers into the United States. By 1924, the United States had effectively built a wall around the nation’s industrial order and labor market, by excluding all immigration from Asia and greatly restricting immigration from Europe.⁴

This dissertation explains why the United States closed itself off to the very global labor market that fueled its industrial ascendancy and transformation. It reconstructs the highly contested formation and implementation of federal immigration laws that established the legal, political, and ideological framework of the U.S. gatekeeping state. To do so, it traces how and why Americans came to believe that their country no longer needed foreign labor, but an

⁴ Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004); Erika Lee, *At America’s Gates: Chinese Immigration during the Exclusion Era, 1882-1943* (Chapel Hill: University of North Carolina Press); Erika Lee, “A Nation of Immigrants and a Gatekeeping Nation: American Immigration Law and Policy,” in *A Companion to American Immigration* (New York: Blackwell Publishing): Chapter 1.

“American working class.” It explores a five-decade long debate (1864 to 1924), among organized labor, capitalists, intellectuals, and politicians, over the boundaries of America’s volatile and expansive capitalist social order. It demonstrates that the construction of a federal gate was the outcome of a protracted *class* conflict over the racial and political boundaries of a domestic labor market and capitalist social order which was profoundly shaped by global immigration. The “Immigration Question” that Americans debated during the late nineteenth century entailed a larger problem: how a national and racially homogenous capitalist order could be constructed within a global capitalist order. How could capitalist development be made compatible with the hegemonic racial order and polity of the United States? Did the emerging industrial order, and the U.S. working class, necessitate federal protection from immigration, to preserve and harmonize America’s white democracy and capitalism? Could the United States remain both a white and capitalist nation within an increasingly integrated global capitalist order? “Possessing a Nation” explains how, over the course of the late nineteenth and early twentieth century, Americans came to conceptualize federal gatekeeping power as an answer to these questions. It argues that the closing of the nation’s borders went hand in hand with the legal, political, and ideological invention--by labor leaders, rank and file workers, and their allies--of a protected national labor market which privileged the position of white workers within a global labor and racial hierarchy and necessitated permanent federal protection.⁵

⁵ The historian Katherine Benton-Cohen has argued that it was social scientists, particularly those involved in the Dillingham Commission who first “invented” the idea that immigration was a “problem.” Katherine Benton-Cohen, *Inventing the Immigration Problem: The Dillingham Commission and Its Legacy*. (Cambridge: Harvard University Press, 2018). My interpretation differs from Benton-Cohen’s in two important respects. First, she identifies the Dillingham Commission (1907-1912) as the primary site within which immigration was rendered into a complex racial, political, and economic problem. This dissertation roots the invention of the immigration problem earlier, in the nineteenth century, and specifically links immigration to the labor problem. Secondly, the Dillingham Commission did not simply define immigration as a problem. It also identified American workers as the beneficiaries of immigration restriction.

In the last three decades of the nineteenth century, the material and political conditions underlying the nation's relatively open national immigration system began to weaken. The transformation of the United States into a capitalist social order unleashed unprecedented dynamics of class conflict, proletarianization, and wealth inequality. These dynamics engendered what contemporaries referred to as "the labor problem." Was the nation's white, democratic polity compatible with capitalism? This transformation opened a space for mostly native-born organized workers, from California to the East coast, to link mass immigration to their own dispossession by capitalism and conceptualize immigration policy as an extension of their own contest with employers over the nation's emerging capitalist order. In doing so, they launched a protracted debate over the racial and political boundaries of U.S. capitalist order and global capitalism.

After 1865, trade unionists, labor leaders, and their political and intellectual supporters, mobilized to construct federal immigration policies that would privilege what they began to envision as homogenous nation of white, citizen workers. At the beginning, restrictionists' efforts centered on two specific forms of immigration, the so-called Chinese "coolie" trade and the importation of European "contract laborers." What began as an opposition to specific forms of immigration developed, over the course of several decades, into a more capacious nationalist critique of foreign labor in general. National labor organizations like the Knights of Labor, followed by the American Federation of Labor after 1886, became the vanguard of a broader cross-class movement for immigration restriction. With organized labor at its helm, this movement cooperated with, and gained recognition from, national policymakers, political economists, editorialists, and other elite Americans. The leaders of this coalition defined the "Immigration Problem" and the "Labor Problem" as one and the same. Engaging with the

question of immigration as inseparable from the broader problem of capitalism, class, and democracy opened the domestic labor question to a new set of urgent concerns: what were the consequences of immigration on processes of U.S. class formation and relations between labor and capital? What would be the role of the state in mediating between the domestic political economy and global capitalism? What were the territorial and racial boundaries of an “American” working class, and did this working class have a right to be protected by the state? In answering such questions, this coalition called for the construction of a new, restrictionist, federal immigration regime. In doing so, it forged a capacious labor gatekeeping ideology that linked the protection of a national labor market and “American” working class to the integrity of the nation and of American citizenship itself. More specifically, workers argued that, as American citizens, they were entitled to wages that would allow them to function as citizens, heads of household, and as consumers. A national high wage-earning class was, therefore, intrinsically different from foreign, “cheap” labor. Without federal intervention, “cheap” labor threatened the existence of this American citizen working class.

Labor leaders and trade unionists became committed to gatekeeping as part of a broader and evolving struggle between their movement and capitalists, for control over the nation’s labor market, and for influence over its democratic polity and legislation. From their perspective, the battle over national immigration policy was a battle over the nation. Although productive property had been concentrated in the hands of U.S. employers, these workers believed that they had the right, as citizens and as workers, to possess this nation. As capitalism dispossessed white workers from the ownership of land and productive property during the late nineteenth century, these same workers began to conceptualize a capacious vision of an American nation—a national capitalist order and political community of white worker citizens--which white citizen workers,

and not U.S. capitalists, had a right, and obligation to construct and to protect from global competition. As such, they created and reified the political category of a national, “American working class,” that would bring this new national capitalist order and democratic polity into being through the political and legal construction of a federal gate and through opposition to domestic capitalists and supporters of immigration. Labor organizations from the Knights of Labor to the American Federation of Labor became the vanguard of a broader cross-class restrictionist movement. Trade unionists organized networks with pro-labor politicians, political economists, race scientists, and federal immigration officials, and assembled racist and nationalist definitions of labor, citizenship, and consumption. Over the course of the late nineteenth and early twentieth century, labor organizations and their leaders mobilized rank and file workers, lobbied Congress, and cooperated with prominent intellectuals. Their goal was to design, advocate for, and help enforce restrictionist federal immigration policies. They aimed to create a national labor market that would be limited to white, native-born workers.

They came into conflict with shifting political formations of business interests, immigrants, diplomats and pro-immigration politicians and intellectuals, who advocated for a more open domestic economy. Ultimately, they were successful in constructing a set of federal policies that restricted, regulated, and policed the racial and class boundaries demarcating the national labor market and “American working class” from a global racial and labor hierarchy. These laws included the Alien Contract Labor Laws (1885 and 1890); Chinese Exclusion Acts (1882, 1888, 1894, 1902); Immigration Act (1891); Immigration Restriction Act (1917); Emergency Quota Act (1921); and the Johnson Reed Act (1924). By the 1920s national immigration policy had thus been re-organized around a new principle: the prioritization and protection of white, citizen workers and their “standard of living.”

I

Scholars have long sought to explain how and why the United States transformed from a nation with virtually “open doors” for global immigration into a nation with a closed “gate.”⁶ They have mostly focused on the important role played by racial arguments against immigration and immigrants. In his classic study, John Higham showed that middle class and elite Americans who feared the disruptions to the nation’s political and social order caused by industrialization responded by turning against immigration and foreigners. Between the 1880s and 1920s, Americans forged explicitly racist and xenophobic arguments that justified the gradual exclusion of immigrants. More recently, scholars such as Erika Lee, Aristide Zolberg, and Mae Ngai have shown that anti-immigration movements were ultimately engaged in a project of racial nation-building. Those actors who built and shaped the U.S. gatekeeping state, according to this argument, were not simply driven by fear, but by the desire to construct a new, exclusionary racial and national polity through racist federal laws that determined which populations were desirable and undesirable for the United States and regulated and restricted immigration accordingly.⁷

“Possessing a Nation” contributes to, but differs from, this work. It illustrates the political-economic framework that undergirded the logic of race, citizenship, and nation and shaped the construction of a federal gatekeeping state between the Civil War and the 1920s. It

⁶ Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick: The State University of New Jersey, 1955).

⁷ David Fitzgerald and David Cook-Martin, *Culling the Masses: The Democratic Origins of Racist Immigration Policy in America* (Cambridge: Cambridge University Press, 2014). Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (Cambridge and London: Harvard University Press, 2008); Erika Lee, *America for Americans: A History of Xenophobia in the United States*, (New York: Basic Books, 2019) Peter Schuck, “The Transformation of Immigration Law,” *Columbia Law Review* 84 (January, 1984); For an example of a study of immigration policy that focuses entirely on racism as the cause and structure of U.S. gatekeeping policy, see Reece Jones, *White Borders: The History of Race and Immigration in the United States from Chinese Exclusion to Border Wall*; Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998).

explains how the debate over immigration, and the political and legal construction of a federal gatekeeping state and nation, were fundamentally shaped the dynamics of industrial conflict, class formation, and labor politics that characterized the United States between in that period. Labor historians have reconstructed the ways that the U.S. industrial working class and labor movement contested employers over issues related to the structure and shape of U.S. political economy. Scholars such as David Montgomery, Julie Greene, and Christopher Tomlins have showed how workers and labor organizations became increasingly involved in the shaping of national policy, first at the state, and then at the federal level.⁸ Over the course of these years, workers mobilized and contested employers over everything from working conditions, the legality of unions, control over production, the Eight-Hour Day and more. Historians have highlighted the ways in which organized workers framed their broader movement and political and industrial activity as a struggle for democracy and for economic citizenship. In doing so, they shaped how Americans conceptualized these political categories.⁹ Labor historians have grappled with the involvement of labor unions and organized workers in immigration restriction. However, for the most part, these scholars attribute the interest of organized workers in immigration restriction to relatively “narrow” concerns over wages and competition or simply to

⁸ Herbert G. Gurman, “Work, Culture and Society in Industrializing America, 1815-1919,” in *The American Historical Review* 78:3 (June, 1973), pp. 531-599. Richard Oestreicher, *Solidarity and Fragmentation: Working People and Class Consciousness in Detroit, 1875-1900*. (Urbana and Champaign: University of Illinois Press, 1989). Melvyn Dubofsky, *The State and Labor in Modern America*. (Chapel Hill: The University of North Carolina Press, 2000); Julie Greene, *Pure and Simple Politics: The American federation of Labor and Political Activism, 1881-1917*. (Cambridge: Cambridge University Press, 1998); McCartin, Joseph A. *Labor's Great War: The Struggle for Industrial Democracy and the Origins of Modern American Labor Relations, 1912-1921* (Chapel Hill: University of North Carolina Press, 1998); Christopher L. Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880-1960* (Cambridge: Cambridge University Press, 1985).

⁹ David Montgomery, *Citizen Worker: The Experience of Workers in the United States with Democracy and the Free Market during the Nineteenth Century*, (Cambridge: Cambridge University Press 1993); Richard Schneirov, *Chicago in the Age of Capital: Class, Politics, and Democracy during the Civil War and Reconstruction* (Urbana Champaign: University of Illinois Press, 2012); Alex Gourevitch, *From Slavery to the Cooperative Commonwealth: Labor and Republican Liberty in the Nineteenth Century* (Cambridge: Cambridge University Press, 2014).

the racism of the white, native-born workers within the nation's more conservative trade unions.¹⁰

This dissertation puts forward a different explanation of why and how organized workers and labor unions embraced immigration restriction, and what this meant for the larger conflict between workers and capital over U.S. capitalism, marketplace, and federal policy. It argues that those workers and organizations that constituted the post-Civil War labor movement came to see the struggle over the racial and political boundaries of the U.S. wage labor market as integral to its contest with capital for control and influence over this market and over the nation's democratic polity. Over the course of the late nineteenth and early twentieth century, labor organizations such as the National Labor Union, the Knights of Labor, and the American Federation of Labor turned national immigration policy into a terrain in which organized workers articulated broader claims on the national income, outlined a new racialized notion of economic citizenship, and articulated their own understanding of how U.S. capitalism should operate and whom it should privilege.

Scholars of whiteness have shown that race was a fundamental factor in the formation of the U.S. labor movement and working class. David Roediger for instance, has argued that during the nineteenth century, white industrial workers came to believe they were entitled to higher wages, state protection and privileges, in virtue of their whiteness.¹¹ "Possessing a Nation" builds on this framework, but it argues that whiteness alone does not fully capture the breadth and complexity of the ideology that motivated the U.S. labor movements and its campaign for a

¹⁰ A.T. Lane, *Solidarity or Survival: American Labor and European Immigrants, 1830-1924*, (New York and London: Greenwood Press, 1987); Charlotte Erickson, *American Industry and the European Immigrant, 1860-1885* (Cambridge: Harvard University Press, 1967); Gwendolyn Mink, *Old Labor and New Immigrants in American Political Development: Union, Party, and State, 1875-1920* (Ithaca: Cornell University Press, 1990); Vernon Briggs, *Immigration and American Unionism*, (Cornell: Cornell University Press, 2001).

¹¹ David Roediger, *Wages of Whiteness: Race and the Making of the American Working Class*. Victoria Hattam, "Whiteness: Theorizing Race, Eliding Ethnicity,"

federal gatekeeping state. This dissertation shows how activists labor leaders, rank and file unionists, and other labor spokesmen transposed this logic of whiteness, privilege, and entitlement onto the level of the nation and the nation-state, and in so doing articulated a vision of an emerging national community of “American workers.” The American worker, as it was envisioned by organized workers during the late nineteenth century, was a raced and gendered subject. He was a native-born, white male citizen as well as a head of household. Crucial to this logic was a new conception of consumption. For the workers in this story, federal gatekeeping would also help alter the very dynamics of U.S. capitalism in the interest of the imagined national community of workers they claimed to represent. The labor movement, along with its partners, argued that the construction of a boundary around a national labor market would not only compel U.S. capitalists to employ native-born laborers at higher rates of wages, it would ultimately help bring a new capitalist order driven not by the exploitation of unskilled labor, but by the formation of a high-wage domestic market composed of native-born consumers and their families. The American worker and working class were not conceptualized as passive recipients of federal protection. On the contrary, the actors in this dissertation conceptualized the nation and the national industrial order as a form of property which they, as Americans, had a right to protect. They could determine who could and could not join that order. The privilege and duty to control and shape immigration policy was not simply about protecting “American” wages and jobs, but about controlling and shaping the very identity of the nation’s working class and labor market by determining who could and could not enter the United States.¹²

¹² My theory of the nation as property comes from Brenna Bhandar, “Possessive Nationalism: Race, Class and the Lifeworlds of Property,” in *Viewpoint Magazine* (February, 1 2018); Bhandar builds on whiteness scholarship, and in particular scholarship that conceptualizes whiteness as a form of property. Cheryl Harris, “Whiteness as Property,” *Harvard Law Review* 106: 8 (1993): 1710–91. See also, George Lipsitz, “The Possessive Investment in Whiteness:

The ideology of nationalism and exclusion that the labor movement created was forged in and through a confrontation with the reality of global capitalism in the late nineteenth and early twentieth century.¹³ The vision of an American working class that motivated the labor movement was ultimately a fiction and a political invention. Its very existence, and its ability to participate in U.S. capitalism necessitated an activist state. An “American” working class was an impossibility so long as the United States was open to the labor of the world.¹⁴ The invention of the categories of “American worker,” and “American working class” by organized workers entailed the simultaneous and gradual invention of a map of the global labor hierarchy, divided into a ranking of racial/national populations of workers.¹⁵ In their writings, correspondence, and political activities, labor leaders and political economists conceptualized the position of American workers at the pinnacle of this unequal economic geography, but framed its position as ultimately threatened. In doing so, the workers in this story helped naturalize a deeply unequal global order in the late nineteenth and early twentieth century and helped construct a massive state apparatus intended to reproduce the superior position of American workers within global capitalism.

¹³ Historians of radicalism have accounted for the ways in which radicals conceptualized capitalism as a global formation in the late nineteenth and early twentieth century. It was this global consciousness that motivated socialists to confront and challenge the narrow—embodied in the mainstream, U.S. labor movement. For recent examples of working-class radicalism and internationalism, see Lorenzo Costaguta, *Workers of All Colors Unite: Race and Origins of American Socialism* (Urbana Champagne: University of Illinois Press, 2023); Kenyon Zimmer, *Immigrants against the State: Yiddish and Italian Anarchism in America* (Urbana Champagne: University of Illinois Press, 2015); Peter Cole, David Struthers, and Kenyon Zimmer, eds. *Wobblies of the World: A Global History of the IWW*. (London: Pluto Press, 2017); Jennifer Guglielmo. *Living the Revolution: Italian Women’s Resistance and Radicalism in New York City, 1880-1945*. (Chapel Hill: University of North Carolina Press, 2012); Ira Kipnis. *The American Socialist Movement, 1897-1912*. (New York and London: Haymarket Books, 2005).

¹⁴ Maulana Karenga, “Du Bois and the Question of the Color Line: Race and Class in the Age of Globalization,” *Socialism and Democracy*, 17:1 (2003): 141-160.

¹⁵ Working class nationalism as a political project and ideological formation has gained scholarly attention in recent years. See, Steven Parfitt, et., al. *Working-Class Nationalism and Internationalism until 1945: Essays in Global Labor History*, (New Castle upon Tyne: Cambridge Scholars, 2018); Maarten Van Ginderachter, *The Everyday Nationalism of Workers: A Social History of Modern Belgium* (Stanford: Stanford University Press, 2019); Jarod Roll, *Poor Man’s Fortune: White Working-Class Conservatism in American Metal Mining, 1850-1950* (Chapel Hill: The University of North Carolina Press, 2020).

“Possessing a Nation” is a study of how this ideology was forged through the efforts to organize a broader movement for immigration restriction. It is not a study of how all industrial workers in the United States felt about immigration. Although this project does account for anti-immigrant sentiment among rank-and-file workers within the broader labor movement, its main focus is to explain how major labor organizations and relatively elite actors within the movement encouraged and channeled anti-immigration sentiment into a coherent political project and ideological critique of immigration, as well as a vision of national class formation, and labor politics. It explores how influential labor leaders and unions consolidated their own power and control over the mechanisms of the national labor movement, and marginalized opposition to immigration restriction.¹⁶ This dissertation also accounts for how these actors created cross-class coalitions between the labor movement, national electoral parties, mainstream academia and xenophobic organizations. For the most part, historians of U.S. xenophobia and immigration policy have conceptualized the labor movement as a junior partner to more elite anti-immigrant organizations. Elite and middle-class organizations and individuals, this scholarship suggests, were concerned with significant issues of race, citizenship, and nation building. Organized workers, on the other hand, were interested in narrower concerns of labor market competition and wages. “Possessing a Nation” argues instead that the labor movement played a pivotal role in shaping how Americans—from advocates of Chinese Exclusion on the West Coast, to the Immigration Restriction League (IRL) and eugenicists in Boston—conceptualized race, nation, and citizenship in relationship to immigration and immigration policy.

¹⁶ This dissertation shows that the immigration issue shaped and was shaped by the labor movement’s broader vision of race, citizenship, and state power in the late nineteenth and early twentieth century. I draw from and contribute to the work of these scholars: Rosanne Currarino, “The Politics of ‘More’: The Labor Question and the Idea of Economic Liberty in Industrial America,” in *The Journal of American History*, 93:1 (June 2006): 17-36; Lawrence Glickman, “A Living Wage: American Workers Era AFL in its Time,” in *Labor: Studies in Working-Class History of the Americas* 10:4 (Winter 2013): 61-87; Alice Kessler-Harris: *In Pursuit of Equity, Women, Men, and the Quest for Economic Citizenship in Twentieth Century America* (Oxford: Oxford University Press, 2003).

The federal gate that workers helped build did, in fact, create a national labor market. A central argument of this dissertation is that the construction of a federal gatekeeping state was a major political, ideological, and legal achievement of the Gilded Age and Progressive Era labor movement. The labor movement played a real, tangible influence, not only in shaping official and unofficial opinion on immigration and immigration policy, but also in directly influencing the actual construction, passage, and enforcement of federal immigration law. The processes of debate, policy-formation, and legal invention that constituted national immigration policymaking was inseparable from what scholars have recently identified as the “political construction” of U.S. capitalism. There is a vast scholarship focusing on the ways that state institutions, actors, and laws played a direct role in shaping dynamics of market formation, class relations, and capital accumulation in the United States.¹⁷ For instance, scholars have shown that the federal government constructed a national financial and monetary system to mobilize capital, shape investment patterns, and mediate political conflict between and within classes and regions of the United States. On the other hand, scholarship on the U.S. state, law, and political economy has ignored federal immigration policy. For instance, scholars have written extensively about the role of the protective tariff. They have shown that it was an area of policy which federal policymakers and national political parties used to construct a national commodity market,

¹⁷ The term “political construction of capitalism” is from Stefan Link and Noam Maggor, “The United States as a Developing Nation: Revisiting the Peculiarities of American History,” *Past & Present* 246:1 (2020): 269-306. There is an established literature on the legal and political construction of U.S. capitalism: Martin Sklar, *The United States as a Developing Country: Studies in U.S. History in the Progressive Era and the 1920s* (Cambridge: Cambridge University Press, 1992); Richard Bense, *The Political Economy of American Industrialization, 1877-1900* (Cambridge: Cambridge University Press, 2000); Richard Schneirov, “Thoughts on Periodizing the Gilded Age: Capital Accumulation, Society, and Politics, 1873-1898,” in the *Journal of the Gilded Age and Progressive Era* 5 (July, 2006), pp. 189-224; For a focus not necessary on law and politics, but on the ways in which U.S. capitalism was shaped through ideological and cultural conflict see: James Livingston, *Pragmatism and the Political Economy of Cultural Revolution, 1850-1940* (Chapel Hill: University of North Carolina Press, 1994). This work represented a departure from earlier scholarship which saw the development of capitalism in the United States not as a political and legal development but as a function of the evolution of markets. See Alfred Chandler, *The Visible Hand: The Managerial Revolution in American Business* (Cambridge: Harvard University Press, 1977).

redistribute resources from the agricultural to the industrial sector, and tie American producers into a developmental project of economic nation building.¹⁸ Scholars have also shown how organized workers, in effect, helped construct the capitalist wage labor market of the late nineteenth and early twentieth century, but this literature ignores immigration policy, and, in doing so, ignores the global context in which this national labor market was contested and created.¹⁹

II

The movement against Chinese immigration is typically characterized by historians as the first challenge to the federal government's pro-immigration stance.²⁰ The standard narrative is this: During the Civil War, Congress encouraged immigration as part of a broader strategy to mobilize land and labor for national development. In the wake of the War, the emergence of a capitalist order on the Pacific Coast disrupted the lives of workers of European descent and encouraged these workers to identify Chinese "coolie" immigration as an extension of the broader threat posed by capitalism to their livelihoods. What began as a sectional movement during the 1850s and 1860s, however, took on a national dimension in the following two decades. By the late 1870s, white Californians were joined by national policymakers, writers, and other Americans in arguing that Chinese "coolie" immigration and economic competition

¹⁸ The literature on economic nationalism in the United States focusing exclusively on the tariff and not on immigration controls: Dana Frank, *Buy American: The Untold Story of Economic Nationalism* (New York: Beacon Press, 1999); Benschel, Marc-William Palen, "The Imperialism of Economic Nationalism, 1890-1913," *Diplomatic History* 39:1 (January 2015): 157-185; On the tariff and U.S. state formation, see Gautham Rao, *National Duties: Custom Houses and the Making of the American State* (Chicago: University of Chicago Press, 2016).

¹⁹ On literature that discusses the political and legal construction of a wage labor market in the United States without accounting for immigration policy: Robert J. Steinfield, *The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350-1870* (Chapel Hill: University of North Carolina Press, 1991); Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation*, (Cambridge: Cambridge University Press, 1998).

²⁰ Erika Lee, *America for Americans*, ch., 2.

constituted a threat not just to the West Coast and its workers, but to all white workers in the United States, and, by extension to the nation's established racial and political order.²¹

How and why did a sectional issue like Chinese immigration become conceptualized as a national problem that necessitated decisive federal action between the Civil War and the early 1880s? Andrew Gyory identifies national politicians, lawmakers, and policymakers as the main engine behind the nationalization of the Chinese Question. Spokesmen of both the Democratic and Republican Party responded to an increasingly militant and disgruntled domestic wage-earning class by adopting the issue of Chinese Exclusion to appeal to white, wage earners as *American* workers. Gyory argues that workers east of the Rocky Mountains were simply not as motivated as their Western counterparts to exclude Chinese immigration and did not endorse their fundamentally racist anti-capitalist critique of Chinese competition. Historian Beth Lew-Williams has put forward a similar argument. Lawmakers and statesmen, she argues, feared the outbreak of violent and militant anti-Chinese pogroms across the U.S. West, and therefore advocated for the restriction of Chinese immigration as a solution to this problem. Overall, this literature suggests that the transformation of the Chinese problem into a national labor issue was driven by California exclusionists and national elites.²²

²¹ The classic work for the anti-Chinese movement is Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1968). Stacey Smith, *Freedom's Frontier: California and the Struggle Over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013); Rudi Baltzell, "Free Labour, Capitalism, and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s," in *Past & Present* 225 (November, 2014): 143-186; Iyko Day, *Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism*, (Durham: Duke University Press, 2018; for a more global history of Chinese exclusion, white labor politics, and economic competition, particularly in mining, see Mae Ngai, *The Chinese Question: The Gold Rushes and Global Politics*, (New York: W.W. Norton & Company, 2021). This dissertation helps explain how the movement against Chinese "coolies" became connected with the campaign by organized laborers on the East Coast to prohibit European contract labor immigration into a genuinely national movement against "foreign labor importation." Although West Coast trade unions remained focused on Chinese immigration into the 1870s, national labor organizations that are the subject of this chapter, however, were deeply influenced by their West Coast counterparts.

²² Andrew Gyory's *Closing the Gate: Race, Politics, and the Chinese Exclusion Act* (Chapel Hill: The University of North Carolina Press, 1998); Stanford M. Lyman, "The 'Chinese Question' and American Labor

“Possessing a Nation” challenges this narrative. It argues that a small, but influential network of eastern trade union leaders, labor periodicals, and other labor spokesmen played a pivotal role in turning Chinese immigration into a national labor problem and in manufacturing the idea that Chinese Exclusion was desired by and would protect a national community of “American workers.” This group did so as part of its critique of an emerging capitalist wage system, as well as its confrontation with another form of labor immigration: European contract labor. During the second half of the 1860s, east coast labor leaders, including William Sylvis, Andrew Cameron, and Ira Steward began to criticize the attempts of American employers to recruit workers from abroad. They saw these attempts as inseparable from an emerging capitalist wage system which, they argued, threatened to “enslave” free laborers in the United States by subjecting them to their employers and to an increasingly competitive labor market for survival. Like the anti-Chinese movement on the West Coast, this movement was sectional, at first, and focused only on one specific form of labor immigration. However, with the completion of the trans-pacific railroad and the signing of the Burlingame Treaty (1868), as well as threats of Eastern employers to “import” Chinese “coolies,” eastern labor leaders and spokesman expanded their conception of the “labor importation” problem. They borrowed liberally from the racist discourse of anti-cooliesm created by their West Coast counterparts to describe “imported” European laborers and adopted the Reconstruction Era Republican party’s ideology of economic nationalism and free labor. In doing so, they forged a new racist, nationalist identity that discursively bound together all white workers in the United States into a national community of citizen wage-earners—a community subject to a common enemy: cheap “coolie labor,” immigration and a corrupt federal government that had enabled it. It was this ideology, I show,

Historians,” in *New Politics* 7, no:4 (2000); Beth Lew-Williams, *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America*, (Cambridge: Harvard University Press, 2021).

that helped forge a consensus for Chinese exclusion among national lawmakers specifically and, in time, helped lay the groundwork for the passage of Congress' first law restricting European labor immigration.

Between 1873 and 1885, a nation-wide industrial depression opened a political and ideological space for advocates of immigration restriction on the West Coast, and in an emerging eastern labor movement to forge a new official consensus on immigration policy, capitalism, and nation building at the level of national electoral politics.²³ During this period, the unprecedented scale and intensity of unemployment, class conflict, and depression unleashed by industrialization compelled federal policy makers and national political parties to search for potential solutions to these problems. Anti-Chinese activists on the West Coast along with national labor organizations took advantage of this official interest in the “Labor Question,” and cooperated to argue for Chinese Exclusion in the name of all “American workers.” This exclusionist coalition argued that domestic industrialization, coupled with the unrestricted operation of an international labor market linking the United States to China, transformed Chinese competition into an existential threat to the nation. Exclusionists argued that the importation of cheap labor intensified the capitalist processes of displacement, mass

²³ Historians who study the dynamics of labor politics, class conflict, and federal policy during the late nineteenth century have largely overcooked the intersection between issues of national immigration policy and national industrial and labor policy in the late nineteenth century. David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865-1925* (Cambridge: Cambridge University Press, 1987), Julie Greene, *Pure and Simple Politics: The American Federation of Labor, 1881-1917*, (Cambridge: Cambridge University Press, 1998); Chris Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880-1960* (Cambridge: Cambridge University Press, 1985); Victorio Hattam, *Labor Visions and State Power: The Origins of Business Unionism in the United States* (Princeton: Princeton University Press, 1993). One exception to this rule is Gwendolyn Mink, *Old Labor and New Immigrants in American Political Development: Union, Party, and State, 1875-1920* (Ithaca: Cornell University Press, 1986). Mink acknowledges that opposition to Chinese and European immigration played a formative role in national labor politics and the formation of a national labor movement in this period. Mink, however, attributes the hostility to immigrants almost solely to the narrow craft unionists in the American trade unions which sought only to limit foreign competition. As this introduction discusses, opposition to foreign competition was not confined to the nation's trade unions, nor was it motivated solely by the desire to limit foreign competition.

unemployment, and labor exploitation which were impoverishing the nation's citizen workers. In doing so, trade union and labor leaders mobilized the opinion of rank-and-file industrial workers for exclusion and created the impression among federal policymakers, lawmakers, and elites that "American workers," unanimously desired exclusion.²⁴ This argument helped pave the way for the Chinese Exclusion Act in 1882. It was endorsed not only by Democrats, but also by Republican politicians who saw Chinese Exclusion as a relatively conservative and nationalist solution to the national labor question, as well as a policy that could tie male, citizen workers into the nation's industrial order.²⁵

The Chinese Exclusion Act was limited only to Chinese workers. However, the Chinese Exclusion movement had created a broader vision of a protected working class and enclosed labor market that, after 1882, was weaponized by leaders of the Knights of Labor as well as the nation's largest trade unions to prohibit the immigration of European contract laborers. The postbellum movement to exclude Chinese workers from the United States and the law that it gave rise to helped lay the groundwork for what eventually became the 1885 Alien Contract Labor Law.²⁶ This dissertation shows that both acts were passed in the same moment and were

²⁴ Contrary to most accounts of organized labor's arguments against Chinese immigration, Chinese workers were not simply used as a "scapegoat" to mystify the operation of industrial capitalism in the nineteenth century. Rather, anti-Chinese workers, labor leaders, and political economists in the 1870s conceptualized Chinese workers, and Chinese immigration as a constituent process by which white workers suffered proletarianization and exploitation. Chinese workers, in other words, were not seen as members of the same class as white workers, but as a racialized body of workers deployed by capitalists to further impoverish and exploit white workers. For this framework, I am indebted to two scholars: Rudi Baltzell, "Free Labour, Capitalism, and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s," in *Past & Present* 225 (November, 2014): 143-186; Iyko Day, *Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism*, (Durham: Duke University Press), 2018.

²⁵ Through the deployment of the tariff, Congress created a national commodity market that shielded American producers from foreign competition, redistributed wealth from agriculture to industry, and attempted to tie U.S. industrialists and industrial workers to a broader nationalist project. The tariff was not a separate issue from immigration policy. On the tariff and U.S. economic nationalism, see Dana Frank, *Buy American: The Untold Story of Economic Nationalism* (New York: Beacon Press, 1999); Benschel, Marc-William Palen, "The Imperialism of Economic Nationalism, 1890-1913," *Diplomatic History* 39:1 (January 2015): 157-185; On the tariff and U.S. state formation, see Gautham Rao, *National Duties: Custom Houses and the Making of the American State* (Chicago: University of Chicago Press, 2016).

²⁶ I follow Erika Lee's argument that Chinese Exclusion created an elaborate ideological and legal framework that was extended to other groups of immigrations. Erika Lee, "The Chinese Exclusion Example: Race,

motivated by the same logic. These acts marked a radical departure from the federal government's Civil War era policy of encouraging foreign immigration. They helped reify and legitimize a potent set of ideas concerning economic nationalism, cheap labor, and federal power and established race and classed based category for exclusion and created a rudimentary system of enforcement.²⁷

III

The advocates of the nation's first restrictionist statutes hoped that these laws would help ameliorate the consequences of domestic industrialization by protecting "American workers" as consumers, as laborers, and as citizens. However, this goal was never realized. After 1886, mass unemployment continued, wealth inequality grew apace, and native-born workers were subject to increasingly rapid displacement by mechanization. Middle class and elite Americans began to call on the repressive apparatus of the state and the law to preclude all challenges to the nation's emerging industrial order. Ironically, the failure of the first gatekeeping laws to solve the "Labor Question" did not undermine the logic of federal gatekeeping that had motivated the creation of the nation's first restrictionist acts. The period between 1886 and 1892 was a high point for anti-immigrant sentiment. The historiography of anti-immigration movements during these years

Immigration, and American Gatekeeping, 1882-1924," in *Journal of American Ethnic History* 21:3 (Spring, 2002): 36-62. Two historians who have shifted priority from Chinese to European immigration in explaining the organizations of national immigration control, see Hidetaka Hiroata, *Expelling the Poor: Atlantic Seaboard States and the Nineteenth-Century Origins of American Immigration Policy*, (Oxford: Oxford University Press, 2017); Matthew Lindsey, "Preserving the Exceptional Republic: Political Economy, Race, and the Federalization of Immigration Law," *Yale Journal of Law* 181 (2005).

²⁷ Stacey Smith, *Freedom's Frontier: California and the Struggle Over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013); Rudi Baltzell, "Free Labour, Capitalism, and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s," in *Past & Present* 225 (November, 2014): 143-186; Iyko Day, *Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism*, (Durham: Duke University Press, 2018; for a global history of Chinese exclusion, white labor politics, and economic competition, particularly in mining, see Mae Ngai, *The Chinese Question: The Gold Rushes and Global Politics*; Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1975);

focuses mostly on middle class and elite Americans and their growing fear of immigrant radicalism. This scholarship focuses on how Americans began to identify so-called “new” immigrants from Southern and Eastern Europe as a threat to the United States.²⁸ “Possessing a Nation” explains the ways in which a new labor organization, the American Federation of Labor (AFL), helped shape this sentiment into an explicit demand for a stronger gatekeeping state that would defend “American workers” against the importation of European “coolie” from Southern and Eastern Europe.²⁹

After its founding in 1886, the AFL seized the reigns of the anti-immigration movement from earlier organizations like the Knights of Labor. Between 1886 and the early 1890s, the AFL mobilized constituent unions and rank and file workers to strengthen and expand the scope of the Alien Contract Labor Act. As part of their campaign, AFL leaders and spokesmen transformed the existing discourses of economic citizenship, consumption, and economic nationalism established by earlier restrictionist movements, into a broader vision of an American working class, labor market, and “standard of living,” protected by the federal government from global capitalism. That order would be organized not around the exploitation of a “cheap” and heterogeneous domestic proletariat, but rather around the growing rate of consumption of an

²⁸ John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick: Rutgers University Press, 1962). For a more recent account, see Robert Zeidel, *Robber Barons and Wretched Refuse, Ethnic and Class Dynamics during the Era of American Industrialization* (DeKalb, IL: Northern Illinois Press, 2020): ch 3.

²⁹ This dissertation argues that the exclusionary AFL and its separation from an increasingly unskilled, foreign born working class made the AFL’s embrace of immigration restriction more likely, however these sociological factors do not explain the specific ideological and political motivations that drove the AFL’s commitment to immigration restriction. The AFL’s investment in federal gatekeeping was shaped by earlier movements for immigration restriction, the occupational, ethnic, and political structure of the trade union movement, and, most significantly, by the larger ideology, identity, and political outlook of the AFL. Gwendolyn Mink, *Old Labor and New Immigrants: Union, Party, and State, 1875-1920* (Ithaca and London: Cornell University Press); Kitty Calavita, *U.S. Immigration Law and the Control of Labor 1820-1924* (New Orleans: Quid Pro Books, 1984); Vernon M. Briggs Jr, *Immigration and American Unionism* (Ithaca and London: Cornell University Press, 2011).

exclusionary and homogenous national working class constituted by male, citizen worker-consumers and their families.

Although skilled, male, trade unionists played a prominent role in the labor radicalism of the 1880s, leaders and spokesmen of the Federation like Samuel Gompers, PJ McGuire, and George Gunton distanced their organization from the more radical and interethnic elements of the labor movement of the time. These spokesmen articulated a type of non-revolutionary critique of so-called “cheap labor” capitalism. This critique was not fundamentally opposed to capitalist social relations or to the private property but to the tendency of U.S. capitalism to drive male citizen workers into competition “cheaper” foreign workers, African American workers, women, and children. AFL leaders positioned the Federation as a self-consciously national labor movement that desired not to overthrow the U.S. industrial order, but to force “cheap” native-born women and children out of the national labor market and to enclose this labor market from “cheap” foreign labor. They envisioned a stronger federal gate that would ensure a rising “American standard of living” for white male workers which, in turn would eventually help elevate inferior African American and foreign-born workers--making their competition less of a threat to white, native-born wages.³⁰ The concept of an “American working class” that organized workers articulated during this period was a hierarchical one. Native-born skilled white workers, having the highest aspirations, standards of living were the vanguard of this labor movement and working class. Trade union leaders conceptualized African American workers and foreign born on the other hand, as inferior, probationary members of this national working class. Their membership was contingent on whether they desired and were able to “assimilate” to

³⁰ Rosanne Currarino, “The Politics of ‘More’: The Labor Question and the Idea of Economic Liberty in Industrial America,” in *The Journal of American History*, 93:1 (June 2006): 17-36; Lawrence Glickman, A Living Wage: American Workers Era AFL in its Time,” in *Labor: Studies in Working-Class History of the Americas* 10:4 (Winter 2013): 61-87.

the AFL's nationalist conception of labor politics and the "American standard of living." For trade union advocates of restriction, however, their assimilation would be impossible so long as the United States were open to the constant influx of "cheap labor" from abroad.

The AFL made its case before the Congressional "Ford" Committee (1887-1889) investigation of European immigration and the supposed failures of the Alien Contract Labor Law. The Ford Committee concurred with the AFL that existing immigration laws had failed to protect American workers and their wages, and that immigrants from Southern and Eastern Europe constituted a new threat. Furthermore, the AFL had become recognized by lawmakers, policymakers, and social scientists as the legitimate representative of "American workers" on immigration policy. By this period, trade union representatives had become recognized as "experts" on questions related to immigration, wages, and capitalism. Organized workers became fixtures within a more permanent and institutionalized system of immigration policymaking that Congress created, with the establishment of permanent House and Senate Committees on immigration during the early 1890s.

A growing number of commentators, intellectuals, editorialists, and even some business spokesmen became sympathetic to the AFL's vision of a conservative national working class and labor movement. An emerging network of reform-minded university-trained thinkers associated with the American Economics Association (AEA) including Frances Walker, Richard Ely, Richard Mayo Smith, and John Commons, aligned their organization with the AFL on the issue

of federal gatekeeping, economic nationalism, and consumption.³¹³² The AEA transformed the AFL’s critique of immigration and cheap labor capitalism into a more respectable and “scientific” theory of modern statecraft, industrial nation building, and racial competition. The AEA’s spokesman argued specifically that the protection of an “American standard of living” against foreign labor was an essential step towards the construction of a modern, industrial regulatory state that would protect a vulnerable national ethnic and racial social order from the consequences of unregulated capitalism. More specifically, this organization constructed the rationale of what contemporary and future historians identified as “race suicide” theory. If the United States continued to be reliant on cheap, foreign labor, AEA representatives argued, American workers would be displaced by economically and racially inferior foreign workers from Asia and from Southern and Eastern Europe—leading to the destruction of America’s white polity. Under these conditions, it was argued, it had become necessary for the federal government to protect an “American standard of living” from foreign competition, which would enable American workers and their families to reproduce themselves. The AEA helped crystallize the logic of a homogenous and exclusionary American working class constituted by white, male citizen consumers. The boundaries of this class were the boundaries of the nation enforced by the sovereign power of the state. The economic worth of the American worker was not only his whiteness, but also his ability to consume and reproduce along acceptable lines (i.e. to be a head of the household), and to be invested, materially and psychologically in American

³¹ Julian Lim, “Immigration, Plenary Powers, and Sovereignty Talk: Then and Now,” *The Journal of the Gilded Age and Progressive Era* 19 (2020): 217-229; Sarah H. Cleaveland, “Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth Century Origins of Plenary Power over Foreign Affairs,” *Texas Law Review* 81 (November 2002); Matthew Lindsay, “Immigration, Sovereignty, and the Constitution of Foreignness,” *Connecticut Law Review* 45:7143 (2013).

³² William Novak, *New Democracy: The Creation of the Modern American State*, (Cambridge: Harvard University Press, 2022); Novak, “Law and the Social Control of American Capitalism,” in *Emory Law Journal* 60:2 (2010): 377-404.

capitalism and political institutions. In return, these workers would be entitled to a rising “standard of living,” sufficient for *them* realize these aspirations.

Ironically, it was the AEA and not the AFL that took up the call for a fundamental departure from the existing system of immigration restriction. By the 1890s, the AEA forged a new, more radical policy (the literacy test) designed to protect an “American standard of living” for an imaginary national working class. Although the AFL and the AEA did not directly cooperate for immigration restriction during the late 1880s and early 1890s, they both advocated for the passage of federal immigration laws in the early 1890s that considerably strengthened the existing immigration restriction system. Furthermore, the ideological alignment that occurred during these years laid the groundwork for the formation of a genuine cross-class political bloc between U.S. social scientists and trade unionists. This bloc became the core of restrictionism as a political and ideological project well into the twentieth century.

IV

The year 1893 is often denoted as a watershed moment for the immigration restriction movement. Scholars point to the founding of the Immigration Restriction League (IRL), the nation’s first formal restrictionist interest group, in 1894. Erika Lee, for instance, claimed that the IRL “crafted and perfected a xenophobic message designed to influence policy.” The IRL’s message, it is argued, was fundamentally rooted in new scientific discourses of racism that distinguished so-called “new immigrants” from Southern and Eastern Europe as inferior and a threat to an American “Anglo-Saxon” racial and political order. Over time, the IRL helped steer the opinion of the public and lawmakers towards support for major laws restricting European

immigration during the first two decades of the twentieth century.³³ Recently, historian Katherine Benton-Cohen has pushed back on this narrative. It was not the IRL, she insists, but the so-called “Dillingham Commission” that invented the idea that European immigration was a problem that the federal government should solve. Benton-Cohen argues that the immigration question, more specifically, was defined not as a problem of race, but as a problem of labor.³⁴

“Possessing a Nation” differs from these accounts in several ways. First, the distinction between immigration as a problem of “race” and as a problem of “labor” overlooks how Americans at the turn of the century conceptualized these categories. The ways in which Americans theorized foreignness, race, and national belonging by the late nineteenth century was fundamentally mediated and shaped by the logic of class and labor. This dissertation shows that the IRL as well as the Dillingham Commission’s understandings of the immigration problem was fundamentally influenced by political economy of race, labor, and nation articulated by earlier restrictionist movements discussed in this project. The IRL, for instance, counted among its members and spokesmen some of the same social scientists that had forged the AEA’s position on immigration and federal gatekeeping. At the same time, the Dillingham Commission’s conceptualization of the immigration labor problem was decisively influenced by labor spokesmen and pro-labor political economists during the early twentieth century. Thirdly, Benton-Cohen, as well as historians of the IRL, consider organized labor a junior partner among the restrictionist movement of the period. This dissertation shows that the increasingly influential and politically potent AFL of the 1890s and early twentieth century was a decisive actor in

³³ Lee, *America for Americans*, 113-117; Higham, *Strangers in the Land*, 68-77; Cite Jacobson *Whiteness of a Different Color*; Claudia Goldin, “The Political Economy of Immigration Restriction in the United States, 1890-1921,” in Claudia Goldin and Gary D. Libecap eds. *The Regulated Economy: A Historical Approach to Political Economy* (Chicago: University of Chicago Press, 1994): 223-258.

³⁴ Benton-Cohen, *Inventing the Immigration Problem*.

influencing the national debate on immigration, shaping and helping to pass major immigration laws, and enforcing federal gatekeeping policy.

The AFL did not do so alone. Rather it was part of a cross-class network that had its roots in the 1880s but fully crystallized during the period of rapid development and growth, industrial restructuring, and imperial expansion that characterized the years between 1896 and the first decade of the twentieth century. The alignment between the AFL and the IRL was not automatic. During the depression between 1893 and 1896, the AFL briefly withdrew its interest in passing a law that would restrict Southern and Eastern European labor. The Federation did not enter the debate until the dramatic economic recovery between 1896 and 1904. During this period, productive capital became concentrated in the hands of massive corporations which were able, once and for all, to break the power of skilled workers over production, reorganize the productive process and mobilize machine production on an unprecedented scale. This new era made unskilled foreign labor even more significant for U.S. capitalism. Workers from Southern and Eastern Europe poured into factories, mines, and mills across the United States.³⁵

The consolidation of this corporate capitalist order intensified incentives for employers as well as organized labor to influence national immigration policy and to shape the dominant narrative about the racial, economic, and political significance of foreign labor for U.S. capitalism. The AFL did not fundamentally reject the new corporate order, but it did mobilize politically to shape the new conditions of mass production, mass consumption, and racial competition through influencing federal policy. This was a crucial period of development for the trade union movement. The AFL experienced rapid growth in its membership, cultivated its

³⁵ Historians of the corporate reconstruction of U.S. capitalism ignore immigration policy, Martin Sklar, *The Corporate Reconstruction of American Capitalism, 1890-1916: The Market, The Law, and Politics* (Cambridge: Cambridge University Press, 1988); James Livingston, "The Social Analysis of Economic History and Theory: Conjectures on Late Nineteenth Century American Development," *American Historical Review* 92 (February 1987).

electoral influence, and expanded its capacity to lobby in Washington D.C. and coordinate the political activity of its affiliates. After 1897, AFL leaders mobilized rank and file opinion to support the IRL's bill. The Federation conceptualized the expanding realm of federal immigration policymaking as a proxy war between organized labor and what they envisioned as a capitalist conspiracy to flood the United States with all forms of cheap labor. The AFL and the IRL conducted their own campaigns for their shared legislative goal, but they did communicate and coordinated at crucial political moments throughout these years. Their primary demand was the literacy test, but these organizations also pushed for other ways to stem the flow of foreign labor, such as increasingly the head tax on immigration and increasing funding for the Bureau of Immigration. Labor leaders were also interested in participating the enforcement of immigration laws. The labor movement's growing influence was recognized by the appointment of William McKinley of the former labor organizer Terence Powderly as the Commissioner General of Immigration. During the first decade of the twentieth century, the AFL cooperated closely with the Bureau of Immigration to ensure that existing immigration laws were enforced to the maximum. This influence reached its apex when the IRL and the AFL both lobbied to move the Bureau of Immigration to an independent Department of Labor.

At the same time, the AFL and the IRL cultivated pro-restrictionist support within both national political parties, particularly from the economic nationalist wing of the Republican Party, and among pro-labor Democrats. Although the literacy test was not passed, immigration laws were passed by Congress in 1903, 1904, and 1907 that enacted stronger regulations on European immigration.³⁶ The AFL and the IRL, along with their networks of pro-restrictionist

³⁶. The arena of federal investigation, by the early twentieth century, was not autonomous but was shaped by social forces. More specifically, organized labor had become a key player in federal industrial investigations. This was also the case for the Dillingham Committee. Mary O. Furner and Barry Supple. *The State and Economic Knowledge: The American and British Experiences*. Cambridge: Woodrow Wilson International Center for

social scientists created and circulated a significant volume of monographs, articles, and correspondence to shape public and official opinion on immigration and immigration policy. Both organizations adapted established nationalist and racist arguments against cheap foreign labor to the new conditions of mass production and mass production unleashed by corporate capitalism. They framed the immigration debate as a conflict pitting advocates of a more stable and racially homogenous national capitalist order from a U.S. capitalism that had become dangerously reliant on the exploitation of foreign labor. The latter, it was argued, was preventing American workers from sharing in the nation's economic abundance by flooding the U.S. with cheap foreign labor to maximize domestic unemployment, by breaking American labor unions, and by keeping the working class fractured along racial and national lines. Figures like Samuel Gompers and Jeremiah Jenks of the Dillingham Commission, argued that the reliance of U.S. capitalism on cheap foreign labor exacerbated the nation's cyclical depressions, hindered the mechanization of American capitalism, and would ultimately lead to the displacement of an American working class with a foreign-born proletariat.³⁷ The arena of federal investigation became a crucial venue in which the AFL and the IRL put forward this argument. Trade union spokesmen were joined by prominent individuals like John R. Commons and Henry Pratt

Scholars, 2002; Daniel Tichenor, *Dividing Lines: The Politics of Immigration Control in America*, (Princeton and Oxford: Princeton University Press, 2002): 80-85. "Possessing a Nation," reconstructs the ways in which the field of social investigation became a "nexus" in the national debate on immigration and immigration policy. Investigation linked together the restrictionist wing of the labor movement to restrictionist (and liberal immigration) policy makers, and prominent intellectuals (particularly those associated with academic social science and political economy). Social investigation functioned to render "legible" the integration of the U.S. industrial order into an emergent transatlantic labor market and the massive influx of proletarianized immigrants from Southern and Eastern Europe into U.S. political economy and social order. Unsurprisingly, this process of knowledge-formation became highly politicized because influence over the crafting future gatekeeping policy was at stake.

³⁷ Ultimately, this was a racist critique of American Fordism in the early twentieth century. On the ways in which U.S. Fordism exploited and reproduced racial hierarchies, Joshua Lam, *Race: Fordism Factories and Mechanical Reproduction of Racial Identity in The Edinburgh Companion to Modernism and Technology* (Edinburgh: University of Edinburgh Press, 2022); Hounshell, David A. (1984), *From the American System to Mass Production, 1800-1932: The Development of Manufacturing Technology in the United States*, Baltimore, Maryland; Antonio, Robert J. and Bonanno, Alessandro. "A New Global Capitalism? From 'Americanism and Fordism' to 'Americanization-globalization.'" *American Studies* 2000 41 (2-3): 33-77

Fairchild of the IRL during hearings held by House and Senate Commissions on Immigration as well as the U.S. Industrial Commission (1898-1902).³⁸

The AFL's gatekeeping project did not only pertain to European immigration. For AFL representatives, affiliated unions, and organized workers on the West Coast, the task of defending and expanding the Chinese gate was part of the same project of combatting cheap foreign labor and expanding the trade union movement's influence over the federal gatekeeping state. One crucial example of this was the AFL's campaign to extend Chinese Exclusion after 1898. The expansion of the United States beyond its continental boundaries raised crucial questions about whether Chinese exclusion would extend to the New Empire. Between 1898 and 1902, the AFL mobilized outright to ensure that it did. It came into conflict with Chinese diplomats, pro-Chinese employers, as well as American exporters who feared they would lose access to Chinese foreign markets. The AFL successfully helped pass a new Chinese Exclusion Law in 1902, and again in 1904 and 1906 that effectively made Chinese Exclusion permanent and extended the Chinese gate to all U.S. territories.

"Possessing a Nation" concludes this story by offering a new understanding of how World War I paved the way for the Immigration Acts of the early 1920s. Historians often argue that support for restriction expanded during and immediately after WW1 for two reasons. First, by encouraging anti-radicalism among American elites and second, by popularizing eugenical

³⁸ For example, Walter Weyl argued that the immigration question occupied a prominent place in the reconstruction of American democracy in the progressive era. He claimed that "the policy of democracy towards immigration is coming to be one of a checking of the rapidity of the flow, a selection of the best candidates for admission, and the quickest and most thorough possible preparation of the accepted immigrants for the duties of American citizenship." Walter Weyl, *The New Democracy*. (New York: The MacMillan Company, 1912). Weyl linked this vision directly to the changing political-economic conditions of the country. He insisted that mass European immigration was presenting a new problem of "industrial saturation." Walter Weyl, "Immigration and Industrial Saturation," in *University Settlement Studies* 1 (1904): 61-73. "Admitting that we actually need the immigrant in the number in which he arrives, that there is work for him and not enough laboring force without him, then it may or may not be economical to have him born and bred at some other national's expense, *but the solution begs the real question as to whether he is needed or is a surplus or waste product.*"

reasoning for restriction.³⁹ This dissertation stresses, instead, the ways in which the unique economic and political conditions unleashed by the war helped enhance the influence of the AFL within the federal government, and helped popularize its critique of immigration, and its vision of a racially exclusionary working class and labor market. Beginning in 1914, trade union spokesmen along with progressive labor reformers argued that the decline in immigration brought about by the war in Europe had proved restrictionists correct: U.S. capitalism, they argued, no longer needed mass immigration to thrive. More specifically, they argued that this new situation had led to a rising “American standard of living” that helped assimilate foreign born workers to the superior “American standard,” disincentivized radicalism, and forced employers to recognize the legitimate demands of their workers. Established restrictionist organizations like the IRL, but also by many (although not all) progressive reformers embraced this conceptualization, and advocated for and helped build the wartime federal government.

Between 1914 and 1917, the AFL and the IRL worked with traditional Republican restrictionists and Southern Democrats, but also with a new and influential cadre of “Labor Democrats,” to pass the Immigration Act of 1917 which included the literacy test as well as the Asiatic Barred Zone. Despite this Act, following the war, pro-restrictionist voices from organized labor to Progressive reformers anticipated that mass immigration would inevitably return from Europe. Although an even more draconian immigration restriction statute seemed inevitable, at this point a new organization, the National Committee for Constructive

³⁹ Historians of immigration policy and politics of this period also fail to note the ways in which the AFL’s growing political influence and recognition was a significant factor both in the passage of the 1917 law, but also for the quota laws of 1921 and 1924. Tichenor, Lee, Zolberg; Historians of labor and the federal government during WWI have overlooked the significance of immigration policy for the labor movement; Melvyn Dubofsky, *The State and Labor in Modern America* (Chapel Hill and London: The University of North Carolina Press, ch. 3; Nelson Lichtenstein and Howell John Harris, eds., *Industrial Democracy in America: The Ambiguous Promise* (Cambridge: Cambridge University Press, 1993); David Montgomery, “Immigrants, Industrial Unions, and Social Reconstruction in the United States, 1916-1923,” in *Labour/ Le Travail*, 13 (Spring, 1984): 101-113.

Immigration Legislation proposed a non-discriminatory Quota system that would eliminate Asian exclusion and establish a uniform quota for every nation on Earth. While the AFL's prestige was in rapid decline after the War, the Federation used its remaining influence to cooperate with Asian Exclusionist organizations and politicians, as well as the IRL and an increasingly influential network of eugenicists to pressure Congress to ensure that the Quota system that did emerge would also entail full Asian exclusion, and would discriminate against the "cheaper" races of Southern and Eastern Europe.

Ultimately, the vision of an enclosed national working class and labor market was realized with the passage of the Quota Acts in the 1920s. However, the great irony of the Johnson-Reed system is that, by closing off foreign labor from the United States, domestic jobs were opened up to native-born workers who had not been included in the vision of an "American working class" articulated by the AFL and its supporters: African American workers, as well as many unskilled first and second generation European immigrant laborers who were traditionally excluded from the labor movement.

Chapter One

“We Promote Free Trade in Men”

The Problem of Labor Importation in a “Free Labor” Nation, 1864-1872

“The importation...of...coolie labour in these united states [sic] is ruinous to the life principles of our republic, destroying the system of free labour which is the basis of a republican form of government...”
National Labor Union 1870

In his 1863 presidential address, Abraham Lincoln informed Congress that the ongoing war had created “a great deficiency of laborers in every field of industry, especially in agriculture and in our mines, as well of iron and coal as of precious metals.” The President recommended that Congress pass a law facilitating the migration of laborers from Europe. The immigration of foreign laborers, Lincoln argued, would not only benefit business interests in need of labor, but would also help build a new, democratic nation.⁴⁰ One year later, the Republican-dominated Congress passed the Act to Encourage Immigration, which allowed U.S. employers to contract with foreign laborers and helped use federal funds to subsidize the immigration of European workers. The 1864 Act was one of a spate of laws passed by the federal government with the intention of mobilizing land and labor for the development of a national “free labor” political economy. The Homestead Act (1862), for instance, was intended to encourage the settlement of the West by independent settlers. For Lincoln and the wartime Republican Party, the promotion of immigration would help provide wage laborers for the nation’s small, but emerging industrial sector by ensuring that the freedom of employers and employees to enter contracts knew no territorial boundaries.⁴¹

⁴⁰ For Lincoln’s message to Congress, see U.S. Congress, House of Representatives, Special Committee on *Foreign Emigration* (to Accompany H.R. 411), 32d Cong., 1st sess., 1864; For the House of Representatives report, see US Congress, *Reports of the Immigration Commission: Abstracts of Reports of the Immigration Commission*, Volume 2, 61st Cong., 3d sess., 1911, Senate Doc. 747, 565; 7.

⁴¹ The literature on “free labor” ideology in the mid-nineteenth century is extensive. However, this literature largely overlooks how free labor ideology shaped the way northerners conceptualized immigration and

The 1864 Act was passed with an overwhelming majority and was celebrated by Republican lawmakers and an emerging class of northern financiers, industrialists, and immigration recruiting companies. However, in immediate wake of the War, the statute, along with the broader system of labor recruitment it helped encourage, became a focal point in an emerging ideological conflict over the meaning of “free labor” within the nation’s emerging capitalist wage system. After 1865 and the end of the Civil War, trade union leaders, labor periodicals, and other labor spokesmen began to conceptualize the state-sanctioned ability of American employers to recruit workers from abroad as inseparable from the larger capitalist system which, they argued, threatened to “enslave” free, white laborers in the United States by subjecting them to their employers and to an increasingly competitive labor market.⁴² Between

federal immigration policy in the decade following the Civil War. This chapter, on the other hand, argues that the postbellum debate over the meaning of “free labor” shaped, and was shaped by, the national debate over contract labor immigration and federal immigration policy in general. Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (Oxford: Oxford University Press, 1995), Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation*, (Cambridge: Cambridge University Press, 1998); William Forbath, “The Ambiguities of Free Labor: Labor and the Labor in the Gilded Age,” *Wisconsin Law Review* 767 (1985): 767-817; Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (Cambridge: Cambridge University Press, 2010); James W. Fox Jr. “The Law of Many Faces: Antebellum Contract Law Background of Reconstruction-Era Freedom of Contract,” in *The American Journal of Legal History* 49:1 (January, 2007): 61-112; Robert J. Steinfield, *Coercion, Contract, and Free Labor in the Nineteenth Century* (Cambridge: Cambridge University Press, 2001).

The historian Kevin Kenny has argued that the movement against European contract labor immigration was rooted in the discourse of free labor. He argues that policymakers, organized laborers, and lawmakers opposed European contract labor immigration because it resembled slavery. However, this chapter differs somewhat from Kenny’s argument. This chapter focuses on the ways in which opponents of European contract labor immigration saw this type of immigration not as a system of slave, or a slave trade, but as one part of a broader system of “wage slavery” that threatened to enslave white, native-born free laborers in the United States: Kevin Kenny, *The Problem of Immigration in a Slaveholding Republic: Policing Mobility in the Nineteenth Century*, (New York: Blackstone Publishing, 2024): ch. 5.

⁴² Labor historians of this period often note that the postbellum labor movement was concerned about contract labor immigration, but they have not analyzed the ways in which contract labor immigration, and labor immigration in general, became a central issue for the trade unions and organized laborers after the Civil War. Labor historians who do focus on immigration and the labor movement typically focus on the 1880s and thereafter, and/or concentrate mostly on the relationship between labor unions and Chinese immigration. See for instance, Gwendolyn Mink, *Old Labor and New Immigrants, Union, Part, and State, 1875-1920* (Ithaca: Cornell University Press, 1986). One major exception is Charlotte Erickson, *American Industry and the European Immigrant, 1860-1885* (Cambridge: Harvard University Press, 1957). Erickson chronicles the trade union movement’s campaign to prohibit foreign labor immigration, but in so doing she overlooks the ideological and political context that animated the postwar debate over labor immigration.

the late 1860s and early 1870s, U.S. employers assisted by federal officials, recruited, or threatened to recruit, foreign laborers in order to discipline a small but increasingly militant Northern labor movement. Labor organizations like the National Labor Union, trade union periodicals, and so-called “Eight-Hour” organizations challenged this assault. In doing so, labor representatives argued that the contracting of foreign laborers by American employers constituted a state-sanctioned system of labor *importation* that not only exploited foreign workers but, more significantly, threatened to enslave northern “free laborers,” to an emerging system of “wage slavery.” In doing so, this labor movement launched a national debate about the territorial and national limits of the nation’s “free labor” system within an increasingly global labor market of the late nineteenth century.⁴³

By the late 1860s, the National Labor Union along with several other large trade unions, launched a campaign to compel Congress to withdraw its support for labor “importation,” and pass a federal law that would prohibit the recruitment of laborers from abroad. Although a vast majority of the labor “imported” from abroad was not assisted by the federal government, for organized workers, the 1864 Act was evidence that Congress had surrendered its obligation to protect the nation’s free labor order. The demand to prohibit contract labor immigration laid out by organized workers was part of an eclectic, national “labor reform” platform that intended to combat and abolish the emerging wage system. This platform included establishing a Bureau of Labor, passing an Eight Hour Day statute, and abolishing contract labor in prisons. By the late 1860s, prominent union leaders conceptualized the demand for the federal prohibition of foreign

⁴³ Historians and sociologists typically explain hostility to immigration by organized laborers as a function of economic hostility or ethnic and racial fear and resentment. For the sociological framework, see Edna Bonacich, “A Theory of Ethnic Antagonism: The Split Labor Market” *American Sociological Review*, 37:5 (1972): 547-559; Susan Olzak, *The Dynamic of Ethnic Competition and Conflict* (Stanford: Stanford University Press, 1992). The hostility of the organized labor movement to contract labor immigration during these years was not simply caused by the fear of economic competition from foreign workers or a xenophobic and nativist hostility to foreigners and to immigration in general.

labor importation as part of the labor movement's larger political project of wresting control of the nation's democratic institutions from capitalists and their allies and deploying federal power to mitigate the harsh consequences of the competitive wage system.

At the same time, the debate over European contract labor immigration intersected with a movement of white organized workers and their allies on the West Coast to prohibit Chinese labor immigration from entering the United States. Until 1868, this movement was isolated from Midwestern and Eastern organized workers who opposed European contract labor. By the end of the decade, however, threats by East Coast employers to "import" Chinese workers from California encouraged organized workers in the industrial Midwest and Northeast to expand their conception of the labor "importation" problem to include so-called Chinese "coolie" laborers.⁴⁴ In doing so, the leaders of national labor organizations cooperated with the anti-Chinese movement on the West Coast, and borrowed from the racist and xenophobic discourse of anti-"cooliesm" that had taken shape earlier in the decade. As a result their understanding of the "labor importation" changed fundamentally. The issue of "imported labor," was, accordingly not

⁴⁴ The literature on the anti-Chinese movement on the West Coast is extensive, but often overlooks how this movement shaped the larger national debate over labor immigration in the postbellum period. This chapter helps explain how the movement against Chinese "cooliesm" became connected with the campaign by organized laborers on the East Coast to prohibit European contract labor immigration into a genuinely national movement against "foreign labor importation." Although West Coast trade unions remained focused on Chinese immigration into the 1870s, national labor organizations that are the subject of this chapter, however, were deeply influenced by their West Coast counterparts. Stacey Smith, *Freedom's Frontier, California and the Struggle over Unfree Labor, Emancipation and Reconstruction* (Chapel Hill: University of North Carolina Press, 2014); Rudi Batzell, "Free Labour, Capitalism and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s" in *Past and Present* 225:1 (November, 2014): 143-186. The classic work for the anti-Chinese movement is Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1968).

This chapter's interpretation aligns with, but differs from Andrew Gyory, *Closing the Gate: Race, Politics, and the Chinese Exclusion Act* (Chapel Hill: The University of North Carolina Press, 2008). Gyory's work explores the relationship of Eastern workers to the issue of Chinese immigration. In doing so, he argues that Eastern workers, overall, never demanded that Chinese workers should be prohibited from entering the United States because of their race. Eastern workers, therefore, believed that only Chinese workers "imported" under labor contracts to the United States should be excluded. This chapter argues that eastern labor organizations did defend the right of Chinese workers to emigrate to the United States, but, in doing so, classified virtually all Chinese workers as cheap and "imported coolies." Gyory overlooks the role that nationalism played in connecting workers on the West Coast with those on the East, and in framing the labor movement's argument against "foreign" labor importation.

simply a conflict between free and unfree labor, but a nationalist struggle between native-born and foreign born “cheap labor.” By the early 1870s, Eastern organized workers envisioned labor importation as a genuinely national problem that connected white, native-born workers on the East Coast with those on the West Coast into a single, national labor market of white workers.

National trade unions and the National Labor Union envisioned a federal policy that would protect native-born workers from the “importation” of foreign laborers by prohibiting American employers from entering into contracts with workers outside U.S. territory. This demand, however, opened up a rupture within the broader Republican political fold and ideology of “free labor”. By the early 1870s, organized laborers and pro-labor lawmakers and intellectuals came into conflict with the majority of the Republican Party, domestic employers, immigration recruiters, and other advocates of labor immigration. The latter insisted that Chinese and European workers were in fact “free laborers” who had the right to immigrate to, and work in, the United States. From this perspective, the right of employers and employees to enter contracts and compete in the labor market did not stop at the nation’s borders, and this right trumped the demand of domestic laborers for protection by the federal government. Although the national labor movement gained the support of West Coast trade unionists, along with several Republican politicians, the Republican-controlled Congress of the Reconstruction era overwhelmingly refused to restrict the nation’s access to foreign labor, interfere with the right of employers to recruit workers from abroad, or with the right of foreign workers to immigrate to the United States.

The federal government's encouragement of immigration during the Civil War was made possible by two major developments that began earlier in the nineteenth century. First, the transformation in the political economy of international mobility that began in the first half of the nineteenth century. Second, the formation of a relatively small but politically influential class of northern industrialists and financiers with a vested interest in labor immigration. By the 1860s, a technological revolution ushered in by the use of steam shipping, the telegraph, and the railroad, integrated previously local and regional labor markets into an increasingly competitive international labor market, which helped to channel surplus labor in Europe and in Asia into the United States.⁴⁵ The expansion of the United States as a commercial and industrial power during this period had become dependent on foreign labor. This dependency encouraged the expansion of shipping companies, immigration recruiters, and other parties which facilitated, and profited from, the transnational mobility of labor. By the mid-nineteenth century, the immigration business had given rise to networks of labor recruitment and the movement of workers across the Atlantic and the Pacific; labor markets in the United States had become more closely tied with those in Europe and Asia. American industrialists and financiers experimented with new strategies for facilitating the recruitment and transportation of foreign workers to the United States. One strategy for labor migration that took shape in this period was the direct recruitment of foreign laborers under contract. Rapidly expanding domestic branches of industry, including coal mining, railroad construction, and iron manufacturing took advantage of these dense networks of labor migration to recruit laborers from abroad, some even turning to the federal and

⁴⁵ For an overview of this transformation of global labor mobility in the mid nineteenth century see, Dirk Hoerder, *Migrations and Belonging: 1870-1945* (New York: Belknap Press, 2014); for an overview of the business of migration in the United States and the broader Atlantic labor market during the nineteenth century, see Torsten Feys, *The Battle for Migrants: Introduction of Steamshipping on the North Atlantic and Its Impact on the European Exodus* (Liverpool: Liverpool University Press, 2012); for a sociological perspective that focuses on immigration, labor, and business in the Pacific, see Lucie Cheng and Edna Bonacich eds., *Labor Immigration Under Capitalism, Asian Workers in the United States Before World War II* (Berkeley: University of California Press, 1984).

state governments for assistance. Copper mining and railroad corporations in the Midwest, for instance, contracted highly skilled miners and engineers from Belgium and England, while Illinois coal operators lobbied the State Department to encourage the migration of miners from northwestern Europe.⁴⁶

In 1863, a handful of Northeastern industrialists, financiers, and immigration boosters established a national system to recruit immigrant laborers for the nation's expanding industrial order. The two most prominent examples were the Boston based Foreign Emigrant Aid Society (FEAS) and the Hartford-based American Emigrant Company (AEC). Both organizations were outgrowths of an emerging class of industrialists, financiers, and speculators who stood at the helm of American capitalism and represented a vital constituency within the Republican party.⁴⁷ The financial backers of the AEC included Republican luminaries such as Charles Sumner and Samuel Gideon. The FEAS, on the other hand, boasted the famous economist and abolitionist Edward Atkinson, along with prominent textile manufacturers throughout New England. The AEC represented the interests of northern manufacturers, speculators, and financiers who were specifically invested in the expansion of a national economy on a continental scale, including not only industrial manufacturing but also railroad construction, mineral extraction, and commercialized farming. According to one of its pamphlets, the AEC pledged to undertake the "importation of Mechanics of all classes, Miners, Agricultural, and other laborers." The AEC,

⁴⁶ On early patterns of labor migration recruitment, see Hans-Jürgen Grabbe, "Before the Great Tidal Waves: Patterns of Transatlantic Migration at the Beginning of the nineteenth Century," in *Amerikastudien/American Studies* 42:3 (1997): 377-389; For an account of involuntary servitude, see Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865* (Cambridge: Cambridge University Press, 2010). For an excellent summary of early efforts to recruit foreign laborers under contract, see Erickson, *American Industry and the European Immigrant*, ch. 1; Daniel Creamer, "Recruiting Contract Laborers for the Amoskeag Mills," *Journal of Economic History*, I (May 1941): 42-56.

⁴⁷ On the linkages between North-Eastern investors and an expanding Western capitalist order, see Noam Maggor, *Brahmin Capitalism: Frontiers of Wealth and Populism in America's First Gilded Age* (Cambridge: Harvard University Press, 2017).

and other recruiting companies, established offices abroad to fulfill orders for laborers made by railroad companies, mining interests, and commercial farmers.⁴⁸

Initially, these private ventures were only marginally successful in recruiting foreign laborers. The AEC and other recruiting companies turned to the federal government for assistance during the height of the Civil War. The timing could not have been more propitious. Congress had come under the control of a nationalist and developmental Republican Party in 1861, which largely shared the AEC's embrace of labor immigration, as well as its vision of a continental industrial economy. The wartime federal government had already become directly involved in mobilizing the nation's monetary, fiscal, and labor resources for the purpose of territorial expansion, national development, and, in more immediate terms, fighting the world's first modern war. For Republican statesmen, foreign labor immigration was a key ingredient in the broader nation building project. The Republican Party, as it had developed by the 1860s, also espoused an ideology of "free labor." Although the meaning of "free labor" was ambiguous, it generally envisioned a social order rooted in economic "independence" for the nation's male citizenry. Henry Carey, the nation's foremost political economist and an investor in the AEC became the company's primary spokesman in Washington D.C. As a booster of immigration, Carey explained how the immigration of foreign workers was compatible with both industrial development and a free labor social order.⁴⁹ In his economic treatises and correspondence with

⁴⁸ The AEC's early documents, including its charter and some illustrative correspondence, can be found in, *American Emigrant Company: chartered for the purpose of protruding and assisting emigrants from foreign countries to settle in the United States* (New York: Office of the Iron Age, 1865).

⁴⁹ His advocacy for an "American System," which entailed domestic protection for a national political economy based on high wages for laborers as well as a high rate of capital formation, profoundly shaped the platform of the Republican Party. Andrew Dawson, "Reassessing Henry Carey (1793-1879): The Problems of Writing Political Economy in Nineteenth-Century America," in *Journal of American Studies* 34 (2000): 465-485; On Carey's relationship to the AEC, see Erickson, *American Industry and the European Immigrant*, 7-8. The secondary literature on Carey is extensive, although historians generally overlook his contribution to the republican immigration policy. Jeff Sklansky, *The Soul's Economy: Market Society and Selfhood in American Thought, 1820-1920* (Chapel Hill and London: The University of North Carolina Press, 2002): 77-93; Matteo M. Rossi, "Protecting

government officials, Carey explained how the political economy of the United States, unlike its European counterparts, operated according to a logic of economic abundance and social cooperation, rather than one of scarcity, competition, and class conflict. The United States was expansive and dynamic enough to absorb surplus laborers, both within the domestic market and from abroad, into productive branches of industry and commerce. His formula was simple: “With the growth of population...there is produced [sic] a constantly increasing demand for labor.” If, in Europe, the growth of the labor supply led to a decline in wages for the laboring classes, in the United States, the opposite was true. The expansion of the domestic labor supply through “natural” increase, as well as through immigration, opened new branches of industry, brought new lands under commercial cultivation, and ultimately raised domestic wages. “The capitalist should bear in mind,” he argued, “that if the supply of labour did not keep pace with the growth of capital, the profits of the latter would be diminished; and the labouring classes should recollect that if the labourers remained at home the capital would probably remain with them.” Ultimately, the influx of immigrants would not undermine the United States “free labor” system by lowering wages for native workers, nor would it create a large disenfranchised, dependent proletariat.⁵⁰

Republican lawmakers and statesmen shared Carey’s faith in the ability of the United States free labor system to ensure economic independence and high wages, for white, male laborers while also channeling “cheaper” foreign workers into the growing manufacturing and commercial sectors of the U.S. economy. Although nativism was prominent within Republican

America: Order, Nation and Exception in Henry Carey’s Social Science,” *USAbroad--Journal of American History and Politics* 2 (2019): 106.

⁵⁰ Henry Carey, *Essay on the Rate of Wages: With an Examination of the Causes of Difference in the Condition of the Labouring Population Throughout the World* (New York: 1835): 18. Horace Greeley agreed with Carey. See, Horace Greeley, *Essays Designed to Elucidate the Science of Political Economy, While Serving to Explain and Defend the Policy of Protection to Home Industry as a System of National Cooperation for the Elevation of Labor* (Philadelphia, 1869): ch. XXII.

circles before the war, by the 1860s anti-immigrant sentiment was replaced, at least at the level of federal policymaking and electoral politics with an embrace of immigration.⁵¹ It became a common practice among federal officials, business interests, and other boosters of immigration in the mid-nineteenth century to express the economic value of immigrants to the nation in monetary amounts.⁵² For instance, the Homestead Act (1862) was passed not only to bring land under commercial cultivation by offering 160 acres of land to potential settlers, but also as a measure to encourage immigration from Europe. Salmon Chase, the Secretary of the Treasury Department, made sure this legislation explicitly granted immigrants the right to access federal land. American consular representatives and private labor recruiters advertised widely throughout Western Europe the availability of western lands for homesteading.⁵³ Republicans also considered their policy of economic protection to be part of a broader national labor and immigration policy. According to this reasoning, the protection of domestic industries from competition with foreign commodities produced by “cheap” foreign labor would help foster the

⁵¹ According to Eric Foner, “the needs of the Union and the northern economy...took precedence over any lingering nativist sentiments.” Eric Foner, *Free Soil, Free Labor, Free Men*, p. 237; On economic nativism in the republican party prior to the Civil War, see Jonathan Glickstein, *American Exceptionalism, American Anxiety: Wages, Competition, and Degraded Labor in the Antebellum United States* (Charlottesville, 2002): ch. 7; on northern nativism more broadly, see Hidetaka Hirota, *Expelling the Poor: Atlantic Seaboard States and the Nineteenth-century Origins of American Immigration Policy* (Oxford: Oxford University Press, 2017): ch. 4.

⁵² In a letter justifying the work of the AEC, Carey noted that “a man was a machine very costly to make, and very valuable when made.” While the nation bore the costs of raising the native worker to the productive age of adulthood, the immigrant laborer came to the United States in his or her prime. European governments, villages, families, and the laborer himself bore the costs of producing productive workers while the United States ultimately bore the fruits. Furthermore, once in the United States immigrant laborers reproduced themselves through education, consumption, and the establishment of families. “His value,” therefore, “was far greater than that of an engine of equal cost... not only could he make engines, but could also reproduce himself.” This “annual gift of thousands of human engines,” Carey concluded, “was equivalent to the donation of twice as many hundreds of millions of dollars.” Henry C. Carey to Unknown, August 1865. On the economics of calculating the value of immigrants and their labor see, Kitty Calavitta, *U.S. Immigration Law and the Control of Labor, 1820-1924* (Orlando and London: Academic Press, 1984); Higham, *Strangers in the Land*, 16-18.

⁵³ On the link between nation building and political economy that structured republican ideology during the war, see Peter S. Onuf and Nicholas Onuf, *Nations, Markets, and War: Modern History and the American Civil War* (Charlottesville: University of Virginia Press, 2006); On the expanded role of the federal government during the war, see Richard Bense, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (Cambridge: Cambridge University Press, 1990); Heather Cox Richardson, *The Greatest Nation of the Earth: Republican Economic Policies during the Civil War* (Cambridge, MA: Harvard University Press, 1997): 139–149.

growth of domestic industries. A protective tariff, therefore, would establish a high rate of wages for laborers in the United States, which would, in turn, entice cheaper foreign laborers to emigrate to the U.S. Once incorporated into the nation's high-wage labor market, these foreign laborers would become high-wage earners themselves, or would move west to become small-producers within a national market. Henry Carey, the protective system's most prominent ideological architect, explained it this way: "All commodities tend to seek the best market, and to this rule labour forms no exception." With a protective tariff in place, "The people of Europe are anxious to transfer themselves here because man is here a commodity of more value than in Europe."⁵⁴

From the perspective of federal officials, the Civil War created a critical labor shortage that necessitated an even more activist federal policy. Not only were thousands of northerners in military uniform, but the war had also led to a decrease in the volume of immigration to the U.S. Consequently, Republican officials cooperated with immigration recruiting companies for an even more aggressive federal policy that would directly facilitate the immigration of foreign laborers. An 1863 report by the Senate Committee on Agriculture, for instance, affirmed that a more activist federal policy to procure foreign labor would benefit domestic capitalists as well as the overall *national* market. "The demand for labor never was greater." Consequently, "The

⁵⁴ While scholars have highlighted the significance of the protective system as national industrial policy, they have overlooked how it functioned, or was perceived to function, as a national labor and immigration policy. On Carey's theory of protectionism, see James L. Huston, "A Political Response to Industrialization: The Republican Embrace Protectionist Labor Doctrines," *Journal of American History* 70:1 (June, 1983): 35-57; On economic nationalism and protection more generally, see Marc-William Palen, *The 'Conspiracy' of Free Trade: The Anglo-American Struggle over Empire and Economic Globalisation, 1846-1896* (Cambridge: Cambridge University Press, 2016); Cecil E. Bohanon and T. Norman Van Cott, "Tariffs, Immigration, and Economic Insulation: A New View of the U.S. Post-Civil War Era," in *The Independent Review*, 9:4 (Spring 2005): 529-542; On Henry Carey's analysis of protection, immigration, and labor, see: Henry Carey, *The Past, the Present, and the Future* (Philadelphia, 1848): 67; *Harmony of Interests: Agricultural, Manufacturing, and Commercial* (Philadelphia, 1851): 86. In particular, see chapter eight entitled "How Protection Affects Population"; Henry Carey, *Essay on the Rate of Wages: With an Examination of the Causes of the Differences in the Condition of the Labouring Population throughout the World* (Philadelphia, 1835): 22, 245; *The Past, Present and the Future* (London, 1848): 13, 15, 56, 260-261.

immigrant...cannot enrich himself without contributing his full quota to the increase of the intrinsic greatness of the United States.” A House of Representatives committee affirmed that a system of *assisted* immigration would help solve the labor crisis. Republicans in Congress and in the Cabinet pressed for legislation that would facilitate the subsidized migration of foreign workers who could not, on their own, afford transportation to the United States. The Secretary of State William Seward, a close associate of Carey and the AEC, explained to Congress that the nation's economy possessed an “abundance of capital and inexhaustible supplies of material,” yet “wanted only cheaper labor and skill...” He argued that the United States required laborers who possessed neither the means to immigrate on their own, nor the capital to purchase productive property once in the United States: “Being entirely dependent on labor, they would necessarily become on their arrival in the United States, and for a time, at least, remain laborers...”

Fortuitously, American consulates in Europe, Seward reported, were “thronged with persons desirous to emigrate, but destitute of means to incur the expense of the voyage.” In the end, Seward recommended that immigration of these foreign laborers could be subsidized by private immigration recruiters and by businesses through a contract system.⁵⁵

Seward’s plan was eventually passed by Congress on July 4th 1864. This statute, entitled the “Act to Encourage Emigration,” established a legal and administrative framework for the federal government to facilitate the system of transnational labor recruitment and migration which had, in effect, already been established by private immigration companies. Private employers would subsidize the transportation costs for foreign laborers, and would, over time,

⁵⁵ US Congress, *Reports of the Immigration Commission: Abstracts of Reports of the Immigration Commission*, Volume 2, 61st Cong., 3d sess., 1911, Senate Doc. 747, 565; *Report from the Committee on...the Enactment of Suitable Laws for the Encouragement and Protection of Foreign Immigrants Arriving Within Jurisdiction of the United States* 38th Congress, first session, senate report no. 15 1-4; The language of the Republican Party platform in 1864 was virtually similar. See, *American Immigration: An Encyclopedia of Political, Social, and Cultural Change* 2nd ed., Vol. 4 (New York: Taylor Francis): 1059.

recoup these costs from those foreign workers themselves. The contracts negotiated between workers and American employers would be enforced by federal and state courts.

In effect, this statute recognized the extension of the nation's labor market beyond its domestic territory by authorizing federal and state courts to enforce contracts made on foreign soil.

Congressmen therefore intended the migration of contract laborers to fall within the ideological and legal parameters of the United States free labor system.⁵⁶

This support for immigration, and the belief that immigration comported with the nation's "free labor" system, however, was not unlimited. By the Civil War many Northerners had become deeply suspicious of any form of coerced labor that resembled slavery or servitude. A consensus on the meaning of "free labor" had taken shape in northern law, ideology, and popular culture which entailed ownership over oneself and the right to dispose of one's labor as one willed. Unlike a slave, who could be bought and sold against his will, the free laborer owned his own body and disposed of his labor at will.⁵⁷ This implied the freedom to work and to compete in the labor market without restraint. The meaning of "free contract," carried over into how northerners conceptualized immigration, and distinguished between "free" and "unfree" or coerced immigration. What concerned lawmakers was not the nativity of migrants but their legal status and relationship to employers as specified by the contract to be enforced by the federal government.⁵⁸ Congress prohibited the so-called Chinese "coolie-trade" in 1862. Lawmakers

⁵⁶ The text of the bill can be found in George P. Sanger, ed., *The Statutes at Large, Treaties, and Proclamations of the United States of America from December 1863, to December 1865* (Boston, 1866), 13: 385-87; E. P. Hutchinson, *Legislative History of American Immigration Policy, 1798-1965* (Philadelphia: University of Pennsylvania Press, 1981), 49.

⁵⁷ William Forbath. "The Ambiguities of Free Labor: Labor and the Law in the Gilded Age," *Wisconsin Law Review* 767 (1985): 767-817.

⁵⁸ Federal Law had already barred the importation of so-called "coolie" laborers in 1862. On the anti-coolie act see Moon-Ho Jung, "Outlawing 'Coolies': Race, Nation, and Empire in the Age of Emancipation," *American Quarterly* 57:3 (September, 2005): 677-701; On the racialization of Chinese immigrants as "coolies," see also Najima Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*. (Urbana Champaign: University of Illinois Press, 2006).

argued that the so-called “coolie trade” was akin to the illegal slave trade, and that “coolies,” were unfree laborers. The 1862 Anti-Coolie Act was intended by lawmakers to prevent the “transportation” of coolies in American shippers. The statute, however, did not prohibit the transportation of Chinese workers to the domestic United States, nor did it forbid the recruitment of Chinese workers who were already in the United States. The 1864 statute was specifically designed to ensure that contract laborers would be “free laborers.” For instance, the legislation ensured that the wage pledge made between laborer and employer would be limited to one year, the contract was not saleable, and the violation of the terms of the contract did not constitute a criminal act. If these provisions were not enough, lawmakers also included an ambiguous clause that read: “nothing contained herein shall be deemed to authorize any contract contravening the Constitution of the United States, or creating in any way the relation of slavery or servitude.”⁵⁹

Following the passage of the 1864 Act, dozens of northern manufacturers and operators participated in this system of contract labor recruitment. Private employers independently recruited laborers under contract and placed orders with recruiting companies. Immigration companies expanded their operations in northwestern Europe and began fulfilling domestic orders for foreign labor. According to one recruiter, the AEC focused its efforts in the “more populous countries of Europe, where land is dear and labor cheap.” The recently established federal Bureau of Immigration worked closely with the AEC, even occupying the same office building in New York city. American consuls in Europe also cooperated with private recruiters,

⁵⁹ Hutchinson, *Legislative History of American Immigration Policy*, 53–55, 60–66; *Congressional Record*, 43rd Cong., 1st sess., 1873, pt. 2: 66–68.

circulated information on labor conditions in the United States, and kept the State Department informed of immigration and labor market trends.⁶⁰

By the second half of the 1860s, the federal government had become intimately involved in the business of labor immigration. Congress granted its imprimatur not only to an open domestic labor market but to the system by which American employers could freely recruit workers from abroad. National lawmakers, immigration recruiters, transportation companies, and industrialists aligned around a shared vision of a domestic labor market that would, over time, become increasingly integrated into an international labor market, thereby securing a continuous supply of foreign workers to the United States for the foreseeable future. The designers of the federal government's immigration policy assumed that an open and competitive domestic labor market was compatible with the nation's "free labor" system. William Kelley, a Republican Congressman and iron-magnate approvingly characterized this new order as a state-sanctioned system of "free trade in men."⁶¹

Ironically, the decade of industrial conflict, labor militancy and social dislocation ushered in by postbellum industrialization engendered a debate over the meaning of "free labor" within an emerging capitalist order: was the nation's emerging system of wage labor truly compatible with "free labor"? This new emerging terrain gave rise to an ideological and political conflict between, on the one hand, an emerging organized labor movement and, on the other hand, federal officials, employers, and immigration recruiters over whether the system of "free trade in men" was genuinely compatible with the United States "free labor" system.

⁶⁰ J.H. Zumpstein to John Bigelow (March 9, 1865) in *Papers Relating to Foreign Affairs, Accompanying the Annual Message of the President, 1866, Part II*, (Washington: Government Printing Office, 1866): 243-244; For Kelley's quotes, see *Congressional Globe* (1870): 211.

⁶¹ William Kelley, *Speeches, Addresses and Letters on Industrial and Financial Questions* (Philadelphia, 1872): 371.

II

The postbellum labor movement's opposition to contract labor migration was engendered and shaped by the response of skilled northern workers to the onset of industrial capitalism following the Civil War. Capitalist industrialization was predicated on the mobilization and exploitation of wage labor; it not only necessitated the migration of foreign laborers, but also the transformation of the northern "laboring classes" into wage earners. The "wage system," as it was referred to by contemporaries, entailed the gradual monopolization of ownership and control over productive property by employers. Consequently, over the course of the late nineteenth century, the possibility for laborers to achieve economic independence through the ownership of productive property declined rapidly, while more and more laborers became subject not only to the whims of their employers but also to an increasingly competitive labor market. By the 1870s a majority of Americans had become wage earners, who, by definition, were forced to sell their labor for survival.⁶² Americans referred to the ideological crisis ushered in by capitalism as "the labor question." Was the United States free labor system compatible with wage labor and a competitive labor market? Was free labor compatible with the emergence of a permanent class of wage earners dispossessed from the means of production? Northern workers were the first to pose the labor question and to challenge this new capitalist order. Between 1864 and 1873, tens of thousands of workers funneled into labor organizations, participated in strikes and boycotts, and organized a vibrant, and militant, working class institutional and cultural life. Hundreds of

⁶² Richard Schneirov, "Thoughts on Periodizing the Gilded Age: Capital Accumulation, Society, and Politics, 1873-1898," in *The Journal of Gilded Age and Progressive Era*, 5:3 (July, 2006): 189-224; "Our Working Classes," *New York Times* (Feb. 22, 24); On the diverse ethnic and occupational composition of the highly varied wage working class in the United States during the immediate post-war period, see Montgomery, *Beyond Equality*, 25-30; On the social transformations that constituted industrialization in the mid nineteenth century, see Dawley, *Class and Community: The Industrial Revolution in Lynn* 1976; Herbert Gutman, *Work, Culture and Society in Industrializing America* 1976; Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1790-1865* (1983).

trade unions, labor reform associations, and independent labor parties proliferated throughout the industrializing North. From the perspective of northern laborers, this new order threatened to undermine the nation's free labor system by eliminating the possibility for economic independence and subjugating previously free and independent laborers to material deprivation, social dislocation, and moral and political degradation.

The experience of the Civil War followed by the traumatic social and economic dislocation ushered in by industrialization and a postbellum economic contraction, politicized thousands of northern workers who not only joined labor organizations, participated in strikes, and mobilized as voters, but also seized the mantle of northern "free labor" ideology. What unified the institutionally diverse and geographically fragmented postbellum labor movement was a general belief that the "wage system" undermined the conditions necessary for free labor by transforming its population of previously independent laborers into dependent "hirelings." Northern workers feared their own subjection to employers and, ultimately, to a competitive labor market, which, they argued, allowed capitalists to degrade the value of labor by bringing laborers into competition with each other. Freedom, under this system, was effectively impossible. Wage earners were compelled not by the master's whip, but by *necessity*, to sell their labor power in the market to work for an employer or starve. Under these conditions, labor spokesman and trade unionists argued, the language of "Liberty of Contract" was a formal legal doctrine which concealed the true relations of exploitation and domination that structured the wage relation. The trade unionist George McNeill laid out this logic for the Massachusetts legislature in his testimony on the condition of the state's textile operatives. These workers could not be said to act "freely" because they, "are compelled by a law more potent than any you can enact--the law of necessity." As more and more workers were compelled to sell their labor, an

increasingly competitive labor market drove down the value of labor, degraded workers, and forced them into a more submissive relationship with their employer. Such a system, in effect, “destroys the freedom of the contract.” Labor contracts under the “wage system” merely codified this relationship of subjugation and domination. According to McNeil, contracts were but “rules and regulations, one-sided and partial, under which the operative assents to do as he is bid, for such wages and hours as his employer shall dictate.” Under these conditions ushered in by capitalists, wage earners were not free, but were proximate to slaves.⁶³

Spokesmen for the postwar labor movement saw the struggle against capitalism as a continuation of the conflict between free labor and slavery. The machinist, former abolitionist, and labor spokesman Ira Steward elaborated on this critique before the newly organized Massachusetts Bureau of Labor in 1873. Steward claimed that, even after the abolition of slavery, northern workers “instinctively feels that something of slavery remains, or that something of freedom is yet to come.” The capitalist theory of freedom was that “every man had the right to come and go at will.” Workers, however, ask, “how much this abstract right is actually worth, without the power to exercise it.” Capitalists monopolized control of the means of production, which thereby placed the competitive labor market under their control. The ultimate goal of capital, Steward argued, was to lower the value of labor, and degrade the laborer, reducing them to a state of servitude. Competition, therefore, was the primary tool of the nation’s capitalists: “Wealth is the master and poverty is the slave of the...law of supply and demand.” From the perspective of workers, Steward concluded, freedom meant the power to exercise collective control over their work lives, and over the labor market, through political and

⁶³ George E. McNeill, *Argument on the Hours of Labor Delivered Before the Labor Committee of the Massachusetts Legislature* (New York: Labor Standard Publishing Association, N.D.): 32.

economic mobilization. Workers in the United States, Steward concluded, wanted freedom “as a fact, which the Labor movement intends to supply.”⁶⁴

Alongside this ideological broadside against the wage system, northern trade unions mobilized to assert control over workplaces and labor markets. Although they represented only a fraction of the northern laboring classes, the aggregate membership of unions grew to an estimated 300,000 members between 1864 and 1873. The number of trade unions which were composed of highly skilled craftsmen jumped from 79 in 1863 to 270 two years later. The geographical reach of these trade unions also expanded considerably from the beginning of the war to the depression of 1873. During this period, workers in several major industries organized a new type of *national* trade union as a necessary response to the integration of the nation’s local and regional labor markets into a genuinely national, and even international labor market. Trade unions like the International Iron Molders Union, the National Typographical Union, the American Miners’ Association, and the Machinists and Blacksmiths International Union were founded by craftsmen in these industries as a strategic response to the integration of local and regional labor markets into a more fully integrated one. In the decade following the Civil War, trade unions defended their wartime gains against employers’ assaults, in the midst of postwar economic contraction, while many pressed for contracts that would have given workers more control over the production process, hiring, and work hours. Between 1864 and the early 1870s,

⁶⁴ Ira Steward, “Poverty,” in *Fourth Annual Report of the Bureau of Statistics of Labor*, ed. Massachusetts Bureau of Statistics of Labor, vol. 173 (Boston: Wright & Potter, State Printers, 1873), 412; For a similar argument, see George Edwin McNeill, *Argument on the Hours of Labor Delivered Before the Labor Committee of the Massachusetts Legislature* (New York: Labor Standard Publishing Association, N.D.); For more on Ira Steward, who plays a significant part in this chapter, see David Roediger, “Ira Steward and the Anti-Slavery Origins of American Eight-Hour Theory,” *Labor History* (June 1, 1986): 410; Dorothy W. Douglas, “Ira Steward on Consumption and Unemployment,” *Journal of Political Economy* 40:4 (August, 1932): 532-543; Kenneth Fones-Wolf, “Boston Eight Hour Men, New York Marxists and the Emergence of the International Labor Union: Prelude to the AFL,” *Historical Journal of Massachusetts* 9 (1981): 47-59; Hyman Kuritz, “Ira Steward and the Eight-Hour Day,” *Science and Society* 20 (1956): 118-34; Montgomery, *Beyond Equality*, 249-260; John R. Commons et. al., *History of Labour in the United States* 4v. (New York, 1918), vol 2: 87-91; James Green and Hugh C. Donahue, *Boston’s Workers: A Labor History* (Boston, 1979): 29-36.

thousands of northern skilled workers, many of whom were outside of the trade union fold, joined unions and participated in strikes, walkouts, slowdowns, and other forms of industrial militancy.⁶⁵

It was within this context of industrial conflict that contract labor immigration became a crucial strategy for northern employers in their fight against militant skilled workers and trade unions. Northern employers retaliated against workers by organizing defensive associations, blacklisting workers, and by relying on local police and state militias to intervene on their behalf. Their most potent weapon, however, was their ability to replace skilled workers with women, children, and immigrants. Employers across the industrializing Northeast and the Midwest did recruit and transport strikebreakers, not only from within the United States but from abroad as well.⁶⁶ The return of immigration from Europe to its pre-war rate expanded the pool of surplus laborers from which employers could draw, while an emerging network of recruitment and labor exchanges on the East Coast helped direct laborers from coastal entrepôts to interior labor

⁶⁵ The exact number of workers who participated in the postbellum labor movement is difficult to establish. Estimates made by contemporaries range from 300,000 to 600,000; For an overall account of the Civil War era labor movement, see Mark A. Lause, *Free Labor: The Civil War and the Making of an American Working Class* (Urbana Champaign: University of Illinois Press, 2015). On the overall dynamics of strikes in the late nineteenth century, see David Montgomery, "Strikes of the Nineteenth Century," in *Social Science History* 4:1 (Winter, 1980): 81-104. Unfortunately, there is no reliable data on strikes prior to the 1880s, but labor historians have acknowledged that the postwar contraction did elicit a strike wave among largely skilled urban industrial workers throughout the North; on strikebreaking after this period, see Joshua L. Rosenbloom, "Strikebreaking and the Labor Market in the United States, 1881-1894," in *The Journal of Economic History* 58:1 (March, 1998), pp. 183-205; the most useful account of strikebreaking and class conflict in the postwar period is Herbert Gutman, "The Workers Search for Power: Labor in the Gilded Age," in *The Gilded Age: A Reappraisal*, ed., Morgan Wayne (Syracuse: Syracuse University Press, 1970): 41-54.

⁶⁶ On the link between replaceability and the success of strikes as well as the overall ability of skilled workers to influence wage rates and structure the operation of labor markets, see Suresh Naidu and Noam Yuchtman, "Labor Market Institutions in the Gilded Age of American Economic History," NBER Working Paper 22117, *National Bureau of Economic Research* (Cambridge, MA 2016). One of the most effective tactics deployed against striking workers was the direct recruitment of strikebreakers. Employers' associations and individual proprietors understood that the ability of their skilled laborers to enforce work rules, wage scales, and contracts, and to strike successfully was largely contingent on the ability of workers to be replaced. Firms in industries like iron manufacturing and coal mining, which had experienced a significant strike activity and the growth in trade unionism, often took an aggressive approach in recruiting replacement laborers from beyond traditional local or regional labor markets.

markets.⁶⁷ Dozens of domestic manufacturers and operators across the Northeast and Midwest also turned to contract labor migration to recruit foreign workers from Europe, with the explicit goal of replacing striking workers. Although lawmakers did not anticipate that the 1864 Act to Encourage Emigration would be used for this purpose, some federal officials were hopeful that the federal government could assist employers with their “labor problem.” In 1866, the U.S. Commissioner of Immigration, E. Pershing Smith wrote to Henry Carey of the AEC suggesting that the migration of contract laborers could help solve the “continued success of strikes by workmen of almost all kinds.” Recruiting companies, along with federal immigration officials, cooperated with northern employers to recruit skilled replacement laborers from Northwestern Europe. Employers either cooperated with private recruiters to access skilled workers abroad or they recruited European workers independently.⁶⁸

The recruitment of contract laborers from Europe was undertaken in industries in which skilled laborers retained a relatively high degree of control over the production process and where the rate of strikes and trade union militancy were relatively high. Coal operators in West Virginia, Pennsylvania and Illinois, for instance, recruited skilled miners from Britain and Belgium to replace striking miners. Alongside coal mining, the heavily unionized northern iron industry became the primary terrain of conflict between the trade union movement and employers over the use of foreign contract laborers as strikebreakers. In 1859 iron molders organized the International Iron Molders Union (IIMU) to coordinate trade union activity on a national level. Under the energetic leadership of William Sylvis, the International managed to

⁶⁷ The labor exchange at Castle Garden (New York’s immigration receiving station) channeled newly-arrived immigrants to regions and localities suffering from labor shortages and strikes. The press noted that immigration would provide a solution to the nation’s need for labor in the wake of strikes. See, for instance, “Emigrant Labor, The Labor Exchange at Castle Garden,” *New York Times* (July 23, 1868).

⁶⁸ Smith quoted in Montgomery, *Beyond Equality*, pp. 23-24; *Workingman’s Advocate* (Aug. 31, 1867).

equalize wage rates within the industry and establish a sophisticated apprenticeship system to control hiring and training. Iron manufacturers organized the Iron Founders and Machine Builders Association in response to what they considered to be an encroachment on their prerogative as employers and private property owners. Their founding charter, for instance, rejected “the right of the Iron Moulders’ Union to arbitrarily determine the wages of our employees” and declared that, “the demand for and the supply of labor,” not trade unions, “should regulate wages.”⁶⁹ Recruiting agents in Europe dispatched skilled iron workers from northwestern Europe to break strikes in several major Northeastern and Midwestern firms. In June of 1866, iron manufacturers in Pittsburgh warned striking workers that eight hundred highly skilled iron workers were being brought in from England to break the strike. In Saint Louis, a prominent stove-producing firm refused his employees’ demands for higher wages and imported 25 Prussian replacement workers. The Prussian molders, upon hearing that a strike was on, responded by either leaving the area or joining the American molders. This was not always the case, however. In the Summer of 1865, an emigration company shipped Scottish iron molders to Chicago to break the Eagle Iron workers’ strike.⁷⁰

Trade unions took this situation seriously. The IIMU’s spokesmen characterized this practice as a system of foreign labor recruitment that allowed capitalists to “degrade” organized workers by breaking their trade unions. The trade union’s official journal claimed that the recruitment of 200 Belgians ironworkers by a Midwestern iron manufacturer was an attempt to, “sweep down with relentless fury all resistance in the shape of unions and combinations of

⁶⁹ John Commons, et. al., *A Documentary History of American Industrial Society* Vol IX New York 1958): 93. On the iron workers union see, John Commons et. al., *History of Labour in the United States Vol. II* (New York: 1918): 48-56.

⁷⁰ To the frustration of employers, solidarity between iron workers often overcame ethnic and linguistic cleavages. Imported skilled workers often refused to work upon entry or chose not to emigrate to the United States. Charlotte Erickson, *European Immigrants and American Industry*, Chapter 2.

labor.” By sending their “emissaries,” to the “cheap and degraded labor markets of Europe,” capitalists used their profits to “induce” European laborers to come to the United States to “degrade American labor.” These “importers of cheap labor,” the author argued, endeavored to “violate the very law [of supply and demand] behind which they have always made deference, by investing the very capital which labor earned for them, to overstock and depress the labor market.”⁷¹ William Sylvis, president of the IIMU, became the most vocal opponent, and theorist, of contract labor migration in the United States. According to Sylvis, the ability of capitalists to “import” foreign laborers under contract revealed that the problem of the competitive “wage system” did not stop at national borders. Rather, capitalists had been enabled, with the assistance of immigration companies, labor recruiters, and their political allies, to bring workers from different nations into competition with each other. “With but ten days distance apart by steam, and but a few minutes by telegraph,” he noted, it “is an easy matter for capitalists and chartered emigrant societies to arrange an exodus of labor from one country to another, to carry out schemes of oppression.” The ability of capitalists to exploit an international labor market was, ultimately, inseparable from their longer-term goal of degrading workers in the United States and undermining the collective gains made by skilled laborers and trade unions. “The promoters of this dirty work,” he claimed, were “a combination of capitalists” who would “glut the market with foreign labor and break down wages.”⁷²

Trade union leaders, labor journalists, and rank and file workers who addressed the issue of contract labor migration in the labor press did not position themselves as opponents of immigration in general or foreign workers. While Congress and federal officials classified

⁷¹ *Vulcan Record* 1:13 (1874). Microfilm. Johns Hopkins University. Hornbake Library Archive.

⁷² James C. Sylvis, *The Life, Speeches, Labors and Essays of William H. Sylvis, Late President of the Iron-Moulders' International Union; and Also of the National Labor Union* (Philadelphia, 1872): 186.

contract labor migration as voluntary, and therefore, as immigration, labor spokesman argued the contrary. This form of recruitment and migration, they maintained, was labor *importation* rather than immigration. More specifically, trade unionists alleged that foreign workers who immigrated to the United States under contract were, in effect, transformed into a literal commodity to be bought, sold, and transported, thus blurring the boundary between the labor power of the worker and the laborer himself. According to one anonymous writer in *Fincher's Trades' Review*, recruiting agents and immigration companies were able “to fetch men as it were ‘whole-sale.’ [sic]”⁷³ Contract labor migration illustrated the belief held by many organized laborers in the United States that a competitive labor market that was under the control of capitalists and unmediated by trade unions would establish a relation of domination and dependence between employee and employer. William Sylvis summarized this situation after one attempt by a Midwestern iron manufacturer to import European workers: “...their necessities leave them no alternative but that of ‘fulfilling the bond’ with those who have contracted for their labor.” Contracts negotiated between foreign workers and domestic employers epitomized inherently asymmetrical power relationship that characterized the wage contract. The president of the American Miners' Association, John Hinchcliffe, referred to recruiters as a “pack of swindlers” who “deceive the men there [in Europe], ill treat them on the passage, and cheat them when they arrive here.” Through the system of contract labor migration, employers were able to exploit vulnerable foreign workers from “degraded” foreign labor markets by forcing them into unfavorable contracts and by wielding them as weapons against organized workers in the United States.⁷⁴

⁷³ *Fincher's Trades' Review* (Jan., 6, 1866).

⁷⁴ *Workingman's Advocate* (Dec., 25, 1869).

Between the end of the Civil War and the early 1870s only a minority of workers in the United States ever witnessed strikebreaking by foreign laborers under contract firsthand. Nonetheless, contract labor immigration drew the attention of skilled laborers beyond industries which were immediately affected. For one, trade union leaders and the labor press extensively reported on instances of contract labor migration, and kept their audiences informed on the issue. On an ideological level, the ability (or perceived ability) of employers to successfully recruit workers from abroad and transport them to the United States illustrated a capitalist “wage system” in its most extreme and geographically extensive form. From the perspective of organized laborers and other skilled workers, contract labor immigration revealed an international labor market that was unmediated by trade unions, and which appeared to be dominated by employers and deployed with the specific intent of crushing the trade union movement in the United States. For many skilled workers, this fear was, no doubt, rooted in experience. In fact, employers in every branch of industry in the United States replaced, or threatened to replace, skilled workers, through the recruitment of foreign workers or through the recruitment of other “cheaper” sources of labor by African American, women, children, or immigrants already in the United States. Unlike these domestic instances however, contract labor migration revealed to organized workers in the United States the international reach of the competitive system, and, by extension, of the international reach of the domestic capitalist class. Andrew Cameron, editor of the Chicago-based *Workingman’s Advocate* observed in 1867 that “[e]ver since the completion of the Atlantic telegraph, it has been the threat of...employers, in every state where an unpleasantness has occurred, to threaten the importation of foreign workmen.” In the final analysis, organized laborers interpreted the system by which foreign workers were “imported” as the ultimate consequence of an emerging international capitalist

order. In other words, capitalism, not foreign workers themselves, were the ultimate cause of the problem. Labor importation harmed those foreign workers who were imported, degraded the value of labor and laborers in the United States, and threatened to undermine the ability of the trade union movement to resist employers and the “wage system.” Another editorial in the same periodical summarized the logic of labor importation and differentiated it from immigration: “the evil intended to be guarded against...” is not immigration in general, “but the system on which it is conducted.” With assistance from labor brokers and immigration recruiters, employers “take occasion,” the author claimed, “to have [foreign workers] brought out...at the very nick of time perhaps that the workingmen are asking for an increase in wages.” Northern trade union leaders drew the conclusion that unless dismantled, this system of foreign labor importation would only become more extensive, competitive, and destructive. From this perspective, the ability of employers to recruit foreign workers would continue to be a serious obstacle in the ability of organized workers to resist the degrading effects of the “wage system.”⁷⁵

Contract labor migration, however, was not conceptualized as a discrete issue by organized laborers. Rather, it was thought of as inseparable from the larger problem of capitalism, and the growing economic and political power of capitalists over the domestic industrial order and democratic polity. For this reason, the nation’s most prominent labor organizers made the eventual abolition of contract labor migration a major plank in the platform of the first *national* labor reform organization in the late 1860s and early 1870s. Overall, northern workers interpreted the problem of the wage system in political terms. As labor historians have pointed out, the postbellum “labor reform” was rooted in the larger ideology of “labor republicanism.” Northern workers were politicized by the mobilization of northern

⁷⁵ *Workingman’s Advocate* (Jan., 6, 1870).

citizenry and democratic institutions against the southern “Slave Power.” Consequently, many organized workers following the Civil War saw the struggle against the “wage system” as the continuation of this project. William Sylvvis explained to a group of Boston workers in 1864 how capitalist control over the nation’s industrial order flowed from the power that capitalists and their political partners had accumulated over the federal government during the War. Where capitalists have “succeeded in their diabolical plan,” he argued, it was because they “have obtained control of the law-making power.” If the “toiling masses” are to win, “the right to limit the hours of toil...the right to place a valuation upon our own labor” as well as “the right to the first social position in the land,” they would have to acquire a “voice in the councils of nation [sic], the right to control and direct legislation for the good of the majority...and the right to adopt whatever means we please within the pale of reason and law to secure these rights.”⁷⁶

This vision found expression with the founding of the National Labor Union (NLU) in 1866. Andrew Cameron, William Fincher, John Hinchcliffe, William Sylvvis and dozens of other trade unionists and labor reformers across the country intended to centralize the political activity of all organized workers in the United States, consolidate a national labor leadership, coordinate the activity of dozens of national trade unions and labor organizations, and mobilize the nation’s citizen laborers against capitalists and the wage system at the national level.⁷⁷ Its first official address to the “The Workingmen of the United States” explained how the degradation of wage laborers in the United States was, at least in part, caused by “the robbery which capital

⁷⁶ James C. Sylvvis, *The Life, Speeches, Labors and Essays of William H. Sylvvis, Late President of the Iron-Moulders’ International Union; and Also of the National Labor Union* (Philadelphia, 1872);

⁷⁷ According to the labor historian John Andrews, the “national and international competition of labour” was a significant reason for the organization of the NLU. See John Commons, et. al., *History of Labor in the United States*, Vol: II John Andrews Chapter 4; Montgomery, *Beyond Equality*, 170-180; Gerald Grob, “Reform Unionism: The National Labor Union,” *The Journal of Economics History* 14:2; also, see Gerald Grob, *Workers and Utopia: A Study of Ideological Conflict in the American Labor Movement, 1865-1900* (Chicago: Quadrangle, 1969): ch. 2; Norman Ware, *The Labor Movement in the United States: A Study in Democracy, 1860-1895* (New York: Vintage Books, 1929), pp. 6

perpetrates on labor through legislation.” Labor reformers who gathered at the NLU’s conventions in the late 1860s accused the Civil War and Reconstruction-era Congress of passing legislation designed by corrupt lawmakers to enrich the nation’s capitalists at the expense of the public. Their critique was directed in part at the protective tariff, the wartime inflation of the nation’s money supply, and the consignment of public lands to corporate entities, as well as the federal government’s support for contract labor migration.⁷⁸ This included the 1864 Act to Encourage Emigration. The direct role played by Congress and other federal officials in facilitating that “importation” was the result of the corruption of the nation’s democratic institutions by capitalists. One worker, for instance, accused American consuls in Europe of “prostituting their office” by aiding employers in importing European laborers. The connection drawn by trade unionists between contract labor migration and the Congress’ policy of transferring public land to corporations and other business entities also illustrates how laborers conceptualized the corruption of the federal government by capitalists. Delegates attending the NLU’s conventions accused Congress of granting public land and charters to emigration agencies who then allegedly withheld this same land from “actual settlers,” while importing “cheap” foreign laborers into overcrowded domestic labor markets. A resolution adopted by the NLU in 1868 made this position clear: Congress did not possess the “authority to bestow the public lands upon private corporations, particularly when such corporations...bring the cheap labor of Europe into competition with the dearer labor of the United States.”⁷⁹

⁷⁸ *The Address of the National Labor Congress to the Workingmen of the United States*, reprinted in Commons et al., *Documentary History* vol. 9 (New York, 1917) :145, 165.

⁷⁹ One of the NLU’s major planks was the preservation of public lands in the West for settlement by free laborers to drain surplus laborers from the industrializing older states while also providing an opportunity for laborers to secure economic independence. “The mania for monopolizing public land,” Sylvis declared in an 1867 speech in Boston, “has invaded the halls of Congress...” The enclosure of public lands, he argued, was “another means of placing the soil beyond the reach of the poor man...” *Workingman’s Advocate* (Nov., 2 1867); See also the National Labor Union’s resolution denouncing the work of American consuls, *Workingman’s Advocate* (Aug., 24 1867).

Despite disagreements within the NLU over political strategy, the organization eventually put forward a political platform that advocated for an eclectic mix of legislation that included the passage of a federal Eight Hour Day statute, the establishment of a federal Department of Labour, the abolition of contract labor in prisons, the return of public lands, and the establishment of a democratic monetary policy, as well as the prohibition of foreign labor importation. Although these demands varied greatly, each was intended to mitigate the harsh consequences of the wage system and restrain the power that U.S. capitalists had accumulated over the nation's industrial order and democratic institutions through federal legislation. Unlike capitalists, who threatened the nation's "free labor" order, workers--as American citizens and as threatened free laborers--had a right to make these claims on the federal government. The NLU's resolution on contract labor migration stated their position against foreign labor importation in nationalist terms: "Congress and the state legislatures have, by legislation..." The resolution declared, "encouraged the introduction of foreign labor into the industries of the country, which labor, [sic] when brought here, comes into direct competition with American labor, whose protection is the avowed policy of the government." Implied in this was the right of "American labor" to protection against the importation of foreign laborers.⁸⁰

Although labor reformers disagreed over whether to organize independently of the existing party structure, or to cooperate with one of the major national parties, NLU advanced its cause in Washington D.C. in the 1860s and the early 1870s. Although its stated political position was bipartisan, the union established a lobby in Washington D.C. and found that Republican politicians were supportive of several of its measures.⁸¹ The Republican Party, on the national as

⁸⁰ Commons, *A Documentary History*, 221.

⁸¹ According to one of Sylvis' circulars, the object of the NLU's lobby Washington was to, "lay our plans and objectives before Congressmen and Senators, and take advantage of every opportunity to help along the work." See Commons, *Documentary History of American Industrial Society*, 135; Montgomery, *Beyond Equality*, 176-185.

well as the local and state levels, had generally become aware by the late 1860s of the growing electoral importance of wage earners and recognized that the labor movement had positioned itself in the public sphere as the vanguard of the “free labor” tradition and of the nation’s democratic institutions. Although many conservative and moderate Republicans were indifferent or hostile to the labor movement, some (specifically from the party’s more radical wing) sympathized with, and even supported, some of the demands of the Labor Reform movement.⁸² Despite the National Labor movement’s extremely limited influence, it was able to gain some ground within the realm of legislative politics. On June 25th, 1868, for instance, Congress passed an eight-hour law for all workers employed by the federal government. The NLU’s representatives in Washington also pressured Congress to rescind the charter of the American Emigration Company and lobbied President Andrew Johnson to “protect” domestic laborers from competition with so-called “foreign pauper labor.”⁸³ Congress did overturn the 1864 Act to Encourage Emigration in 1868. Although lawmakers did so primarily for fiscal reasons, some senators echoed the trade union movement’s argument that contract labor immigration was, inherently, a form of unfree labor. One Republican Senator, for instance, characterized contract labor migration as “another species of slavery.” Another lamented the fact that, in supporting contract labor migration, “the mission that this great Republic is to go upon among the nations of the earth is to...hunt out the white men,” and to allow American employers to make contracts with them in their impoverished condition...” Congress did not prohibit contract labor

⁸² Radical Republicans like Charles Sumner, Benjamin F. Wade, and Benjamin Butler participated directly in the labor reform movement, or at least supported its cause publicly, and advocated for federal legislation that would ameliorate the harsh consequences of the competitive wage system. Montgomery, *Beyond Equality*, 72-89; Foner, *Reconstruction*, ch: 7; Schneirov, *Chicago in the Age of Capital*, ch: 1.

⁸³ At the same time, the AEC pressured Congress to strengthen the original 1864 Act by making labor contracts between American employers and foreign workers more enforceable. Its representatives claimed that their, “company has no interest in this matter which is not entirely coincident with the interests of the country. Everything that promotes emigration helps us, and the country; and everything that tends to discourage it is a common injury.”

immigration, however. American firms, immigration companies, and labor agents were still free to recruit foreign laborers under contract. Overall, Republican lawmakers and statesmen were largely unwilling to pass legislation that would be seen to interfere with the right of employers to recruit foreign laborers or hinder the nation's access to foreign labor.⁸⁴

In the late 1860s, however, the national labor movement (concentrated in the NLU, national trade unions, and a cadre of national labor leaders) continued to argue against contract labor migration. This system of labor importation, organized workers insisted, was ultimately a consequence of the control of capitalists over the nation's political institutions. The problem, therefore, was not immigration per se, but the system by which foreign laborers were allegedly "imported" to the United States. From this perspective, the abolition of foreign labor importation had become an essential element in the labor movement's larger mobilization against the wage system. By mobilizing against contract labor immigration in the late 1860s, the labor movement transformed the politics of federal immigration policy into a terrain of ideological and class conflict and linked the issue of contract labor migration to the broader national debate over the meaning of free labor within a capitalist order. The presence of this argument elicited opposition. By the late 1860s and early 1870s, employers, newspaper editors, and immigration recruiters countered the labor movement by arguing that the ability of American employers to recruit laborers from abroad had become an essential tool not only in solving the nation's labor shortage, but also its problem of class conflict and labor discipline.

III

⁸⁴ *Congressional Globe*, 39th Cong., 1st sess., 4040-43 (July 23, 1866); *Congressional Globe*, 40th Cong., 2d sess., app., 505 (Mar., 30 1868).

Between 1868 and 1873, the conflict over labor immigration expanded to include Chinese immigration when federal officials, domestic industrialists, and elite observers shifted their focus from Europe to China as a potential source of foreign labor for the United States. During these years, employers on the East Coast, bolstered by the mainstream press, threatened to import Chinese “coolies,” to solve the problem of labor militancy and industrial conflict. Although Chinese workers were never recruited by Eastern employers in significant numbers, threats to do so proliferated during these years, and encouraged a response by organized laborers. The NLU, along with other labor organizations located primarily in the industrial Northeast and Midwest, responded by borrowing from the anti-Chinese movement which had already taken shape within the labor movement in California. In doing so, labor leaders expanded the ongoing campaign against European contract labor immigration to include the so-called Chinese “coolie” trade. Eastern labor leaders identified Chinese “cooliesm” as a new and more dangerous stage in their struggle against the importation of foreign laborers. In doing so, they deployed the West Coast labor movement’s racist discourse of anti-coolieism to stigmatize all “imported” foreign workers as “cheap” laborers. From this perspective, Chinese “coolies,” along with European contract laborers, were not necessarily inferior to their “American” workers due to their racial, ethnic, or nativity. Rather, the shared class status of Chinese “coolies” and European contract laborers as populations of “cheap” workers imported by capitalists rendered them dangerous to the position of “American” workers within a *national* labor market. By the early 1870s, labor organizations advanced a nationalist argument which entailed that the protection of “American workers” against the “importation” of foreign laborers was necessary to preserve the “free labor” system of the United States from an international competitive labor market.

Until the late 1860s, Chinese immigration to the United States was largely confined to the Pacific-slope. Chinese workers played a vital role in the development of commercial agriculture, industry, and mining in California since the late 1840s and early 1850s. By the second half of the 1860s, however, opposition to Chinese workers became the cornerstone of labor politics on the West Coast. During this period, California trade unionists and pro-labor politicians held anti-coolie “sandlot rallies,” launched a state-wide campaign to protect white “free laborers” against competition with Chinese “coolies,” and even had begun to lobby the federal government.⁸⁵ Yet, despite the intensity with which West Coast laborers opposed Chinese “coolie” immigration, this opposition remained sectional, and separate from the emerging debate over European contract labor migration and the national “labor question,” until the late 1860s and early 1870s. Two developments during this period helped launch the “Chinese question” on the national stage. First, the federal government extended its policy of encouraging labor immigration from China in 1868. The State Department took the lead in this endeavor. Under the leadership of Secretary of State William Seward, the U.S. minister to China Anson Burlingame, negotiated a treaty with the Qing Empire which not only explicitly re-affirmed the right of Chinese workers to emigrate to the United States, but also, implicitly granted Chinese workers the right to enter its labor domestic market. Under this new diplomatic framework, Chinese emigration to the United States increased rapidly, while the network of commercial transportation that facilitated Chinese immigration continued to expand and crisscross the Pacific. Furthermore, in the same year that the Senate ratified the Burlingame treaty, the completion of the transcontinental railroad

⁸⁵ Stacey Smith, *Freedom's Frontier*, ch. 1; Rudi Batzell, “Free Labour, Capitalism and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s” in *Past and Present* 225:1 (Nov., 2014): 143-186; on Chinese immigration during these decades, see Sing-wu Wang, *The Organization of Chinese Emigration, 1848-1888* (San Francisco: Chinese Material Center, 1978).

integrated regional western labor markets with those in the Midwest and Northeast making it possible for employers in the Midwest and Northeast to recruit Chinese laborers.⁸⁶

From the perspective of Eastern employers, immigration recruiters, and national politicians, these developments made Chinese labor a potential solution to the nation's problem of labor militancy. From their perspective, the balance of power was shifting from capital to labor. There was some truth in this elite anxiety. Local and national trade unions continued to expand in membership and extend their reach between 1868 and 1873 while the movement for an Eight Hour Day grew rapidly in urban industrial centers throughout the Midwest and Northeast. Dozens of Eight Hour Leagues and labor reform associations advocated for municipal and state statutes that would regulate working conditions, and labor relations.⁸⁷ Overall, employers and conservative elites across the United States interpreted this working class mobilization as a threat to the prerogatives of private property owners, the stability of the domestic social order, as well as the free operation of competitive labor markets.⁸⁸

Within this context, Eastern newspapers heralded Chinese labor as a potential panacea for the labor problem. The *Philadelphia Press*, for instance, declared that “our mines, our public workers, our private grounds, our homes, are suffering for just what China offers us from her teeming plains, burdened with the surplus population of centuries: cheap, trained, docile, and

⁸⁶ On the Burlingame treaty, see Beth Lew-Williams, *The Chinese Must Go*, 28, 46-47; John Schrecker, “‘For the Equality of Men--For the Equality of Nations’: Anson Burlingame and China’s First Embassy to the United States,” *Journal of American-East Asian Relations* 17 (2010): 9-34; Frederick Williams, *Anson Burlingame and the First Chinese Mission to Foreign Powers* (New York: Russell and Russell, 1912).

⁸⁷ On the expansion of trade unions during these years, see Commons 151. On the significance of the Eight Hour Day, see David Roedigger and Philip Foner, *Our Own Time: A History of American Labor and the Working Day* (London and New York: Verso Books, 1989): chs. 5 and 6.

⁸⁸ On the elite reaction to the labor movement in this period, see Heather Cox Richardson; On liberal political economy and trade unionism, see Nancy Cohen, *The Reconstruction of American Liberalism, 1865-1914* (Chapel Hill and London: University of North Carolina Press, 2002), ch. 1; Sidney Fine, *Laissez Faire and the General-Welfare State: A Study of Conflict in American Thought, 1865-1901* (Ann Arbor: The University of Michigan Press, 1956); Jonathan A. Glickstein, “Poverty is not Slavery: American Abolitionists and the Competitive Labor Market,” in Lewis Perry and Michael Fellman, eds. *Antislavery Reconsidered: New Perspectives on the Abolitionists*, (Baton Rouge: Louisiana State University Press, 1979), 195–206.

honest labor.” The *Cincinnati Commercial* claimed that capitalists “are talking about putting Chinese laborers into the coal mines.” “The immediate reason,” being that Chinese “coolies,” unlike their counterparts in the United States, “never strike or form combinations, and work cheaper.”⁸⁹ An 1871 essay in the national periodical, *Scribner’s Magazine*, lamented the fact that trade unions had the effect of “disorganizing and deranging our whole system of manufacture, forcing employers into heavy losses or agreement with unjust terms...” Organized workers, the anonymous author claimed, monopolize the domestic labor market and threaten, as voters, to control its political institutions as well. Yet all of “these evils” were, ultimately, “for want of legitimate competition.” “Our market,” the essay concluded, “should be open to the world, since only by that means can the natural laws which regulate it gain opportunity for their working.” Under these conditions, Chinese laborers, “instead of becoming a problem may become the solution of a problem.”⁹⁰ These speculations became more concrete when labor agents, who were already engaged in the business of Chinese immigration, traveled to the Northeast to promote the recruitment of Chinese workers. The most prominent was Cornelius Koopmanschap. After gaining national recognition following a widely publicized convention in Memphis organized to promote the use of Chinese “coolie” labor among Southern sugar plantations, Koopmanschap traveled throughout the Northeast to drum up interest among northern manufacturers and financiers for Chinese laborers. In doing so, the Dutch-American labor recruiter set off a flurry of excitement about the potential of Chinese “coolie” labor to shift the balance of power within the domestic market and workplaces from labor to capital. A report in the *New York Times*

⁸⁹ The Philadelphia Press is quoted in Henry George

⁹⁰ “Our Labor-System and the Chinese,” *Scribner’s Monthly* 2:1 (May, 1871): 61; For a similar, although more ambiguous argument noting the significance of Chinese immigration in relation to industrial conflict in the Eastern United States, see E.L. Godkin, “The Coming of the Barbarian,” *The Nation* (July 15, 1869): 4;

enthusiastically reported in 1870 that transportation companies were prepared to fill steam ships, “with human freight as fast as they arrive.”⁹¹

This proliferation of interest in Chinese immigration never resulted in a significant number of Chinese workers being recruited by Eastern employers, either from California or from China. However, one shoe manufacturer based in the small industrial city of North Adams, Massachusetts, followed through with the threat to recruit Chinese workers which drew instant national attention, and, almost overnight, linked the issue of Chinese immigration to the national “labor question” in the minds of Americans.⁹² By the late 1860s, the Bay State had become the center of gravity of the labor movement on the East Coast. It boasted the largest and most influential labor reform movement in the United States and had become the hub of the Eight Hour Day movement. Massachusetts' boot and shoe industry became a prominent site of industrial conflict between skilled operatives and employers. The shoemaker's trade union, the Knights of Saint Crispins, expanded rapidly in the 1860s, and demanded that employers stop recruiting replacement laborers and pressed for contracts that would institute an eight-hour day. In response, the industry's leading trade journal speculated that if the Crispins were to make further demands, employers “can begin gradually filling” their places, “with workmen from other countries.” China, it was argued, could be one source of labor. “Now that the Pacific Railroad is open,” the author speculated, “the appearance of forty or fifty pig-tailed Chinese in one of the New-England shoe factories would begin to open the eyes of the Crispins...” Calvin T. Sampson, the owner of a factory in North Adams, followed through with this threat. In 1870, Sampson responded to his striking Crispin employees by recruiting seventy-five Chinese

⁹¹ *New York Times* (June 6, 1870).

⁹² In 1869 the Massachusetts' Labor Reform Party took up the crusade for the Eight Hour Day and elected a senator and twenty-two representatives to the state legislature.

laborers from California to act as strikebreakers. Almost overnight, that local incident became the center of a national debate over foreign labor importation and the national “labor question,” as journalists, manufacturers, immigration recruiters, and other observers descended on North Adams.⁹³ The debate, for the most part, fractured along class lines. Middle class and elite periodicals overwhelmingly saw Sampson’s decision as just, and as a harbinger of what was to come, should domestic laborers continue to organize and press their economic and political demands. The *Boston Advertiser*, for instance, claimed that “Every manufacturer in the country has felt to some extent the influence of trades unions,” the editorial stated, “for which the most powerful enemy has now been discovered.”⁹⁴

The arrival of Chinese workers in North Adams drew the ire of organized workers across the United States and had profound consequences on the ongoing national movement to prohibit European contract labor migration. Prior to North Adams, the labor press and labor organizations like the NLU and the Iron Molders Union conceptualized the labor importation problem as solely confined to the Atlantic, and to European contract labor migration specifically. Following North Adams, however, those trade unionists engaged in the campaign against contract labor migration extended their conceptualization of the “importation” problem to the West, and to Chinese workers. Furthermore, they characterized the event as the harbinger of a genuinely national

⁹³ On the Knights of Saint Crispin, see Don D. Lescossier, “The Knights of Saint Crispin, 1867-1874: A Study in the Industrial Causes of Trade Unionism,” *Bulletin of the University of Wisconsin* 7:1 (Madison, 1910), pp. 1-102; For more on the Chinese in North Adams, see Barry Patrick McCarron, “The Global Irish and Chinese: Migration, Exclusion, and Foreign Relations among Empires, 1784-1904.” dissertation 94-108; Mary M. Cronin, “When the Chinese Came to Massachusetts: Representation of Race, Labor, and Religion, and Citizenship in the 1870 Press,” in *Historical Journal of Massachusetts* 46:2 (Summer 2018), pp. 72-105; Anthony W. Lee, *A Shoemaker’s Story: Being Chiefly about French Canadian Immigrants, Enterprising Photographers, Rascal Yankees, and Chinese Cobblers in a Nineteenth-Century Factory Town* (Princeton: Princeton University Press, 2008); Najia Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-1882* (Urbana and Chicago: University of California Press, 2003)pp, 126-139; Gyory, *Closing the Gate*, ch. 3; Frederick Rudolph, “Chinamen in Yankeedom: Anti-Unionism in Massachusetts in 1870,” *American Historical Review* 53, no. 1 (October 1947): 1-29;

⁹⁴ *Hide and Leather Interest and Industrial Review* quoted in *American Workman*, (June 5, 1869); quoted in Gyory, *Closing the Gate*, 29.

problem of foreign labor importation which would allow domestic capitalists to import workers across two oceans and into a *national* labor market.⁹⁵ At one meeting held by the Knights of Saint Cripsins in North Adams, for instance, the Crispin's leader argued that Sampson had imported Chinese workers "not to strike against the labor of North Adams alone, but to see if the experiment of Chinese labor can be carried out...against the laboring classes of the whole country."⁹⁶ The widely-read labor journalist John Swinton published a report entitled, *The New Issue: The Chinese American Question* explaining the situation to Eastern laborers. This event, Swinton claimed, "alarmed the working classes throughout the Eastern and Middle States." Workers, he argued, "quickly saw that the great manufacturers and capitalists had obtained possession...of a weapon which, unless wrested out of their hands, would make them absolute dictators of labor in America." Capitalists demanded "cheap labor" and "Chinamen are the cheapest laborers in the world." "There is no trade more profitable to shippers than the immigrant trade; and they can by next year put on a score of steamers fitted to carry such swarming myriads through the Golden Gate as were never witnessed even in the immigrant-swarming harbor of New York." "The impoverished swarms" of China, Swinton argued, "are eager to put themselves under the control of the great Chinese commercial 'companies' which have been organized to assist immigration...." The only solution to this problem was the mobilization of all American workers against the importation of foreign laborers. Following the "arrival of the first 'wholesale parcel' of cheap-working Chinese," Swinton concluded, "there

⁹⁵ The fact that only a handful of Chinese workers were ever recruited by Eastern employers between 1869 and 1873 did not undermine this belief. Only a handful of Chinese workers were ever recruited by Eastern employers for the purposes of strikebreaking in the late 1860s and early 1870s. On Chinese workers in Pennsylvania and New Jersey during this period, as well as the local response of white laborers, see Edward Rhoads, "'White Labor' vs. 'Coolie Labor': The 'Chinese Question' in Pennsylvania in the 1870s," *Journal of American Ethnic History* (January 1, 2002).

⁹⁶ "Testimony of C.T. Sampson," in *Massachusetts Bureau of the Statistics of Labor, Report of the Bureau of Statistics of Labor... March 1, 1870, to March 1, 1871* (Boston, 1871), 98-107.

should be a feeling on the part of American workingmen, that here is a movement that must in its beginning be dealt with decisively and peremptorily.”⁹⁷

Swinton’s demand for cooperation among all “American workingmen,” against the importation of cheap labor did come to fruition in the early 1870s. The North Adams incident encouraged Western and Eastern organized laborers to identify as “American” workers who occupied a national labor market threatened by the importation of foreign laborers. Western laborers encouraged their Eastern counterparts to commit themselves and their organizations to the goal of prohibiting the importation of Chinese workers to the United States. Trade unionists in California organized solidarity rallies for Eastern workers in the wake of North Adams and published letters in the Eastern trade union press which sought to explain the nature of Chinese “coolieism,” in terms that their Eastern allies could understand. Western workers insisted that Chinese “coolies” were inherently cheap, and servile workers who were imported by capitalists and deployed against free, white laborers in the United States.⁹⁸ One California worker, for instance, published an article in the Chicago-based *Workingman’s Advocate* that put this ideology to work: it was “obvious,” the author explained why employers and other opponents of “labor reform will choose the degraded Chinaman” over white American workers. Unlike “American” workers, the anonymous worker argued, the Chinese were cheap laborers, imported from abroad, who were servile and unfit to work in the nation’s labor market. They “are not free

⁹⁷ John Swinton, *The New Issue: The Chinese American Question* (New York: American News Company, 1870), 4-5.

⁹⁸ The concept itself was also heavily racialized, connoting racial inferiority and cultural difference, however, for organized workers the concept also signified the class position of Chinese laborers as “wage slaves” who were, by definition, “imported” by capitalists. For a genealogy of the concept of “cooliesm” in the nineteenth century, see Moon-Ho Jung, *Coolies and Cane: Race, Labor, and Sugar in the Age of Emancipation* (Baltimore and London: Johns Hopkins University Press, 2008): ch. 1; White Californians made serious attempts to educate white Americans east of the Rocky Mountains about the meaning of “coolieism” and the nature of the “coolie” threat. See, for instance, M.B. Starr, *The Coming Struggle; or, What the People on the Pacific Coast Think of the Coolie Invasion* (San Francisco, 1873).

men, but forced to fulfill labor contracts entered into by their owners.” The “sole object of the importation of these coolies is to cheapen and degrade labor.” If the migration of Chinese workers eastward, he concluded, causes their “brother wage slaves” in the East to “look earnestly into the question of cheap labor we shall rejoice.”⁹⁹

Western workers insisted that the formation of a national labor market had forged a shared identity and interest between workers on the West Coast and those in the East. Not only did western and eastern workers share a common racial identity, but they also occupied a similar class position which was threatened by a domestic capitalist class intent on importing cheap labor from outside of the national labor market. The California-based political economist and trade union advocate Henry George explained to his significant working-class audience how the formation of a national market exposed all white workers in the United States, not only those on the Pacific slope, to competition from Chinese “coolie” labor. In one essay, George claimed that “the Rocky Mountains interpose [sic] no barrier to Chinese immigration.” Consequently, “this cheap and effective labor finds a limitless field in the whole Union.” Eastern capitalists, he pointed out in another essay, were always in search of cheaper foreign labor to import into the domestic market. “Our manufacturers have talked of the pauper labor of [Europe]. Here is cheaper labor at their doors!” Echoing the National Labor Union, George insisted that the problem was political. What enabled this system was the corruption of the nation’s democratic institutions. “Concentrated capital now controls the legislation of the Republican Party.” Referring to the Burlingame Treaty as well as the 1864 Act to Encourage Emigration, George argued that Congress legalized, “the importation of coolies, and compels federal, state, and territorial courts to exercise all their authority to maintain coolie slavery in our midst...” It was

⁹⁹ *Workingman’s Advocate* (September 10, 1870).

because of this political and legal order, he concluded, that the “importation of Chinese serfs have been made to Massachusetts, New Jersey, and other portions of the East.” The only solution was the political mobilization of all white workers in the United States which, George was confident, had already begun: “The agitation of the question is going on in the East,” he concluded in one article on the North Adams incident, “and the working classes have taken the alarm.”¹⁰⁰

Trade unionists, labor spokesmen, and pro-labor politicians east of the Rockies did incorporate the racist discourse of anti-coolieism into the ongoing campaign to prohibit the importation of European contract laborers. By the early 1870s, the NLU and national trade unions adopted planks against “coolie importation.” There was, however, a major ideological difference in the ways that Western labor organizations and Eastern workers conceptualized the Chinese “coolie” problem. Western workers generally identified all Chinese as racially, culturally socially inferior to *white* workers in the United States. Accordingly, the Chinese were, by their very racial nature, cheap, servile, and threatening to white workers. It followed, therefore, that all Chinese workers in the United States, and all those who emigrated, were, “coolies.”¹⁰¹ With some major exceptions, however, workers who lived east of the Rocky Mountains were reluctant to adopt overtly racist arguments against Chinese workers. At least rhetorically, if not in practice, the postwar Northern labor movement generally embraced the notion of racial equality. The NLU’s constitution for instance stated that the organization should

¹⁰⁰ Henry George, “The Pressing Question,” *Sacramento Reporter* (July 11, 1870); see also, by the same author, “Chinese in Massachusetts--The Probable Result,” *Sacramento Reporter* (July 2, 1870); “The Chinese and Congress,” *Sacramento Reporter* (July 8, 1870); on Henry George and the Chinese question, see Alexander Saxton

¹⁰¹ For the racialization of Chinese “coolies” by western workers during the Civil War and Reconstruction Era, see Smith, *Freedom’s Frontier*, ch. 2.

make “no distinction of race or nationality.”¹⁰² As Andrew Gyrory has documented, many Eastern workers extended this principle to the Chinese and defended the right of Chinese workers to immigrate to the United States. The problem was importation, *not* immigration.¹⁰³ The Iron Molders Union, for instance, submitted its resolution to the Senate demanding an end to the Chinese “coolie” trade. Capitalists, “who are now contracting for coolie labor...are by their action in this respect inaugurating an order of things which will result in the overthrow of all the rights and privileges which workingmen of every nationality, color, and creed now enjoy in this country.” The letter, however, concluded that, despite their opposition to labor importation, Molders were “not opposed to voluntary emigration....” According to this argument, Chinese workers, like European workers, could emigrate to the United States, but had no right to be “imported” to the United States. It followed that the Chinese “coolie” and the European “contract labor” occupied a similar class position: each was imported by capitalists for the sole purpose of degrading workers in the United States.¹⁰⁴

¹⁰² In reality, however, the NLU effectively barred black workers from the organization, forcing black workers to organize the Colored National Labor Union. For a brief overview of this history, see Charles Postel, *Equality: An American Dilemma, 1866-1896* (New York: Ferrar, Straus and Giroux, 2009): 188-190.

¹⁰³ See, Gyrory, *Closing of the Gate*, chs. 2 and 3.

¹⁰⁴ *Resolutions Adopted by the Convention of the Iron-Molders' International Union* printed in 41st. Cong., 3d Sess. Doc. No. 13 Senate.

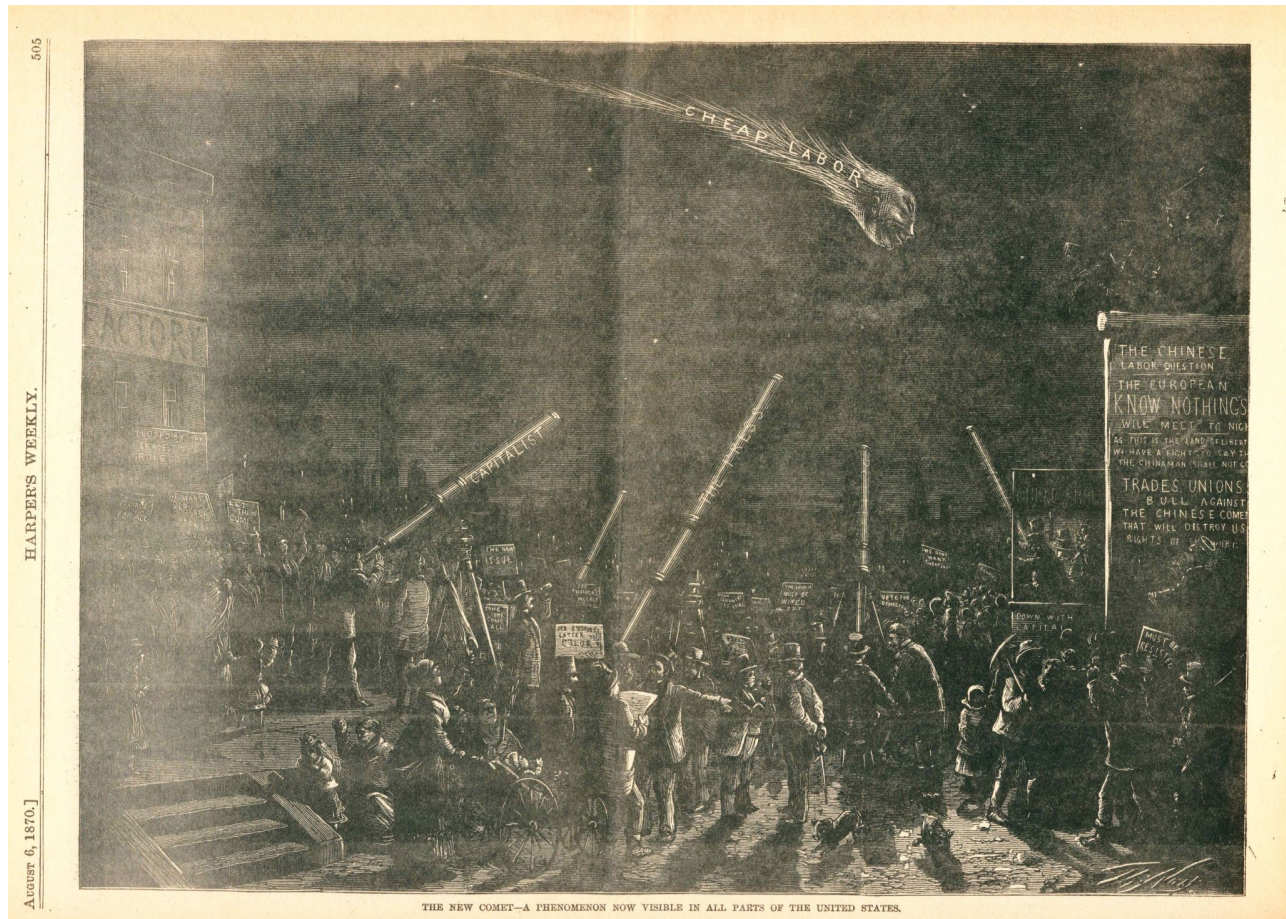


Figure 2: "The New Comet--A Phenomenon now Visible in All Parts of the United States." *Harper's Weekly*, (August 6th, 1870.) Employers, the mainstream press, and labor are all seen observing a Chinese "Comet" moving from West to East.

The vast majority of Eastern workers, trade unionists, and other labor representatives who spoke on the issue of Chinese "coolie" labor, distinguished between immigration and importation. Eastern workers attempted to clarify this logic in trade union conventions, editorials, and in rallies in New York, Massachusetts, Pennsylvania, and Ohio throughout the early 1870s. Yet, in doing so, organized workers infused their anti-capitalist argument against foreign labor importation with xenophobic notions of Chinese workers, as slave-like, cheap and dangerous to workers in the United States. These notions of inferiority were flexible enough to be extended from Chinese "coolies" to European workers who were allegedly imported. A mass

meeting of workers in Troy, New York, for instance, adopted a resolution stating that, “We are inflexibly opposed to all attempts on the part of capitalists to cheapen and degrade American labor by the introduction of a servile class of laborers from China *or elsewhere*; while we at the same time, heartily welcome all voluntary emigrants...” [my italics]¹⁰⁵ One anti-coolie rally held in New York City went even further by chastising Chinese “coolies,” as both racially inferior and socially inferior to “American” workers. One resolution adopted at the rally encapsulated this logic: “Whereas, Strenuous [sic] efforts are being put forth by a monopolizing class of manufacturers to demoralize and ultimately suppress all classes of working men by an arbitrary and forced importation of the lowest and most degraded of the Chinese barbaric race.” Chinese “coolies” were inferior, and what made them truly dangerous to American workers was the system of importation by which they were “put in competition with those whose more advanced intelligence and improved tastes have generated in them a proportionately greater number of wants and desires.” Adolph Douai, a German immigrant, former abolitionist, and editor of the marxist *Arbeiter Zeitung*, expounded on this line of reasoning. Although the Chinese, he assured the audience surrounding the German language stand at the rally in New York, have the same, “right as ourselves to emigrate to this country,” under the existing capitalist order those Chinese who did emigrate to, and work in, the United States were imported “coolies.” The Chinese, “are imported like slaves, and are brought into competition with the intelligent white laboring men of this country.” Douai, while highlighting the racial difference between the Chinese and “white” workers, also drew a connection between the status of European contract laborers and Chinese “coolies” as cheap foreign laborers. Each was brought to the United States under the same conditions of capitalist exploitation and labor importation. Like European contract laborers,

¹⁰⁵ “The Coming Coolie,” *New York Times* (July 1, 1870): 1; “The Crispin Cold Chill,” *Daily Advertiser* (June 30, 1870): 1.

Chinese workers, “do not come here of their own free will, but by contract made in China.” The new threat of Chinese “cooliesm” was only the continuation of the federal government’s policy of facilitating the importation of cheap and servile laborers. “The Republican party, he insisted, “says we want more workingmen, the cheap [sic] European labor.” “Massachusetts,” he concluded, takes the lead by introducing the Coolie labor.”¹⁰⁶

In the early 1870s, eastern labor reformers and trade unionists solidified their analysis of the labor importation problem as a threat to a national labor market in their writings, orations, and resolutions of national organizations. The Massachusetts-based labor reformer and political economist, Ira Steward articulated the problem of foreign labor importation as the consequence of an international competitive labor market, under the control of capitalists and other importers.¹⁰⁷ In the wake of the North Adams incident, Steward noted in a journal that the “threats of an employing class to import Chinamen are always ringing in our ears!” In his profoundly influential essay, “The Power of the Cheaper over the Dearer,” Steward explained that what made these threats actionable, and dangerous, was the fact that workers had been brought into competition with each other on a global scale, thereby giving capitalists access, for the first time, to the cheapest labor in the world. “Fifty years ago,” he noted, “the power of the cheapest was not ‘world wide’ [sic] as it is today.” Yet, with the rapid declining transportation costs by the late nineteenth century, it now paid employers and immigration companies, “to send to the uttermost parts of the earth for low paid laborers.” The political economy of labor

¹⁰⁶ “The Voice of Free Labor, *Baltimore Sun* (July 1, 1870).

¹⁰⁷ On Steward, see Jonathan A. Glickstein, “Poverty is not Slavery: American Abolitionists and the Competitive Labor Market,” in Lewis Perry and Michael Fellman, eds. *Antislavery Reconsidered: New Perspectives on the Abolitionists*, (Baton Rouge: Louisiana State University Press, 1979), 195–206; Hyman Kuritz, “Ira Steward and the Eight Hour Day,” *Science and Society*, 20 (1956), 410; Dorothy W. Douglass, “Ira Steward on Consumption and Unemployment,” *Journal of Political Economy*, 40 (Aug. 1932), 532; Philip S. Foner and Brewster Chamberlin, eds., *Friedrich A. Sorge’s Labor Movement in the United States* (Westport, CT: Greenwood Press, 1977), 101–102; Robert R. Montgomery, “‘To Fight This Thing Till I Die’: The Career of George Edwin McNeill,” in Ronald C. Kent, et al, eds., *Culture, Gender, Race, and U.S. Labor History* (Westport, CT: Greenwood Press, 1993), 3–23.

importation was simple: "...when trade is active, and there is a great demand for workmen, enough of the pauperized labor and Europe and Asia is at once imported, by wealthy employers, to keep wages down, in other words to manage or 'regulate the law of supply,' in the interests of capital."¹⁰⁸

National labor organizations like the NLU, national trade unions, along with the trade union press urged national lawmakers that the importation of Chinese "coolies" and European contract laborers had begun, by the late 1860s and early 1870s, to threaten the nation's "free labor" system and necessitated decisive action from Congress.¹⁰⁹ During its convention in 1860, the NLU crystallized that argument in a resolution against labor importation: "We are unalterably opposed to the importation of a servile race, for the sole and only purpose of tampering with the labor of the American workingmen." Servile and cheap foreign laborers brought into the United States ultimately lead to the degradation of the nation's labor market, and the gradual immiseration of its working class. The importation of "coolie" laborers was, therefore, "ruinous to the life principles of our republic, destroying the system of free labour which is the basis of a republican form of government..."¹¹⁰

¹⁰⁸ Ira Steward Papers, "The Power of the Cheaper over the Dearer," *Steward Papers*; a similar argument were also recapitulated by Steward and other labor reformers in *Second Annual Report of the Bureau of Statistics of Labor* (Massachusetts House Document #150, 1871), 555–557; Timothy Messer-Kruse, "Eight Hours, Greenbacks and the 'Chinamen': Wendell Phillips, Ira Steward, and the Fate of Labor Reform in Massachusetts," *Labor History* 42:2 (May, 2001): 133-58. Messer-Kruse claims that Ira Steward and the larger labor reform movement in Massachusetts demanded the exclusion of Chinese immigrants from the United States. This, however, is untrue. Steward ultimately believed that a law prohibiting the ability of capitalists to "import" foreign laborers would be futile. He did, however racist and xenophobic characteristics to Chinese workers and Chinese civilization, but, overall, the labor reform movement in Massachusetts called for the prohibition of labor "importation," not the exclusion of Chinese workers.

¹⁰⁹ John R. Commons, et al., eds., *A Documentary History of American Industrial Society* (Cleveland, 1910), p:257-259. *Iron Molders' International Union, Proceedings of the Tenth Session of the Iron Molders' International Union*, July 6th 1870 (Philadelphia, 1870), 51-52.

¹¹⁰ For this resolution, see, Terence Powderly, *Thirty Years of Labor, 1859-1889* (New York), 210. Powderly claims that the resolution was primarily intended to target Chinese workers, but the resolution itself was a compromise between Western delegates and Andrew Cameron and Eastern delegates who insisted that the resolution not target any one race. For the debate that led to this compromise resolution see, *Workingman's Advocate* (September 4 1869) and "The Labor Congress, *Chicago Tribune*, (August 21, 1870): 4. The successor organization of the NLU, the National Labor Congress, adopted a similar position against cheap labor importation in

IV

According to the platforms of labor organizations, the petitions of workers, and editorials in the trade union press, only Congress could effectively solve the problem of foreign labor importation by proscribing American employers to recruit workers from abroad. The NLU, along with organized laborers on the West Coast called for the “rigid enforcement” of the “Anti-coolie” Act of 1862 along with the revocation of the Burlingame Treaty. The most significant demand, however, was for a federal statute that would prohibit the immigration of foreign laborers under a contract.¹¹¹ The demand for federal action by organized laborers pressured national lawmakers to articulate a position on the issue. Republican politicians felt particularly compelled to respond to the demand of organized laborers. The Republican party, which was still dominant in Congress, was still the party of “free labor,” activist federal policies, and economic nationalism. Its national platform, public proclamations, and partisan press framed the GOP as the representative of both the free labor and anti-slavery tradition. Republicans also claimed that the party’s policy of economic protection through a high tariff wall was in the interest of “American” workers, whose high wages were, it was claimed, protected against commodities produced by “cheap” foreign labor. The Republican party, however, was also still committed to encouraging immigration for the nation’s industrial economy and to facilitating a domestic labor

its constitution. The Congress’ “Committee on the Importation of Cheap Labor” issued resolution, which was eventually adopted, that read: “That as a Congress of laboring men, we would welcome to our shores all emigration...but that we emphatically protest against the importation of laborers to serve a term of years for a fixed price to compete with the industrial classes of our community, who have made their homes here, pay their proportion of taxes, and use the money they earn for the improvement of the places they reside in, and we demand of the United States government, protection from this unjust competition against our skill and labor, believing that in making this demand we are asking no more than has heretofore been given to capital in the shape of protection.” “The Industrial Congress,” in *Iron Molders’ International Journal* (July 15, 1873): 40-4.

¹¹¹ “The Labor Question, *New York Herald* (June 30, 1870); for petitions against the importation of coolies see, *Congressional Record*, 1871, 1765, and 1942.

market organized by competition and voluntary contracts between employers and employees.¹¹²

The labor movement's public opposition to foreign labor importation helped reveal the contradictions within the Republican platform, and compelled Republican politicians and spokesmen to answer several key questions: were laborers who emigrated to the United States under a contract "free laborers" who emigrated voluntarily, or were they imported like "coolies"? Should the federal government prioritize the right of American employers and foreign workers to enter contracts over the demand of "American" workers for protection by the federal government against "imported" competition? Did the "importation" of foreign laborers threaten the United States "free labor" system?

Eastern labor organizations managed to gain support from a contingent of Republican politicians and spokesmen who were either closely aligned with the labor reform movement, or sympathetic to its cause. Wendell Phillips, the Radical Republican and one of the founding members of the Massachusetts labor reform movement and Eight Hour League became the most outspoken Republican on the issue. He echoed arguments made by organized laborers against labor importation and insisted that the federal government was obligated to intervene in defense of free labor and "American" workers. In an essay in the *National Standard* (formerly the *National Anti-Slavery Standard*), Phillips reconciled the necessity of prohibiting labor importation with the Republican party's traditional commitment to labor immigration and to racial equality. He declared that the United States welcomes "every man of every race to our soil and to the protection of our laws." However, although "Immigration of labor is an unmixed good...Importation of human freight is an unmitigated evil." Phillips concurred with organized

¹¹² James L. Huston, "A Political Response to Industrialization: The Republican Embrace of Protectionist Labor Doctrines," *Journal of American History* 70:1 (June, 1983); for a general overview of the Republican Party's position on issues of domestic political economy during the Reconstruction era, see Nicolas Barreyre, *Gold and Freedom: The Political Economy of Reconstruction*, (Charlottesville: University of Virginia Press, 2015):

laborers on the existence of a labor importation problem: “If the capital of the country sets to work, by systemwide cooperation, to import them in masses, to disgorge them upon us with unnatural rapidity, --then their coming will be a peril to our political system, and a disastrous check to our social progress.” The problem was not only that imported laborers were unfree, but that the importation of foreign laborers undermined the wages of native-born workers. If the Chinese were, “imported in overwhelming masses by the concerted action of capital he will crush the labor of America down to a pauper level, for many years to come.” “The true statesman,” Phillips concluded, “must regard such a policy as madness.” Phillips was joined by other prominent Republicans. Victoria Woodhull, the former abolitionist, labor reformer, and future founding member of the International Workingmen’s Association decried the notion that Chinese workers were racially inferior to white workers while still claiming in an essay that, “We are no advocates for the importation of Chinese. We are opposed to any plan of servile labor...” While the “Chinese should be welcomed if they bring brains, capital, industry...,” she concluded, “there should be no pauper immigration, nothing that should subject our workers to depressing competition, and no slavery under another name.”¹¹³

Several Republican Congressmen took up the banner of the anti-importation cause in the House of Representatives and on the Senate floor from 1869 to 1872. Charles Stewart, a senator from Massachusetts, took the lead. Stewart claimed that, while he and other supporters of such legislation, “would protect anybody who comes to this country voluntarily” they would not “sanction any attempt...to introduce a system of slave labor in competition with free labor in this country.” Another Republican Senator remarked that he did not, “believe in a policy which would gather up capital in this country and send it out on a tour through the world to secure

¹¹³ Wendell Phillips, “The Chinese” in *National Standard* (July 30th, 1870); Victoria Woodhull, “Labor and Capital: Chinese Labor,” *Woodhull and Claflin’s Weekly* (July 9th, 1870).

cheap labor to bring into this country to antagonize against the toiling men of our own land. That is too much like the old slave trade, and modern coolie trade.” Yet, despite having the support of national trade unions and the anti-Chinese activists on the West Coast, Stewart and his supporters in Congress failed to convince lawmakers that such a law was necessary to preserve the United States “free labor” system or that it was in harmony with the federal government’s traditional policy of encouraging labor immigration. Overall, most Republican lawmakers were unwilling to support, or were actively hostile to, the notion that Congress should in any way restrict the ability of American employers to recruit workers from abroad, interfere with the right of foreign workers to emigrate to the United States, or potentially restrict the nation’s access to foreign labor.¹¹⁴

The insistence by trade unionists, labor reformers, and some pro-labor Republican politicians that cheap foreign labor threatened to degrade American failed to gain support within elite circles during this period. Federal officials, political economists, domestic employers and immigration recruiters in the early 1870s were unwilling to hinder the nation’s access to foreign labor in any way. While organized laborers characterized the “importation” of cheap labor as a threat to the United States, proponents of immigration saw foreign laborers, regardless of their economic status, race, or nativity, as an unalloyed benefit to the United States in general, and to the development of its growing commercial and industrial order. Accordingly, foreign laborers were, in fact, a benefit to the nation, regardless of whether they were recruited abroad under contracts or negatively affected American workers. Some officials and political economists even went so far as to translate the economic benefits of foreign laborers, either from China or from

¹¹⁴ Stewart quoted in Gyory, *Closing the Gate*, 52; *Congressional Globe.*, 2d sess., 3 (Dec. 6, 1869), 86; (Dec. 13, 1869), 300-301 (Dec. 22, 1869); *Congressional Globe*, (February 7 1872): 874.

Europe, into real dollar amounts.¹¹⁵ An 1869 editorial in the *New York Times* further suggested that the 1862 Anti-Coolie Act had become obsolete. The fear of anti-slavery which, the editorialist argued, “dictated its adoption,” during the height of the Civil War, “ought to not stand in the way of its modification or alteration if the prosperity of the country demands the admission of this class of laborers...” The nation’s need for foreign labor, and Chinese labor in particular, had only expanded since the passage of the act. “The conditions, in an industrial sense,” therefore, are “somewhat changed from what they were when the law was passed and favor its modification.”¹¹⁶

Some commentators denied the very existence of a labor importation problem outright and argued instead that foreign workers who made contracts with U.S. employers were not “coolies,” or “wages slaves,” but were “free laborers” who were entitled to enter the United States and compete in its domestic labor market. Julius A. Palmer, the operator of a Boston employment agency for Chinese domestic servants, clarified this argument in a Boston newspaper. It was incorrect, he argued, to categorize Chinese workers in the United States as “coolie-slaves.” “Such allegations,” Palmer noted, “have their own foundation in the minds of...demagogues.” Although Chinese workers were, in many cases, poor, they were still, legally, *free* laborers who emigrated to the United States and entered labor contracts voluntarily. Therefore, Chinese workers in the United States, “are the poor of that great nation; they are not slaves--no, not even coolies.” Palmer made sure to point out the hypocrisy of the trade union movement’s argument against Chinese “coolieism,” noting that Chinese laborers in the United States were, in terms of economic and social status, akin to other workers who had emigrated to

¹¹⁵ The Commissioner General of Immigration in New York was one of the most articulate, and vocal, advocates of foreign labor immigration. See, Frederick Kapp, *Immigration, and the Commissioners of Emigration of the State of New York* (New York: 1870): 14.

¹¹⁶ “The Law Against Coolie Importation,” *New York Times* (July 24, 1869), 4.

the United States in the late nineteenth century: “The Irishmen who are engaged in digging down your hills, the men who unload ships, who clean your streets...would, if they were in China, be considered ‘coolies.’” The status of Chinese workers as poor wage earners did not undermine their legal classification as “free laborers.” Editorials in mainstream newspapers also made this case. An article in the *Chicago Tribune* for instance, insisted that, despite the claims of organized workers, Chinese laborers were “brought into this country, like Germans, or Irish or any other.”¹¹⁷ From the perspective of the federal government, contrary to the claims of the domestic labor movement and their partners in Congress, there was no foreign labor importation problem in the early 1870s. In 1870, Congress commissioned an official report in response to public accusations that the 1862 Anti-Coolie Act was being violated by capitalists who allegedly imported Chinese “coolies” in great numbers. According to this report, there was, in fact, no system of “coolie” labor importation at work. The law itself, however, only provided a narrow definition of “cooliesm” and “coolies.” The Secretary of State Hamilton Fish verified that all Chinese workers in the United States had not been transported to the United States against their will, nor were they bound to labor contracts once in the United States. They had migrated to the United States “voluntary immigrants,” and therefore were not in violation of federal law.¹¹⁸

By the early 1870s Congress was fully engaged in Southern Reconstruction. The Republican party, therefore, had become committed to formal racial equality in the law. Luminaries like Frederick Douglass and Thaddeus Stevens defended the rights of Chinese

¹¹⁷ “Coolies vs. Crispins,” *Chicago Tribune*, (June, 20 1870): 3; *New York Times* July 24 25 “The Chinamen: Some Errors Corrected” *Chicago Tribune* (July 10, 1870).

¹¹⁸ On the Secretary of State’s report, see *Chicago Tribune*, “Coolie Importations” (August, 10, 1870); See also, U.S. Senate, *Presidential Message on Importation of Chinese Coolies into the United States*; the U.S. State Department also maintained a chain of correspondence with American diplomats in China on the status of Chinese immigrants and Chinese immigration in general. See, for instance, Letter from Mr. McCook to Mr. Seward, (September 14, 1868) *Paper Relating to Foreign Affairs, Accompanying the Annual Message of the President to the Third Session of the Fortieth Congress*.

immigrants as an extension of the Republican Party's commitment to racial and civic equality. They defended the right of foreign workers, regardless of economic status, to emigrate to and work in the United States, and to make contracts with American employers.¹¹⁹ This vision of formal racial and civic equality also extended into the economic realm of labor and class. Equality entailed the right of all workers to compete in a labor market and to enter voluntary contracts. Therefore, all wage earners who competed in a capitalist labor market were technically free laborers, and all wage earners had the right to compete in a labor market without interference from the state or trade unionists.¹²⁰ The former abolitionist William Lloyd Garrison defended the right of employees, regardless of their social status, nativity, or race, to work in the United States and compete in its domestic labor market, as well as the right of employers to enter into contracts with employees without interference from trade unions. In recruiting Chinese laborers from California, Garrison argued, Sampson "simply asserted his unquestionable right as an employer" and saw "political demagogues" in the Knights of Saint Crispin. "Why should Chinese not be as freely induced to add their skill and labor to our capital stock?" Organized laborers were merely peddling racist arguments. Chinese workers, like all foreign laborers, had a right to compete in a national labor market regardless of the consequences of this competition on native workmen. From this perspective, the nation's competitive labor market did not stop at its territorial borders, nor did the right to compete in this domestic market belong exclusively to "American" workers.¹²¹

¹¹⁹ Frederick Douglass, "Composite Nation," Lecture in the Parker Fraternity Course, Boston. Library of Congress; John Hayakawa Torok, "Reconstruction and Racial Nativism: Chinese Immigrants and the Debates on the Thirteenth, Fourteenth, and Fifteenth Amendments and Civil Rights laws," in *Asian Law Journal* 3:55, (1996), pp. 55-103; Gyory, *Closing the Gate*, ch. 2.

¹²⁰ On the definition of free labor as freedom to work during the Reconstruction Era, see Julie Saville, *The Work of Reconstruction: From Slave to Wage Laborer in South Carolina, 1860-1870* (Cambridge: Cambridge University Press, 1996), pp. 11-24; Amy Dru-Stanley, *From Bondage to Contract*, 60-97.

¹²¹ Garrison quoted in John Kuo Wei Tchen, *New York before Chinatown: Orientalism and the Shaping of American Culture, 1776-1882* (Baltimore: The Johns Hopkins University Press, 1999), 185.

E.L. Godkin, the editor of the *Nation* magazine and an outspoken critic of the trade union movement, chastised organized laborers for characterizing Chinese laborers as “coolies” while claiming the mantle of “free labor.” He insisted that the ancestors of the Irish and German trade unionists emigrated to the United States under similar conditions as Chinese workers. Yet, if the labor movement was ultimately successful in preventing any contracts from being made between American employers and Chinese workers, “no Chinamen will come, and the labor reformers...will have the credit of being first-class humanitarians...at the same time keep the labor-market to themselves.” However, in another article on the topic, Godkin extended his accusation of hypocrisy to the Republican Party by noting that the question of foreign labor importation placed Republican politicians in an ideological and political bind. The party of the protective tariff, an activist federal government, and domestic industrialization did not extend its commitment to economic nationalism to the international labor market that subjected American workers to competition from cheap foreign laborers. Republicans, “who have so long been advocating the exclusion of the products of foreign ‘pauper labor,’” he sardonically mocked, “are a good deal startled by the prospect of seeing their system applied to such a vast store of pauper labor as the Chinese Empire.”¹²²

By the early 1873, Congress was not compelled to reverse the immigration policy that it had established during the Civil War era. The National Labor Union, even with cooperation from national trade unions, Western laborers, and a handful of prominent politicians ultimately did not possess the electoral influence necessary to overturn the Republican Party’s general position on immigration. The federal government continued to encourage immigration, and, in relation to

¹²² E.L. Godkin, “Tertullian at the Amphitheatre,” *Nation* (September 22, 1870), 187; “The Chinese Invasion,” *Nation* (July 14, 1870), 20.

contract labor immigration, Congress adopted a *laissez-faire* position by not interfering with the right of American employers to enter into contracts with workers outside of United States territory. However, what had changed between 1864 and the early 1870s was the articulation of a new critique of federal immigration policy and immigration rooted in the grammar of free labor and economic nationalism. What began in the wake of the Civil War as a specific opposition to European contract labor migration transformed into a more broadly focused campaign to prohibit what organized laborers identified as a system of “foreign labor importation.” By the 1870s, federal immigration policy and the issue of labor immigration in general had become indelibly linked in the minds of organized laborers, federal officials, politicians, political economists, and newspaper editors, to the national debate over the meaning of free labor within a capitalist social order, and whether or not the United States’ “free labor,” system was ultimately compatible with all forms of labor immigration. Two competing answers to this question had taken shape in response to these questions: on the one hand, organized laborers and their partners insisted that the “free labor” system was ultimately incompatible with the “importation,” of foreign laborers, and that the protection of Americans, and the protection of this system, necessitated federal intervention. On the other hand, another logic of federal immigration policy envisioned an open domestic labor market in which foreign workers were free to compete.

As the next chapter will show, these competing visions did not come to a head until the late 1870s and early 1880s. The ongoing transformation of U.S. capitalism in the 1870s and early 1880s, the emergence of an even larger more geographically extensive and influential labor movement engendered an even broader conflict over immigration, capitalism, and labor.

Chapter Two

“The Great American System”

Depression, Economic Nationalism, and the Origins of Federal Immigration Restriction, 1873-1885

“If it became necessary to protect American workingmen of the Pacific slope from the disastrous and debasing competition of coolie labor, the same argument now applies with equal force and pertinence to the importation of pauper labor from Southern Europe.”

Terence Powderly 1884 (Grand Master Workman of the Knights of Labor)

In 1885, the Republican Senator Orville Platt explained why Congress must protect American workers from the immigration of European contract laborers to the United States. This legislation challenged the obsolete theory, he claimed, “that a nation is to be strongest upon the face of the globe where the rate of wages for labor is least.” Such a notion, Platt insisted, was dangerous in a democracy like the United States, where “a majority of the citizens of this Republic are wage workers...” In the House of Representatives, the Republican Byron M. Cutcheon made the case that the same logic that undergirded Congress’ exclusion of Chinese workers three years earlier carried over to European contract workers. A statute restricting European contract labor immigration, he argued, would simply be an extension of the “great ‘American System,’ by which we seek to prevent the...destructive competition of the...half-paid, and half-civilized laborers of Asia and Europe with our own.” This act of Congress would therefore be, “supplementary to the legislation restrictive of Chinese immigration,” and would, “have in view its same object.”¹²³ The Alien Contract Labor Law, like the Chinese Exclusion in 1882, passed with an overwhelming Congressional majority in 1885.

¹²³ Platts comments can be found in *Congressional Record*, Senate, 1781; Cutcheon’s can be found in *Congressional Record* 5369. My italics.

Between 1882 and 1885, Congress radically departed from its earlier position on labor immigration that some lawmakers had described as “free trade in men.” By the end of the decade, the federal government classified Chinese workers and European contract laborers as undesirable and excludable categories of labor immigration and established a rudimentary legal and administrative system to prohibit their entry to the United States.¹²⁴

This chapter reconstructs the processes of political mobilization, electoral conflict, and federal policy making by which the national policy of “free trade in made,” was transformed into an exclusionary, “American system.” Between 1873 and 1885, a nation-wide industrial depression opened up a political and ideological space on the national level for advocates of immigration restriction on the West Coast, and in an emerging national labor movement, to forge a new official consensus on immigration policy, capitalism, and nation building.¹²⁵ During this period, a protracted industrial depression compelled federal policy makers and national political

¹²⁴ Historians of the first federal immigration restriction laws have focused almost exclusively solely on the Chinese Exclusion Act 1882. In doing so, these studies highlight the role played by anti-Chinese racism in motivating federal immigration restriction. Lucy E. Salyer, *Laws Harsh and Tigers*, ch.1; Erika Lee, *At America's Gates: Chinese Immigration during the Exclusion Era, 1882-1943* (Chapel Hill: University of North Carolina Press, 2003); Erika Lee, *America for Americans*, ch 3. Scholars have analyzed the class dimensions of the nationalization of federal immigration restriction. Hirota, *Expelling the Poor: Atlantic Seaboard States and the Nineteenth-Century of American Immigration Policy* (Oxford: Oxford University Press, 2019). Hirota focuses on how the administrative and legal system established by Eastern seaboard states to regulate the entry of destitute Irish immigrants was ultimately federalized by the federal government. His interpretation overlooks the ideological connections between European immigration restriction and Chinese exclusion in the processes of coalition building and federal policymaking that lead to the formation of Congress' first restrictionist laws intended to exclude foreign workers as competitors with American workers. This framework, however, fails to explain how and why lawmakers conceptually linked Chinese exclusion to European contract labor immigration specifically, and to the need to protect a national labor market not only from Chinese competition but from other forms of foreign competition.

¹²⁵ Historians who study the dynamics of labor politics, class conflict, and federal policy during the late nineteenth century have largely overcooked the intersection between issues of national immigration policy and national industrial and labor policy in the late nineteenth century. Montgomery, *The Fall of the House of Labor*, Greene, *Pure and Simple Politics*; Tomlins, *The State and the Unions*; Victorio Hattam, *Labor Visions and State Power: The Origins of Business Unionism in the United States* (Princeton: Princeton University Press, 1993). One exception to this rule is Gwendolyn Mink, *Old Labor and New Immigrants in American Political Development: Union, Party, and State, 1875-1920* (Ithaca: Cornell University Press, 1986). Mink acknowledges that opposition to Chinese and European immigration played a formative role in national labor politics and the formation of a national labor movement in this period. Mink, however, attributes the hostility to immigrants almost solely to the narrow craft unionists in the American trade unions who sought only to limit foreign competition. As this chapter discusses, opposition to foreign competition was not confined to the nation's trade unions, nor was it motivated solely by the desire to limit foreign competition.

parties to search for potential explanations for, and solutions to, the problems unleashed by industrial capitalism. Anti-Chinese activists on the West Coast along with national labor organizations took advantage of this official interest in the so-called “Labor Question,” by launching a cross-class national campaign for Chinese exclusion. In conventions, mass meetings, Congressional hearings, and in dozens of books, essays, and pamphlets, published in this period, pro-exclusion labor leaders, political economists, politicians, and intellectuals, insisted that the unimpeded influx of inferior Chinese “coolies,” intensified the processes of economic displacement, mass unemployment, industrial depression harming the ability of white workers to consume and to fulfill their role as citizens. Throughout the 1870s and early 1880s, exclusionists workers and labor leaders in national organizations like the Knights of Labor and the Federation of Trades and Labor Unions embraced the campaign against Chinese immigration as a broader, national democratic project to wield state power to protect all white workers in the United States against the “degradation” of “cheap” Chinese competition.¹²⁶

Between 1876 and 1882, California politicians, along with a new cadre of pro-exclusion eastern Republican and Democratic Congressmen endorsed Chinese exclusion as an appeal to an increasingly politicized and militant class of male wage-earning citizens and labor unions. Lawmakers, particularly those in the Republican Party, framed exclusion not as a violation of the nation’s free labor system but as extension of what contemporary economic nationalists called the “American System.” By the early 1880s, political economists, industrialists and lawmakers advocated for a capacious policy of economic nationalism, whereby the federal government,

¹²⁶ Chinese workers, in other words, were not seen as members of the same class as white workers, but as a racialized body of workers deployed by capitalists to further impoverish and exploit white workers. For this framework, I am indebted to two scholars: Rudi Baltzell, “Free Labour, Capitalism, and the Anti-Slavery Origins of Chinese Exclusion in California in the 1870s,” in *Past & Present* 225 (November, 2014): 143-186; Iyko Day; *Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism*, (Durham: Duke University Press, 2018).

through protective tariffs, would promote the development of U.S. industrialization by shielding domestic producers from foreign competitors.¹²⁷ Exclusionists inside and outside of Congress, began to argue that it was unfair to protect “American capital,” while American workers were exposed to foreign competition in the form of Chinese immigration. In doing so, Congress would help secure wages adequate for the nation’s industrial workers to fulfill their role as citizens of the nation’s democratic polity and as efficient workers and voracious consumers. This nationalist ideology was articulated and deployed by exclusionist Congressmen, California lobbyists, and organized workers throughout the late 1870 and early 1880s, to pressure reluctant federal officials and lawmakers to withdraw from the 1868 Burlingame Treaty and, ultimately, to pass a new Chinese exclusion Act in 1882.

The success of the 1882 Act motivated organizations like the Knights of Labor and the Federation of Organized Trades and Labor Unions. These organizations shifted their focus from the Pacific to the Atlantic and worked to convince lawmakers that Chinese immigration was not an exceptional case of “cheap labor” immigration. During the early 1880s, national labor leaders and pro-labor political economists launched an investigation of European immigration and “discovered,” the operation of a European “coolie trade.” They argued that the importation of “cheap” workers from new regions in southern and eastern Europe had begun to produce the same consequences as Chinese immigration. Labor organizations launched a national campaign in Congressional hearings, in the press, and on the floor of Congress. The core claim of this campaign was that the same white, citizen wage earners that Congress protected from Chinese

¹²⁷ Dana Frank, *Buy American: The Untold Story of Economic Nationalism* (Boston: Beacon Press, 1999); Marc-William Palen, “The Imperialism of Economic Nationalism, 1890-1913,” *Diplomatic History* 39:1 (January, 2015): 157-185; *The ‘Conspiracy’ of Free Trade: The Anglo-American Struggle over Empire and Economic Globalisation, 1846-1896* (Cambridge: Cambridge University Press, 2016); Nicholas Onuf and Peter Onuf, *Nations, Markets, and War: Modern History and the American Civil War* (Charlottesville and London: University of Virginia Press, 2006); James L. Huston, “A Political Response to Industrialism: The Republican Embrace of Protectionist Doctrines,” *The Journal of American History* 70:1 (June, 1983): 35-57.

competition was now exposed to an equivalent threat from Europe. A majority of lawmakers were initially unwilling to restrict the right of European workers to emigrate—arguing that Chinese workers constituted a racial, not an economic threat to American workers. However, the lobbying of organized workers between 1882 and 1885 helped forge a bi-partisan consensus among lawmakers that the restriction of European labor immigration constituted a necessary extension of the “American System,” to the Atlantic. Central to this consensus was the belief that the importation of workers from Southern and Eastern Europe constituted a new “coolie trade,” which threatened the status and condition of “American workers.” It was this logic that ultimately laid the groundwork for the passage of the Alien Contract Labor Law in 1885.¹²⁸

I

The Financial Panic of 1873 sparked an industrial depression across the United States which lasted well into the 1880s. During these years, the U.S. experienced plunging real wages, massive unemployment, business failure, and bankruptcy on an unprecedented scale. This downturn was ultimately caused by a capitalist transformation of the nation’s domestic order that began during the Civil War era but reached its apex in the late nineteenth century. By the late 1870s, capitalist industrialization had begun to fundamentally transform dynamics of work, class formation, and class conflict in the United States. Over the course of this period, productive property became concentrated in the hands of fewer and fewer proprietors while cut-throat competition compelled capitalists to cut labor costs by centralizing and mechanizing

¹²⁸ Aristide Zolberg, *A Nation by Design: Immigration in the Fashioning of America* (Harvard University Press, 2008); Lisa Lowe, *Immigrant Acts: On Asian American Cultural Politics* (Durham: Duke University Press, 1996):, p. ix; David Thelen, “The Nation and Beyond: Transnational Perspective on United States History,” *Journal of American History*, 86:3 (1999): 966. These scholars ignore how the categories of labor, class, and capitalism determined how those Americans who influenced federal immigration policy in the late nineteenth century conceptualized the nation, democracy, and citizenship.

production.¹²⁹ In major manufacturing and extractive industries, concentration and mechanization dissolved traditional barriers between skilled and unskilled occupations and gave rise to the formation of a permanent industrial, and increasingly self-conscious, working class.¹³⁰

The initial collapse of the Civil War-era trade union movement following the panic of 1873 did not indicate a waning of industrial militancy in the United States. Although trade unions in the 1860s and early 1870s were confined to primarily white, male skilled craftsmen, the labor movement that took shape after 1873 was more diverse in terms of occupation, gender, nativity, and race. This militant working class erupted on the national stage beginning with the unemployed uprisings of 1873-1874 as well as the Railroad Insurrection of 1877.¹³¹ Alongside these brief moments of insurrection, strike and boycott activity among the industrial workers proliferated and became even more coordinated. By the 1870s, Civil War-era labor leaders, as well as a younger generation of workers channeled this militancy into organization. National trade unions expanded rapidly during these years, culminating in the organization of the Federation of Trade and Labor Unions (FOTLU) in 1882. The Knights of Labor (KOL), on the other hand, had an even stronger claim to represent a national working class. Founded in 1868 as a secret order of workingmen, the Knights became the center of gravity of working-class

¹²⁹ On the depression of 1873 as a transformative moment for the U.S. social formation, see Richard Schneirov, "Thoughts on Periodizing the Gilded Age: Capital Accumulation, Society, and Politics, 1873-1898," in *The Journal of the Gilded Age and Progressive Era* 5:3 (July, 2006), pp. 189-224; Sklar, *Corporate Reconstruction*, 20-33, 43-47; Samuel Rezneck, "Distress, Relief, and Discontent in the United States during the Depression of 1873-1877," *Journal of Political Economy* 58 (December 1950): 495-96; Alexander Keyssar, *Out of Work: The First Century of Unemployment in Massachusetts* (Cambridge: Cambridge University Press, 1986); "Second Annual Report," Pennsylvania Bureau of Labor Statistics, 1873-1874; For similar reports see Massachusetts; Bureau of Labor Statistics, Ohio, Second Annual Report, 1878; *J.R. Vernon, "Unemployment Rates in Post-Bellum America: 1869-1899," Journal of Macroeconomics* 16: 701-714.

¹³⁰ Gordon, Edwards, and Reich, *Segmented Work Divided Workers: The Historical Transformation of Labor in the United States* (Cambridge: Cambridge University Press, 1982): 94-99, 101-03; Herbert Gutman, "Work, Culture, and Society in Industrializing America," *American Historical Review* 78 (1973): 531-88; Dubofsky, *Industrialism and the American Worker*, 34-41.

¹³¹ On the consequences of the depression on national and international trade unions, see Commons et al, *History of Labour in the United States*, Vol II: 47-48; Samuel Bernstein, "American Labor in the Long Depression, 1873-1878," in *Science and Society* 20:1 (Winter, 1956): 59-83).

industrial activity, unlike trade unions and drew into its ranks skilled and unskilled across the United States.¹³²

The Knights, along with the nation's largest trade unions, adopted an explicitly antagonistic relationship to the emerging capitalist order. Despite profound ideological and partisan cleavages within labor circles, organized workers argued that industrial capitalism was incompatible with the nation's democratic institutions. If left unchecked, the nation's citizenry would be transformed into an impoverished, exploited population of industrial wage-earners unfit for democratic citizenship and unable to participate in modern civilization.¹³³ In 1883, the cigar maker and future founder of the American Federation of Labor, Samuel Gompers, explained to the U.S. Senate Committee on the Relations between Labor and Capital (1883-1885) that the new industrial order fractured the United States into antagonist classes. Capitalists, he argued, wished to, "obtain the labor of the other class for as little as possible, and to obtain the largest amount or number of hours per labor." Industrial workers, however, "feeling helpless in a contest with their employers...are forced by the conditions which surround them to organize..."¹³⁴ Terence V. Powderly, the Grand Master Workmen of the Knights, for instance, described the situation to the middle-class readers of the *North American Review* in 1877. The "Army of the Discontented," he claimed, "is gathering fresh recruits day by day." Although formal labor organizations were "working to avert the blow," of insurrection, he assured readers, social revolution was on the horizon if industrial capitalism continued to displace and immiserate workers unabated. "The existence of such a state of affairs," Powderly argued, "gives evidence

¹³² Leon Fink, *Workingmen's Democracy: The Knights of Labor and American Politics* (Urbana Champaign: University of Illinois Press, 1985); David Montgomery, *Workers' Control in America: Studies in the History of Work, Technology, and Labor Struggles*, (Cambridge: Cambridge University Press, 1980): ch. 1.

¹³³ "A Sketch of Political Economy, Chapter VIII. Consumption," *Journal of United Labor* (December 25th, 1884); Charles Lichtman, "Starvation Wages," *American Statesman* (1884).

¹³⁴ "The Labor Congress," *The Samuel Gompers Papers*, Stuart B. Kaufman, ed., 3 vols. (Urbana: University of Illinois Press, 1986): 1:224.

that the introduction of machinery, from which the many should derive an advantage, is being used for the benefit of a few, who already feel the blow given...through the displacement of so many consumers.”¹³⁵

Organized workers recognized that the nation’s political institutions had come under the control of capitalists and their partners. The capitalist processes of mechanization and concentration, from this perspective, was ultimately a political problem that necessitated a political solution. The *Preamble to the Constitution of the Knights of Labor* summarized this situation in 1878: “the alarming development...of aggregated wealth,” would “lead to the pauperization and hopeless degradation of the toiling masses.” “Republican institutions,” could not survive, “under such conditions.”¹³⁶ The Knights of Labor and national trade unions, despite considerable disagreements, shared a common set of legislative goals which envisioned state power being wielded on behalf of workers to mitigate the harsh consequences of industrialization. According to the trade unionists George McNeill, “it was the goal of the labor

¹³⁵ On the labor movement of the 1870s, see Herbert G. Gutman, “The Failure of the Movement by the Unemployed for Public Works in 1873,” *Political Science Quarterly* 80 (June 1965): 254-76; John B. Jentz, “Class and Politics in an Emerging Industrial City: Chicago in the 1860s and 1870s,” *Journal of Urban History* 17 (May 1991): 227-63; For the development of FOTLU (later to become the American Federation of Labor), and its legislative agenda, see Greene, *Pure and Simple Politics*, ch. 1; Richard Schneirov and Jonathan Jentz, *Chicago in the Age of Capital*: ch. 5; Sean Wilentz, “The Rise of the American Working Class, 1776-1877,” 84-85, 128-134; Only a fraction, percent of the non-agricultural workers were ever associated with trade unions during the late nineteenth century. David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865-1925* (Cambridge: Cambridge University Press, 1987), 214-256; On the Knights of Labor see, *Beyond Labor’s Veil: The Culture of the Knights of Labor* (University Park: The Pennsylvania State University Press, 1996); Terence Powderly, “The Army of the Discontented,” *The North American Review*, 140 (April, 1885): 369-377.

¹³⁶ Repressive measures were widely supported among elites as a solution to working class militancy and industrial conflict. In particular, see Samuel Eliot, “The Relief of Labor,” *Journal of Social Science* 4 (1871): 33; “Why the Regular Army should be Increased,” *Nation* (August 30 1877); “Reign of the Mob,” *Pittsburgh Daily Post* (July 23, 1877); State governments in New Hampshire, Massachusetts, Connecticut, Pennsylvania, New Jersey, Maine, Illinois and Road Island all passed anti-vagrancy laws. See, R.I. Bernstein, “American Labor in the Long Depression, 1873-1878,” in *Science and Society* (Winter, 1956): 77; Dru-Stanley, *From Bondage to Contract*, 118-120; on the elite reaction to the eight-hour day movement, see Bureau of Labor Statistics, Ohio, Second Annual Report, 1878, p; “The Eight Hour Movement,” The capitalist press was largely dismissive of the eight hour movement political economy. See, for instance, *Scientific American* April 3 1886 212; “The Eight-hour Working-day,” in *Century Illustrated Magazine*; Terence V. Powderly, *Constitution of the General Assembly, District Assemblies, and Local Assemblies of the order of the Knights of Labor in America*, (Marblehead, Mass.: Statesman Publishing Co., 1883.)

movement to “engraft republican principles on property and industry,” through the collective organization of workers not only within the industrial field, but also at the level of national politics. “Legislative bodies,” McNeil demanded, were, “bound to interfere to protect the sovereign citizen against the insidious inroads of the usurping power.” By the late 1870s, the national labor movement had acquired a durable presence at the level of national politics, and advocated for measures that would legalize trade unions, establish an eight-hour day for government work, and create a federal bureau of labor.¹³⁷

The political mobilization of workers pushed a set of crucial question into the national public sphere, and compelled political and intellectual elites to grapple with the political and social consequences of industrial capitalism: would the nation’s democratic institutions survive if the nation’s male citizenry were degraded by capitalist industrialization? Was state intervention necessary to ameliorate class conflict and soften the consequences of industrialization? *The Nation* characterized this situation bluntly. “In a certain sense, which may be called the ‘American sense,’” the editorialist lamented, “the times will probably never be as good as they have been.” As a consequence of industrialization, “The distribution of wealth is never likely to be as satisfactory hereafter as it has been.” Commentators noted that the United States had experienced rapid industrial development in the past while also ensuring an equitable distribution of wealth among the nation’s citizenry. It was apparent, however, that the nation had entered an unprecedented and dangerous period. Even the business periodicals were deeply concerned, “that

¹³⁷ George McNeil, *The Labor Movement: The Problem of Today* (1886): 462; “Federation of Organized Trades and Labor Unions,” *The Journal of United Labor; Gompers Papers*, 1:220-9, 279-81; For the labor movement’s understanding of politics, political economy, and state power see Hattam, *Labor Visions and State Power*. My interpretation differs significantly from Hattam’s. While Hattam argues that so-called “labor republicans” had a broader vision of state power than those workers in trade unions, I argue that organized workers in the 1870s and early 1880s shared a capacious vision of democracy; for an example of this interpretation, see Richard Schneirov, “Political Cultures and the Role of the State in Labor’s Republic: The View from Chicago, 1848-1877,” in *Labor History* 32:3 (1991): 376-400.

all branches of business will soon collapse under the dead weight of the paralysis which has seized manufacturers and driven the labor classes into idleness, unless some means are devised to stimulate and encourage productive enterprises.”¹³⁸ The political economist David Wells explained to the readers of the *North American Review* that the United States had always enjoyed a position at the apex of a global industrial hierarchy while also ensuring relative harmony between labor and capital. This was due, in part, to the comparatively high wages of American workers. Yet, given the trajectory of the nation’s industrial development in the 1870s, the United States was beginning to mimic the social order of European nations. This development raised a crucial political question for Wells: “What disposition is it proposed to make of the labor of the country,” by the nation’s political institutions, he asked, “which labor-saving machinery and new methods of business have now for the first time...made manifestly surplus?”¹³⁹

By the second half of the 1870s, federal institutions and national political parties recognized the emergence of a labor movement and industrial working class as a political actor. The unceasing dynamics of depression, class conflict, and immiseration throughout the 1870s compelled national political parties, federal officials, and other political and intellectual elites to investigate and formulate new strategies to mitigate the consequences of industrial capitalism.¹⁴⁰ National party platforms, conventions, and the partisan press across the United States recognized

¹³⁸ The number of monographs, essays, editorials, and pamphlets on the “Labor Question” produced by elite commentators exploded throughout the period of time covered by this chapter. On the relationship between academic social science and the emergence of the labor question, see Mary Furner, *Advocacy and Objectivity*, (London and New York: Rutledge, 2011 [1975]); Carroll D. Wright, *The Relation of Political Economy to the Labor Question*, (Boston: 1882); Uriel H. Crocker, *The Depression in Trade and The Wages of Labor*, (Boston: 1886); Frances Amasa Walker, *The Wages Question: A Treatise on Wages and the Wages Class* (New York: 1886); Richard T. Ely, *The Labor Movement in America* (New York: 1886).

¹³⁹ “The Poor Man’ in Politics,” *Nation*, (September 19, 1878): 173-174; *Bulletin of the American Iron and Steel Association* 13 (May 14, 1864), 154; David A. Wells, “How Shall the Nation Regain Prosperity?” in *The North American Review* 125 (July and August, 1877): 110-132.

¹⁴⁰ William Forbath, *Law and the Shaping of the American Labor Movement* (Cambridge: Cambridge University Press, 1992); Karren Orren, *Belated Feudalism: Labor, the Law, and Liberal Development in the United States*, (Cambridge University Press: 1991): ch. 3.

the growing politicization of industrial workers and called for measures to alleviate their plight. This situation opened a national platform for anti-Chinese activists on the West Coast and in the national labor movement, and provided a nationally recognized grammar of class, citizenship, and capitalism with which they could frame the traditionally sectional issue Chinese immigration as part of the emerging national labor question.

II

As industrial conflict proliferated across the United States, anti-Chinese activity in California coalesced into a cross-class coalition of workers, labor parties, lawyers, and state politicians. California lawmakers passed state-level “anti-coolie” legislation and even altered their state’s constitution to restrict the immigration of Chinese workers. Overtime, federal courts struck down the attempts of Californians to regulate immigration on the state level. In response, California lawmakers, businessmen, and trade unionists on the Pacific Coast turned to the federal government to suppress the so-called “coolie trade.” This campaign culminated in the passage of the Page Act of 1875, which effectively prohibited the entry of Chinese women to the United States. By the late 1870s, Californians, disenchanted by the failure of this statute to stem the flow of Chinese immigration, began to call for a radically new statute that would prohibit the immigration of all Chinese workers.¹⁴¹ This demand raised a tangled set of legal and moral questions for national lawmakers and exclusionists alike: under what circumstances could Congress risk undermining America’s diplomatic relations with China for the purposes of

¹⁴¹ On the development of the anti-Chinese movement on the West Coast in the 1870s, see Alexander Saxton, *Indispensable Enemy*; 104-136; On the anti-capitalist nature of this coalition see, Rudi Batzell, “Free Labour, Capitalism, and the Anti-slavery Origins of Chinese Exclusion in California in the 1870s,” in *Past and Present* 225 (November 2014): 143-186; On the Page Act, see George Anthony Peffer, *If They Don’t Bring Their Women Here: Chinese Female Immigration Before Exclusion* (Urbana Champaign: University of Illinois Press, 1999): 26-28.

restricting Chinese immigration? Could a Congressional statute target a specific category of immigrants from entering the United States? Could Congress justifiably prioritize the protection of workers in the United States over other competing domestic interests, such as the need of U.S. employers for Chinese labor?¹⁴²

For the most part, the “Chinese question” faded from the national spotlight in the immediate wake of the Panic of 1873. Exclusionists realized that if their goal was to be achieved, federal policymakers, along with voters beyond the West Coast would have to be convinced that a radical departure in Congressional immigration policy was not only expedient but in the “national” interest. One San Francisco-based editorialist summarized this imperative in 1873: the passage of a Congressional act restricting Chinese immigration “is an affair of the whole nation, and to change it you must move the nation.”¹⁴³

During the late 1870s and early 1880s, exclusionists attempted to “move the nation” by tying the “Chinese Question” to the “Labor Question.” West Coast trade unions, politicians, newspaper, labor parties, and workingmen's clubs disseminated dozens of treatises, speeches, memorials, newspaper editorials, and monographs—all explaining how the consolidation of industrial capitalism on a national scale had transformed the problem of Chinese labor immigration from a sectional issue into a threat to a national political, racial, and industrial order. Generally, these texts positioned the West Coast as the bellwether for a larger catastrophe which, they predicted, was on the national horizon should Congress continue to permit the immigration of Chinese workers. Congressional hearings on the “Causes of the General Depression in Labor

¹⁴² Immigration historians have focused on the former two questions while ignoring the latter. Lew-Williams, *The Chinese Must Go*, ch. 1; for the complex legal questions arising from the Chinese Exclusion Movement, see Lucy Salyer, *Laws Harsh and Tigers*, 1-23.

¹⁴³ M.B. Starr, *The Coming Struggle; or, What the People on the Pacific Coast Think of the Coolie Invasion* (San Francisco: 1873): 44.

and Business; and as to Chinese Immigration,” became the first national venue for exclusionists to make this argument. The “Hewitt Committee,” as it came to be known, held hearings in Chicago, New York, Washington, and San Francisco between 1874 and 1878. The committee heard the testimony of trade unionists, socialists, business leaders, and merchants identifying a myriad of causes of, and solutions to, the nation’s industrial downturn. Witnesses from California proposed an alternative explanation. They maintained that the United States had entered an unprecedented and dangerous stage of industrial development in the wake of the Panic of 1873 which had made the immigration of “cheap” Chinese “coolies” into the United States an existential threat to the nation’s democratic and industrial “civilization.”¹⁴⁴

The testimony of San Francisco Collector of Customs, T.B. Shannon, laid out this reasoning in full. During the West Coast’s initial industrial development, Shannon explained, Chinese workers played an important role in supplying the coast with cheap labor. The industrial depression in the 1870s, however, revealed that California’s industrial order had entered a new stage of development and crisis. The concentration of productive property in the hands of large capitalists, coupled with the mechanization of production engendered a crisis of overproduction and underconsumption. “The producing capacity of machinery,” he deplored, surpassed the “power of consumption” of white workers. The displacement of white workers, he argued, not only led to labor radicalism, but it also worsened the depression by eliminating a large population of consumers. As a result, West Coast producers no longer had a profitable outlet to sell their goods. Shannon warned that Chinese immigration exacerbated this dangerous tendency because Chinese workers “can live 50 per cent, at least, cheaper than white men can live.” The

¹⁴⁴ *Causes of the General Depression in Labor and Business; and as to Chinese Immigration; Investigation by a Select Committee of the House of Representatives Relative to the Causes of the General Depression in Labor and Business; and as to Chinese Immigration*, 46th. Cong., 2nd sess., House of Representatives, Misc. Doc. 5 (Washington, D.C.: United States Government Printing Office, 1879).

Chinese were fit only to work, not consume, and, as such, they were inferior to white workers. They, “import from China what they consume here, and they send their money out of the country for articles of their consumption.” White workers, however, consumed what domestic industries produced and contributed to the development of the nation’s industrial order. Unlike the Chinese, white citizen workers were the foundations of the nation’s modern industrial and democratic order because they spent their higher wages on their own homes, families, and in taxes to support the state. If the West Coast, and the United States more broadly, were to continue industrializing, he argued, the wages of white workers would have to be protected from Chinese competition. The state, he concluded, would have to ensure that the “prices of labor,” were brought, “up to that standard which will enable a man to support his family...”¹⁴⁵

As this testimony illustrates, exclusionists continued to critique Chinese immigration with the grammar of anti-slavery—identifying the “coolie trade,” as a kind of slave trade and therefore inconsistent with the nation’s free labor system. At the same time, writers, trade unionists, and lawmakers also formulated a new nationalist and protectionist rationalization for Chinese exclusion. The unrestricted immigration of Chinese workers into the United States, coupled with domestic mechanization and industrialization, they argued, contributed to the displacement of American male industrial workers, who as citizens and as consumers, constituted the foundation of the nation’s democratic polity and industrial order. The California state Senate issued a memorial to Congress which argued that the immigration of Chinese workers had become a problem of “civilization and progress.” The political consequences of exposing citizen workers to relentless Chinese competition proved that the traditional belief among “political economists” in the desirability of cheap foreign labor had become obsolete.

¹⁴⁵ Ibid, 238-249. These quotations and Shannon’s full testimony can be found on these pages.

American workers, unlike their Chinese counterparts, demanded wages adequate for them to raise families, pay taxes, invest in religious institutions, and to consume the wealth of domestic production. As citizens, white workers would not be persuaded into, “accepting a ruinous competition with cheap labor,” that would lower their wages. Male wage earners had come to constitute the majority of the nation's citizenry. As such they would not consent to an industrial system “which cannot be shown to produce this general satisfactory result.” National immigration policy would have to be re-designed according to a “new political economy,” based not on the acquisition of cheap labor, but on the protection of a higher “standard of comfort” of its citizenry. The aggregation of “wealth,” the memorial concluded, “is a far inferior desideratum,” than ensuring a “general moderate prosperity” for all citizens. The future shape of national Chinese policy, therefore, would have to be “settled” only in accordance with “this principle.”¹⁴⁶

The dominant reaction among American employers, lawmakers, and intellectuals to the post-73, “Great Depression,” was a crystallization of laissez-faire “classical liberal” political economy. A growing chorus of classically trained political economists, lawyers, politicians, and other elites argued that depression, class conflict, and financial panics were not caused by market competition and industrialization. Rather these problems were caused by interference in the market, by trade unionists, speculators, and by state and federal legislation. William Graham Sumner, the high-priest of laissez faire and free trade orthodoxy, worried that, in wake of the crisis, Americans would “lose their heads and begin to doubt the economic doctrines which have been most thoroughly established.”¹⁴⁷ The Chinese Exclusion movement challenged this

¹⁴⁶ *Chinese immigration: The Social, Moral, and Political Effect of Chinese immigration, testimony taken before a committee of the Senate of the state of California* (California: 1876): 24.

¹⁴⁷ William Graham Sumner, “The Influence of Commercial Crises on Opinions about Economic Doctrines,” in Albert Galloway Keller, eds, *The Forgotten Man and Other Essays* (New Haven: Yale University

rationale. From their perspective, it was competition between Chinese workers and American workers that had caused, or at least worsened the depression by undermining the traditionally high wages of the latter. In other words, the market was at fault, at least in this instance. This argument gained traction within the national public sphere. By the late 1870s, the connection between industrial depression, the displacement of white workers, and Chinese labor immigration was debated by eastern newspaper editors, political economists, and other elite observers. One writer, for instance, noted that the proliferation of labor militancy and mass unemployment across the country was caused by the “disparity between earnings and the cost of the necessaries[sic] of life.” White workers were deprived by industrial capitalism not only of the “means of physical existence, but also many other things which the requirements of civilization demand.” “This alone,” the writer concluded, “would prove that the introduction of Chinese labor” would cause serious problems throughout the United States.¹⁴⁸

During an 1876 debate over Chinese immigration within the American Social Science Association, F.B. Thurber, the chair of Political Economy at Cornell University, recognized this development but refused to blame Chinese workers. Although the Chinese displaced American laborers, this same “argument,” applied equally to “the harvesting machines that garners twenty-five acres of wheat in a day, or to any other form of labor-saving machinery.” For this reason, the “Chinese question” was only a minor component of the “whole tendency of the times,” in which “the capacity to produce...has greatly outrun the capacity to consume.” Another political economist rejected this conclusion. Although Chinese workers would not “overrun” the United

Press, 1918): 224. Edward Atkinson, “The Inefficiency of Economic Legislation,” in *Journal of Social Science* 4 (1871):123; Edward Atkinson, “The Hours of Labor,” *North American Review* 142 (May 1886): 507-51; L. Godkin, “Legislation and Social Science,” *Journal of Social Science* 3, (1871): 126; Nancy Cohen, *The Reconstruction of American Liberalism, 1865-1914* (Chapel Hill and London: University of North Carolina Press, 2002), ch. 1; Sidney Fine, *Laissez Faire and the General-Welfare State: A Study of Conflict in American Thought, 1865-1901* (Ann Arbor: The University of Michigan Press, 1956).

¹⁴⁸ James Whitney, *The Chinese and the Chinese Question* (New York, 1880), 131.

States in the short term, the “degradation of a larger number of citizens,” by any Chinese competition “would be an appalling danger” to the survival of the nation's industrial and democratic order. The federal government must not allow its citizens to be “granted only the miserable choice between living like a Chinaman and not living at all.”¹⁴⁹

The issue was a simple contest between two competing theories of political economy and national development. The single-taxer Henry George, for instance, laid this out concisely: “...the fundamental difference between those who ask and those who oppose restriction of Chinese immigration will generally be found to be a difference of opinion as to whether cheap labor is an injury or a benefit” for a nation. According to George, Chinese workers embodied the very processes of industrialization and displacement that degraded American workers and made them unfit citizens and consumers. Highly paid American workers, not cheap Chinese laborers, were the dynamo of domestic industrial development, he argued. Chinese immigration, however, made it so that American workers were forced to “consent to live on less...” American workers could no longer keep up with the “standard of comfort,” to which they had become accustomed as American citizens. Chinese competition, therefore, not only displaced these workers from the industrial field, but drove them from the democratic polity and from social life. This was why, George argued, anyone who observes the consequences of Chinese competition sees “in the fact that men are now working for a dollar a day in California, something more menacing to the state than the appearance of cholera or the black death.”¹⁵⁰

¹⁴⁹ F.B. Thurber, “The Chinese Question,” in *The Unitarian Review and Religious Magazine* 6:5 (November, 1876): 547; D. McGregor, “Chinese Immigration and Political Economy,” in *New Englander* 36 (January, 1877): 833-841.

¹⁵⁰ Henry George, “Why Work Is Scarce, Wages Low, and Labor Restless,” (Metropolitan Temple, San Francisco, March 26th, 1878).



Figure 3: "A Picture for Employers. Why they can live on 40 cents a day, and they can't," *Puck Magazine* (August, 21, 1878): 16. Caricature of Chinese workers living in a crowded opium den. Male white worker, on the right, arriving home from work to his children and home. Discussions of political economy during the Gilded Age were extremely popular, and cartoons were a primary venue through which ideas related to political economy were conveyed.

At the core of this argument was a new logic of citizenship linked to consumption and membership in a national community. Membership in the community guaranteed wages sufficient to consume at an appropriate level of "civilization." Another writer noted that mechanization, which had brought the United States considerable wealth, was compatible with high wages for American workers in the long term, so long as they were protected from Chinese competition: "One useful labor-saving machine employs the man already at work and creates a demand for at least two more..." The "coolie serf" however, "actually displaces one citizen and his family..." Unlike coolies, "machines develop new resources and creates a demand for more citizens to do work." A limitless supply of Chinese labor, however, eliminated the incentive for

American capitalists to mechanize production and foreclosed new opportunities for American workers to raise their “standard of living.” The exclusion of Chinese workers, however, would ensure that the United States would continue to progress by way of mechanization and well-remunerated labor, which had given it the “exalted position we occupy among the nations of the earth.”¹⁵¹



Figure 4: "What Shall We Do With our Boys," *San Francisco Chronicle Illustrated Wasp* (March 3 1882.) White unemployment is juxtaposed with a racist characterization of overproduction caused by Chinese workers. A popular explanation for the “Great Depression” of the 1870s and 1880s was that U.S. industry was producing more goods and commodities than could be consumed by domestic consumers or exported to foreign markets.

The Chinese debate was, from this vantage point, a conflict between a nation grounded on cheap labor and aristocracy, and one organized around high-wages and democracy. In choosing Chinese Exclusion, lawmakers would set the United States on a more stable and

¹⁵¹ “Labor-Saving Machinery vs. Coolie Labor,” in M.B. Starr, *The Coming Struggle*; for a similar argument see Frederic Grimm, *Notes on Civilization, Over-production, Competition, Protection, Silver Question, Chinese, etc., giving a cause for the present dull times* (San Francisco, 1886).

conservative trajectory of development. In presenting this argument nationally, Californians represented themselves as the advocates of a population of citizen workers not only on the West Coast, but across the United States. Chinese exclusion was not a sectional demand, but a cross-class democratic demand unifying industrial workers and their supporters across the United States. Exclusionists recognized that, for this argument to be credible, eastern workers would have to be brought into the fold. One San Francisco-based newspaper insisted that the demand for Congressional Chinese exclusion would have to gain the support of “the workingmen of this nation,” because, as “three fourths of the law-making population,” they constituted the bulk of the electorate in the United States. Another editorialist declared that “As the working people of this nation...went out and gave freedom to the chattel slave, so let the irresistible conflict now going on end only with a total prohibition of cheap coolie men and women.” The only way to transform Congressional Chinese immigration policy was through a mobilization of the nation’s workers as *citizens* who would not only act in their own self-interest but in the interest of the nation: “The ballot-box is the only...national lever by which all the social and political evils that affect...the whole people can be removed.” Cheap labor, the author argued, “is not congenial with our free institutions to displace the citizen [sic] for cheap, servile labor to do the nation’s work.” Connecting the “Chinese Question” to the broader national debate over capitalism, depression, and democracy, was ultimately a wise strategic choice for exclusionists because this debate “is of greater philosophical importance to the working classes of our whole country...”¹⁵²

By the late 1870s, advocates of Chinese exclusion insisted that Congress could ameliorate the consequences of domestic capitalist industrialization for the United States by protecting American workers and, by extension, an American labor market from “unfair”

¹⁵² “Our Country in the Future,” in *The Coming Struggle*:46-60.

competition with cheaper and inferior Chinese “coolies.” However, a major question for anti-Chinese activists was this: would industrial workers beyond the West Coast draw these same conclusions about the necessity of Chinese exclusion?

III

Eastern laborers had taken an interest in Chinese immigration following the Civil War. Their interest, however, faded in the wake of the Panic of 1873. The economic downturn in the early 1870s destroyed organizations like the National Labor League and Eight Hour organizations that laborers had built following the Civil War, thereby dissolving what few ties connected the West Coast labor movement to its eastern counterparts. The historian Andrew Gyrogy argues that eastern workers, in the aggregate, simply were not as committed to Chinese Exclusion as their Western counterparts. It was West Coast exclusionists, along with anti-Chinese national lawmakers and other elites, who originally put forward the idea that all white, male citizen workers in the United States desired Chinese exclusion. While it is the case that Exclusion certainly did not have mass appeal among eastern laborers—at least at the same level that it did in California—this overlooks the role played by national labor organizations like the Knights of Labor and national trade unions and labor leaders—in articulating the idea that Chinese Exclusion was a national working class project.¹⁵³

During the late 1870s and early 1880s, national organizations made it possible for western workers to push Chinese exclusion to the fore of the labor movement’s larger, anti-

¹⁵³ Gyrogy, *Closing the Gate*, 11-15; Gyrogy was critiquing decades of labor historiography which had, taken for granted, the support for Chinese Exclusion among eastern white workers. See, for instance, David Roedigger, *Towards the Abolition of Whiteness: Essays on Race, Politics, and Working Class History* (London, 1994): 23; John R. Commons et al., *History of Labour in the United States* (New York, 1918): 2, 150-51; Selig Perlman, *A History of Trade Unionism in the United States* (New York, 1922); Herbert Hill, “Anti-Oriental Agitation and the Rise of Working-Class Racism,” *Society* 10 (January, 1973): 43-54.

capitalist political agenda. At the same time, self-identified national labor leaders like Terence Powderly and Samuel Gompers made use of anti-Chinese discourse to flesh out a broader critique of industrial capitalism and a nationalist vision of economic citizenship, consumption, and labor politics. The Knights of Labor became a battleground for the hearts and minds of eastern workers over Chinese exclusion. Western workers appealed to their eastern counterparts through their shared whiteness as well as their status as workers exploited by the wage-system. One California-based local assembly, for instance, sent out circulars to locals across the country which framed Chinese immigration as a cause of nation-wide mass unemployment and secular depression. In California, the circular claimed, there were, “at present time several thousand unemployed white laborers, who are seeking in vain a chance to earn a livelihood for their distressed families...” After explaining how Chinese workers displaced white workers from their occupation, the circular asked, “Is it any wonder that business here is stagnant, and everybody complaining of hard times?” The problem, accordingly, was not confined to California. Logically, then the struggle for Chinese exclusion was the continuation of a democratic struggle, western Knights of Labor argued, against a national capitalist class and social order. The circular claimed that “You may think that this is singular advice coming from us who wish to get rid of them,” however, “we hold it to be our sacred duty as *brothers enlisted in the same cause*--the elevation of labor--to warn you of the danger that besets you.” Only the mobilization of all workers would solve this problem. “We have one request to ask of you and the brothers throughout the union, and it is this, that you pledge your representatives to Congress, before voting for them, to do all that lies in their power...” Ultimately, “Our common safety lies in this direction.”¹⁵⁴

¹⁵⁴ Arthur Vnette “An Address to the Federation of Trades’ Congress (November 21, 1885); Terence Powderly Papers. Catholic University of America; “Chinese Cheap Labor,” *Journal of United Labor* (1881): 299-

Despite these appeals, many eastern workers did not lose their commitment to the inclusionary impulse of class solidarity across racial, national, and ethnic lines. During the 1878 meeting of the Knights' General Assembly, a debate broke out over whether a resolution should be included in the organization's Constitution that called for the "prohibition of the importation of the servile races." California Knights, along with pro-exclusion eastern workers were fiercely committed to ensuring that Chinese exclusion became part of the organization's national platform. California Knights explained to their fellow workers that Chinese competition represented a threat not only to Western workers but to a national population of white citizen workers who were all struggling against the degrading consequences of industrialization. The enemy were not "Chinese coolies," specifically, but the system of capitalist competition and exploitation that was rendering previously privileged and prosperous citizens into "cheap men."¹⁵⁵

Fortunately for West Coast laborers, the depression and bitter industrial conflict throughout the United States in the 1870s intensified the interest of eastern labor leaders and organized workers in the grammar of cheapness, consumption, and competition. Some eastern laborers, labor leaders, and editorialists made the argument that they did not oppose Chinese workers because they were Chinese, but rather because they were cheap, "imported," laborers. By the early 1880s, however, the very discourse of "cheapness" had acquired a fundamentally racist logic that mapped onto an emerging global economic hierarchy. Advocates of exclusion differentiated between inferior, foreign-born workers from those native-born high-wage workers

300; Jennifer Keohane, "'Honest Toil': Labor, the Body, and Citizenship in the Knights of Labor, 1880-1890," in *Rhetoric Society Quarterly*, 46:1 (2016): 66-88.

¹⁵⁵ Terence Powderly summarized this debate in his memoir: "the subject was discussed for some time, and it was because the Order recognized neither race, creed nor color that it was thought best not to insert anything in the Preamble which could be construed as opposing any portion of humanity. Powderly recounts this history in T.V.P Powderly, *Thirty Years of Life and Labor*, 236; Robert Weir, "Blind in One Eye Only: Western and Eastern Knights of Labor View the Chinese Question," in *Labor History* 41:4 (2000): 421-436.

whom they threatened. Prominent eastern trade unionists adopted this logic, and argued that the national labor market and working class was under threat by the movement of “cheap labor” from abroad. Ira Steward, the most prominent theorist behind the Eight Hour movement of the postbellum period, explained in his essay entitled “The Power of the Cheaper over the Dearer,” that the superior position of the United States within the global capitalist order of the nineteenth century was the result, not of cheap labor, but of the comparatively high “standard of living” of American workers. The ever-increasing demands and desires of American workers to participate in modern industrial civilization through consumption, Steward argued, was the catalyst of national industrial development and of citizenship. However, in a nation like China, where cheap labor and a low “standard of living” prevailed, “sedan chairs are used to carry passengers, instead of horses and carriages.” “Very little if any machinery...” he argued, “can exist in the lowest paid countries of the world, because its results could be undersold by” cheap labor. The global market however, had facilitated the movement of cheap labor into the United States. Capitalists were driven by the law of competition, he claimed, to search for cheaper sources not only at home, but from abroad. Capitalists who were “nothing but the world’s natural agents” of this global order, were compelled to import the cheapest labor into the American market. Consequently, “The barbarism and low wages of ten or twelve hundred millions [sic] of the human race are therefore...necessary to undersell the civilization and higher wages of,” American workers.¹⁵⁶

¹⁵⁶ Ira Steward, “The Power of the Cheaper over the Dearer,” in Ira Steward Papers; Lawrence Glickman, “Workers of the World, Consume: Ira Steward and the Origins of Labor Consumerism,” in *International Labor and Working-Class History* 52 (Fall 1997): 72-86; Hyman Kuritz, “Ira Steward and the Eight Hour Day,” *Science & Society* 20:2 (Spring, 1956): 118-134; Dorothy W. Douglas, “Ira Steward on Consumption and Unemployment,” in *Journal of Political Economy* 40:4 (August, 1932): 532-543.

In 1876, the Boston Eight Hour league, of which Steward was a member, adopted this rationale. The fundamental conflict, one of its resolutions read, was not between “Chinese and American laborers” but “between the cheap labor and the dear labor of the whole world.” It was capitalists, “who [had] captured the world’s employments” and therefore, had “become responsible for the world’s employment.” Capitalists undermined the ability of American workers to consume, which led to the stagnation of American “civilization” by degrading the value of labor in the United States through the importation of cheap foreign workers or by lowering wages and increasing working hours. “A higher civilization,” the resolutions claimed, “now waits for the new wants...” of American workers. This progress, however, could not happen in a market open to the cheap labor of the world, because “the few wants of a savage, furnish scanty employment.” Because of this situation, “...all treaties and intercourse with other nations, and national and local legislation should proceed with reference to the broad, moral and natural causes that increase the price of human labor....” National policy, therefore, must be made to prioritize the wages of American workers over the desire among capitalists for cheap labor if the United States were to develop as an industrial and democratic nation. “It is treason to the idea of Republicanism,” the resolution declared, “to use the power of a Republic to make labor cheap.” Only the highest “paid labor the world ever saw was necessary, to make Republican government possible.” Yet if lawmakers failed to act, they would be forced to take note that, “Confidence in the Republic falls, when wages fall.”¹⁵⁷

The West Coast Knights, along with sympathetic easterners, ensured that exclusion was officially endorsed at the organization’s national conventions in 1880 and 1882. Even though unions only represented a fraction of the nation’s working class, labor leaders supported

¹⁵⁷ “Resolutions of the Boston Eight Hour League,” in *Workingman’s Advocate* (June 10, 1876), 1.

exclusion in the name of all “American workers.” For instance, the Cigar Makers International Union declared during a national convention that the “continuous threats of employers in every part of this country to fill the places of intelligent workmen with this servile labor have to be silenced.” This dynamic could only be “stopped with an Act of Congress,” which could be achieved “only by united effort...” The Federation of Trades and Labor Unions (FOTLU) secured an amendment in its first convention to demand a Chinese exclusion law.¹⁵⁸

By the early 1880s, this relatively small cross-section of the “national” labor movement and industrial working class helped reify the logic of an imaginary national working class and a nationally and racially-bounded wage labor market, and created the impression that this working class unanimously desired exclusion. They aligned, both ideologically and politically, with exclusionists on the West Coast. In doing so, Exclusionists along with Eastern labor spokesmen helped set the terms by which political parties, lawmakers, and federal officials would debate, and ultimately transform national immigration policy in the late 1870s and early 1880.

IV

Between 1876 and 1882, workers on the Pacific Coast and in the Rocky Mountain West continued to violently expel, harass, and murder Chinese miners, craftsmen, laborers, and their families. In 1877, the Great Railroad Strike irrupted and spread from St. Louis to industrial cities like Chicago and Philadelphia and railroad workers and other industrialists struck and confronted state militias and local police. Although the industrial militancy east of the Rockies differed fundamentally from anti-Chinese pogroms in the west, from the perspective of elites, working-class upheaval, whether directed at capitalists or Chinese workers, threatened to undermine law

¹⁵⁸ John Commons, et. al., *A Documentary History of American Industrial Society* Vol IX New York 1958): 93.

and order and lead to revolution. Lawmakers, writers, editorialists, and other middle class and elite commentators began to see the “Chinese problem,” as part of a national pattern of working-class insurrection. From their perspective, mass unemployment, class upheaval, and anti-Chinese animus across the nation were part of a larger, seemingly untenable nation crisis.¹⁵⁹ In 1877, the *Chicago Times* avowed that the Chinese immigration, having been, “a mere local question, of concern only to a small and remote community, it has gradually assumed the magnitude of a question of national concern.” “Those who exercise the national authority,” the editorialists implored, “could not ignore this demand.¹⁶⁰ Federal statesmen also recognized the urgency of the situation. In 1878, the U.S. Foreign Minister to China, informed the Secretary of State, George Seward, of his concern that, “the presence of Chinese in our Pacific States is giving rise to much anxiety there, and that the questions involved are becoming national.”¹⁶¹

The mobilization of the anti-Chinese coalition, centered in California but stretching to labor unions in the East, encouraged the leadership of both the Democratic and Republican parties to adopt a position on the “Chinese question.” The intensively partisan environment of national electoral politics incentivized party leaders to search for a viable “wedge issue” to win over voters on the West Coast as well as industrial workers in the East and Midwest. The thin majorities held by Democrats in the 45th (1877-1879) and 46th (1879-1881) Congresses rendered the issue of Chinese immigration into a potential solution to the partisan impasse. From

¹⁵⁹ Lew-Williams, *The Chinese Must Go*. Lew-Williams does not connect the West Coast’s anti-Chinese militancy to the broader national conflict of class conflict and industrial violence. On the response of Northern elites to industrial violence, see Heather Cox Richardson: *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901*: ch, 2.

¹⁶⁰ This article was quoted in the *Congressional Record* (1877): 1087.

¹⁶¹ Some of the correspondence on Chinese immigration between the President, Secretary of State, and the Chinese foreign minister is collected in: *Message from the President of the United States, transmitting a report of the Secretary of State, with accompanying papers, submitted in response to the Senate resolution of the 21st of March last, requesting a copy of instructions given by Mr. George F. Seward, when minister to China, concerning Chinese immigration*. (Washington, 1882).

the perspective of party leaders and the partisan press, Chinese Exclusion would not only appeal to Western voters, but also to an increasingly politicized industrial working class. The Democratic party adopted an anti-Chinese plank in 1876 with relatively little debate. The Republican Party, however, was more conflicted. The political situation of the national GOP was more dire. The Panic of 1873 fatally undermined the electoral dominance enjoyed by the Republican Party during the Civil War and Reconstruction and had accelerated the flight of northern workers from the party's fold. From the perspective of many northern workers, Republicans had surrendered the mantle of free labor and democracy to the prerogatives of northern capital and private property. Democratic politicians and newspapers made hay of this criticism, and painted the Grand Old Party as the political mouthpiece of monopoly capitalism, the enabler of the nation's depression, as well as the enemy of the nation's "white workingmen."¹⁶²

An influential block of Western and Eastern Republicans in Congress saw the "Chinese Question," as a way to overcome these problems. By the second half of the 1870s, California Republicans, who already adopted the Chinese exclusion cause as their own, were joined by a cadre of strategically minded, nationalist eastern Republicans led by the senator James Blaine (R-Maine).¹⁶³ Republican exclusionists, however, were faced with the burden of reconciling Chinese exclusion with the party's existing ideology and political commitments. The major

¹⁶² On the panic of 1873 as a precipitating factor of electoral realignment on the national level see, Nicolas Barreyre, "The Politics of Economic Crises: The Panic of 1873, the End of Reconstruction, and the Realignment of American Politics," in *The Journal of Gilded Age and Progressive Era* 10:4 (October 2011): 403-423; Paul Kleppner, *The Third Electoral System, 1853-1892: Parties, Votes, and Political Cultures* (Chapel Hill: University of North Carolina Press), ch. 4. Kirk H. Porter and Donald Bruce Johnson, *National Party Platforms, 1840-1960* (Urbana Champaign, 1961): 50, 54; For the Democratic Party's official position on Chinese immigration, see *The Campaign Book of the Democratic Party* (Washington D.C. 1882); Official Proceedings Republican Party, 1880; Jungkun Seo, "Wedge-issue Dynamics and Party Position Shifts: Chinese Exclusion Debate in the Post-Reconstruction U.S. Congress, 1879-1882," *Party Politics* 17:6 (2010): 823-847.

¹⁶³ For the background of this cadre, see Gyrogy, *Closing of the Gate*, ch. 5.

obstacle for exclusionists was an influential block of Republicans in both houses of Congress who were hostile to any demand for the federal government to reverse its traditional position on immigration. Republicans who defended Chinese immigration continued to embrace a commitment to formal legal equality that characterized the Republican Party of the Reconstruction Era. Others argued that the demand to restrict Chinese immigration was yet another attempt by working class demagogues to pass legislation undermining the prerogatives of the competitive labor market. A speech by Oliver Morton (R-In) illustrated both points: “Labor does not require that a price shall be fixed by the law, or that men who live cheaply, and can work for lower wages, shall, for that reason, be kept out of the country.” For Morton, the domestic labor market should remain free, which, from his definition, meant that the “The field of labor must be open to competition.”¹⁶⁴

Republican exclusionists drew on the Party’s historical commitment to economic nationalism. In the 1870s and 1880s, Republican lawmakers, along with their capitalist constituents had become materially and politically invested in the construction of a national market through the protection of domestic industries against foreign competition. After the abandonment of the Party’s commitment to Reconstruction, Republicans lauded the protective tariff as the cornerstone of the party’s cross-class electoral future. By protecting American industrialists against competition with foreign manufacturers who benefited from cheaper “pauper labor,” Congress could facilitate the development of domestic industrialization while ensuring an adequate “standard of living” for American workers. This so-called “American system” would produce “dear labour, that is, high-priced...labour” within the United States,

¹⁶⁴ *Views of the Late Oliver P. Morton on the Character, extent, and effect of Chinese immigration to the United States*. 45th Cong 2d sess. Senate. Doc No. 20. *The Miscellaneous Documents of the Senate of the United States*. First and second sessions of the forty-fifth congress. Washington 1878. Vol. 1.

which would, “ultimately, lead to the “great increase of commerce.”¹⁶⁵ The “American system” was traditionally intended among Republican party theorists, political economists, and politicians to protect the domestic American market from a global commodity market, and not from labor immigration. Organized workers, however, were largely divided on the issue of the tariff, so much so, in fact, that trade unions during the early 1880s refused to even consider the question in national conventions at the risk of undermining trade union unity.¹⁶⁶ At the same time, however, organized workers were largely in agreement that it was unfair for capitalists to benefit from protection against foreign competition, while American workers had to compete *directly* with foreign laborers. Organized workers were not alone in recognizing this contradiction, the former abolitionist and minister Charles William Wendte asked in a magazine article on Chinese immigration why, “If we can restrict the introduction into our markets of the products of Coolie labor, why can we not similarly restrict the introduction of the Coolie himself?”¹⁶⁷

Aware that California anti-Chinese activists and labor leaders accused the GOP of hypocrisy, Republican exclusionists extended the logic of the “American system” from the global commodities market to the global labor market in the late 1870s. In doing so, they seized the party’s mantle of economic nationalism and drove an ideological wedge between the party’s commitment to domestic protection, on the one hand, and its commitment to competitive labor

¹⁶⁵ See, for instance, “Protection of Labor,” in *The Political Reformation of 1884: A Democratic Campaign Book* (New York: The National Democratic Committee, 1884): 225-241; Perhaps the best illustration of the Republican party’s embrace of economic nationalism is the career of the arch-protectionist Senator William Kelley. Kelley, who had championed Congress’ support of foreign contract labor immigration during the Civil War, shifted his position on immigration in the intervening years. William D. Kelley, *Reasons for Abandoning the Theory of Free Trade, and the Principle of Protection to American Industry Addressed to the Farmers and Working Men of the United States*, (Philadelphia: 1872); Edwin Godkin, “Some Political and Social Aspects of the Tariff,” in *The New Princeton Review* (1887).

¹⁶⁶ Powderly. *Thirty Years of Labor, 1859 to 1889* (Columbus, Ohio, 1890), 100; McNeill, ed.. *The Labor Movement*, 287, 297-98; Erickson, *American Industry and the European Immigrant*, 159-60.

¹⁶⁷ Charles W. Wendte, “The Chinese Problem,” *The Unitarian Review and Religious Magazine* (May 1876).

markets and the right of workers to emigrate to the United States, on the other.¹⁶⁸ This conflict came to a head during national conventions in 1876 and 1880. During a debate over the “Chinese question” at the GOP’s 1880 national convention, a representative from Massachusetts defended Chinese immigrants: “I denounce [the demand to restrict Chinese immigration] as a departure from every Republican platform.” A representative from Nevada responded by noting that many Republicans supported, “tariffs for the protection of the American laborer,” yet also appeared to be in, “favor of the unlimited free importation of the coolie semi-servile laborers to compete with the honest American laborers.” Another Republican professed in 1876 that he recognized, “the right of all men, whatever their color...to come to our shores,” this right had lost precedence to American workers who, as citizens, were entitled to federal protection against a global capitalist order. “Our own American-born freemen...” he insisted, “have rights which we should protect against importation” of Chinese workers.¹⁶⁹

Some prominent Republican spokesmen rejected the notion that the “American system” could be deployed to interfere with the operation of global labor immigration. From their perspective, only the unhindered integration of domestic wage labor market into a global capitalist order was in line with the “laws of political economy”, the economic interests of the nation, and with the right of all workers, regardless of race or class, to compete in the United States. In 1879, Edward Burlingame (the son of the diplomat Anson Burlingame who negotiated the 1868 Burlingame Treaty) made this argument in full. The fear of Chinese immigration, he argued, was simply the result of demagoguery and false political economy among industrial

¹⁶⁸ While it is unclear whether the Republican party recognized the lack of appeal the tariff had to the majority of industrial wage earners, what is clear is that the Republican party embraced the broader ideology of economic protection as its ideological cornerstone. This labor program was not “formulated by workers. “Labor and the Tariff,” in *Southern Economic Journal* 28:1 (July 1961: 55-65).

¹⁶⁹ *Official Proceedings of the Republican National Conventions of 1880* (Washington: 1881), 281-286.

workers, trade unions, and sinophobic politicians. Chinese immigrants, he wrote, “fill the places they can best fill, work at the work they can do better than others, in accordance with political and natural laws that are older than their own old nation; and then they will cease to come.” Whether or not Chinese workers displaced American workers, Burlingame insisted, was irrelevant. Congress could not interfere with the mobility of laborers, nor could it legislate to determine the shape of the domestic labor market. Any attempt by the federal government to, “artificially keep one man at a branch of work for which another is better fitted, must end in failure...” “Free trade in labor,” Burlingame forcefully concluded, “is as certain to become the law of the world some day as free trade in anything else.” Although he was an advocate of free trade in all aspects of commerce and labor, avowed protectionists within the party also criticized their exclusionist colleagues. Orville Platt (R-Ohio) assured fellow lawmakers during a Senate debate on Chinese immigration, that while he was “in favor of such protection that will enable the American manufacturer to pay fair, remunerative wages,” this system could not justifiably be extended to protect American workers against foreign competition. Although the “Chinaman” was not the “intellectual and social” equal of the “Anglo-saxon,” he claimed, “In the right to work...the Chinaman is...the equal of every living man.”¹⁷⁰

Despite this opposition within the Republican party, both Democratic and Republican lawmakers and statesmen began to call for Chinese exclusion as an extension of the “American System.” When the Hewitt Committee (where Californians first articulated their arguments against Chinese exclusion after the depression) published its final Report on the depression in

¹⁷⁰ “An Asiatic Invasion,” *Scribner’s Monthly* 13:5 (March 1877); for a collection of testimony among American businessmen and public officials on the economic utility of Chinese immigration, see *Memorial of the Six Chinese Companies: An Address to the Senate and House of Representatives of the United States* (San Francisco, 1877).

1878, the Report argued that Chinese competition was a major cause of the nation's industrial crisis and represented a threat to the nation's democratic order. The Committee's final report declared that if the "American system," which had been designed to foster domestic industrialization, could not protect American workers against Chinese competition, it was, in effect, moribund. "White labor," the report claimed, "cannot compete with Chinese labor, and at the same time maintain that character and social position which under our form of government it should have." "It is not the policy of the American system," the report declared, "to degrade that portion of its people by placing them upon a common level with the Chinese cooly." Unlike American workers, who occupied the pinnacle of a global labor and racial hierarchy, the Chinese were of the "lowest condition in the scale of humanity." Only the protection of a national market against Chinese competition by Congress could ensure the status of American workers as both consumers and as citizens. "The laboring white man of this country," the report concluded, "is worthy of such pay for his services as shall make him and his family comfortable, and shall enable him to have those conveniences and necessities of life as will make him...respected and honored in this land."¹⁷¹

In 1876, Republican exclusionists along with a majority of Democrats in Congress, advocated for legislation that would restrict Chinese immigration by limiting the number of Chinese workers who could be carried to the United States by sea vessels. The discussion of the so-called "Fifteen-Passenger bill" in the Senate immediately launched an argument about the tensions between diplomatic obligations of the United States on the one hand, and the demand for domestic protection against Chinese competition, on the other. The Burlingame Treaty of 1868 permitted Congress to suppress the Chinese coolie-trade, but did not allow for the general

¹⁷¹ Report on Chinese Immigration of the Select Committee on the Causes of the Present Depression of Labor. March 19, 1880. 46th Cong. 2d sess. Report no. 572. House of Representatives: 11-15.

exclusion of Chinese workers. Some Republican legislators and statesmen argued that Congress was not permitted to violate the terms of the nation's treaty with China. The Secretary of State pointed out that, under the Burlingame Treaty, Congress was permitted to suppress an illegal "coolie trade."¹⁷² The majority of lawmakers who advocated for the Fifteen-Passenger bill in Congress, however, insisted that the demand of American workers and Californians for Congressional protection was directed at all Chinese labor competition, regardless of whether or not these Chinese workers emigrated as "coolies." The right of American workers for protection superseded the diplomatic obligations of the United States to China. Senator Newton Booth (R-Ca) warned the Senate that, unless the Treaty were overturned, the "discontentment of labor will take the form of violent anger or sullen despair."¹⁷³

Lawmakers deeply feared ongoing violence of white workers. Chinese Exclusion would prevent the former by appealing to an imaginary, conservative American worker who simply desired to consume. In other words, economic nationalism by way of Chinese Exclusion and domestic consumption was a solution to working class militancy. It would bind the nation's warring classes together within a broader, more harmonious national community. Exclusionists in Congress expanded their economic nationalism against Chinese immigration into a larger vision whereby Congress' right to protect American workers against Chinese competition was a matter of national "self-preservation," and therefore, could not be restrained by diplomatic obligations. In his speeches between 1876 and the 1880s, for instance, Aaron Sergant (R-Ca.) how the national crisis of industrial capitalism rendered Chinese immigration into a threat to the

¹⁷² All Chinese immigrants entering the United States were, by this definition, free laborers who emigrated voluntarily. George F. Seward, "Mongolian Immigration," *North American Review*, 134:307, (June 1882): 562-578. Argument of Joseph C.G. Adverse to bills (409 and 477) "to restrict the immigration of the Chinese to the United States," and "To regulate Chinese immigration," introduced December 10, 1877, and January 10, 1878. February 25, 1878. 45h Cong 2d sess Mis Doc. No. 36. Senate; on the politics of the Fifteen-Passenger bill, see Lew-Williams, *The Chinese Must Go*, 45-47.

¹⁷³ *Congressional Record*, Senate (February 13, 1879): 1270.

nation's broader political and industrial order. The "same inherent laws govern capital and labor everywhere," Sargent claimed. In the United States, here labor markets were overcrowded, the American worker "is compelled to seek employment." The market connecting the United States to China had brought "two grades of civilization" into competition. Barring federal intervention, the "free introduction of Chinese," would result, "in the destruction of the methods of life which make the Republic possible."¹⁷⁴

This logic was affirmed by the *Senate Joint Special Committee to Investigate Chinese Immigration* in 1877. The committee's report observed that Chinese workers had become exceedingly "mobile" because Chinese "ports have been recently opened to free commerce." For those who were too poor to emigrate, "brokers stand ready to advance the necessary amount, to be secured by a mortgage contract upon their future wages." If allowed to operate without Congressional intervention, this market would destroy the traditional "labor system of the United States," whereby American workers enjoyed "all the necessities of a certain form of life." American workers had come to expect a life of, "comfort and elegance as compared with the mode of living in which we find the same class of persons in other parts of the world, and especially that part of the world called the Chinese Empire."¹⁷⁵

Senator James Blaine (R-Maine) became the leading Eastern spokesman of this position. In 1878, Blaine thundered on the Senate floor that he did not, "believe cheap labor should be an object of legislation, and it cannot be in a Republic." In the United States, "where suffrage is universal," the state, "cannot safely legislate for cheap labor...Labor should not be cheap...it should have its share, and it will have its share." For Blaine, the need to ensure high wages for

¹⁷⁴ Christopher Shepard, "No Chinese Wanted: Aaron Sargent and Chinese Immigration, 1881-1886," *Journal of the West* 51 (Winter, 2013): 50-57.

¹⁷⁵ These quotes can be found in, *Report of the Joint Special Committee to Investigate Chinese Immigration*. 44th Cong 2nd Sess. Senate Report No. 680. 1877.

American workers was identical to the larger interests of the nation. As the representative of a sovereign nation, Congress, therefore, possessed the right to preserve its fundamental social and political order even at the expense of violating treaties or the right of Chinese workers to emigrate. “As with a family so with a nation,” Blaine argued, “the same instinct of self-preservation exists.” Congress had the right “to prefer the interest of our own people,” by excluding, “that which is corrupting and dangerous to the Republic!” There was no middle ground on the issue. “We can choose here today whether our legislation shall be in the interest of the American free laborers or in favor of the servile laborers from China.”¹⁷⁶ The House of Representatives’ report on the bill reinforced this articulation of sovereignty, and protection, and economic nationalism. “The general welfare,” the report declared, was “of supreme importance, and cannot be taken from the people by any treaty...” The power to enter treaties was ultimately, “limited by these objects.” Both “in nature and by international law, the first duty is self-preservation.” The obligation of the United States to uphold treaties, stopped at the right of Congress to ensure the nation’s “self-preservation.” The “Chinese question,” therefore was “not one of right, but of policy.”¹⁷⁷

The Fifteen Passenger Bill was passed by Congress over considerable objections. When it was submitted to President Rutherford B. Hays for approval, he vetoed the bill, but not before acknowledging the dilemma with which he was faced. Although he acknowledged the existence of a “Chinese labor invasion,” he recognized that “our treaty with China forbids me to give [the bill] my approval.” In the Summer of 1881, federal officials charted a middle route when an American legation in China negotiated the Angell Treaty which ultimately made Chinese

¹⁷⁶ “Chinese Immigration to the Pacific Slope” in James G. Blaine, *Political Discussions: Legislative, Diplomatic, and Popular, 1856-1886* (Connecticut, 1887): 216.

¹⁷⁷ U.S. Congress. House of Representatives. 45th Cong. 2d Sess. Report no. 240 [To accompany joint resolution H. R. 123].

restriction possible. However, in the wake of the new treaty, petitions flowed into Congress, as the Knights of Labor, FOTLU, and Californians pressured lawmakers to pass legislation prohibiting the immigration of Chinese workers. Albert Shelby Willis (D-Kentucky) warned the Senate that “the conviction that Chinese immigration was a great evil was so deep-seated and unanimous that mob violence was openly threatened.” Exclusionist Republicans, along with a majority of Democrats who supported exclusion, introduced even more extensive legislation that would suspend the migration of Chinese workers for twenty years.¹⁷⁸

The Chinese Exclusion Act of 1882 was passed by an overwhelming majority in Congress over the veto of Republican president James Garfield. This statute prohibited Chinese workers from entering the United States for ten years.¹⁷⁹ By the early 1880s, the exclusion coalition, along with their support in Congress, constructed a new bi-partisan and cross-class consensus (albeit a highly contested one) that the federal prohibition of Chinese labor immigration constituted a solution to a national labor problem. Congress had built an “American system,” by protecting industry, and it now extended this same logic to the labor market connecting China to the United States. Exclusion was not merely intended to soothe the violent clamor of the West Coast anti-Chinese mob, but to protect the wages of a national class of industrial workers as consumers and as citizens. One Republican Senator summed up this argument: the bill “protects the American laborer directly and clearly, and not in a round-about and second-hand way,” as did the protective tariff. The need for this legislation, “comes from the simple fact that the one is an American citizen, with the hopes and aspirations of an American

¹⁷⁸ Hayes is quoted in Beth Lew-Williams, *The Chinese Must Go*, 47; Willis speech can be found in, Cong Record, 1880. 1100, 22; Labor Petitions for Chinese Exclusion can be found in *Records of the United States House of Representatives*. RG 233. HR48A-H13.2 Committee on Labor. Box. No 161.

¹⁷⁹ The statute did not restrict all Chinese immigration, only “skilled and unskilled” workers. It required non-laborers entering the United States to obtain certification from the Chinese government. Chinese already settled in the United States were required to register with the federal government, while any Chinese who left the United States had to obtain certification for re-entry.” Salyer, *Laws Harsh as Tigers*, 7.

citizen, and charged with the performance of the high duties to his country and his family incident to American citizenship.” As such, Chinese exclusion was not a radical departure from national policy because, “there can be no limit to which legislation should not go for the attainment of this object.” If the powers of the federal government, he argued, were insufficient to achieve this purpose, then a “readjustment of its organic powers” was necessary.¹⁸⁰

The Chinese Exclusion Act of 1882 however, only engendered a new debate in its immediate aftermath over how far Congress could go to protect this imaginary national community of workers and their wages. This debate would focus on one primary question: was Chinese competition exceptional, or did the racialized logic of cheapness, economic nationalism, and federal power that underlay the passage of the 1882 Act extend to other forms of labor immigration?

V

The passage of the Chinese Exclusion Act in 1882 emboldened many advocates of labor legislation in the Knights of Labor and trade union movements.¹⁸¹ Adolph Strasser, the president of the Cigarmakers International Union boasted that “remarkable progress has been made” in the early 1880s “in shaping legislation for the improvement of the material, sanitary and moral condition of the working classes.” The prohibition of Chinese laborers was another “concession

¹⁸⁰“Reports of Debates on Chinese Immigration in the Congressional Record,” (Washington D.C.: Government Printing Office): 32; For similar arguments, see William W. Corlett, *The Labor Question as Affected by Chinese Immigration: Speech in the House of Representatives*, (Washington, D.C.: n.p., 1879).

¹⁸¹ *Minutes of the Executive Council* (1885). Records of the Cigar Makers’ International Union of American Records Administration: 1880-1974. Records of the American Federation of Labor, Hornbake Library, University of Maryland, College Park. For the growth of the Knights of Labor, see Leon Fink, *Workingmen’s Democracy: The Knights of Labor and American Politics* (Urbana: University of Illinois Press, 1983): 25-32; Calavita, *U.S. Immigration Law and the Control of Labor*, 43-51.

of great importance to the working classes.”¹⁸² Trade unionists located in the Midwest and in the East had been concerned with the “importation” of European contract laborers since the Civil War. The success of Chinese Exclusion fundamentally re-shaped how eastern organized workers articulated the problem of race, labor immigration, and global capitalism. During the late 1870s and early 1880s, eastern labor leaders, trade union journalists, and even many rank and file workers drew directly from the grammar of Chinese exclusion, “coolieism,” and “cheap labor” to re-conceptualize European labor immigration and European workers. The same national market that Chinese exclusion was designed to protect, they argued, was now left open to the influx of inferior foreign laborers “imported” by American capitalists.

Throughout the 1870s and early 1880s, the heavily industrialized regions of the Northeast and Midwest became even more linked to labor markets in Europe. The class, ethnic, and geographical dynamics of European immigration were also in flux during these years. Uprooted peasants from Southern and Eastern Europe began to emigrate to the United States *en masse*. Their numbers increased steadily throughout the late nineteenth century (surpassing the rate of migration from Northwestern Europe during the 1880s). Overall, these new populations of immigrants were largely unskilled workers. The cost of transportation continued to decrease throughout the late nineteenth century as transatlantic steam shipping companies expanded, organized new techniques of financing immigration, and cooperated with networks of labor recruiters and political officials both within the United States and in Europe.¹⁸³

¹⁸² Some labor historians have shared Strasser’s assessment. John R. Commons and Associates, *History of Labor in the United States*, 4 vols (New York, 1918–35), vol. 2: pp. 252–3.

¹⁸³ Montgomery, *Fall of the House of Labor*: 70-81; On steam shipping and the commercialization of Atlantic proletarian immigration, see Torsten Feys, *The Battle for the Migrants: Introduction of Steamshipping on the North Atlantic and its Impact on the European Exodus* (St. John’s, Newfoundland: International Maritime Economic History Association, 2013).

American employers benefited from this immigration. Business interests subsidized and facilitated the emigration of European workers and directed them to those regions in need of surplus labor throughout the industrialized North. *The Commercial and Financial Chronicle* noted in 1882 that the “present movement of immigration” was “laying foundations for great activity in the immediate future and paving the way for business expansion on a greater scale than ever before.”¹⁸⁴ Throughout the 1870s and 1880s, employers complained incessantly that skilled workers and labor trade unions restricted their ability to control production and labor costs. Firms in iron production, coal mining, and manufacturing continued to recruit skilled laborers from northwestern Europe, but they also turned their attention to unskilled labor from Southern and Eastern Europe. American employers recruited from these new populations of workers, sometimes to break trade union militancy and undermine strikes, but also to access unskilled labor necessary for mechanized production and extraction. The *Engineering and Mining Journal* summarized this situation in 1882 when it boasted that Castle Garden, the major receiving port in New York, “appears to be solving the labor question.”¹⁸⁵

National labor organizations investigated these changing dynamics of European immigration through labor journalism, surveying local labor unions, and by sending investigators to areas of the country most directly affected by European immigration. While organized workers in the period after the Civil War focused primarily on the importation of skilled contract workers from Northern and Western Europe, trade union leaders after 1873 recognized that the patterns and dynamics of European immigration were changing. Terence Powderly, summarizing

¹⁸⁴ Our Increased immigration,” in *The Commercial and Financial Chronicle*, 35 (August 19, 1882), 20.

¹⁸⁵ On the dynamics of immigrant labor recruitment within the United States, see Gunther Peck, *Reinventing Free Labor: Padrones and Immigrant Workers in the North American West, 1880-1930* (Cambridge: Cambridge University Press); on the deployment of European immigrants as strikebreakers, see Calivita, *U.S. Immigration Law and the Control of Labor*, 49-53.

an investigation undertaken by the Knights, found that foreign contract immigration was only one among a litany of new techniques deployed by employers, recruiters, public officials, and steamship companies to facilitate and encourage immigration. For Powderly, the problem was not simply that workers were being “imported” under contract. Rather, it appeared that capitalists and their partners were “inducing” the immigration of cheap European workers. More specifically, Powderly insisted that “...land-grant companies, steamship companies and manufacturers had agents in all parts of Europe engaged in the business of advertising for workmen to go to America.” They were aided by “our consuls abroad” who were “mere puppets in the interest of the cheap labor capitalists of America.” The problem, according to Powderly, was the formation of an Atlantic labor market in the 1870s and 1880s which allowed capitalists and their allies to control, direct, and exploit the flow of labor immigration to “flood” the American labor market with cheaper labor from more impoverished regions in Europe.¹⁸⁶

Labor leaders like Powderly framed this system as an Atlantic “coolie trade.” The labor reporter John Swinton claimed that there were “quite a number of firms” in New York City “engaged in trafficking in human flesh.” Like its Chinese equivalent, this “coolie trade” allowed American capitalists to import foreign workers for the purposes of lowering the cost of labor in the United States. “Italians and Hungarians,” Swinton claimed, “are now brought to this country in precisely the same manner that the importation of the Chinese was begun seventeen years ago.” In Powderly’s testimony before the House Committee on Labor, he implored that the

¹⁸⁶ This investigation is recounted in the chapter “Introduction of Foreign Labor,” in Terence Powderly’s autobiographical account of the labor movement. Terence Powderly, *Thirty Years of Labor, 1859 to 1889*, (Columbus, Ohio: Rankin & O’Neal, 1890); “Immigration,” in *The Journal of United Labor* 3:1 (May, 1882): 221-222.

“same argument” which justified the intervention of Congress in the Pacific, “now applies with equal force and pertinence to the importation of pauper labor from Southern Europe.”¹⁸⁷

As was the case with Chinese immigration, trade unionists argued that the consolidation of industrial capitalism in the 1870s and 1880s made European competition into a threat to the ability of American workers to reproduce themselves and their families. Trade unionist and political economist George McNeill explained that the expansion of the domestic wage-earning population in the late nineteenth century had been “greatly enhanced by artificially stimulated emigration from the long-hour and cheap-labor countries of Europe.” The displacement unleashed by industrialization created a domestic labor market in which the “stimulation” of immigration functioned to “crowd the streets with the unemployed.” Under these conditions, “Men out of work will underbid the men at work, and so wages are affected...not by the value of the service rendered in time or skill, but by the number of unemployed.” According to McNeill, increased access to cheap and unskilled foreign labor allowed capitalists not only to grow the population of surplus labor in the United States, but mechanize production at an accelerated rate. By exploiting the labor of unskilled European workers more easily mechanize production in order to break the bargaining power and control of American workers exerted over the production process.¹⁸⁸ The only solution was the extension of the American System from the Pacific to the Atlantic. Just as “capitalists have heretofore imported cheap laborers to take the place of the higher-paid, so labor will restrict the importation of cheap labor and inaugurate a protective tariff, which will protect the wages of the laborer, as it now protects the profits of the capitalists.” The official journal of the United Brotherhood of Carpenters and Joiners of America

¹⁸⁷ *Report of the Committee on Labor* (48. Cong., 1st Sess., H. Report. No. 444): 4.

¹⁸⁸ George McNeill, *The Labor Movement: The Problem of Today* (New York, 1886): 470. For an earlier iteration of this argument, see George McNeill, *Argument on the Hours of Labor Delivered Before the Labor Committee of the Massachusetts Legislature* (New York: Labor Standard Publishing Association, N.D.).

echoed these sentiments. Those “capitalists” who clamored for a high tariff, imported “hordes of cheap labor from Europe and China.” When workers demanded higher wages and these same employers “can’t get cheaper men here, they scour the world for ‘pauper’ labor, and import it free of duty to force down the price of American labor...”¹⁸⁹

Throughout the late 1870s and early 1880s, the labor press reported on the inferior living and working conditions of newly arrived European workers and often equated Italian and Hungarian immigrants with Chinese “coolies.” Like Chinese workers, they had no ambition to improve their conditions, were unwilling to participate in the labor movement, and were ultimately subject to be controlled by capitalists. In this condition, they were unfit to enter the American market and become members of an American working class. The *National Labor Tribune*, which had taken a strong stand against Chinese immigration in the 1870s, noted how these new populations of European workers had the effect of “chinaizing” the American labor market. Like the Chinese, Italian and Hungarian workers were characterized as disease-ridden, underfed, ill-housed, and cheap. They did not fit the ideal mold of the American worker both as a consumer and as a citizen. One report on Hungarian coal miners in Pennsylvania criticized these laborers because they “work for little or nothing, live on fare which a Chinaman would not touch, and will submit to any and every indignity which may be imposed on them.” They were both inferior to and foreign to the archetypical American worker. “In a word,” the report continued, “they are utterly devoid of that spirit necessary to make them a good and patriotic American citizenry.” Although they “may be fit to work--so is a mule.”¹⁹⁰

¹⁸⁹ “Importing Foreign Labor,” *The Carpenter* (February 1883).

¹⁹⁰ On labor’s response to Hungarian labor immigration in Pennsylvania, see “Go-Stay,” *Journal of United Labor* 458-461; Powderly’s criticism of Hungarian miners in Connellsville was published in the *Scranton Truth* (June 1884).

The equation of Chinese workers with Southern and Eastern Europeans elicited opposition from within the ranks of the labor movement. Some first- and second-generation immigrant trade unionists resented this equation. German workers in Saint Louis, for instance, criticized their fellow Germans in the city's Central Labor Union for their overtly nativist beliefs. Other organized workers in the United States were hostile to any call for the federal government to restrict European immigration in the same way it had done to Chinese workers. The co-founder of the Knights of Labor, Joseph Labadie, argued that "Instead of using our energies in agitating for the prohibition of foreign laborers...let us turn our efforts towards abolishing the injustices that are practiced upon the laborers of the world..." For Labadie, antagonisms between workers along lines of ethnicity, race, and nationality violated the principles of universal brotherhood that was at the core of the Knights of Labor's vision of working-class emancipation.¹⁹¹

Labor leaders who were critical of immigration from Southern and Eastern Europe were also reluctant to categorize all European immigration as undesirable. It is likely that they felt pressure from pro-immigration voices within the labor movement. In addition, their own experience as immigrants, or as the descendants of immigrants, encouraged prominent national labor leaders like Powderly and Samuel Gompers to articulate a distinction between legitimate and illegitimate modes of European immigration. In doing so, they distinguished between European workers who emigrated "voluntarily," from those who were allegedly "induced" by capitalists to immigrate to the United States. Workers who emigrated "voluntarily" to the United States were said to have done so under their own "free will." Those who were "induced,"

¹⁹¹ Joseph Labadie, "'Pauper Labor': The Blind Cry Against it Unmanly," *The Labor Enquirer* (UD). For Labadie's position, see Lane, *Solidarity or Survival*, 59.

however, emigrated out of necessity.¹⁹² Samuel Gompers, the president of the International Cigar Makers Union, and co-founder of FOTLU, testified before a congressional Committee on this distinction. Although he was in favor of the European worker, “who desires to come to America from his own volition [sic],” he was “opposed to any man being assisted to come here or deluded to come here by these lying advertisements of interested parties.” These workers emigrated under the control of capitalists, and, as such, they functioned as an exploitable population unable to organize as trade unionists and unfit to function as citizens.¹⁹³

These arguments were not confined to labor meetings and the labor press but worked their way into the federal policymaking infrastructure which had, by the early 1880s, become increasingly receptive to the respectable and conservative representatives of organized labor.¹⁹⁴ This infrastructure consisted of federal hearings, standing Congressional Committees on Labor as well as the Department of Labor and Education. In 1883, Congress commissioned hearings on the relationship between labor and capital in the United States which, one Congressman argued, would act as a “vent through which the feelings of that element can reach the law-making

¹⁹² *Report of the Committee on Labor* (48 Cong., 1 Sess., H. Rept. 44), p. 4.

¹⁹³ According to Gompers’ autobiography, his own forebears originating from England brought with them the necessary characteristics to become organized laborers in the United States and to contend with capitalists. Workers from Southern and Eastern Europe, however, lacked the ability to assimilate to the United States, not only as citizens, but as workers. U.S. Senate, Committee on Education and Labor, *The Relations Between Labor and Capital*, 47th Cong., 2d Sess., 4 vols. (1883 [pub. 1885]): 397; *Second Biennial Report of the Bureau of Labor and Industrial Statistics*, 1885-1886 (Madison: 1886): 423-426. The Wisconsin Bureau of Labor Statistics, for instance, claimed that these workers, upon arrival in the United States, “have no intention of becoming Americans and thus form a distinctly...foreign element.”

¹⁹⁴ Senator James George, (D-Miss) summarized the nature of the challenge in Congress when he warned his colleagues that “there is some deep-seated politico-economical question involved in the “Labor Question,” which Congress “does not understand, and which I think it is our duty to look into.” On the Labor Question and federal investigation, see Mary O. Furner, “The Republican Tradition and the New Liberalism,” in Michael J. Lacey and Mary O. Furner, eds., *The State and Social Investigation in Britain and the United States*. (Cambridge: Cambridge University Press, 1993) 171-241; *Causes of the General Depression in Labor and Business; and as to Chinese Immigration; Investigation by a Select Committee of the House of Representatives Relative to the Causes of the General Depression in Labor and Business; and as to Chinese Immigration*, 46th. Cong., 2nd sess., House of Representatives, Misc. Doc. 5 (Washington, D.C.: United States Government Printing Office, 1879); George is quoted in, *Congressional Record*, 47th Cong., 1st. Sess. (June 21, 1882): 5161-4.

power.”¹⁹⁵ The United States Senate Hearings on the Relation between Labor and Capital (1883-1885), or the “Blair Committee,” became a national venue for more “respectable” representatives of labor organizations like Terence Powderly, Samuel Gompers, and John Barrett.¹⁹⁶ During the hearings, these individuals, among others, laid out an enormous amount of evidence illustrating the nature of European labor immigration and the consequences of competition with cheap European labor on the broader national labor problem. Throughout the hearings, trade union representatives advocated for the enforcement of the eight-hour day law for public workers, the establishment of a federal bureau of labor, and for federal protection against foreign competition by way of a contract labor immigration law. In doing so, they represented their organizations as the legitimate representatives of the American working class and the American market that Congress was obligated to protect. P.J. McGuire, a founding member of the United Brotherhood of Carpenters and Joiners of America and FOTLU laid out the argument in full: “Within the last few years...a large body of the cheaper class of foreign laborers,” who were “unused to our habits of living in this country, are brought over here...with the avowed object of” reducing the wages of American workers. “When the freight-handlers struck against the railroads the Italians were used under the same conditions, under contracts made with their padrones abroad....” McGuire distinguished between so called “voluntary” labor and “imported labor”: “We do not object to...people coming here from foreign countries of their own free will, but we do object to their being brought here under contracts and conditions made abroad--seduced here by false promises...” Although McGuire and other trade union representatives tried to separate

¹⁹⁵ *Congressional Record*, 48th Cong., 1st Sess. (1883): 194-95.

¹⁹⁶ Mary O. Furner, “The Republican Tradition and the New Liberalism,” in Michael J. Lacey and Mary O. Furner, eds., *The State and Social Investigation in Britain and the United States*. (Cambridge: Cambridge University Press, 1993) 171-241; Keith Fitzgerald, *The Face of the Nation: Immigration, the State, and the National Identity* (Stanford: Stanford University Press, 1996): 96-120.

illegitimate from legitimate European immigration, they found it almost impossible to clearly demarcate the line between “voluntary” immigration and “induced” immigration. Rather, they often simply turned to the example of Chinese immigration to explain the problem. The problem was not free labor versus slave labor, but “American labor” versus “cheap labor.” When questioned whether the problem “is simply...the Chinese question applied to a certain class of European laborers,” McGuire responded: “Yes, sir.” In another instance, John Barrett, representing the Amalgamated Association of Iron and Steel Workers, noted that, “the class of common labor that largely predominates in the mills...are foreigners--Hungarians, Poles, Italians, Bohemians” who had been imported in large groups by employers. When asked if this was equivalent to “Chinese cheap labor,” he responded: “Almost as bad, in my estimation.”¹⁹⁷

Trade union leaders argued, as they had for Chinese Exclusion, that the protection of American wages was simply a logical extension of the nation’s system of protection for its home market. P.H. McLogan, representing FOTLU as well as the Chicago Trades Assembly, explained how, under a system of open borders, “a manufacturer,” he argued, “is at perfect liberty to import, *under contract or otherwise*, all the pauper labor he wishes from the most starving portions of Europe or Asia, and to bring that labor here in competition with the American workingman.” “Despite Congress’ protection of American manufacturers,” McLogan claimed, “there was no equivalent protection for the American workingman.” Only Congress could solve the problem through the restriction of immigration.¹⁹⁸ Samuel Gompers explained how the demand for Congressional protection against European competition was, ultimately, inseparable

¹⁹⁷ References to European immigration during the Blair Committee can be found in Volume I and II of the Committee’s published headings. U.S. Cong., Sen., Committee on Education and Labor Report upon the Relation between Labor and Capital Senate Committee on Education and Labor (1885), I. 334-336, 578, 583, 791-792, 859; II, 5-6.

¹⁹⁸ *Ibid.*, 859, 578.

from the labor movement's project of securing higher wages to afford "American" workers the ability to consume. According to Gompers, virtually all workers in the labor movement agreed that if the nation was "to have 'protection'" for American industries, then "the logic of protection must be followed out..." American workers were entitled to this protection against foreign competition because they constituted the primary population of citizens as well as consumers in the United States. "Workingmen have to be considered as consumers," he told the Committee, "and not as producers." As consumers of the goods produced by the nation's industrial order, as well as citizens within its polity, "the interests of the whole community are based on them..." The demand of American workers, "to consume more and better things," should therefore be the "fundamental consideration," of federal labor and immigration policy in the future. It was no longer in the nation's political and economic interests to expose American workers to foreign competition to cheapen the value of labor in the United States.¹⁹⁹

The Blair Committee never made legislative recommendations to Congress. However, it did reveal to some lawmakers and officials the existence of an Atlantic "coolie trade" that was harming the "standard of living" of citizen workers. What trade union testimony revealed was the existence of a genuinely global and uneven geography of labor in which the allegedly superior labor market of the United States had become connected to increasingly "degraded" regions of Southern and Eastern Europe. The State Department initiated a study in 1885 that helped reified this logic. This study compared the "conditions" of workers "at home and abroad." Although the report was agnostic on legislation, it recognized that the Atlantic market had, by the late 1870s and early 1880s, ensured that "No trade or industry in the United States is free from the more or less direct influence of whatever conditions of labor may exist in Europe." The

¹⁹⁹ Ibid.,

report confirmed the existence of a hierarchy in terms of the overall “standard of living” between workers in the United States and those in Europe. In his summary of the report, the Secretary of State Thomas Francis Bayard found that the conditions of American workers were superior to their European counterparts, however “improved means of transportation” were beginning to disintegrate this gape. American consuls abroad also began to confirm the existence of a vast immigration business. One consul in Budapest claimed that “agents are managing the business” of labor immigration, “a good deal in the manner of the Coolie trade.” Workers from the Austro-Hungarian Empire were being shipped, “to the United States....like so many cattle.”²⁰⁰

VI

In 1884, the Window Glass Workers Assembly (a trade union affiliated with the Knights of Labor) wrote legislation that would prohibit the immigration of workers to the United States under contract with an American employer. For U.S. glass blowers, the stated goal of the legislation was not to end an imaginary Southern and Eastern European “coolie trade,” but to stop American manufacturers from hiring highly skilled Belgian glass craftsmen. Despite this narrow original intent, the bill was adopted by national labor organizations including FOTLU and the Knights of Labor and was justified by labor leaders as legislation designed to protect all “American workers,” against “imported” Southern and Eastern European labor.²⁰¹ The

²⁰⁰ *Labor in Europe from the Secretary of State: Reviewing Reports from the Consuls of the United States in Relation to the State of Labor in Europe*, Vol. 1 (Washington: 1885): 6.

²⁰¹ Although labor organizations had called for such a law since the decade following the Civil War, the specific legislation that labor organizations advocated for in the early 1880s originated not in national labor conventions, or the trade unions press, but in the Knights of Labor affiliated Glass Blowers Union. “The Position of L.A. 300,” *The Journal of United Labor* 390-391; *Report of the Second National Convention of the Window Glass Workers Assembly held at Pittsburgh P.A. July 10th to 15th, 1883*; *Report of the Third National Convention of the Window Glass Workers Assembly July 8th to 12th, 1884* (Pittsburgh: 1884). These conventions proceedings are in the Terence Vincent Powderly Paper Series A. Knights of Labor Part 4a. *Proceedings: Local Assemblies at Catholic University of America*; G. Edmonston to W.W. McLelland (December 2 1884 Reel 1) Samuel Gompers Letterbooks.

mobilization for what eventually became the Alien Contract Labor Law (1885) was not a cross-class coalition of organized labor and West Coast anti-Chinese activists. Rather, it was concentrated solely in the Knights of Labor and FOTLU. There were other obstacles that organized labor faced. Despite showing some interest in pro-labor legislation, Congress was relatively hostile to so-called “class legislation,” or legislation that was seen to interfere with the operation of labor markets, undermine the right of employers and employees to enter voluntary contracts, or threaten the property rights of employers. Furthermore, many lawmakers who had embraced Chinese exclusion were reluctant to restrict European immigration.²⁰²

The goal of labor leaders like Terence Powderly was to convince lawmakers that Chinese Exclusion was not an exception and that an Alien Contract Labor law was simply an extension of the same logic that undergirded exclusion in 1882. In 1885, Terence Powderly, acting Grand Master Workman of the Knights of Labor, informed the union’s General Assembly that “The evil” that California workers had complained of “is spreading, and its influences are being felt in all of our industrial centers.” “Go into any community,” he claimed, “and you will find citizens discriminated against and in favor of the foreigner, simply because the latter will consent to work for wages upon which an American citizen cannot sustain life.” Powderly was not only speaking to fellow Knights, but to the nation’s lawmakers. In his speech, he referred specifically to the massacre of Chinese laborers by native-born workers in Rock Springs, Colorado in September of that year—in which miners of European descent killed at least 28 Chinese miners and burned over 78 Chinese-owned homes. For Powderly, the crime was unfortunate but justified. It was merely “the outcome of the feeling caused by the indifference of our lawmakers to the just

²⁰² Nancy Cohen, *The Reconstruction of American Liberalism, 1865-1914* (Chapel Hill: University of North Carolina Press, 2002); Sidney Fine, *Laissez Faire and the General-Welfare State: A Study of Conflict in American Thought, 1865-1901* (Ann Arbor: University of Michigan Press, 1956).

demands of the people for relief.” The Grand Master Workman warned of the risk of future violence, should Congress not act in the interests of American workers.²⁰³

Labor representatives in Washington D.C. understood that the recognition of organized labor by federal policymakers and national political parties had created an opportune moment to pressure Congress. In a letter to Congress, Powderly reminded lawmakers of the “party platforms that spoke in unmistakable terms on [the labor question] during the recent political campaign...and now nothing remains but to fulfill these promises...”²⁰⁴ Despite tensions between the Knights of Labor and the trade unions movement during the early 1880s, the leadership of FOTLU and the Knights cooperated closely to advocate for the bill in Congress. Although the lobbying capacity of the labor movement was rudimentary and ad hoc in the early 1880s, both organizations brought their growing political capital in Washington to bear on the issue of European contract labor immigration between 1884 and 1885. Labor leaders solicited petitions from local unions, urged workers to pressure their representatives, and testified before the Senate’s Committee on Labor.²⁰⁵

Several factors opened a space for organized workers to pressure Congress. For one, as was the case with the campaign for Chinese Exclusion, intense partisan conflict in the early 1880s encouraged party leaders to look for “wedge issues,” that would appeal to industrial workers.²⁰⁶ The 1882 Exclusion Act had not ended partisan conflict, but it did signal to lawmakers in both parties that legislation restricting immigration could help break the legislative stalemate and attract union workers to their parties. Furthermore, elements of both national

²⁰³ *Report of the Proceedings of the Ninth Regular Session of the Knights of Labor* (1885): 10-11.

²⁰⁴ For Powderly’s letter see, Powderly, *Thirty Years of Labor*, 446-447.

²⁰⁵ Terence Powderly thoroughly outlined this campaign in a series of memos on the Alien Contract Labor Law. See *Terence Powderly Correspondence*, Box 1. Terence Powderly Archive, Catholic University of America.

²⁰⁶ Kirk H. Porter and Donald Bruce Johnson, *National Party Platforms, 1840-1960* (Urbana Champaign, 1961): 50, 54.

political parties became more amenable to immigration restriction as a potential strategy for mitigating domestic industrial conflict and depression.²⁰⁷ Chinese exclusion, along with the Senate hearings on industrial capitalism between 1883 and 1885 illustrated that the “respectable” representatives of organized labor desired protection against all forms of foreign “cheap labor,” and that Congress could achieve this without fundamentally undermining the domestic capitalist order. Finally, both the platforms of the Republican and Democratic Parties had passed planks which, at least rhetorically, recognized some of the demand of workers and trade unions.²⁰⁸

Democratic lawmakers in the House of Representatives spearheaded the advocacy of the bill. The political mobilization of northern industrial workers in the early 1880s led to the election of several former trade unionists and self-described “labor men,” to the 45th Congress. Thomas Ferrell (D-NJ), who first introduced the alien contract labor bill to Congress, was a former member of the same glass-blowers trade union that wrote the legislation. Ferrell warned that the “labor people of this country...are aroused and will hold us accountable...” He hoped that labor organizations “come to see that Congress...has passed a bill to prevent pauper-wage prices for their labor, and that the ‘dismal period’ has passed from the land forever.” Another Democratic representative, Richard Bland (D-MO) claimed that the “tariff barons” of the Republican Party had erected barriers against commerce” and constructed a “Chinese wall around the country,” while also leaving “the gates wide open for the importation” by American capitalists of “coolie” laborers from all “other countries.” The Democratic Party’s campaign

²⁰⁷ The embrace of a contract labor law by national political leaders was also likely encouraged by the fact that domestic employer associations, transportation companies, and recruiting agencies did not devote resources in Washington to opposing the restriction of contract labor immigration. Trade periodicals in the United States did not see the restriction of contract labor immigration as a threat to the access of American industry to European labor, nor did they characterize the restriction of immigration as a national policy that would alter the balance of power between organized labor and capital. Morrell Heald, “Business Attitudes Toward European Immigration, 1880-1900,” in *The Journal of Economic History* 13:3 (Summer, 1953), 291-304.

²⁰⁸ Democratic National Committee, *The Political Reformation of 1884: A Democratic Campaign Handbook* (1884): 228.

handbook in 1884 directly quoted Powderly's testimony: "If it became necessary to protect American workingmen of the Pacific slope from the disastrous and debasing competition of coolie labor," Powderly insisted, "the same argument now applies with equal force and pertinence to the importation of pauper labor from Southern Europe."²⁰⁹

Democratic lawmakers co-opted the economic nationalism by which Republicans had justified the Chinese Exclusion Act earlier in the decade. Martin Foran (D-Ohio) spearheaded this argument in Congress. A former barrel maker, he had been a member of the National Labor Congress and served on its Committee on Chinese immigration and foreign contract labor immigration in the early 1870s. On the floor of Congress, Foran explained how "American capitalists have repeatedly sent agents to Europe" to import "...as so many cattle, large numbers of degraded, ignorant, brutal Italians and Hungarian laborers..."²¹⁰ In China and India, which were "the poorest on the globe," Foran claimed, the low wages of workers hindered industrialization because the presence of abundant cheap labor disincentivized investment in machinery and hindered the growth of a class of working class consumers. In these impoverished nations, "machinery and transportation are of the most primitive character and production relative to population is miserable and small." The comparatively high wages of American workers enabled the ascendancy of the United States to the apex of global capitalism in the late nineteenth century. Under conditions in which wages were being lowered not only by rampant unemployment, but also by the "importation" of cheaper laborers, "the State was injured by the debasement...of its citizens."²¹¹

²⁰⁹ The Democratic platform in 1884 accused the Republican party of professing a "desire to elevate labor," while, at the same time, it subjected "American workingmen to the competition of...imported labor. "Democratic Party Platform 1884; Powderly recounts the history of the original legislation in a memo entitled "The Alien Contract-Labor Law." Terence Vincent Powderly Paper Catholic University of America.

²¹⁰ *Congressional Record*, 5349-5351.

²¹¹ *Ibid*, 4679-83

Democratic lawmakers ensured that the Foran Act passed quickly in the House. Support for the bill among organized labor and the Democratic Party forced Republican senators into a heated conflict over their party's historical commitments to both economic nationalism and to unrestricted European immigration.²¹² One Senator castigated his colleagues for placing European immigrants "in the same category that we place the Chinese." Chinese workers, unlike European workers, were "coolies." The "coolie," he argued, was a social "caste," confined solely to "Asia," and did not apply to Europeans. Unlike Chinese "coolies," European workers were free laborers entitled to enter, and to compete, in the United States. Any policy restricting this right would be "vicious legislation," because it would convert "the ordinary and natural rights to make a contract into a crime." This discussion turned into a debate over the fundamental purpose of the Chinese Exclusion Act. Republicans who defended European immigration, pointed out that the Chinese Exclusion Act was ultimately intended not to protect American laborers, but to exclude Chinese "coolies" based on their racial inferiority. According to one Senator, Chinese immigration "was not merely a labor question..." but was "a question of the infusion of lower blood into the social element in this country." In other words, "We were not solely actuated by the idea of their competition with our home laborers...but it was more a question of race than anything else."²¹³

A majority of Senate Republicans, however, refused to cede the mantle of economic nationalism to the Democratic Party and rejected this characterization that the 1882 Chinese Exclusion Act was designed solely to exclude Chinese workers based on racial grounds. One Senator pointed out that on the "Atlantic seaboard and in the Western States," there was now a

²¹² 48 Cong 1st Sess House of Representatives Report 444; Labor petitions are collected in the Records of the United States House of Representatives 48th Cong. HR 48A-H13.2 Committee on Labor Box. 161.

²¹³ *Congressional Record* 48th Cong., 2d sess (1885), 54321.

population of cheap workers who “become the instruments of greed and avarice on the part of speculators and corporations.” Congress, he claimed, already established a precedent of restricting immigration based “upon the condition of the people,” who desired to emigrate. “If there is in any country in Europe a class of people who are in such a condition of life that they can be classed...as the coolies of Asia,” then, he declared, “I do not want them here.” Another Republican Senator explained that, by facilitating the immigration of cheap foreign laborers, American capitalists, transportation companies, and labor recruiters were able to “import” inferior “rates of foreign labor and establish them” in the United States. Legislation restricting European contract labor, like the Chinese Exclusion Act, would mitigate this practice by enabling the federal government to determine and enforce which populations of workers were worthy of entering the domestic labor market of the United States based on whether they would debase the wages of American workers.²¹⁴

Congressmen who supported the Knights’ bill pointed out that, unlike Chinese Exclusion, this legislation only intended to restrict the “importation” of inferior European workers from Southern and Eastern Europe. It still left open a door for the emigration of workers from more developed nations in Northern and Western Europe. The Senate Committee’s hearings on the bill explained that the legislation did not intend to restrict the “voluntary” immigration of workers who emigrated to better their “social and financial condition.” This desirable immigrant, once having arrived in the United States, was akin to the American worker because he “always exacts for his labor the highest rates which the market affords.” This class demarcation was articulated along lines of ethnic difference. The report claimed that the “more desirable immigration” from Northern and Western Europe in the 1880s had begun to “steadily” decline, while cheaper and

²¹⁴ *Ibid*, 1631.

more degraded immigration from Southern and Eastern Europe was on the rise. These uprooted peasants “would have never seen our shores but for the inducements and allurements of men whose only object is to obtain labor at the lowest possible rate, regardless of the social and material well-being of our own citizens...” Southern and Eastern European emigrants, according to this characterization, were economically unfit to become American workers and citizens. Barring Congressional action, “powerful corporations” would be able to “displace millions of American workmen...by simply prepaying the passage of people who would gladly flee from want and starvation...” The Committee endorsed the Knights’ bill as an important step in excluding this “entirely different class of persons” from the United States.²¹⁵

Some advocates of the legislation nonetheless expressed concern that an Alien Contract Labor law would ultimately not solve the problem of competition with cheap European labor. It would only restrict the immigration of foreign workers under contract, and would, therefore, not interfere with the other methods by which capitalists, transportation companies, and recruiting agencies “induced” immigration. Acknowledging this limitation, organized laborers and other advocates of the bill in Congress insisted that the legislation was merely an experimental step in restricting European immigration. In Congressional hearings on the legislation, and on the floor of Congress, lawmakers argued that the restriction of contract labor immigration would be the first step towards a new immigration policy better suited to a new industrial order characterized by unemployment, labor strife, and class conflict. The United States was “on the threshold,” one Republican Senator claimed, “of not only legislation, but the formation of public opinion perhaps preceding such legislation in regard to the very intimate relations between labor and capital.”

²¹⁵ U.S. Congress, House of Representatives, Committee on Labor, *To Prohibit the Importation of Foreign Contract Labor into the United States, Etc: Report* (to accompany H.R. 2550), 48th Cong., 1st. Sess., 1885.

The Knights' bill, he argued, "would be the first step toward the settlement of the question." "I can not see that there is any harm in gratifying this desire" of the labor movement for protection, "by allowing the measures of theirs to be tested by some enactment that shall make it law." One Senator explained that federal statistics showed that "A very large percentage of all the labor of America is unemployed to-day; that manufacturing establishments are stopping; that the building of railroads is being discontinued; that mines are being closed." Under these circumstances, the federal government, he concluded "ought to see to it that the labor of our own citizens is not interfered with..." Senator Henry Daws (R. Ma) concurred. He would never restrict immigration based on the "complexion or previous condition or place of birth..." However, under conditions of domestic depression and unemployment, Congress was now "called upon to devise new means" of managing these domestic problems. "At this moment," he said, "there are more laborers in his country than...can find...remunerative employment." It was neither just nor politically wise, he concluded, for the federal government to turn increasingly scarce work over to inferior laborers who entered the country from outside the boundaries of the "nation."²¹⁶

Despite minority opposition in the Senate, by 1885 a new consensus had crystallized around the Knights' bill within both parties. Senator James Blaine (Me-R), a major architect of the Republican Party's position on Chinese immigration, argued that the legislation represented an important recognition by Congress that American wages warranted protection. Congress, he claimed, "has guarded our people against the unfair competition of contract labor from China," and was now "called upon to prohibit the growth of a similar evil from Europe." "It is not in the interest of the Republic," he claimed, that Congress should suffer foreign immigration that would lead to "the reduction of wages," in the United States, "to the hard standard prevailing

²¹⁶ *Congressional Record* (February 17th 1885) 1624-27.

elsewhere.” Other Senators noted that Congress would be called on in the future to expand the capacity of the federal government to apply this protective system in response to changing dynamics of foreign labor immigration. Henry Blair (R-PA), the Chair of the Senate Committee on Labor pointed out that this legislation was not only owed to American workers but represented a new logic for the future development of national immigration policy. The bill was “designed,” he claimed, “to prevent substantially [sic] the cooly practices which have been initiated and carried on to a considerable extent between America and Europe...” Although it would not fully solve the problem of foreign competition, by passing this bill into Law, Congress would establish a new legal system of immigration restriction which would ensure that American workers “received the wages which” have become “indispensable in order that they may participate by purchase...in their due and just proportion of the benefits of civilization...” In other words, the restriction of contract labor immigration by Congress would help establish the conditions in which the American worker “gets his share, and here in America he gets a larger share, and it is only in the form of wages that he gets it--more than the laborer does in any other land on the face of the globe.”²¹⁷

The Republican senator Oliver Platt’s speech in defense of the bill revealed the transformation of official opinion on labor immigration and Congressional immigration policy that had taken place between the 1870s and the early 1880s. Although he had voted against the Chinese Exclusion Act, Platt stated regret for his intransigence. He claimed that he wrongly believed, at the time, that it was better “to submit to the cooly contract labor than to undertake to interfere with our time-honored American policy” of open immigration. Although Congress could not “base a discrimination of this kind upon race or color,” it could “base it upon the

²¹⁷ “James G. Blaine’s “Letter of Acceptance,” in *Ann Arbor Courier* (July 23, 1884).

condition of the people.” Congress could exclude those workers who were “not in a condition to share with us in the civilization which...is to be perpetuated by the free intelligent laboring men of this country.” By the early 1880s, according to Platt, this had come to mean that the federal government would have to play a role in protecting American wages from competition. The “prosperity of the citizen” in an industrial and democratic nation like the United States, he concluded, “means fair, remunerative wages for” American workers.²¹⁸

The Alien Contract Labor Act, or the “Foran Act,” as it came to be known, passed the Senate with a bi-partisan majority of 59-9 and was signed into law by the newly elected Democratic president Grover Cleveland on February 26th, 1885. The statute declared that it was unlawful for any “person, company, partnership, or corporation...to” recruit, under contract, a worker from outside of the territorial boundaries of the United States.²¹⁹ By 1885, Congress abandoned its earlier policy of “free trade in men,” and established a rudimentary gate around the nation’s emerging wage system. In conjunction with the Chinese Exclusion Act passed three years earlier, the Alien Contract Labor Law fashioned an elementary federal legal and administrative system to restrict the immigration of two types of workers deemed unworthy of entering and working in the United States: Chinese workers and European contract laborers. From the perspective of the advocates of these statutes, this restriction constituted a necessary extension of the “American System” to the global labor market. However, going forward, these statutes were unable to achieve the goal of their designers. The very forces of industrialization, mechanization, displacement, class conflict that motivated the construction of the nation’s first

²¹⁸ *Congressional Record* (1885), 5678.

²¹⁹ Alien Contract Labor Act of 1885, ch. 164, § 1, 23 Stat. 332, 333; Hutchinson, Edward P. *Legislative History of American Immigration Policy, 1798-1965*. Philadelphia: University of Pennsylvania Press, 1981: 88; Calavita, *U.S. Immigration Law and the Control of Labor*, 57-67.

restrictionist federal laws only intensified in the final quarter of the nineteenth century and would lead to an even broader conflict over the purpose and extent of Federal immigration restriction.

Chapter Three

“Protecting the ‘American Standard of Living’ Labor, Social Science, and the Designing of the Modern Gatekeeping State, 1886-1892

“What is our obligation to the laboring classes when competition threatens to ruin them? Why should the state interfere to check the free action of industrial forces? It is from this standpoint that the phenomena of emigration and immigration becomes of lively concern...”

R. Mayo-Smith, *Emigration and Immigration* (1891)

In 1886, the Federal Commissioner of Labor and prominent statistician Carroll D. Wright published a report on the ongoing “Great Depression” that had begun in 1873. Wright’s report found that the depression was ultimately driven by the tendency of U.S. capitalism to produce more than its working class could consume. Mass immigration made this productive capacity possible, by supplying the nation with labor, but now this immigration had “crippled” the consuming power of native-born workers. Wright looked to the federal government’s embryonic gatekeeping power as a potential solution to this contradiction. Congress had already taken steps to regulate immigration, and to protect the wages of its workers through the exclusion of Chinese laborers, followed by the restriction of European contract labor immigration. The immigration problem, however, exceeded these two relatively narrow laws. The “rapid extension of machinery and the consequent overdevelopment” of American industries, Wright concluded, suggested that the “doctrine” of free immigration was then “largely out of place.”²²⁰

The first national laws restricting immigration were intended to ameliorate class conflict, appease wage-earners in the United States and alleviate the nation’s depression. Almost immediately following the passage of the Chinese Exclusion Act (1882) and Alien Contract Labor Law (1885), an explosion of labor militancy rocked the United States and proved that

²²⁰ Carroll D. Wright, *The First Annual Report of the Commissioner of Labor: Industrial Depression* (Washington GPO, 1886): 246-247.

restriction had achieved none of these goals. Between 1886 and 1887, skilled and unskilled, foreign-born and native-born workers participated in hundreds of work stoppages, strikes, boycotts, and other militant actions. 1,572 work stoppages including some 610,000 workers rippled across the country. The Knights of Labor, the largest union of skilled and unskilled workers, grew from an organization of around 100,000 into a movement of over 725,000.²²¹ One might assume that the failure of immigration restriction to prevent what labor historians call the “Great Upheaval,” would have undermined the logic of federal gatekeeping as a means of regulating U.S. capitalism. Ironically, this upheaval helped engender an even broader recognition among organized workers, social scientists, policymakers, and even some employers that U.S. capitalism had become over-reliant on unskilled, foreign labor and that the federal gate had simply not gone far enough to curb this fact.

Organized labor played a pivotal role in this story. After 1886, conservative labor leaders and spokesmen of the American Federation of Labor (AFL) mobilized constituent unions and rank and file workers to strengthen and expand the scope of the Alien Contract Labor system established by the 1885 Foran Act. This chapter argues that the exclusionary AFL and its separation from an increasingly unskilled, foreign born working class made the AFL’s embrace of immigration restriction more likely, however these sociological factors do not explain the specific ideological and political motivations that drove the AFL’s commitment to immigration

²²¹ On the “Great Upheaval,” see Selig Perlman, *A History of Trade Unionism in the United States* (New York: Macmillan, 1922): 81-105; on strike statistics see, U.S. Commissioner of Labor, *Third Annual Report of the United States Commissioner of Labor, 1887: Strikes and Lockouts* (Washington, D.C.: Government Printing Office, 1887): 100-171; on the South West Railroad Strike, see Theresa A. Case, “Free Labor on the Southwestern Railroads: The 1885-1886 Gould System Strikes,” diss. University of Houston-Downtown 2002; Paul Avrich, *The Haymarket Tragedy* (Princeton: Princeton University Press, 1984); James Green, *Death in the Haymarket* (New York: Pantheon Books, 2005). On the anti-radical reaction to the Great Upheaval, see Carl Smith, *Urban Disorder and the Shape of Belief: The Great Chicago Fire, the Haymarket Bomb, and the Model Town of Pullman* (Chicago: University of Chicago Press, 1995): 101-174; Robert M. Smith, *From Blackjacks to Briefcases: A History of Commercialized Strikebreaking and Union busting in the United States*, (Ohio University Press, 2003).

restriction. The AFL's investment in federal gatekeeping was shaped by earlier movements for immigration restriction, the occupational, ethnic, and political structure of the trade union movement, and, most significantly, by the larger ideology, identity, and political outlook of the AFL. AFL spokesmen transformed existing discourses of economic citizenship, consumption, and economic nationalism established by earlier restrictionist movements into a broader vision of an American working class, labor market, and "American standard of living," protected by the federal government.

Although skilled, male trade unionists played a prominent role in the Great Upheaval, leaders and spokesmen of the American Federation of Labor (AFL) positioned the Federation as the representative of a homogenous national working-class led by white, native-born citizen workers and their trade unions. Trade unionists argued that the ultimate cause of domestic insurrection was so-called "cheap labor" capitalism that, they claimed, continued to harm the "standard of living" of male citizen workers by forcing them to compete with the "cheaper" labor of African American workers, women, children and immigrants. A stronger Alien Contract Labor law, trade unionists argued, would help prevent industrial revolution by mitigating U.S. capitalism's reliance on "cheap labor," and by ensuring that the U.S. working class would develop along nationalist lines. Restricting the flow of Southern and Eastern Labor immigration, the argument went, would ensure that white male citizen workers enjoyed an "American standard of living" sufficient for them to realize their aspirations as citizens, consumers, and as heads of household. Doing so would force native-born women and children out of the national labor market and into the home. In turn, a rising "standard of living" for white workers, protected from foreign competition, would help elevate the degraded "living standards" of male African

American and foreign-born workers already working in the United States—making them less of a competitive threat to white workers.

Congress responded to anti-immigration sentiment among organized labor by launching a multi-year (1888-1891) investigation of immigration and European immigration policy. Trade union leaders were recognized by the “Ford Committee” as the legitimate representatives of a “respectable” and conservative labor movement. Over the course of the Committee’s hearings, labor spokesmen accused Congress of failing to uphold the original promise of the 1885 law and argued that the strengthening of the existing Alien Contract Labor Act would ensure that its original intent—the protection of American workers—would be realized. Trade union leaders like Samuel Gompers framed the choice in simple, dichotomous terms: either Congress would act to modify the law and to protect the status of white, native-born workers against European contract laborers, or the United States would inevitably possess a heterogenous and revolutionary proletariat.²²²

The AFL did not cause an anti-immigration stance among middle class and elite Americans during the late 1880s and early 1890s, but its public campaign did help shape this sentiment. After 1886, an emerging network of reform-minded university-trained thinkers associated with the American Economics Association (AEA) aligned themselves with the AFL on the issue of federal gatekeeping, economic nationalism, and consumption.²²³ The AEA

²²² Historians of the AFL and nativism concur that the AFL’s commitment to immigration restriction was the logical extension of the exclusionism of skilled, male craft unionism. As a trade union movement, the AFL was committed to controlling labor markets for the purposes of protecting and enhancing the status and material conditions of white, male skilled workers. The AFL’s interest in restricting immigration was a projection of the exclusionary logic of trade unionism onto the national labor market. Gwendolyn Mink, *Old Labor and New Immigrants: Union, Party, and State, 1875-1920* (Ithaca and London: Cornell University Press); Kitty Calavita, *U.S. Immigration Law and the Control of Labor 1820-1924* (New Orleans: Quid Pro Books, 1984); Vernon M. Briggs Jr., *Immigration and American Unionism* (Ithaca and London: Cornell University Press, 2011).

²²³ Studies of nativism during the 1880s and 1890s either focus on organized labor or the middle and upper classes. The cross-class dimension of nativism has not been a subject of study. The classic account of nativism and anti-radicalism can be found in John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (New Brunswick: Rutgers University Press, 1962). For a more recent account, see Robert Zeidel, *Robber Barons*

transformed the AFL's critique of immigration and "cheap labor" capitalism into a more respectable and "scientific" theory of modern statecraft, industrial nation building, and racial competition. Several of the AEA's most prominent spokesmen, including Richard Mayo-Smith, Richard Ely, Frances Amasa Walker, and Henry Carter Adams challenged the traditional embrace of immigration that characterized U.S. social science and began to argue that gatekeeping, and the protection of an "American standard of living," constituted a core function of a modern, industrial regulatory state. The Chinese Exclusion Act (1882) as well as the Alien Contract Labor Law (1885,) these social scientists insisted, constituted a necessary although incomplete response by citizen wage earners to the destructive consequences of unregulated global labor competition. By the late 1880s and early 1890s, these social scientists argued that Southern and Eastern European labor competition created a demographic crisis in the United States. Competition with the "cheaper races" of Europe, as well as Asia, degraded the "standard of living" of American workers, preventing the latter from reproducing themselves and their families. If this dynamic were allowed to continue, they argued, the nation's homogenous American "race," would be displaced by inferior and racially undesirable "cheap races" from Southern and Eastern Europe. By the late 1880s and early 1890s, the AEA insisted that solving this problem was too important to be left to organized workers, and that social scientists would have to design and advocate for an even more radical policy that would restrict European immigration in the name of an imaginary "American working class."²²⁴

and Wretched Refuse, Ethnic and Class Dynamics during the Era of American Industrialization (DeKalb, IL: Northern Illinois Press, 2020): ch 3. This chapter explains how the anti-radicalism of middle class and elite nativism went hand in hand with the embrace of the AFL's nationalist vision of a conservative American working class.

²²⁴ The role of these experts in shaping the modern U.S. regulatory state has been the focus of numerous histories: William J. Novak, "Law and the Social Control of American Capitalism," in *Emory Law Journal* 60:2 (2010): 377-405; Furner, "The Republican Tradition and the New Liberalism," 214-218, 228-230; Dorothy Ross, *The Origins of American Social Science* (Cambridge: Cambridge University Press, 1991); These accounts overlook the significance of federal gatekeeping both in shaping the AEA's vision of the modern regulatory state, as well as the role played by intellectuals in shaping federal gatekeeping policy.

I

The Great Upheaval was a watershed moment for the labor movement in the United States. Throughout the late 1880s and early 1890s, the Federal government, state militias, private police forces, and employer associations pacified organized workers, crushed strikes, and tamped down on other labor activities. Labor organizations, newspapers, workingmen's clubs and other institutions that represented unskilled and foreign-born workers were decimated. The largest national labor organization, the Knights of Labor, went into a rapid decline after 1886.²²⁵

The trade union movement, for the most part, was able to weather the storm of reaction. Unions like the Brotherhood of Carpenters and Joiners and the Cigar Makers' International Union represented the most privileged segment of the wage-earning class in the United States: skilled, male workers. In 1886, leaders of the nation's largest trade unions founded the American Federation of Labor (AFL) to coordinate trade union activity on a national scale. Even though the AFL represented the most privileged workers in the United States, the Federation's identity, ideology, and political outlook, however, was not pre-determined. In its early years, the federation was relatively heterogeneous. Ethnically, many rank-and-file unionists were either first- or second-generation immigrants from Northern and Western Europe. Ideological and political heterogeneity also characterized the Federation in its early years. Conflict raged within, between more conservative trade unionists and their socialist counterparts, over everything from strategy to electoral politics and ideology.²²⁶

²²⁵ David Montgomery, *The Fall of the House of Labor: The Workplace, The State, and American Labor Activism, 1865-1925* (New York, 1987).

²²⁶ Greene, *Pure and Simple Politics*, ch. 1.

Despite this complexity, the AFL did become more conservative and homogenous in its overall identity, ideology, and political outlook over the course of the late 1880s and early 1890s. During these years, a cadre of conservative labor leaders (including Samuel Gompers, Adolph Strasser, P.J. McGuire, and John Mitchell) solidified control over the Federation's national apparatus. Although this group continued to face challenges to their power, they were backed by several of the AFL's most powerful affiliated unions. They consolidated considerable influence over the Federation's national apparatus, conducting its national conventions, and staffing its Executive Council. From this position, Gompers and those trade unionists in his orbit, were able to shape the Federation's national agenda and craft how the AFL was represented to employers, political parties, and the broader public.²²⁷

Anti-labor reaction of the era fell hardest on unskilled workers and their organizations. However, the trade union movement still had to confront challenges to their legitimacy. Between the 1870s and 1886, employers, political cartoonists, writers, intellectuals, and other commenters often characterized even the most conservative unions as illegitimate, radical, and foreign. Skilled, male workers and their unions did play prominent role in the Great Upheaval, but trade union leaders obfuscated this role. AFL's spokesmen defined their Federation, and the type of working class it represented, as a nationalist and moderate alternative to the allegedly more radical, militant, and foreign labor movement and working class that exploded onto the scene in 1886. In one public speech, the AFL's president Samuel Gompers situated the AFL as the savior

²²⁷ On how conservative trade unionists consolidated power and influence within the AFL, see Greene, *Pure and Simple Politics*, ch 1; John Laslett, "Samuel Gompers and the Rise of American Business Unionism," in *Labor Leaders in America*, eds. Melvyn Dubofsky and Warren Van Tine (Urbana: University of Illinois Press, 1987): 62-88. Some labor historians have argued that the AFL remained more inclusive into the twentieth century. Walter Licht, "Neither Pure nor Simple," *Reviews in American History* 27 (1999): 610-17. The historian Dorothy Sue Cobble also argues that the AFL's pure and simple unionism was more radical and inclusive than historians have previously thought. "Pure and Simple Radicalism." Dorothy Sue Cobble, "Pure and Simple Radicalism: Putting the Progressive Era AFL in its Time," in *Labor: Studies in Working-Class History of the Americas* 10:4 (Winter 2013): 61-87.

of American “civilization.” He explained that “To-day modern society is beginning to regard the Trade Unions as the only hope of civilization; to regard them as the only power capable of evolving order out of the social chaos.” According to Gompers, modern capitalism, through new techniques of production and new scientific discoveries, expanded the productive capacity of individual workers and had created an enormous national abundance. Yet, instead of “increasing the consuming power of the people,” capitalists had rendered labor as cheap and precarious as possible. Workers were subjected to “...alternating periods of enervating idleness and debilitating overwork, by undermining the very foundation of society, the family life of the workers, in reducing the wages of the adult male workers below the cost of family maintenance. This “industrial anarchy,” as Gompers described it, created the conditions for the spread of radicalism.²²⁸ George McNeil made this point before the United States Industrial Commission: “The wage-receiving class ... is continually forced to be smaller consumers of products, until their condition forces the reaction of bloody revolution, or degrades them to the ‘coolly’ level.”²²⁹

From this perspective, the skilled, male citizen workers that the AFL represented were not a threat to U.S. capitalism, but its savior.²³⁰ In their speeches, essays, and Congressional testimony, AFL leaders deployed the discourse around consumption, economic citizenship, and an “American working class” that earlier labor organizations had articulated during the 1870s

²²⁸ *The Samuel Gompers Papers, Vol. 3: Unrest and Depression, 1891-1893*, eds. Stuart B. Kaufman and Peter J. Albert (Urbana: University of Illinois Press, 1989): 32. Richard Schneirov, “Uncovering the Contradictions in Samuel Gompers’s ‘More’: Reading ‘What does Labor Want,’” in *The Journal of Gilded Age and Progressive Era* 18 (2019): 99-119.

²²⁹ The United States Industrial Commission. Report of the Industrial Commission on the Relations and Conditions of Capital and Labor employed in manufactures and general business, including testimony so far as taken November 1, and digest of testimony. (Washington, D.C.: U.S. Government Printing Office, 1901): 362.

²³⁰ Roseanne Currarino and Lawrence Glickman argued that the AFL was motivated not simply by “bread and butter” issues like wages and working conditions, but in forging a new discourse of economic citizenship grounded in consumption, or an “American standard of living.” Rosanne Currarino, “The Politics of ‘More’: The Labor Question and the Idea of Economic Liberty in Industrial America,” in *The Journal of American History*, 93:1 (June 2006): 17-36; Lawrence Glickman, “A Living Wage: American Workers Era AFL in its Time,” *Labor: Studies in Working-Class History of the Americas* 10:4 (Winter 2013): 61-87.

and early 1880s. The image that trade unionists constructed was that of a self-consciously national labor movement committed to saving American civilization from the anarchy unleashed by the ongoing exploitation of cheap labor. For Gompers, “The prosperity of a nation, the success of a people, the civilizing influence of our era, can always be measured by the comparative consuming power of a people.” The AFL would help achieve this. The social scientist and trade union advocate George Gunton became one of the Federation’s most important theorist and public interlocutors. In one essay, Gunton explained that the AFL was not an “alien intrusion.” Rather, it represented a domestic movement, one that was not imported but had emerged out of “the industrial growth of the present century...” This movement could “neither be coaxed nor coerced in silence...” it was “no longer a question of whether or not we shall have a labor movement.” Rather, it was imperative that the AFL be “recognized as a legitimate phase of modern society, and its propositions treated with the careful consideration...” The United States was confronted with a choice: either face a revolution or focus on “increasing the opportunities for developing the laborer’s intelligence and advancing his material well-being.”²³¹

The ways in which the AFL laid out this position were fundamentally shaped by categories of race, nation, and gender. The trade union movement was arrayed not against capitalism wholesale, but against what trade unionists identified as “cheap labor” capitalism and, by extension, all form of cheap labor. George McNeil, for instance, explained that the central demand of the labor movement was “that the policy of the government shall be declared as against cheap labor...” In place of a cheap labor capitalism that would exploit a radical,

²³¹ George Gunton, “The Economic and Social Importance of the Eight-Hour Movement,” *Publication of the American Federation of Labor, Eight-Hour Series, No. 2.* (Washington, 1889); George Gunton, *Wealth and Progress: A Critical Examination of the Wages Question* (New York, 1887).

inclusive, and *cheap* working class, the AFL envisioned a capitalism organized around the inclusion of the nation's white skilled, male citizen workers into the abundance produced by industrialization and mechanization. If American civilization were to thrive, it needed a homogenous wage-earning class that was materially and psychologically invested in the long-term growth and development of U.S. capitalism. These workers possessed the aspirations to become the nation's future consumers, citizens, and heads of household. As such, they were entitled to a growing "American standard of living," which entailed wages and leisure sufficient to allow them to achieve these aspirations.²³²

Male, craft workers would organize along occupational lines and assert control over the workplace and production. In doing so they would raise the "standard of living" within these industries in line with the broader American standard. Although AFL's official rhetoric did not condone exclusion based on race, sex or ethnicity, in practice as well as in the broader ideology of trade unionists, the goal of constructing an "American standard of living," necessitated moderating competition within a national labor market by excluding workers who did not fit the "American standard." The AFL lobbied for the abolition of "cheap" prison contract labor and child labor, while major affiliated unions developed new strategies to keep Black workers and women out of their unions.²³³ Although the AFL prioritized organization within the industrial field, even the most conservative trade unionists believed that political mobilization and state

²³² George McNeil, *The Labor Movement: The Problem of Today* (New York, 1887): 463; Gompers was often pressed in debates to define the "living wage." For instance, see "Living Wages for Labor," *New York Times* (March 11, 1898): 2; Lawrence Glickman, "Inventing the 'American Standard of Living': Gender, Race, and Working Class Identity, 1880-1925," in *Labor History* 34:2-3 (1993): 221-235; Thomas Stapleford, "Defining a 'living wage' in America: Transformations in Union Wage Theories, 1870-1930," in *Labor History* 49:1 (Feb., 2008): 1-20.

²³³ Julie Greene, "Not So Simple: Reassessing the Politics of the Progressive Era AFL," in *Labor* 10: (Winter 2013); Alice Kessler-Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in Twentieth-Century America*, (Oxford: Oxford University Press, 2001); Arthur Mann, "Gompers and the Irony of Racism," *The Antioch Review* 13:2 (Summer, 1953), 203-214.

power would also play an essential role in the AFL's broader project. By the late 1880s, trade unionists of all ideological and political backgrounds had come to recognize that the state and federal political institutions had fallen under the influence of the nation's capitalists: labor legislation was consistently blocked, the U.S. army was deployed to break strikes, and the tariff was wielded to enrich domestic producers. Workers, AFL leaders argued, would have to mobilize as a class outside of mainstream political parties. By the early 1890s, the AFL put forward a litany of demands on Congress intended to shift the domestic balance of power from capital to labor, purge "cheap" labor from the national labor market, and grow wages for "American workers." These demands came to include federal anti-injunction law, an Eight Hour Day for government employees, and immigration restriction.²³⁴

The AFL's nationalist and exclusionary project of combating cheap labor capitalism and constructing an exclusionary American standard of living was fully articulated in and through the Federation's evolving position on immigration and federal gatekeeping. The trade unionists in Gompers's circle were committed advocates of the Chinese Exclusion Act and the Alien Contract Labor Law and interpreted these laws as a significant victory for "American workers." By the late 1880s, trade union leaders as well as rank and file workers concluded that, like other areas of national policy, the federal gate had fallen under the control of capitalists. Trade unionists complained incessantly that employers, steam shipping companies, and apathetic federal officials were undermining existing immigration statutes. These complaints were not fantastical. For instance, a powerful steam-shipping interest in Washington D.C. lobbied Congress and immigration officials to dilute the enforcement of immigration laws. Employers

²³⁴ "Labor Measures and Political Parties," *The Sun* (November 1, 1887).

and labor recruiters continued to find loopholes in the law and developed new techniques to facilitate the movement of foreign labor into the United States.²³⁵

The AFL countered by using its national apparatus to exert influence over the federal gate, and, more specifically, over the Department of the Treasury (which was tasked with the enforcement of immigration laws). The Executive Committee opened a line of correspondence with Secretary of the Treasury Charles Foster. During the 1892 Homestead strike, striking steelworkers of the Amalgamated Association of Iron and Steel Workers wrote to the AFL's national body, complaining that Henry Clay Frick (the Carnegie Steel operating manager) threatened to bring unskilled European workers to break their strike. Gompers asked Foster to name an additional inspector of immigration in New York to forestall this importation, to which the Secretary agreed. Trade unionists also attempted to enforce the law on their own by sending trade unionists to the main immigration receiving station in New York. At the same time, the AFL attempted to illustrate that organized workers demanded these actions. The Executive Committee instructed affiliated unions, during the AFL's national conventions and in correspondence, to flood Congress with petitions and to send letters to individual Congressmen. The AFL also surveyed individual unions on the issue, to gather information on how significantly foreign immigration affected affiliated unions and individual trade. By the late 1880s, the AFL organized an ad-hoc immigration committee tasked with formulating new ways to close loopholes in the enforcement of the Alien Contract Labor Law and to ensure that federal officials would enforce the law in good faith. This political pressure did bear fruit when, in 1887,

²³⁵ AFL Convention Proceedings (1888): 10; AFL Convention Proceedings (1889): 15, 19, 24; AFL Convention Proceedings (1890): 33-34; Samuel P. Orth, "The Alien Contract Labor Law," *Political Science Quarterly* 22 (1907): 51.

the Executive Committee pressured Congress to pass an amendment placing the power of enforcement explicitly in the hands of the Secretary of the Treasury.²³⁶

AFL leaders were careful to frame their argument against immigration not as an attack on all immigrants or as immigration *per se*. For instance, in one public speech, Gompers explained that there was a difference between the involuntary immigration or “importation” of foreign workers under contract vs. so-called “voluntary” or “free” immigration. He was “personally against the restriction of immigration.” Yet, Gompers explained, he was opposed to immigrants whose movements were controlled by employers or transportation interests, or by those immigrants who came to the United States with the intention of taking work from a native-born laborer. “If a man comes to the country of his own volition, to seek a livelihood, and with honest motives,” he explained “let him come.”²³⁷ At the same time, Gompers and other AFL leaders were beginning to fundamentally depart from this more limited position, not only in their correspondence but also in their convention speeches and federal testimony.

The Federation’s campaign to strengthen the Alien Contract Labor Law between 1886 and 1892 engendered this radical shift in how AFL leaders conceptualized the immigration problem. During these years, the AFL’s Executive Committee, as well its committee on immigration, began to explain to rank and file workers that the importation of contract labor (although still a problem) had given way to a more serious problem: capitalists, transportation companies, and European governments were “stimulating” the immigration of cheap European workers using strategies like advertising high wages in the U.S., and cheapening the price of transportation. According to this logic, mass immigration was part of the broader reactionary

²³⁶ Samuel Gompers to the Hon. Charles Foster, (July 18 1892). Samuel Gompers Letterbooks, Reel 172; The press also reported on these activities. “Forestalling Labor Importation” *Morning Olympian* (July 22, 1892).

²³⁷ “Weber and Gompers’ Confer,” *New York Herald* (July 22, 1892).

conspiracy to keep American capitalism cheap. This argument was illustrated in a series of resolutions passed by the AFL's immigration committee: "The demand for cheap manhood, servile womanhood and degraded childhood has been increased and intensified by our capitalistic masters and has led to the importation under contract *and by the system of assisted immigration* of hundreds of thousands of cheaper men and women." In the committee's own words, this strategy would keep "down the progress of civilization..." From this perspective, the AFL was reluctantly forced into a restrictionist position by the dynamics of capitalism. The demand to shut "out from our shores the poor of other races and nationalities is caused by the laws of necessity and self-protection consequent upon our existing industrial system..." In his 1890 and 1891 presidential addresses to the national Convention, Gompers cautioned that the "immigration problem" should not be addressed "from the mere selfish standpoint of our own protection," but from the position of the AFL's larger nationalist project. "Unfair immigration," he argued, "not only tends to destroy the independence, progress, and advancement of our people, but also is an efficient means by which...political and social reforms postponed or avoided."²³⁸

This anti-capitalist critique of immigration was shaped by the exclusionary logic of race and nation at the core of the AFL's ideology. The AFL sought to organize a labor movement along national lines, and to protect a working class that was explicitly national in its composition, identity, and political outlook. Mass immigration from Southern and Eastern Europe, and cheap European workers, threatened this project. Restrictionists made this point by drawing parallels with Chinese workers. One ironworker, for instance, referred to Southern and

²³⁸ The AFL's Immigration Committee's report can be found in AFL Convention Proceedings (1891): 50-51. See, Samuel Gompers' presidential address on "Unfair Immigration," in AFL Convention Proceedings (1891): 15.

Eastern European workers as “The continental Chinese...” He referred to them as a “degrading, debauching, labor-destroying element whose lives, habits, and language are alien to the American people...”²³⁹ Immigration restriction did not undermine labor solidarity according to this line of reasoning. The logic of nationalism that immigration restriction entailed was not an obstacle to class consciousness. Rather it was the appropriate mode through which workers in the United States would express their interests as a class. Mass immigration, on the other hand, injected foreign workers into this process and made it impossible to mobilize a working class along explicitly national, or “American” lines. where anarchy and revolution and crime generally are propagated and flourish...” Gompers explained how he came to this conclusion in his autobiography. The cigar maker immigrated from England to New York during the 1870s. He claimed that, like the German-born fellow workers in the city, he did not feel foreign because he aspired to become an American in the fullest sense of the term. In Gompers’ own words, he “identified with the people of my new home and it was without a question that I accepted American customs and American institutions and the American life.” “To my mind,” Gompers explained, “the foreigner was the one who did not identify himself with American life and purposes.” Becoming American, for the AFL president, meant joining a trade union movement to fight for an American standard of living. To illustrate this point, he referred to Bohemian cigar workers who had immigrated to New York in the 1880s. Although they initially “let themselves be used” by employers, Gompers claimed, they quickly assimilated into the American working class. “The first step in Americanizing them,” Gompers explained “was to bring them to conform to American standards of work, which was a stepping stone to American standards of life.” The year 1890 marked a turning point in this story. It was this year, Gompers argued, that “the racial

²³⁹ *Iron Molders’ Journal*, (November, 1888).

problem in the labor movement was beginning to assume serious proportions.” “The majority of immigrants,” he observed, “no longer came from Western Europe where language, customs, and industrial organization were similar to those of the United States...” but from “the countries of Eastern Europe where lower standards of life and work prevailed.” Unlike “old immigrants” they did not aspire to the “American standard.” They were truly foreign.²⁴⁰

Trade union representatives made this argument in full during their testimony before the Congressional “Ford Committee” (1888-1891). In 1888 Congress tasked this ad-hoc committee with investigating alleged “violations” of the existing laws regulating immigration.²⁴¹ As part of this investigation, the committee held hearings that took the testimony of immigration officials, transportation interests, and employers. Gompers and other trade unionists focused on the specific inadequacies of the Alien Contract Labor Law and put forward several ideas on how to expand its scope and strengthen its enforcement. Over the course of their testimony, however, they made it clear to the Committee that the immigration problem had fundamentally changed since the passage of the original act in 1885.²⁴² Gompers’ testimony was the most illustrative. The narrative he presented was one in which American workers across the United States were fighting to achieve an “American standard of living” in the face of persistent mechanization, deskilling, and mass unemployment. However, these workers were being replaced by immigrants

²⁴⁰ Samuel Gompers, *Seventy Years of Life and Labor* 2 vols. (London: Hurst and Blackett, 1925), Vol. 2: 152-153.

²⁴¹ Proceedings of the Committee on Immigration and Naturalization (51 Cong., 2 Sess., H. Rep. No. 3472), Vol. 2. Testimony Taken by the Select Committee of the House of Representatives to Inquire into the Alleged Violations of the Law Prohibiting the Importation of Contract Laborers, Paupers, Convicts and other Classes (50 Cong., 1 Sess., H. Misc. Doc. No. 572).

²⁴² On the “Ford Committee,” see Edward P. Hutchinson, *Legislative History of American Immigration Policy 1798-1965* (Philadelphia: University of Pennsylvania Press, 1981): 95, 98; Samuel P. Orth, “The Alien Contract Labor Law,” *Political Science Quarterly* 22:1 (March, 1907): 49-60. The Committee was widely reported in the press. See: *The Sun* (November 1, 1887). The Ford Committee’s Revelations were widely reported in the press. Consequences of Stimulated Immigration *New York Times* (August 10, 1888); “Contract Immigration,” *New York Times* (August 7 1888); “Unregulated Immigration,” *New York Times* (June 16 1888).

who, “have no conception of our institutions, nor have they by reason of their condition any opportunity or desire to become assimilated and familiar with our customs...” Becoming an American, Gompers explained to the committee, entailed being able and willing participate in the broader struggle to build an American standard. “I think that a man who doesn’t come to our country from his [own] volition...to become a man in the best sense of that term, and to assimilate with the people of the *country and participate in our struggle, adversities and benefits,*” was a foreigner. This was the type of foreign worker that employers desired--to cheapen labor by undermining the struggle of skilled workers. Gompers referred to one incident to illustrate this process. He alleged that cigar manufacturers in Milwaukee recently introduced a new machine intended to break the control of workers over the process of production. These mostly native-born workers responded by striking for an eight-hour day, but this strike was quickly broken when the city’s largest manufacturer successfully brought in unskilled workers by “advertising extensively throughout Bohemia and Germany.” The goal of the federal gate, according to Gompers, was to ensure that employers could not simply replace American workers with foreign proletarians.²⁴³

For the most part, opposition to the AFL’s industrial political agenda did not abate during the late 1880s and early 1890s. The press, public officials, and employer associations continued to argue that labor activities like strikes and boycotts, as well as political demands for laws enforcing the eight-hour day or prohibiting injunctions against labor unions, would radically upset the balance of class power in the United States or even undermine the sanctity of private

²⁴³ Gompers’ testimony was taken in New York, Thursday, April 10th, 1890. Proceedings of the Committee on Immigration and Naturalization (51 Cong., 2 Sess., H. Rep. No. 3472), Vol 2. Testimony Taken by the Select Committee of the House of Representatives to Inquire into the Alleged Violations of the Law Prohibiting the Importation of Contract Laborers, Paupers, Convicts and other Classes (50 Cong., 1 Sess., H. Misc. Doc. No. 572): 88-105.

property and the wage system. Trade unionists, however, soon found that the national discussion of immigration and national gatekeeping policy became one arena in which a growing number of middle class and elite Americans did come to see the AFL's argument against cheap labor as legitimate and worthy of federal action.

II

The self-appointed representatives of "American labor" gained national attention during the late 1880s and early 1890s. Aside from the Congressional Ford Committee, Bureaus of Labor Statistics in Illinois, Wisconsin, New Jersey, and New York surveyed trade unionists on European immigration and immigration policy.²⁴⁴ The press also played a major role in amplifying and affirming the trade union movement's arguments. The *New York Times*, the *New York Herald*, the *Chicago Tribune* as well as smaller regional newspapers reported on anti-immigrant sentiment.²⁴⁵ A headline in the *Daily Inter Ocean*, for instance, read: "American Cigar-makers and Coal Miners Forced to the Wall by Foreigners..." Even the typically anti-labor *New York Times* published alarming reports on the "stimulated" immigration of European by employers and transportation companies.²⁴⁶ *The North American Review* as well as *Harper's Weekly* gave the Grand Master General of the Knights of Labor, Terence Powderly, a platform to speak for American workers. On the surface, this platform was ironic. Powderly had been unceremoniously ousted from the Knights of Labor (for reasons unrelated to immigration). However, the former Grand Master, however, had played a key role in the passage of the

²⁴⁴ Bureau of Labor Statistics of Illinois, *Fourth Biennial Report*, (1886): 161.

²⁴⁵ "Gompers on Immigration," *Cincinnati Commercial Tribune* (August 17, 1888); "Labor's View on Immigration" *New York Herald* (January, 1893); "Powderly on Immigration," *New York Times*, (July 1887);

²⁴⁶ *New York Times*, "Contract Immigration," (August 7, 1888); *New York Times*, "Consequences of Stimulated Immigration," (August 10, 1888); *New York Times*, "Unregulated Immigration" (June 16, 1888); *Daily Inter-Ocean* "Evils of Immigration," (August 17, 1888); "Labor's Views on Immigration," *New York Daily Herald* (January 23 1893).

Chinese Exclusion Act as well as the Alien Contract Labor Law. Powderly genuinely detested radicalism and immigration and remained a committed nationalist and restrictionist throughout



Figure 5: “Homestead Mills Protected by the McKinley Tariff, The World (July 7, 1892). The cartoonist pokes fun of employers like Andrew Carnegie who called for protection against cheap foreign-made commodities while importing “foreign pauper laborers”

his life. In one essay on the topic, Powderly insisted that the United States was compelled to choose between “anarchy and dynamite” on the one hand, or American workers, on the other. “The Chinese worker,” he explained in another essay, was restricted, “because he interfered with the right of the American to earn his living,” and now, for this “same reason,” so must the European be restricted. “Instead of Americanizing,” these workers, which he insisted could not

be done, they “will Europeanize us.” For Powderly, the future wage-earning class in the U.S. would either be foreign or American—it could not be both.²⁴⁷

The specter of a foreign-born radical working class encouraged a growing number of writers, employers, politicians, political cartoonists, and editorialists to come to this same conclusion. *The American Manufacturer*, for instance, incorrectly claimed that native-born workers had not been involved in the massive strike wave of 1886: “most of the strikes in this country are commenced by our foreign-born working-men.”²⁴⁸ The Great Upheaval was not evidence that the principles of labor gatekeeping had failed, but that Congress had not gone far enough to curb the nation’s overreliance on cheap, foreign labor. “We see the great masses of idle, discontented, hungry and desperate men...all endeavoring to do something...they know not what...,” warned one self-identified “businessman.” Only the “restriction of immigration,” could solve this problem. A periodical representing the steel industry, for instance, blamed the industry’s reliance on “Cheap Labor” for the importation of “discontent and distributed dirt, garlic, and trampdom” into the United States. The dynamic of making labor as cheap as possible through mass immigration had created a working class that was in American capitalism but not of it. Cheap labor, one writer explained, “lowers the standard of moral in any country.” The writer described that “The herding together of colonies of foreigners, retaining their customs and their language, with their low morals and diseases and filth breeding conditions.”²⁴⁹

The war against cheap labor was taken up by middle class and elite Americans between 1886 and the early 1890s. American workers were the victims, and capitalists were the

²⁴⁷ On Powderly’s nationalism and commitment to immigration restriction, see his autobiography, Terence Powderly, *The Path I Trod*, (New York, 1940): 409-411; “On Cheap Foreign Labor,” and “The Immigration Question,” *Journal of United Labor* 9 (April 24, 1890).

²⁴⁸ *The American Manufacturer* (November 27, 1885): 12.

²⁴⁹ *Age of Steel* (January 30th, 1886): 7-8.

perpetrators. The future President, Theodore Roosevelt, explained that the growth of a foreign proletariat at the expense of a citizen working class “would surely in the end bring about the overthrow of the whole system.” Roosevelt detested all forms of radicalism but reserved the bulk of his anger for “The man who imports degraded laborers.” This man, he explained, “is also importing unworthy citizens. The employer “is not an anarchist or dynamiter; but he is doing his best to prepare a soil in which anarchists” thrive.²⁵⁰ Some commentators noted the hypocrisy at the heart of the American protective tariff. “We have shut out the cheap foreign watch, blanket, tin sheet, glassplane...” one writer wrote, “but the cheaper foreign worker...underbids the American labor in the home market that we boast was made for it alone...” Another author explained that “Labor unions” were “not run in the spirit of Americanism.” Yet their demand, as Americans, for protection against foreign labor was in line with Americanism. “Strikes, riot and bloodshed,” the writer explained, “can, beyond a doubt, be traced to the foreigner.” “The American workman” on the other hand, “puts his wages into beautifying his home, clothing his family, and educating his children.”²⁵¹

The journalist George Frederic Parsons encapsulated this argument in the *Atlantic Monthly*. In an 1886 article, Parsons explained that the rise of “lawlessness” in labor circles was, in part, the consequence of irresponsible labor leaders and the flood of unskilled workers into labor organizations. The more serious problem, he argued, were employers who acted, “with short-sighted rapacity and selfishness...buying in the cheapest market to its most odious conclusion...” “Importing ignorance and socialism as freely as we do,” Parsons insisted, “we cannot reasonably complain of the results.” The compulsion of American employers to displace

²⁵⁰ Theodore Roosevelt, “The Immigration Problem,” *Harvard Monthly* 85 (1888).

²⁵¹ H.J. Deily, “The Evils of Immigration,” *The Independent* (Oct. 1, 1891): 43; Thomas Nixon Carver, “Immigration and the Labor Problem,” *American Journal of Politics* 3 (July, 1893): 78-81.

American labor with foreign labor “extinguished all sympathy between itself and the wage-earners.” Parsons believed that it was “among skilled labor principally that an advance has been made... That is to say, among the most intelligent workingmen,” on whom the nation could pin its hopes. The “American workingman,” he argued, “certainly entertain no revolutionary purpose wittingly...” However, the “patriotism” of these workers, should not be “taken for granted.” Even they were becoming “hostile to this system.”²⁵²

The proliferation of this line of commentary within the mainstream press helped legitimize the idea that a homogenous American working class existed (despite evidence to the contrary) and that this class desired immigration restriction on behalf of American civilization. A loyal national working class was not possible so long as the nation’s borders were open. Rather, American workers would simply have to be preferred over foreigners. The economist Thomas Nixon Carver explained that, although immigration had not created class conflict in the United States, its affect “has been to widen whatever gulf might otherwise have separated the laborer from the employer.” The problem was the introduction of diversity into the nation’s class order. Racial and national differences among workers and between workers and employers engendered “natural antipathy.” Native-born workers felt more hostility to American employers because they were now forced to “share in the degradation” of foreigners whose “habits of life are utterly at variance with American standards...” “When our manufacturing establishments are largely filled” with foreign labor, he explained, “it is perfectly clear how there could arise a distinct barrier between the laboring classes and their employers...” However, the restriction of immigration would allow national institutions to bridge the gap between labor and capital. A more harmonious class order could be achieved along national lines. If this “constant disturbing

²⁵² George Frederic Parson, “The Labor Question,” in *The Atlantic Monthly* (July 1886): 97-113.

element in our social organism,” were eliminated then “American democratic principles and public education might be relied upon to reduce the barrier between the laboring and the employing class.” Immigration restriction was, ultimately, not a panacea for class conflict, but it would allow the United States to “retain all the good features of the wage system, and gradually eliminate the bad...”²⁵³

Like Carver, other university-trained social scientists saw in the restriction of cheap foreign labor a new logic of economic nationalism. Francis A. Walker explained that the United States simply lacked the capacity and traditions of European states to maintain a disciplined working class simply through domestic repression. Yet it did not have to. Federal gatekeeping represented an alternative nationalist relationship between the federal government and the wage-earning class. A loyal working class would be created not only through the exclusion of European workers from the United States but by the inclusion of native-born workers in the abundance of American capitalism. According to Walker “Every outbreak of violence...of the past two years has been characterized by the almost, if not altogether, complete absence of participants of native birth.” The true value of the native-born workers, on the other hand, lay in their aspiration to participate in American capitalism through consumption. They were motivated not by “hopeless misery, but growing ambition, not the painful need of the bare necessities [sic] of life, but the quickened desire for decencies, comforts, and enjoyments...” So long as these aspirations were encouraged and protected, then “The self-assertion of the laboring class,” Walker argued, “need not necessarily be feared. Walker’s colleague, Richard Ely explained that the United States needed—more than anything “a strong feeling of nationality.” Yet, like Chinese immigration before, European immigration was hindering “the development of our

²⁵³ Thomas Nixon Carver, “Immigration and the Labor Problem,” *American Journal of Politics* 3 (July, 1893): 78-81.

national faculties.” Ely explained in his study of the labor movement in the United States that there had “been great progress in the intelligency [sic] of” American workers. The “political equality,” of American democracy, he argued had “stimulated the desires of the masses for a larger share of material riches.” However, as his “wants have grown,” he is “inclined to doubt whether he is as well able to gratify his legitimate needs as formerly...” “We ought then,” he insisted “to listen to the demands...and discuss them in a spirit of candor, and grant them in so far as they may be just.”²⁵⁴

The Congressional “Ford Committee” investigation of European immigration concluded in 1889 and laid out a similar argument.²⁵⁵ The Committee’s final report found that the Alien Contract Labor Law (1885) was designed for a narrower problem: the importation of foreign contract laborers who were lowering the wages of their American counterparts. A fundamentally new immigration problem had emerged: a national working class was being replaced with foreign workers who were unwilling and unable themselves become American workers. Those immigrants arriving from Southern and Eastern Europe, the Report explained “...do not come here with the intention of becoming citizens; their whole purpose being to accumulate by parsimonious, rigid, and unhealthy economy a sum of money and then return to their native land...” Their standard of life “would nauseate and disgust an American workman, and he would find it difficult to sustain life upon it.” Referring to Hungarians who replaced “American” miners in Pennsylvania, the Report declared that “No amount of effort....would... ‘Americanize’ this

²⁵⁴ Frances A. Walker, “The Labor Problem of Today: Address delivered before the Alumni Association of Lehigh University, June 22 (New York, 1887); “What Shall We Tell the Working Classes?” *Scribner’s Magazine*, November 2 619-27; Richard Ely, “Thoughts on Immigration,” *Congregationalist* 79:26 (June 28, 1894): 889; Ely, *The Labor Movement in America* (New York, 1886).

²⁵⁵ The Ford Committee’s Report was not the only official investigation that registered the problem of foreign immigration in American industry. See also the House of Representative’s “Investigation of Labor Troubles in Pennsylvania.” 59th cong 2nd sess report 4147.

class of immigrants.” Having been brought here *en masse*, this immigration, “has resulted in their replacing the American citizen...” Future immigration, “should at least be composed of those who in good faith desire to become its citizens and are worthy to be such.” “Worthy to be such” was not explicitly defined, but it implied an immigrant worker who desired to stay and to work in the United States. It implied a worker who hailed from nations in Europe which already possessed a comparable “standard of living” to American workers. The Report declared that “The time has now come to draw the line, to select the good from the bad, and to sift the wheat from the chaff.”²⁵⁶

III

As the “Ford Committee” closed its investigation, a cadre of reform-minded, university-trained social scientists associated with the American Economic Association (AEA) aligned with the AFL on the issue of federal gatekeeping. Between 1888 and 1891, academics like Frances A. Walker, Richard Ely, Richard Mayo-Smith, John R. Commons who were sympathetic to the AFL and its vision of a conservative, national working class broke with the traditional pro-immigration position of U.S. social science and came to see immigration restriction as a legitimate demand of American worker that would serve the broader interest of U.S. political and economic development. These restrictionist social scientists argued that the restriction of Southern and Eastern European immigration in the name of an “American standard of living,” was part of a broader project to construct a more rational, cooperative, and ethnically and racially homogenous American capitalism through an activist federal government. However, from perspective, national immigration policy was simply too complex and significant to be left in the

²⁵⁶ Ford Committee, Vol. 1, 40, 57, 189. Congressional House of Representatives Testimony taken by the Select Committee of the House of Representatives to Inquire into the alleged Violation of the Laws Prohibiting the Importation of Contract Laborers, Paupers, Convicts, and Other Classes 1888 50th Cong 1st sess Doc 572.

hands of organized workers. The AEA did not simply echo the AFL, but helped translate its critique of immigration into a “scientific” theory of nation-building, modern statecraft, and class reproduction. In doing so, they formulated a new policy that would effectively restrict the immigration of cheap labor from Southern and Eastern Europe.²⁵⁷

The shift of the AEA into the restrictionist camp was shaped by the association’s broader critique of mainstream social science and U.S. capitalism as it had developed by the late nineteenth century. Founded in 1885, the AEA became the center of gravity of heterodox social scientists, like Richard Mayo Smith, John Bates Clark, Richard Ely, John R. Commons, and Frances A. Walker. What motivated these university-trained intellectuals to create a new academic association was a shared opposition to the *laissez faire* orthodoxy which, they believed, still dominated academic social science as well as business and policymaking. From their perspective, the unregulated development of capitalism engendered the nation’s myriad industrial problems of the late nineteenth century: business failure, overcompetition, and class conflict.²⁵⁸ The economics professor Henry Carter Adams explained in an 1890 essay, that the nation’s economic order was characterized not by cooperation, but by the “struggle between men for commercial supremacy...” “The fittest to survive unregulated competition,” he argued, “will be he who is morally the least fit to live.”²⁵⁹

²⁵⁷ The shift of American university-trained intellectuals into the restrictionist camp has been noted by numerous historians of nativism, xenophobia, and American immigration policy. Often, this shift is attributed to the introduction of new logics of scientific racism and eugenics into American social science during the late nineteenth century. See, Lee, *America for Americans*, ch. 4. This cross-class alignment between the AEA and the AFL was motivated not simply by a shared xenophobic hostility to immigrants, but by a broader exclusionary and nationalist vision of an American labor market and working class shielded from global competition by the federal power.

²⁵⁸ On the rise of the AEA, see Thomas L. Haskell, *The Emergence of Professional Social Science: The American Social Science Association and the Nineteenth-Century Crisis of Authority*; Mary Furner, *Advocacy and Objectivity: A Crisis in the Professionalization of American Social Science, 1865-1905* (1975); James Kloppenberg, *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870-1920* (Oxford: Oxford University Press, 1986); see Richard T. Ely, “The American Economic Association, 1885-1909,” *American Economic Association Quarterly* 11:1 (April, 1910): 47-111.

²⁵⁹ “Platform,” *Publications of the American Economic Association* 1 (1886): 6; A.W. Coats, “The First Two Decades of the American Economic Association,” *The American Economic Review*, 50:4 (September, 1960):

Just as the AEA rejected a “laissez-faire” state that would not interfere with the principle of the “survival of the fittest,” it rejected radical calls for the state to socialize private property, abolish markets, or end labor exploitation. The AEA envisioned a middle path between these two poles and advocated for—and helped design--what scholars now identify as the modern U.S. “regulatory” state. The most committed reformers within the AEA saw it as their responsibility as “objective” experts, to guide public and official opinion towards the acceptance of a more moderate path of reform, but also to help usher in this reform by shaping actual policy. “The state should come to be seen,” the AEA’s charter declared, “as an educational and ethical agency whose *positive aid* is an indispensable condition of human progress...” “It should be the purpose of all laws,” Henry Carter Adams explained in one essay, “...to maintain the beneficent results of competitive action while guarding society from the evil consequences of unrestrained competition.” Government would “regulate the plane of competition.”²⁶⁰ Unlike earlier social science associations, AEA members believed that social scientists should play a direct role in shaping national policy in response to the myriad industrial problems faced by the United States. The AEA’s spokesman, however, also claimed that, as an organization of academics, they transcended class-based interests, and could, therefore, articulate policy that was in the “national interest.” In their meetings, published literature, and testimony before Congress, AEA spokesmen became key figures in the design, advocacy, and implementation of new federal policies to moderate the most destructive tendencies of capitalism.²⁶¹

556-574; Henry Carter Adams, “Relation of the State to Industrial Action,” in *Publications of the American Economic Association* 1:6 (January, 1887).

²⁶⁰ Henry Carter Adams, “An Interpretation of the Social Movements of Our Time,” in *International Journal of Ethics*, 2:1 (October, 1891): 32-50.

²⁶¹ This project included everything from the regulation of railroad rates, to advocating for the regulation of public utilities, and designing new systems for arbitration between labor and capital. The role of these experts in shaping the modern U.S. regulatory state has been the focus of numerous histories: William J. Novak, “Law and the Social Control of American Capitalism,” in *Emory Law Journal* 60:2 (2010): 377-405; Furner, “The Republican Tradition and the New Liberalism,” 214-218, 228-230; Dorothy Ross, *The Origins of American Social Science*

AEA social scientists were not initially interested in immigration or in federal immigration policy. Their apathy quickly faded in the wake of the Great Upheaval (1886) and the Ford Committee's investigation (1888-1891). Throughout these years, several of the AEA's most prominent representatives began to rationalize federal immigration laws as an embodiment of the activist, regulatory state that their association promoted. From their perspective, the construction of federal laws regulating and restricting the flow of foreign labor into the United States constituted an important, although incomplete, departure from America's historical legal, ideological and political *laissez-faire* order. The Columbia political economist Richard Mayo-Smith became the AEA's most important spokesman on this line. In the introduction of the 1891 *Emigration and Immigration*, Mayo-Smith framed his "scientific" inquiry into immigration and federal immigration policy as an answer to the most pressing question of the day: "What is our obligation to the laboring classes when competition threatens to ruin them? "Why should the state interfere to check the free action of industrial forces?" "It is from this standpoint," he declared, "that the phenomena of emigration and immigration become of lively concern..."²⁶²

Mayo-Smith sketched out an elaborate answer to these questions in a series of highly influential essays and a monograph. He articulated an argument for federal gatekeeping in general, and the restriction of European immigration, as part of a capacious nationalist theory of nation building, economic citizenship, and federal power. In his first essay on the subject (published in 1888 as a response to the Ford Committee's investigation), Mayo-Smith explained that over the course of the nineteenth century the federal government encouraged national productivity and industrial development by permitting the unrestricted mobility, competition, and

(Cambridge: Cambridge University Press, 1991); These accounts overlook the significance of federal gatekeeping both in shaping the AEA's vision of the modern regulatory state, as well as the role played by intellectuals in shaping federal gatekeeping policy.

²⁶² Richard Mayo Smith, *Emigration and Immigration: A Study in Social Science* (New York, 1890): 4.

exploitation of labor. By the end of the century, he argued, the United States had entered a fundamentally new stage of national development which rendered this old system obsolete: “It was not good statesmanship nor good political science,” however, “to go on trusting to the generalizations [sic] of a quarter or a half century ago when conditions were entirely different...” The concentration of productive property and the mechanization of production during this era, he explained, had decreased the need and demand for unskilled labor to “less than it formerly was.” “Fifty years ago,” he claimed, “we may have needed” unlimited unskilled foreign labor. However, “The steam drill, the dredge, the derrick,” now “do the work which was formerly done by men...”²⁶³

The rise of this “modern industrial system,” Mayo-Smith explained, led to the formation of “a sort of reserve army of the proletariat,” or a “proletariat that is a burden to the community.” “As soon as times are bad,” he explained, “men...are thrown onto the streets...”²⁶⁴ The rise of this surplus population challenged the hegemonic assumption that the unregulated expansion and exploitation of the nation’s wage earners was in the “national interest.” Mayo-Smith inverted this logic: “A nation is great,” he argued, not on account of the number of individuals contained within its boundaries but through the strength begotten of common national ideals and aspirations.” Instead of a foreign-born proletariat, the United States needed a *national* working class. To achieve this, the state should facilitate the psychological and material investment of male wage earners in a larger national industrial and political project. In his own words, the “great ethnic problem,” facing the United States was how to “fuse” together the “diverse elements,” of its existing wage earning population into “one common nationality, having one

²⁶³ Richard Mayo Smith, “Control of Immigration: I,” *Political Science Quarterly* 3:1 (Mar., 1888): 46-77.

²⁶⁴ Mayo-Smith was directly referring Karl Marx: “It was one of the theories of Karl Marx that the modern industrial system creates a sort of reserve army of proletariat. *Ibid*, 122.

language, one political practice, one patriotism and one ideal of social development.”²⁶⁵ The mechanism that would enable this “fusion,” Mayo-Smith explained, would be a more adequate distribution of the “economic prosperity” of modern capitalism among the nation’s white, male, native-born as well as European-born citizenry already in the U.S. A share in “economic prosperity,” he explained, expanded the “circle of wants,” of the wage earner and, in time, “leads him to imitate the higher style of living which he sees about him...” The ability to do so “differentiates him...from the immigrant,” and “gives him a feeling of attachment to the country which he has prospered...”²⁶⁶

By the late nineteenth century, the nation’s citizenry had already begun to articulate a new relationship between themselves and the state. This was an era, Mayo-Smith argued, of “individualistic demands for socialistic action of the state,” in which citizens called for “the distribution of wealth and well-being, the relative opportunity for attaining the desirable positions and the desirable things of life...”²⁶⁷ The task faced by policymakers and social scientist alike was to “determine exactly what the state can do for the individual and what the individual may justly expect from the state...” Like his AEA peers, Mayo-Smith rejected radical calls for the state to abolish labor markets or end the wage system. He did believe, however, that “the standard of living in this country should be jealously guarded, so that our working classes should not either consciously or unconsciously lose it...” What was needed was the articulation of new, moderate policies, by which the federal government could foster a national “standard of living”

²⁶⁵ Ibid, 78.

²⁶⁶ Ibid, 73. As will be discussed below, Mayo-Smith fervently supported the restriction of Southern and Eastern European immigration, but believed that those European-born workers already in the United States could, under the right conditions (one of these being immigration restriction) become assimilated into the broader national working class and the American nation: “The feeling of participating in the economic prosperity of the nation, he explained, “increases with his children and grandchildren until they become fully identified with our customs, manner of living and habits of thought, and are thoroughly Americanized.”

²⁶⁷ Ibid, 2-3.

that would ensure the production and reproduction of a national class of male wage earners. The state would do so by regulating and moderating labor market competition and wage exploitation. Under a system of unregulated competition and exploitation, the “fittest to survive,” would always be the worker who could work for the cheapest price, not the worker most desirable for the nation and its national working class. Having acknowledged this fact, “Most economists and statesmen,” he explained, “now acknowledge that competition in the labor market should take place only on a certain plane of living.” The state would construct a *national* labor market that could enable male citizens to earn a wage sufficient for them to achieve their aspirations to become members of a national working class, as intelligent citizens, heads of households, as well as consumers. It would do so by driving out those workers with inferior “standards of living.” “We have not allowed employers to drive any bargain they pleased with their employees.” The state had already restricted “hours of labor for women and children; we have regulated the condition of the workshop and the factory; we have compelled the children to go to school.” These steps were not simply intended to pacify militant wage earners but to bind them to the national order. “In its efforts to improve the sanitary legislation...by its insurance against old age, accident and sickness, by its provisions for education and culture,” he explained, “modern socialistic legislation, is slowly weaving a web about the workman which will bind him more closely to his native country.”²⁶⁸

Federal legislation regulating and restricting the movement of foreign labor into this national labor market was not just another example of “modern socialistic legislation,” according

²⁶⁸ Rosanne Currarino, “The ‘Revolution Now in Progress’: Social Economics and the Labor Question,” *Labor History*, 50:1 (2009): 1-17. Alice Kessler-Harris, *In Pursuit of Equity, Women, Men, and the Quest for Economic Citizenship in 20th Century America*, (Oxford: Oxford University Press, 2001): 134. My interpretation of these reformers and their critique of labor market competition and citizenship builds on Currarino and Kessler-Harris’ work. Their interpretations” however, overlooks the ways in which nationalism and xenophobia motivated and shaped the vision the logic of “economic citizenship” in the United States.

to Mayo-Smith. The construction of the federal gate was essential if America's national labor market were to be truly *national*. The United States could not have a national working class or a rising "standard of living," so long as its labor market was integrated into global capitalism. "Suppose we raise up foreign born workers in the United States to the standard "of the American laborer...?" he posed. Then "there is an inexhaustible supply" of labor to drawn from, and new quotas will be brought over for the same purpose as before, namely, in order to obtain cheap labor..." The "survival of the fittest" had to stop at the nation's borders if this dynamic were to be moderated within them.²⁶⁹

From Mayo-Smith's vantage point writing in the late 1880s and early 1890s, Congress' Ford Committee showed that "survival of the fittest," had not stopped at the nation's border. "All the barriers that had once restricted the movement of unskilled labor into the United States," he argued "have been broken down..." At the same time, the domestic mechanization of production had "made many occupations, which were once skilled, really unskilled..." Unskilled labor from Southern and Eastern Europe "readily masters the simple operations of the machine and then crowds into the factories and workshops." Consequently, "Emigration," he noted, is no longer culling and bringing to us the cream of the working classes..." On the contrary, these "unskilled workers" become "stranded in the large cities where they form the nucleus for an ignorant, often depraved proletariat..." Instead of producing a national working class, the United States was creating a foreign proletariat. Historically, he claimed, the higher "standard of living" of American workers differentiated them "sharply from the artisans and peasants of Europe..." But by the late nineteenth century, the "American laborer," he claimed, "is now subject "to a stress of competition such as no laboring class in the world has ever been called

²⁶⁹ Page number

upon to endure.”²⁷⁰ Previously skilled and well-remunerated American laborers were now compelled to compete within a hyper competitive and exploitative unskilled labor market against an increasingly degraded population of foreign workers. As a result, the American laborer’s very identity and political consciousness was beginning to resemble the foreigner. He recognizes that “No one employs him because he is a man, or a neighbor, or a compatriot,” but simply because “he will take the least wages.” Consequently, “the national pride in him and his work has ceased...” He understands that his wage did not consider his significance as a citizen, a head of household, or as a member of the national community—his “labor is literally a commodity, and he is paid the market value of it without any regard to its cost of production or its future supply.” Native-born workers would either be “displaced” by foreign workers or adopt the same “standard of living” as the degraded foreigner. “Either way,” he argued, “we have substituted the lower for the higher, and preferred that which is inferior.” Employers, policymakers, and academics who argued for open immigration still “content themselves with showing the advantage of having command of this increased labor force...” They addressed the immigration question solely from “the standpoint of the production of wealth,” and failed to answer the more pressing question of the day: “What effect has this constant immigration on the labor already here? On its wages, its standard of living, and its contentment?” From Mayo-Smith’s perspective, the immigration question “ramifies out into the great question of the condition of the working classes, of their content or discontent.”²⁷¹

Other “experts” followed his lead. The political scientist John Hawkes Noble caricatured advocates of free immigration as employers who desired “cheap labor,” boosters from

²⁷⁰ Richard Mayo-Smith, “Control of Immigration II,” *Political Science Quarterly*, III (June, 1888), 223.

²⁷¹ Mayo-Smith, *Emigration and Immigration*, 225.

underdeveloped regions of the U.S. like the Southeast, as well as those intellectuals and policymakers who preached “outdated economic doctrines...” Advocates of restriction, on the other hand, recognized that managing “the condition of the working classes...their... content or discontent...” was the most pressing political problem of the late nineteenth century. Southern and Eastern European workers, he found, not only added to the class “in which disease, mortality, crime, pauperism and ignorance are most prevalent,” but their competition with native-born laborers affected a “demoralization within” this class. The fault was not with immigrants per se, or even with individual employers, but with the very logic of unregulated competition. So long as employers could simply “make the best bargain they can...” by employing the cheapest laborers, “the more civilized workingman” will be forced “toward the lower standard.” This, he declared, “is the most serious aspect of” the immigration debate.²⁷²

By the early 1890s, the AEA had begun to identify a crisis of racial displacement, or what would eventually be called “race suicide.” The economist and demographer Frances A. Walker (a co-founder of the AEA) explained this problem in 1891. Given the falling cost of migration in the late nineteenth century, Walker explained, “there is no reason why every stagnant pool of European population...the lowest degradation of human nature, should not be completely drained off into the United States.” These were “peoples which have got to great good for themselves out of the race wars of centuries, and out of the unceasing struggle with the hard conditions of nature.” They have “remained hopelessly upon the lowest plane of industrial life.” As such, they were perfectly suited to the increasingly exploitative and competitive conditions of industrial life in America. The American worker--who aspired to reproduce himself and his family and participate in the nation’s political and economic life as both a citizen and as a

²⁷² John Hawks Noble, “The Present State of the Immigration Question,” in *Political Science Quarterly* 7:2 (June, 1892): 232-243.

consumer--had lost faith that his labor would yield him a “standard of living” in line with these aspirations. Walker found that the nation’s native-born workers, forced to accept an inferior “standard of living,” had begun to come to the conclusion that they should not bring children into this increasingly dismal order. As a demographer as well as a former director of the U.S. census, Walker explained that this process had resulted in a national demographic crisis: the nation’s population of native-born wage earners was diminishing in relation to its population of foreign-born workers. The Census of 1890, he argued, showed that this dynamic had “amounted not to a reinforcement of our population, but to *a replacement of native by foreign stock*.”²⁷³

The intervention of Walker and other AEA spokesman into the national immigration debate helped shape how commentators framed the immigration problem and immigration restriction as a political and intellectual project.²⁷⁴ The demand for restriction was no longer a demand of organized workers to protect their own economic interests. One writer, for instance, noted that it was no longer “professional alarmists,” but the “students of social science and the conditions of stable social equilibrium who toll a warning bell.” Another commentator observed that Americans, “who have no latent prejudices against foreigners as a class...” now “believe that the phenomenal assimilative powers of the Republic have at last reached their limits...” These intellectuals, the author noted, had made it apparent “that the great influx of aliens, by direct action upon the labor market, is reversing a great axiom of civil polity, by causing the greatest misery to the greatest number...causing our own citizen workmen to eat the bread of

²⁷³ Francis Walker, “Immigration and Degradation,” *Forum* 11 (August 1891): 643. “Restriction of Immigration,” *Atlantic Monthly* 77 (June 1896): 822-829; Jean-Guy Prevost, “Controversy and Demarcation in Early-Twentieth-Century Demography: The Rise and Decline of Walker’s Theory of Immigration and the Birth Rate,” *Social Science History* 22:2 (Summer, 1998): 131-158.

²⁷⁴ Reflecting on this change of opinion, Frances A. Walker observed that “Probably not a member [of the American Social Science Association] entertained a doubt of the desirability of the movement of population to the country.” Tichenor, *Dividing Lines*, 79; For Walker’s quote, see Immigration Restriction League. (p. 450) n. 2, IRL Papers, Hall Collection.

discontent...” Social scientists, another writer explained had “shown that digestive functions of the state are being seriously disordered by the wholesale reception of immigrants.” For this reason, they “are seriously discussing the wisdom of extending to certain other countries some features of the Chinese Exclusion Act...” to European immigration.²⁷⁵

IV

Walker, Mayo-Smith, Hawkes-Noble, Richard Ely and other restrictionists within the AEA fold took advantage of this recognition and set to work articulating and advocating for a policy that could solve the crisis of immigration they helped imagine. From their perspective, the Ford Committee’s investigation and the broader public discourse on immigration had created a policy-muddle. Hawkes-Noble, for instance, explained that it was incumbent on social science “experts,” to guide lawmakers, as well as the broader public towards a more “scientific” and effective immigration restriction law. Although he was comforted by the fact that legislation was “imminent,” he also anticipated that said legislation would be “unsatisfactory so long as public opinion remains ill-defined.”²⁷⁶ On the one hand, the AFL remained committed to strengthening the Alien Contract Labor Law. More radical restrictionists on the other hand called for everything from a temporary moratorium on *all* immigration to an increased head-tax on immigrants and even the outright exclusion of all European immigrants. AEA restrictionists rejected this path forward. Mayo-Smith explained that “the demands of modern life,” made the “absolute prohibition of immigration from Europe burdensome...” It would be unwise to restrict

²⁷⁵ Joseph H. Senner, “Immigration: How it Effects the Interests of the Country,” *The Independent* (November 2, 1893); Richard H. Sylvester, “The Immigration Question in Congress,” *American Journal of Politics* (June 1893).

²⁷⁶ Hawks Noble, “The Present State of the Immigration Question,” in *Political Science Quarterly* 7:2 (June, 1892): 232-243.

desirable workers from Northern and Western Europe or to unduly interfere with the “great transportation interests,” who had a vested interest in immigration. Any alteration of federal gatekeeping policy should not be rooted in the narrow demand of trade unionists to monopolize the labor market for themselves (referring to the Alien Contract Labor Law) or in a “medieval” desire to exclude solely for the sake of exclusion. What was needed was “a policy that would be practicable to ensure, and such as shall have the effect of gradually discouraging immigration until it shall be of good quality and of reasonable economic dimensions.”²⁷⁷

To fulfill this goal, the AEA solicited ideas by way of an essay contest on the “Evil Effects of Unrestricted Immigration.” Its award went to one of the association’s members, Edward W. Bemis. An economics professor at the University of Chicago, Bemis's essay reflected the AEA’s broader critique of unregulated capitalism as well as its vision of economic nationalism, citizenship, and consumption. “It is acknowledged by all economists...” he argued, “that wages have a strong and almost irresistible tendency to equal the amount necessary to give the workmen their usual necessaries, comforts, and luxuries.” “If, then” he warned, “a new class of workman can be introduced, whether Chinese, Hungarians, or Italians...used to a cheaper mode of life, less comforts and decencies than our American workman,” the standard of living in the United States would “tend to fall.” He claimed that Richard Mayo-Smith as well as George Gunton had already demonstrated “how important it is to maintain a high standard of living among wage-earners...” “Through the raising of it,” he claimed, “will social progress rapidly advance.” “Its lowering,” on the other hand “would lead to social degeneration.” What was needed was a policy that could filter out immigrants with “standards of living” that were

²⁷⁷ Richard Mayo Smith, “Control of Immigration: I,” *Political Science Quarterly* 3:1 (Mar., 1888): 46-77.

unacceptable to the United States. According to Bemis's reasoning, literacy was an adequate marker of the "standard of living" of an individual worker or a population of workers. The degree of literacy of given population of workers was directly related to the level of economic and social development from which those immigrants emanated. Bemis proposed that a literacy test be applied to all European immigration at the point of inspection. That idea was endorsed by the AEA and by other restrictionist social scientists.²⁷⁸ Hawkes-Noble, for instance, explained that literacy was both a "fine test of intelligence," as well as a "fair test of the standard of living..." The application of "Such a qualification" to European immigration "would bar no professional men and few skilled laborers; while closing off "that element of immigration which is economically the least beneficial, and socially and politically the most injurious."²⁷⁹

At the same time, a transformation in the dynamics of federal policymaking opened a new space at the national level for social scientists to shape federal policy and to influence the opinion of policymakers. During the late 1880s and early 1890s, national lawmakers responded to the political pressure from restrictionists as well as the growing complexity of immigration by establishing permanent standing committees on immigration under the guise of the House of Representatives and the Senate. While the Congressional Ford Committee (1887-1889) was ad-hoc and temporary these standing committees created a more permanent framework not only to investigate topics related to immigration but also mediated ideological and political conflict and debate over the shape, function, and purpose of federal gatekeeping policy. This framework was neither neutral nor a-political. Congressional standing Committees created a new forum through

²⁷⁸ Edward Bemis, "Restriction of Immigration," *Andover Review* 53: 211 (March 1888); John Higham, "Origins of Immigration Restriction, 1882-1897: A Social Analysis," *The Mississippi Valley Historical Review* 39:1 (June, 1952): 77-88.

²⁷⁹ For a similar rationalization of the literacy test, see E.L. Godkin, "The Proper Sieve for Immigrants," *The Nation* (April 16, 1891), 312.

which restrictionists could shape official opinion and advocate for specific policies. They were dominated by prominent Republican restrictionists William Chandler (R-NH) and Henry Cabot Lodge.²⁸⁰

The Republican Party fervently supported both the Chinese Exclusion Act as well as the Alien Contract Labor Law. A growing number of prominent Republicans concluded that the latter had failed in its intent of protecting American workers and their “standard of living.” Officially, the Republican Party’s platform in the first three years of the 1890s stepped back from the ledge of calling for the general restriction of European immigration. However, the AEA’s articulation of the threat posed by Southern and European immigration to the “American standard of living,” as well as its rationalization of the literacy test as a “scientific” strategy of industrial nation-building and statecraft, helped pave the way for several vocal Republicans to make the leap. In 1891, Henry Cabot Lodge fervently endorsed the literacy test in these terms in *North American Review*. Lodge explained that the adoption of such a law would not constitute a radical break with existing immigration laws but would indeed fulfill their original intention. Simply “adding to the excluded classes those who are unable to read and write their own or the English language,” would allow Congress to preserve “the standard of American living and the quality of American citizenship,” by stemming the flow of cheap foreign labor into the United States. Lodge explained that “Our labor market, if we may judge from the statistics of the unemployed, is overstocked in many places, and that means a tendency toward a decline in wages.” “In many parts of the country,” he insisted, “the struggle for existence in large cities has become as fierce as in the old world...” Hinting at the industrial violence and conflict of the period, Lodge reminded his readers that, “This tendency is perilous both socially and politically.”

²⁸⁰ Daniel Tichenor, *Dividing Lines*, 75-77; Nelson Polsby, “The Institutionalization of the U.S.. House of Representatives,” *American Political Science Review*, (1968): 144-68.

“It is as essential,” he concluded, that the rate of wages should be high and the average standard of living good. If it comes to be otherwise, our whole system is in serious danger.”²⁸¹

Ironically, although Lodge and the AEA restrictionists spoke on behalf of “American workers,” the AFL did not yet endorse a policy that would restrict general European immigration. At the same time, however, the immigration laws passed by Congress during the early 1890s revealed the limitations of restrictionism as a political and ideological project. Social scientists and trade unionists did not yet share a single policy demand, nor did they cooperate directly to forge policy.



Figure 6: F. Victor Gilliam, "The Inevitable Result to the American Workingman of Unrestricted Immigration," *Judge*, (December 24th, 1890).

²⁸¹ Henry Cabot Lodge, "The Restriction of Immigration" in *The North American Review* 152: 410 (January, 1891): 27-36.

Nevertheless, the AFL, AEA restrictionists, and restrictionist Congressmen like Lodge worked along parallel lines to pass a new immigration statute. The AFL's national convention in 1892 tasked the Executive Committee with securing "such legislation as will restrain and restrict all artificially stimulated immigration whether from Europe, Asia, or the Canadian Provinces, to the end *that the level of our civilization shall not be lowered...*" Between 1890 and 1892, trade unionists bombarded Congress with petitions for action on the immigration question.²⁸² At the same time, Congressional Republicans worked to pass a statute that would expand categories of excludable immigrants and strengthened the Alien Contract Labor system. Congress eventually passed two Immigration statutes in 1891 and 1893 that achieved these more limited goals. They did so by creating an official Immigration Bureau within the Department of Commerce and provided for a new corps of US immigration inspectors. This new Bureau was given the power to deport immigrants who landed in violation of the law after one year. The act also pushed financial responsibility for deportations onto steam shipping companies and forbade these companies from "inducing" immigration by advertising immigration as a way for potential migrants to find work in the United States.²⁸³

Although the AFL and the AEA did not directly cooperate for immigration restriction during the late 1880s and early 1890s, both organizations shared a vision of a "positive" federal gatekeeping state that existed not simply to exclude undesirable laborers, but to create a national labor market and "American Standard of living," that would enable the formation of a national class of citizen workers, consumers, and heads of household. This vision had made its way into

²⁸² AFL Convention Proceedings (1892): 51.

²⁸³ Report of the Select Committee; Select Committee on Immigration and Naturalization, Immigration and Contract-Labor Laws, H. Rept. 2206, 52nd Cong., 2nd sess., 7 January 1893 (Serial 3140); In the Senate of the United States, 22 May 1890; also see Immigration Investigation. Report. 51st Cong., 1st sess., Senate, no. 1095.

Congress, into the press, and into the highest levels of U.S. social science. The ultimate purpose of national immigration policy was to ensure that male citizen workers were able to reproduce themselves and their families, and to participate in U.S. capitalism by way a rising “American Standard of living.” The Alien Contract Labor Law of 1885 had failed to achieve this goal because the original statute could not cope with an increasingly commercialized Atlantic labor market. As will be discussed below this set of ideas would eventually pave the way for the formation of genuinely cross-class political blocs of trade unionists, social scientists, and policymakers which would mobilize to expand the scope of the federal gate in the early twentieth century.

Chapter Four

“A Vital Need of our Nation” Empire, Sovereignty, and the Expansion of the Chinese Gate, 1898-1902

“We realize that [Chinese exclusion] means bread, butter, reproduction, life, and we have faith that you will take such steps, as you consistently can, to avert us and our civilization, from this pending danger.”
Samuel Gompers to Theodore Roosevelt (1902)

In 1889, as the AFL and the AEA were engaged in a national debate over European immigration, the Supreme Court unanimously rejected arguments made by Chinese immigrants, diplomats, and pro-Chinese lawyers that the Chinese Exclusion Acts of 1882 and 1888 violated United States treaty obligations to China. The majority ruling in *Chae Chan Ping v. United States* (1889) held that the power of Congress to exclude threatening foreign populations from entering the nation's domestic territory derived from the status of the United States as a sovereign nation and therefore flowed solely from the “consent of the nation itself.” The function of federal immigration policy, according to this logic, was to serve the “national interest.” Justice Stephen J. Field drew heavily from anti-Chinese ideology to argue that Congress’ gatekeeping power was a matter of national security. As a sovereign nation, Congress could rightly ensure the “self-preservation” of its national “civilization” against a foreign threat, which, in this case, referred specifically to the “unassimilable” and “inferior” Chinese race.²⁸⁴ With notable exceptions, by the early 1890s a critical mass of policymakers, immigration officials, and lawmakers reached a general consensus on the question of Chinese exclusion: Congress possessed the power to exclude Chinese and the Chinese population represented an existential threat to the nation’s white civilization. This “exclusion consensus” was crystallized in the passage of the Chinese

²⁸⁴ *Chae Chan Ping v. United States*, 130 U.S. 581, 609 (1889); Matthew J. Lindsay, “Immigration as Invasion: Sovereignty, Security, and the Origins of the Federal Immigration Power,” in *Harvard Civil Rights-Civil Liberties Review* 45 (2010): 1-56.

Exclusion Act of 1892. The “Geary Act,” as it came to be known, established a range of new enforcement mechanisms intended, among other things, to make immigration more difficult for Chinese and Chinese Americans. Chinese immigrants and pro-Chinese lawyers fervently challenged the statute in courts, but to no avail. From the vantage point of the late 1890s, it seemed to many as though Chinese Exclusion and federal gatekeeping sovereignty was inviolable.²⁸⁵

However, the 1892 Act was only temporary and set to expire in the Spring of 1902. Advocates of exclusion did not anticipate that there would be any conflict over whether the act would be extended. However, between 1898 and 1902, two major developments led to the re-politicization of the “Chinese Question,” and a new national debate over the purpose and nature of the federal gatekeeping state. The most important development was the expansion of the United States beyond the continent following the Spanish-American War. Beginning in 1898, federal policymakers extended the Chinese “gate” to Hawaii and the Philippines in an ad hoc and temporary fashion, and in so doing raised the urgent question of whether a new exclusion act in 1902 would officially make the Chinese gate co-extensive with all United States territory. The second development was a set of drastic changes in the everyday enforcement of Chinese Exclusion. Between 1898 and 1902, the former Grandmaster of the Knights of Labor, Terence Powderly became Commissioner General of Immigration—the most senior office within the

²⁸⁵ Beth Lew-Williams notes that a consensus existed on Chinese exclusion by the late 1890, but she overlooks the breakdown of this consensus between 1898 and 1902. It is my contention that she does not register this breakdown because she assumes that Chinese exclusion was fully hegemonic by the early 1890s. In contrast, this chapter explains the political, economic, and imperial conditions in which it became de-stabilized and reconstructed between 1898 to 1902. Consensus on Chinese exclusion was not established once and for all. Rather, it had to be reconfigured and re-forged in the wake of changing historical circumstances. Lew-Williams also notes that Chinese exclusion quickly became the handmaiden of the U.S. empire after 1898, but she does not analyze the processes of political and ideological conflict which lead to this outcome. Beth Lew-Williams, *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America*. (Cambridge and London: Harvard University Press, 2018).

Bureau of Immigration. As Commissioner, Powderly conducted an administrative “revolution” by using his office’s vast powers to enact his vision of total Chinese exclusion. This meant expanding the pool of excludable Chinese immigrants, including those who had been legally and diplomatically “exempted” from exclusion according to U.S.-Chinese treaties.²⁸⁶

These two developments raised a series of urgent questions: Would these modifications be codified in a new exclusion statute in 1902? Were these modifications of the Chinese exclusion policy necessary to secure American “civilization” and the “American Standard of Living,” against Chinese competition? The emergence of this questions compelled Chinese and American actors with a vested interest in federal Chinese exclusion policy to mobilize. This chapter argues that the debate over the future shape of federal Chinese immigration policy that took shape at the turn of the twentieth century was fundamentally shaped by a political and ideological class conflict in the United States which pitted the American Federation of Labor (AFL), the Bureau of Immigration, and West Coast exclusionists, on the one hand, against an “open door” segment of the U.S. capitalist class, Chinese diplomats, and pro-Chinese federal policymakers, on the other.

The AFL was the prime mover of this debate. During the late 1890s, the AFL had positioned itself as the “legitimate” representative of “American workers,” on the national level.

Towards the end of the century, an exclusionist coalition centered in the AFL ensured that the

²⁸⁶ Literature on Chinese exclusion in the late nineteenth and early twentieth centuries focuses extensively on the administrative and legal development of the Chinese gatekeeping system but overlooks the political conflict that structured and animated the expansion of the federal Chinese gate. One recent example is Adam Goodman, *The Deportation Machine: America’s Long History of Expelling Immigrants* (Princeton: Princeton University Press, 2020). Goodman highlights the significance of late nineteenth century anti-Chinese movements for creating a national culture hostile to Chinese immigrants but fails to show how exclusionists helped directly build the nation’s “deportation machine” through the legislative process at the turn of the century. For similar accounts, see Erika Lee, *At America’s Gates and Lucy Salyer, Laws Harsh as Tigers*. One exception is Delber McKee, *Chinese Exclusion versus the Open Door: Clashes over China Policy in the Roosevelt Era, 1900-1906*. (Detroit: Wayne State University Press, 1977). Delber gives a detailed account of the politics of exclusion in this period and points out the role played by both the AFL and open-door groups battled over the shape of gatekeeping policy. He also correctly highlights the important role played by the AFL but overlooks the ideological and racial dimensions of this conflict.

debate over Chinese immigration policy became another vector of the domestic conflict between labor and capital over federal immigration policy and the boundaries of the nation's political economy. AFL leaders and West Coast trade unionists anticipated that, unless opposed, an international complex of capitalists, Chinese diplomats, and elite politicians would prevent "necessary" strengthening and extension of the Chinese gate in order to flood the US with cheap Chinese labor and discipline the nation's citizen working class.²⁸⁷ Trade union leaders channeled anxieties about a looming Chinese immigration crisis into a broader political project of deploying Federal sovereign power to protect what they imagined was an "American civilization" which rested on the "standard of living" of its white working class. Beginning in 1898, the AFL launched a national coalition for Chinese exclusion by mobilizing its nation-wide membership and affiliated unions and by forging a policymaking network with California exclusionists and officials in the Treasury Department's Bureau of Immigration. As this coalition took shape between 1898 and 1902, the AFL cooperated with immigration officials and other exclusionists to manufacture a national "crisis" of Chinese immigration and to formulate a strategy for strengthening the Chinese gate and insulating it from "interference" by capitalists and their Chinese allies.²⁸⁸

²⁸⁷ The existing historiography on the ideology of Chinese gatekeeping either ignores this period or analyzes Chinese gatekeeping ideology separately from the more concrete politics of federal policy and enforcement. Erika Lee, "The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924," *Journal of American Ethnic History* 21:3 (Spring, 2002): 36-62; Erin L. Murphy, "'Prelude to Imperialism': Whiteness and Chinese Exclusion in the Reimagining of the United States," in *Journal of Historical Sociology*, 18:4 (December, 2005), 457-490; Kornel Chang, "Circulating Race and Empire: Transnational Labor Activism and the Politics of Anti-Asian agitation in the Anglo-American Pacific World, 1880-1910," in *The Journal of American History* 96:3 (December, 2009): 278-701. While Chang maps the ways in which anti-Asian politics centered on the formation of a transnational white working-class identity in the Pacific Northwest, this chapter focuses on the function of anti-Asian ideology in the formation of a national white working class linked to the formation of the nation state, and the state's control of borders. For another example of how empire building, white supremacy, and anti-Asian politics were interlocking transnational formations in this period, see Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality* (Cambridge: Cambridge University Press, 2008).

²⁸⁸ Historians have attributed the AFL's interest in exclusion during this period to trade union racism, and to the traditional anti-Chinese position of white laborers. While this is certainly accurate, this interpretation posits

Exclusionists came into direct conflict with Chinese diplomats and an Open-Door interest group that believed the demands made by exclusionists conflicted with American commercial interests in China. The American Asiatic Association (AAA) organized domestic exporters, industrialists, and policymakers into a coalition with Chinese diplomats to counter the AFL and its partners, and to demand that Federal gate should prioritize commercial access to the Chinese market over the protection of the domestic working class. Ultimately, this anti-exclusion coalition envisioned a domestic economic order opened to the flow of commerce and certain classes of Chinese immigrants between the United States and China. They argued that American civilization was, in fact, compatible with limited Chinese immigration and that the nation's sovereignty could, and should, be limited by the nation's international obligations. In response to this opposition, the AFL and its partners on the West Coast and in the Bureau of Immigration positioned themselves as defenders against a Chinese and capitalist threat to the nation's civilization and its sovereignty. Exclusionist representatives echoed the Supreme Court by arguing that the federal government possessed the absolute power to exclude a threatening foreign population. Exclusionists took this logic one step further. From their perspective, the link between the nation's sovereignty and its democracy was inviable. Not only did the nation's white working class entitled to the protection of the federal government against a Chinese threat, but,

racism in the trade union movement as an unchanging causal force. This interpretation does not adequately explain why the largest labor movement in the United States would devote significant political resources to exclusion at a crucial moment of its history. It also fails to explain how the racist politics of Chinese exclusion intersected with and was shaped by the *changing* politics of labor and class conflict in the United States. See, for instance, Lucy E. Salyer, *Laws Harsh as Tigers*, 103, 105. Other historians ignore the role of racism in the trade union movement outright. See, for instance, David Montgomery, *Fall of the House of Labor*. While she does not engage with the AFL's commitment to exclusion, the labor historian Julie Greene points out that Chinese exclusion was a key component of the trade union movement's political project at the turn of the century. See, Julie Greene, *Pure and Simple Politics*, 82. I argue that racism operates instrumentally and ideologically. Racism and xenophobia within trade union ranks at the turn of the century structured and animated the AFL's ideological vision of citizenship, nationhood, labor markets, and class. This ideology, as will be shown, became widely invested in by trade unionists, and, at strategic moments, was instrumentalized by trade union leaders to advocate for and win policies at the national level.

by virtue of their citizenship, they would also be an active agent of the nation's sovereignty.²⁸⁹ Ultimately, the battle between Open Door advocates and the exclusionists over the future shape of the Chinese "gate" entailed two competing visions of sovereignty, Chinese exclusion, and U.S. political economy. This conflict came to a head at the turn of the century and eventually engendered a new Chinese Exclusion statute in 1902—which extended the federal Chinese gate to the empire.²⁹⁰

I

In 1893, George Gunton, editor of the AFL's *American Federationist*, observed that public opinion had been growing, "steadily growing in favor of limiting the admission of the poorest type of foreign laborers into the country." The dynamism of U.S. capitalism was driven by the growth of the nation's "home market," represented by the high standard of living of American labor. However, the expansion of U.S. empire beyond the continent threatened to reverse this course. Statesmen, lawmakers, and capitalists were beginning to argue that the United States could solve its industrial problems through the acquisition of *foreign* markets.

²⁸⁹ While the politics of Chinese exclusion had always had a class dimension, never had it pitted a nationally organized labor movement, operating as a formal interests group, directly in opposition to an organized capitalist counterpart. Organized labor had played a role in every campaign for Chinese exclusion, but this activism had, for the most part, been confined to a specific section of the country and a specific segment of the national labor movement. For histories of labor and class in prior battles over Chinese exclusion, see Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1968); Stacey Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2014).

²⁹⁰ My interpretation takes a cue from the historian, Julian Lim, "Immigration, Plenary Powers, and Sovereignty Talk: Then and Now," in *The Journal of Gilded Age and Progressive Era* 19 (2020): 217-229. Lim points out that "sovereignty talk," or the appeal to national sovereignty, has been consistently wielded throughout the 20th century by anti-immigrant forces to justify immigration restriction. Sovereignty, in relation to federal immigration control, existed as a juridical doctrine and at the same time, trade unionists, officials, and politicians deployed it as a justification and legitimization of federal power. Matthew Lindsay makes a similar argument but unfortunately omits the role of the labor movement entirely. See, Matthew J. Lindsay "Immigration as Invasion: Sovereignty, Security, and the Origins of the Federal Immigration Power," *Harvard Civil Rights-Civil Liberties Law Review* 45:1 (Winter, 2010): 1-56; For a general account of sovereignty and nation building, see Sarah H. Cleveland, "Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth Century Origins of Plenary Power over Foreign Affairs," *Texas Law Review* 81:1 (November 2002): 1-284. See pages 256-267.

They were willing to annex entire populations of “cheap races” to achieve this goal.²⁹¹ In 1898, the Senate was locked in a fierce debate over whether the United States should annex Hawaii. Samuel Gompers informed a conference on the future of U.S. foreign policy, that annexation had become another vector of American capital’s struggle to cheapen labor in the United States. If the U.S. extended its polity through the acquisition of new territories, then how could it “hope to close the floodgates of immigration from the hordes of Chinese and the semi-savage races coming from what will then be part of our own country,” he asked.²⁹²

The AFL’s initial protest of annexation was launched not by Gompers but by trade unionists on the West Coast. As the U.S. Senate debated Hawaiian annexation in 1897, the *Iron Molder’s Journal* observed that “on the Pacific Coast, organized labor is up in arms against annexation and is sparing no efforts to arouse popular feeling against such actions...”²⁹³ Trade unions in San Francisco, Los Angeles, and Sacramento held mass meetings and drafted resolutions which diagnosed the threat of Hawaiian annexation in the terms of Chinese gatekeeping. For instance, the Sacramento Labor Federation declared that annexation would incorporate within the United States “50,000 asiatic coolies...without the possibility of deportation.” The “imitative instinct of Asiatic labor” undermined “many industries” in both

²⁹¹ George Gunton, “Philosophy of Immigration and Annexation,” *Social Economist* (April, 1893): 193-204; “Should Chinese Laborers be excluded,” *Institute of Social Economics* (1902). For discourse of civilization and its relation to US empire see, Paul Kramer, “Shades of Sovereignty: Racialized Power, the United States and the World,” in *Explaining the history of American Foreign Relations*, eds. Frank Costigliola and Michael Hogan (Cambridge: Cambridge University Press).

²⁹² Samuel Gompers, “Imperialism: Its Dangers and Wrongs”; Samuel Gompers, “Should Hawaii Be Annexed?” *American Federationist* (November, 1897); Gompers to Peter J. McGuire (March 28, 1898), Reel 15, Samuel Gompers Letterbooks; Rowland H. Harvey, *Samuel Gompers: Champion of the Toiling Masses* (Stanford, 1935): 88; The literature on the AFL and the New Empire is relatively extensive. David Montgomery, “Workers’ Movements in the United States Confront Imperialism: The Progressive Era Experience,” *The Journal of the Gilded Age and Progressive Era* 7, no. 1 (Jan., 2008): 7-42; Most of the literature on the AFL and empire was published prior to the 1970s. Delber L. McKee, “Samuel Gompers, the A.F. of L., and Imperialism, 1894-1900,” in *The Historian*, 21: 2 (February, 1959), 187-199. “Samuel Gompers on Contract Labor and Annexation,” *San Francisco Call* (October 24, 1897). “Strong Protests against Policy of Imperialism,” *ibid* (January 23, 1899). Donald Rowland, “The United States and the Contract Labor Question in Hawaii, 1862-1900,” in *Pacific History Review*, 2:3 (Sept., 1933): 249-269; John C. Appel, “American Labor and the Annexation of Hawaii: A Study in Logic and Economic Interest.” In *Pacific Historical Review*, 23: 1 (February, 1954): 1-18.

²⁹³ *Iron Molders’ Journal* 8 (August, 1897): 375.

California and Hawaii, and the ever adaptive and nefarious “Asiatics” would quickly learn to take advantage of annexation to “further augment the ranks of unemployed Americans.” The annexation of Hawaii was simply a scheme by capitalists and imperial policy makers to draw the U.S. and its domestic labor market closer to Hawaii’s vast population of “coolie” labor. The fear that Hawaiian laborers would be utilized by capital to undercut domestic white labor was not confined to the West Coast. For example, an editorial in the *Sioux City Tribune* compared Hawaiian annexation with a recent attempt of mine operators in Illinois to “import coolie labor” to replace “poorly paid white miners.” The writer concluded that, “labor should unite in a prompt and vigorous protest against a move which would open wide our ports to the cheapest class of coolie labor.”²⁹⁴

After 1898, the AFL turned specifically to Federal Chinese gate to solve what trade unionists identified as a threat of economic competition, racial inundation, and capitalist domination opened up by U.S. imperial expansion in the Pacific. The AFL enthusiastically supported the strengthening of the Chinese Exclusion Act in 1888 and in 1892. By the late 1890s, the AFL was in a strong position to influence the Chinese gate. In 1898, the Federation allocated money for congressional lobbying and located the AFL’s national headquarters in Washington D.C. The primary feature of the AFL’s political apparatus was its legislative committee, tasked with coordinating the movement’s overall political agenda in Washington, lobbying politicians, and, when possible, directly writing legislation. The Federation’s aggressive movement into national politics was bolstered, in part, by the expansion of the trade union movement’s national membership. While the Federation only represented a small minority of U.S. workers, its membership grew from 280,000 in 1898 to over 1.6 million between 1898 and

²⁹⁴ “Opposition to the Annexation of the Islands,” *San Francisco Call* (November 1, 1897). The *Call* was a prominent exponent of this anti-monopolist and anti-Chinese interpretation of Hawaiian annexation, and it closely followed the anti-annexation organizing of California’s trade unions. *Sioux City Tribune* (December 16, 1897).

1904. Furthermore, major unions affiliated with the Federation could boast a national and, in some cases, even an international membership connecting workers of different regions, ethnicities, and occupations to a single national body with a unified and coherent political agenda. The leadership of the militantly anti-Chinese San Francisco Labor Council (SFLC) and the Coast Seamen's Union (CSU) became the vanguard of the AFL's growing opposition to annexation and helped link the activism of the San Francisco based trade unions to the Federation's national body. Under the leadership of Andrew Furuseth and Edward Rosenberg, the Seamen and the San Francisco trade unions shifted their anti-exclusionist efforts from protests in California to the national conventions of the AFL in 1897 and 1898. They ensured that the AFL's official position on the annexation question would be expressed in the grammar of Chinese exclusion and that the Federation would divert precious political capital and financial resources towards these ends.²⁹⁵ This was not a difficult task. The AFL's executive council was fervently committed to opposing all threats to the Chinese gate. West coast elements in the AFL framed annexation not as a sectional threat to laborers on the Pacific, but as a new stage and the ongoing struggle of the *national* labor movement to deny domestic capitalists access to any form of cheap foreign labor. Previous struggles against Chinese immigration in California, Furuseth warned, "...was an object lesson on expansion." Not only would Hawaii's population of mobile "coolie" laborers be annexed, but so would its exploitative system of contract labor as well as the island's reactionary capitalist class. Hawaii, Furuseth argued, would be controlled by a planter class whose "representatives...would necessarily work and vote for the enslavement of labor in general." By creating new imperial constituencies with a vested interest in mobile Asiatic labor,

²⁹⁵ Mary Roberts Coolidge. *Chinese Immigration* (New York: Henry Holt & Company, 1909): 234-253; Hyman Weintraub, *Andrew Furuseth: Emancipator of the Seamen* (Berkeley and Los Angeles: University of California Press, 1959). Interestingly, Weintraub fails to note Furuseth's direct role in the politics of Chinese Exclusion, and, in turn, Asiatic Exclusion between 1898 and his death. The California trade unions already significantly represented within the AFL. Furuseth, for example, was close friends with Samuel Gompers as well as the AFL's secretary and main legislative representative in Washington D.C. Rosenberg, for his part, occupied a position on the AFL's Legislative Committee.

“annexation,” would “be tantamount to the admission of a slave state.”²⁹⁶

The militant anti-Chinese element within the AFL easily achieved the full cooperation of the Federation’s national delegation, major national and international affiliated unions and from the Federation’s national leadership and spokesman. A delegate from Illinois warned during a national convention that, “Once annexed,” he implored, the Hawaiian Islands “will become part of our country.” Commercial interests will surely “import coolie laborers by shiploads to compete with American workingmen.”²⁹⁷

Trade union leaders anticipated that the Senate would inevitably follow through with Annexation. Rather than oppose annexation, the AFL’s representatives lobbied Congress to extend existing immigration and anti-contract labor laws to the new territories. The legislative committee sought the cooperation of senators and representatives who were sympathetic to their arguments. The AFL’s framing of the issue proved to be effective in gaining the support of congressmen eager to align with organized labor. Concerned, especially, with Hawaii’s “unfree” system of contract labor recruitment along with its significant population of “asiatic,” coolie laborers, Andrew Furuseth (the AFL’s head lobbyist in Washington) helped ensure that the Senate’s annexation treaty contained a provision prohibiting anti-contract labor on the island. In the meantime, Gompers urgently telegraphed Thomas Reed, reminding the Speaker of the House that the Chinese Exclusion Act, “required more than twenty years of constant

²⁹⁶ AFL Convention Proceedings (1897): 27- 28. For similar arguments made by trade unionists, see “Senator Perkins and Hawaii,” *Coast Seamen’s Journal*, (December 29, 1897); Samuel Gompers, “Should Hawaii Be Annexed?” *American Federationist*, (November 1897): 216-217; James W. Jamieson, “Hawaiian Annexation from a Labor Standpoint,” *Iron Molders Journal*, (September 1897).

²⁹⁷ Trade union arguments against imperial expansion went beyond gatekeeping and ranged from the potential domestic militarization and anti-labor repression that would supposedly be released by annexation to the necessity of defending the principle of “self-government.” While these arguments were prominent from 1897 to 1898, it was the gatekeeping logic of anti-annexation that eventually became the dominant organizing principle of the AFL’s position on U.S. imperial expansion. For a useful summary of these arguments, see David Montgomery, “Workers’ Movements in the United States Confront Imperialism: The Progressive Era Experience,” *The Journal of the Gilded Age and Progressive Era* 7:1 (January, 2008): 7-42. Montgomery notes the importance of the gatekeeping concern, but he does not connect the AFL’s opposition to annexation to its later attempt to extend Chinese exclusion to the insular possessions.

organization, agitation, and education...” Gompers warned that “[t]he annexation of Hawaii would, with one stroke of the pen, obliterate that beneficent legislation and open wide our gates, which would threaten an inundation of Mongolians to overwhelm the free laborers of our country.”²⁹⁸ The pressure applied by the AFL ultimately helped ensure that the Chinese exclusion would be extended to Hawaii under the island’s provisional government in 1898. Ultimately, the final passage of the 1899 Organic Act prohibited any further immigration of Chinese laborers into Hawaii and prevented Chinese in Hawaii from entering domestic U.S. territory.²⁹⁹

Rather than settle the issue for good, Congress’ extension of Chinese exclusion to Hawaii set the AFL on a collision course with the island’s commercial sugar growers, who lobbied Congress to keep the islands open to Chinese immigration. The AFL worried that Chinese exclusion in Hawaii would not be protected against the interference of sugar growers until a new Chinese exclusion act would make exclusion permanent in all United States territories. Representatives of the growers insisted that the Federal government’s existing Chinese exclusion statute would be sufficient to protect the mainland U.S. labor market from Hawaii’s particular systems of labor exploitation and recruitment, while allowing the Hawaiian sugar economy to prosper. There was no Chinese problem in the new empire, they argued, and workers in the continental United States required no additional protection as Chinese laborers would remain confined to the island--unable to travel to the continental labor market. Contrary to what the AFL

²⁹⁸ *Congressional Record*. Senate (1898): 6350-6351. The Executive Council of the AFL also cooperated with anti-annexationists in the U.S. Senate to ensure that U.S. Contract labor laws would be extended to Hawaii. See *AFL Executive Minutes*. (March 19-23, 1900). Records of the AFL Executive Council. College Park, Maryland.

²⁹⁹ Even prior to 1898, U.S. diplomatic officials had been working to extend Chinese Exclusion to Hawaii. In 1893, the U.S. diplomatic team tasked with negotiating the first annexation treaty insisted that would have to apply to Hawaii in any future negotiations. After Chinese Exclusion was enacted, Hawaii’s sugar planters turned towards modifying the policy, to permit regulated and limited importation of Chinese laborers. For an account of planter efforts to acquire Chinese immigrant laborers, see *Third Report of the Commissioner of Labor on Hawaii*. Bulletin No. 66. (Washington DC: Government Printing Office, 1906): 416-421. See *Los Angeles Herald*, (December 30th, 1904). *Reports of the Immigration Commission: Abstracts of Reports of the Immigration Commission* Vol. 1 (Washington: Government Printing Office, 1911): 701-702.

argued, Hawaii's labor system was, in effect, decoupled from the U.S. mainland economy and therefore did not require the extension of federal immigration laws. Even after Hawaii was officially annexed by the United States, Hawaiian sugar growers continued to pressure Congress to open the islands to Chinese labor.³⁰⁰

In the meantime, the military's extension of exclusion in the Philippines became entangled in the unfolding debate over Chinese immigration and federal gatekeeping in the empire. Unlike Hawaii, exclusion in the Philippines was implemented by military officials. In 1898, General Ewell Otis issued an order stipulating that all Chinese persons, except Chinese legally residing in the Philippines, would no longer be permitted to enter the islands until December 5, 1899.³⁰¹ Even as Otis defined the policy as a matter of military necessity, imperial officials deployed sinophobic discourse to justify exclusion. For instance, General William MacArthur claimed that the Chinese in the Philippines functioned as an "economical army without allegiance or attachment to the country, and which to a great extent is beyond the reach of insular authority." Even a modified exclusion policy would be a threat to native Filipinos. In an interview, General James F. Smith claimed that a "Filipino can't live like a Chinaman." He remarked that, "We have seen how disastrously immigration from the Orient resulted right here in California."³⁰²

³⁰⁰ *Third Report of the Commissioner of Labor on Hawaii*. Bulletin No. 66. (Washington DC: Government Printing Office, 1906): 416-421; *Reports of the Immigration Commission: Abstracts of Reports of the Immigration Commission Vol. 1* (Washington: Government Printing Office, 1911): 701-702.

³⁰¹ The military's policy did not acknowledge the legal class differentiation among Chinese immigrants of the domestic gatekeeping system, and instead, banned all Chinese from entering the islands (except for Chinese native to the Philippines). T.S. Fonacier, "The Chinese Exclusion policy in the Philippines." *Philippine Social Science and Humanities Review*, 14:1 (1949): 3-28. The Philippine islands possessed a significant, and long established native Chinese Filipino population, as well as an active anti-Chinese movement during U.S. military occupation. Under Spanish rule, the islands also possessed a protracted history of controlling and restricting Chinese migration. The Spanish empire restricted the entry of the Chinese into the island from the mid-eighteenth century to the 1880s. By the time of the U.S. occupation, the Islands hosted a vocal and motivated anti-Chinese movement, which, like domestic U.S. exclusionists, complained of Chinese competition.

³⁰² Quotes found in Samuel Gompers and Herman Gutstadt, *Some Reasons for Chinese Exclusion: Meat vs. Rice: American Manhood against Asiatic Coolieism: Which Shall Survive?*, (Washington, D.C.: American Federation of Labor, 1902): 10.

To the distress of the AFL representatives in Washington, exclusion policy in the Philippines remained under the control not of Congress, but of the island's military and, in turn, civilian governments. Consequently, trade union leaders feared that commercial interests demanding access to Chinese labor would pressure imperial officials to open the Philippines up to Chinese immigration. Their concerns were proven correct. The incorporation of the Philippines into the U.S. polity generated new constituencies with vested interests in modifying or reversing Chinese exclusion in the islands to allow limited numbers of skilled Chinese workers to migrate to the islands. U.S. and European commercial interests with investments in the Philippines opposed the military's exclusion policy and lobbied military and civilian officials for modification. Civilian officials, U.S. business interests, and investors insisted that skilled Chinese labor was critical to U.S. imperial and commercial interests on the islands. The newly commissioned American Chamber of Commerce in Manila took the lead by lobbying for the limited introduction of Chinese by way of a system of skilled contract labor importation. Aware of arguments that a more liberal policy of Chinese immigration could lead ultimately to competition with American laborers, the Chamber of Commerce argued that the Filipino labor market was fundamentally separate from domestic U.S. labor markets. American workers, therefore, had nothing to fear and a Chinese exclusion policy in the Philippines was unnecessary.³⁰³ In a *New York Times* interview, the former U.S. Vice Consul General to Hong Kong claimed that the existing legal and administrative framework barring Chinese and contract laborers from the island prevented the successful exploitation of the Philippines by American capital, undermining the American imperial project. "Chinese and Japanese contract labor," he noted "has successfully developed the greater part of colonial Asia. It has developed Java and

³⁰³ A major argument deployed by pro-Chinese immigration advocates was that the Chinese would function to discipline the Filipinos as workers. Greg Bankoff, "Wants, Wages, and Workers" *Pacific Historical Review* 74:1 (Feb.,2005): 59-86.

Sumatra...” While he claimed that, “It is not advisable to throw open the ports of the Philippines to Chinese...Chinese skilled labor may be admitted under contract for specific purposes.”³⁰⁴

In the meantime, China’s diplomatic legation in the United States launched a frontal attack of the extension of Chinese exclusion to the Philippines. China’s Foreign Minister, Wu Ting-fang, criticized the policy as both a violation of the existing U.S.-Sino treaty framework as well as the long-standing patterns of immigration and trade between China and the Philippines. According to Wu, the negotiators of the 1894 Grisham Yang treaty did not intend for Chinese exclusion to extend beyond the continental United States. Chinese negotiators, he argued, only acknowledged the right of the Federal government to bar Chinese laborers from United States domestic territory in response to a Chinese labor “problem” confined solely to the continental United States. China countenanced the right of the United States to “restrict and regulate the coming of Chinese subjects into the territory of the United States on the North American continent, because of peculiar existing labor conditions.” Wu argued that the Philippines were decoupled from the U.S. mainland and did not necessitate, nor justify the extension of Chinese exclusion to the islands. “The reason which brought about the immigration treaty of 1880 between China and the United States, the treaty of 1894” as well as the Chinese Exclusion Acts “based on those treaties,” did not apply to the systems of labor present in the new insular possessions. In Wu’s words, Chinese exclusion “can not be applied to other territory in another and widely separated parts of the globe, where an altogether different condition of labor exists, without the consent of the Chinese government.”³⁰⁵

³⁰⁴ R.M.C. Story, “The Problem of the Chinese in the Philippines,” *The American Political Science Review* 3:1 (Feb., 1909): 30-48; Edwin Wildman, “Stumbling-Blocks to Philippine Pacification and Development,” *New York Times* (May 11, 1902).

³⁰⁵ The existing exclusion policy barred *all* classes of Chinese immigrants from entering the territory, which violated the legally exempt classes of Chinese immigrants. For Wu’s diplomatic notes can on the Philippines, see *Communication from the Secretary of state inclosing protest of the Chinese government against exclusion of the Chinese from the Philippines*, (April 11, 1902) 57th Cong, 1st sess. .H.Doc. 562; *Status of Chinese persons in the Philippine islands; A report from the secretary of state, with accompanying papers, relative to the status of Chinese persons in the Philippine islands*. (May 21 1900), 58th Cong, 1st Sess. Sen.,. Doc 397.

Ultimately, the military's exclusion policy only intensified the conflict between the AFL and pro-Chinese forces and encouraged both sides to articulate their demands more fully. According to one commentator, the military had set "[t]wo antagonistic movements," in motion, "one demanding the exclusion of the Chinese and the other favoring their unrestricted immigration."³⁰⁶ AFL representatives in Washington argued that there was a direct class conflict between domestic labor and a unified imperial and Chinese cabal working to flood Hawaii and the Philippines with Chinese labor.³⁰⁷ An essay in the *Federationist* summarized the situation succinctly: "The Philippine side of the Chinese question is new and exceedingly important...The people whom Kipling designated, 'A nation with a devil born capacity for doing more work than they ought' must not find the Philippines an open door to America..." The mobilization of commercial interests confirmed the belief of trade unionists in a furtive attempt by capitalists, in conjunction with Chinese diplomats, to dismantle the Chinese gate and flood the territories and the domestic United States with Chinese laborers. In 1902, Gompers testified before the Committee on Immigration that, "The sugar planter of Hawaii, the adventurer in the Philippines," he warned, "are all of one stripe in trying to deceive the American people into a belief that there is a dearth of workmen and that the only recourse is to the Chinaman."³⁰⁸

AFL representatives in Washington argued that the Chinese gate would have to be coextensive with all US territory if it were to serve its primary function of protecting the domestic labor market and American workers. For the purposes of Chinese exclusion, there was no meaningful distinction between the imperial labor markets and the metropolitan market. Annexation, in effect, extended the nation's labor market to new territories and incorporated

³⁰⁶ Samuel Belford, "Chinese Exclusion from the Philippines," *The Arena* 23:5 (May, 1900): 449-458.

³⁰⁷ *Chinese Immigration to the Philippine Islands Hearing before the Committee on Immigration*, United States Senate, 57th Cong., 1st session. (February 15, 1902): 269.

³⁰⁸ Samuel Gompers, "Chinese Exclusion," *American Federationist* 13:2 (Feb., 1906): 99 ; *ibid.*, 9, (Jan., 1902): 70. *American Federationist* (1898): 99.

populations of Chinese workers without also extending the nation's Chinese gate. Annexation without exclusion rendered workers in the continental United States, as well as native workers in Hawaii and the Philippines, vulnerable to Chinese competition, and, therefore entitled all to federal protection. The AFL released a pamphlet entitled *Meat versus Rice* which pointed out that not only was there still support for Chinese exclusion in the early twentieth century, but that, "there is a greater cause for stricter exclusion." The reason for this greater cause was that "recently acquired possessions...have added hundreds of thousands of Asiatic coolies to our population, the correct disposal of which already causes serious apprehension to our American statesmen."³⁰⁹ From the AFL's perspective, the threat to American workers were not only Chinese coolies in the empire who could potentially enter the domestic US, but also the capitalist interests and Chinese diplomats that would continue to pressure Federal civilian and military officials to modify the existing exclusion policy in the Philippines. So long as the Chinese policy remained under control of the island's territorial government, and not in the hands of Congress, it would be vulnerable to interference by capitalists and their allies in the Chinese government. At its conventions between 1900 and 1902, the AFL national delegation officially concluded that the only solution to this imperial Chinese problem would be to extend Congress's *sovereign exclusion* power to all US territory. This meant that the AFL would have to mobilize to pass a new Chinese exclusion statute in 1902 that would settle the imperial Chinese question permanently.³¹⁰

³⁰⁹ In doing so, the AFL re-conceptualized the native population on the islands not as a pool of racially inferior and threatening cheap labor, but as a passive population entitled to protection by the U.S. Chinese gatekeeping. Samuel Gompers and Herman Gutstadt, *Some Reasons for Chinese Exclusion: Meat vs. Rice: American Manhood against Asiatic Coolieism: Which Shall Survive?* (Washington, D.C.: American Federation of Labor, 1902): 11.

³¹⁰ For the AFL's official position on the Chinese question in the Philippines see, Gompers to Editor of *New York Evening Journal*, *ibid* (Dec., 30 1898); For the circular, see "The Expected Protest," *San Francisco Call* (Dec., 20, 1902); For the AFL's plan for a Chinese Exclusion Act that would effectively address the gatekeeping threat in the Philippines, see "An Effective Chinese Exclusion Measure," *American Federationist* 9:2 (Feb., 1902): 69-70.

II

The exclusionists on the West Coast and in the AFL launched a debate over Chinese Exclusion and federal gatekeeping in the U.S. empire. At the same time, AFL leaders aligned with Bureau of Immigration officials to advocate for a new congressional exclusion statute that would not only extend—but also would codify the draconian enforcement policies implemented by the Bureau’s arch-exclusionist Commissioner of Immigration, Terence Powderly, and grant the Bureau total administrative discretion over enforcement. According to their vision of this crisis, the Chinese gate was not only threatened by imperial expansion. The gate had become vulnerable to legal and political interference by Chinese diplomats, immigrants, smugglers and their allies in the United States. The nation and its labor market, it was alleged, was open to *illegal* Chinese immigration. Exclusionists demanded the closing of what they identified as administrative and legal “loopholes.” In doing so, however, they ran into a committed political block of Chinese diplomats, along with American business and commercial interests who did not wish to sacrifice commercial access to the Chinese “market.”

What triggered this conflict was a rapid rise in the number of deportations of Chinese immigrants in the United States and the growing administrative exclusion of Chinese immigrants who had previously been exempt from exclusion laws, all between 1898 and 1902. The architect of these cruel developments was the Commissioner General of Immigration, Terence Powderly. A former Grandmaster of the Knights of Labor, in 1898 Powderly became the first among a series of Commissioners to have played an active role in the labor movement. He brought with him a fanatical commitment to *total* Chinese exclusion as well as a conception of the Chinese as an utterly distinct and inferior race. Powderly used his tenure to operationalize this vision by transforming the existing system of enforcement into as close a regime of total exclusion as the

powers of his office would allow.³¹¹ As immigration historians Lucy Salyer and Erika Lee have shown, the administration and enforcement of Chinese exclusion laws became more and more stringent throughout the late nineteenth century. Powderly's regime accelerated this trend and helped initiate a radical break from past enforcement precedents. For one, he helped institutionalize administrative discretion over enforcement by taking advantage of a 1900 congressional statute that granted the Treasury Department (and its Bureau of Immigration) control over the administration of exclusion. Powderly put this power to use to ensure that enforcement was "airtight."³¹² His administration increased the number of deportations of resident Chinese. His primary goal, however, was to extend exclusion to the traditionally "exempted" classes of Chinese immigrants. To do so, he restricted the administrative and legal definitions of exempted classes (particularly the categories of "student" and "merchant") to *legally* exclude as many Chinese as possible. Although Powderly undertook this work in a quotidian legality and administrative necessity.³¹³

Powderly was an adept administrator, but he was no disinterested bureaucrat. His work as Commissioner was guided by a fervent ideological commitment to the necessity of using federal power to protect American civilization against a permanently threatening, deceitful, and inferior

³¹¹ For a concise account of Powderly's administrative innovations see, Delber McKee, "The Chinese Must Go': Commissioner General Powderly and Chinese Immigration, 1897-1902," *Pennsylvania History: A Journey of Mid-Atlantic Studies* 44:1 (Jan., 1977): 37-51. According to McKee's characterization of Powderly's innovations, "Since the new design did not come about through specific legislation or in a sudden, dramatic manner, it escaped the notice of most people of that day unless they were directly affected by it. It was further disguised because innovators like Powderly denied that they were doing anything new. In form, the policy was a subtle and silent administrative revolution carried out by the Bureau of Immigration." Delber McKee, *Chinese Exclusion versus the Open Door Policy, 1900-1906* (Detroit: Wayne State University Press, 1977): 29. In 1901, as Commissioner, Powderly publicly professed that, "American and Chinese civilizations are antagonistic; they cannot live and thrive and both survive on the same soil." Terence V. Powderly, "Exclude Anarchist and Chinaman!" *Collier's Weekly* (December, 14 1901). For a similar articulation of the "total exclusion" logic of enforcement see, J.M. Scanland, "Will the Chinese Migrate?" *Arena* 24 (July, 1900).

³¹² On the expansion of deportations in this period see, Adam Goodman, *The Deportation Machine*: ch. 1.

³¹³ Powderly relied on judicial interpretations of these categories, by issuing Department circulars directing his field offices to apply specific enforcement criteria. Powderly also took advantage of appointment powers, placing many arch-exclusionist former labor unionists to field posts. Erika Lee, *At America's Gate*, 64-68; Adam McKeown, *Melancholy Order*, 215-292.; Powderly's "airtight" comment quoted in Vincent J. Falzone, *Terence V. Powderly, Middle Class Reformer* (Washington, 1978): 182.

Chinese civilization. While Powderly boasted of the effectiveness of his regime, he also claimed that Chinese immigrants entered the country illegally due to the inadequacy of the existing Chinese exclusion statute and the meddling of smugglers, Chinese transportation companies and other commercial interests intent on flooding domestic labor markets with Chinese laborers.³¹⁴ Powderly drew from long-established discourses of the Chinese as duplicitous and prone to exploitation by nefarious smugglers, labor agents, and transportation interests, regardless of their class status. In this way, he helped legitimize the claim made by exclusionists that the class exemption did not conform with the “reality” of Chinese racial nature nor with the “problem” of illegal Chinese migration in the late nineteenth and early twentieth century.³¹⁵

Powderly summarized the dynamics of this problem to the middle-class readers of *Colliers' Magazine*: “Chinese laborers,” he proclaimed, “cross our border-line between the United States and Canada disguised as clergymen, as nuns, as Quakers and as Indians; they come over the line by rail, boxed up in barrels, covered top and bottom by potatoes.” According to this conception, all forms of illicit Chinese immigration were ultimately directed by a network of Chinese and American commercial and transportation firms with vested interests in flooding the nation’s labor market with Chinese workers. “Coolies” who violated U.S. law and crossed the border were the “willing tools of still more willing smugglers.” Given the existence of such a

³¹⁴ Powderly utilized his office’s official reports to the Secretary of the Treasury to justify enforcement measures as necessarily arising from the inadequacy of existing Chinese Exclusion statute, “limited” funding for enforcement, coupled with the racial tendency of Chinese immigrants to violate U.S. law. In his report in 1900, he claimed that the, “distinctive physical characteristics of the Mongolian, of all Chinese, from their totally different standards of morality, from their mental acuteness and ingenuity, and, worse than all, from their apparent ability at any time to command the use of considerable sums of money, are augmented by the defects of the laws, as well as by the decisions rendered by the courts in constructing those laws.” *Annual Report of the Commissioner General of Immigration* (Washington, DC, 1901): 46. Of course, Powderly did not “invent” the problem of Chinese illegal immigration, but he did utilize his office to legitimize the problem to justify harsher exclusion. For an account of these discourses of Chinese criminality and “illegal” Chinese immigration, see Erika Lee, “Enforcing the Borders: Chinese Exclusion along the U.S. Borders with Canada and Mexico, 1882-1924,” *The Journal of American History* 89:1 (June 2002): 54-86. On smuggling, “illegal” immigration, and immigration enforcement in North America during this period, see Elliot Young, *Alien Nation: Chinese Migration in the Americas from the Coolie Era through World War II* (Chapel Hill: University of North Carolina Press, 2014): 129-193.

³¹⁵ San Francisco newspapers associated with the exclusion movement, for example, often pointed out the danger of illegal Chinese immigration. See, for instance, “Scheme to Allow Yellow Hordes to Cross the Mexican Border,” *The San Francisco Call* (Nov., 26, 1901): 12.

system of illegal labor “importation,” as well as the inherent inferiority of Chinese immigrants, virtually all Chinese by their nature were duplicitous and therefore excludable.³¹⁶ Powderly, and his ideology of total exclusion and domestic protection, found an enthusiastic partner in the trade union movement and among the traditional bastions of exclusion in California. Exclusionists deployed Powderly’s racist discourse of illegality, racial inferiority, and capitalist importation in their efforts to justify their growing demand that Chinese illegal immigration threatened American workers and that all loopholes in the Chinese gate should be closed immediately. Trade union periodicals and San Francisco newspapers framed the issue as an ongoing crisis of smuggling on the Mexican-U.S. and Canadian-U.S. borders, while pointing out that exempted Chinese immigrants were merely laborers in disguise.³¹⁷

AFL spokesmen used Commissioner General’s official reports as evidence to convince trade unionists, the public, and Congressmen that illegal Chinese immigration threatened American labor and necessitated a new Chinese exclusion statute that would stop nefarious smugglers and commercial interests. According to trade unionists, the ultimate driver of this Chinese illegal immigration was the same capitalist complex of business interests, Chinese diplomats, and transportation interests that had been working to open the U.S. mainland and its insular possessions to a flood of cheap Chinese labor. From the perspective of the AFL’s leadership and other prominent labor spokesmen, the fight against illegal Chinese immigration had become a proxy war in the battle between domestic capitalists and the American labor movement over the control of the nation’s labor market in general, and over the nation’s Chinese gate in particular. According to the labor reporter and virulent sinophobe, John Swinton, “A strong effort is now being made by the trusts to permit the introduction of Chinese labor into this country.... If the richest men have their way, the laws against Chinese immigration will be

³¹⁶ T. V. Powderly, "Exclude Anarchist and Chinaman!", *Collier's Weekly* (14 December 1901).

³¹⁷ “Scheme to Allow Yellow Hordes to Cross the Mexican Border,” *The San Francisco Call* (Nov., 26, 1901): 12.

repealed.” The United States, “will be flooded by yellow men...A million Chinese coolies would mean a million separate pleasant gifts to the trust owners.” Chinese immigration threatened American workers because capitalists and other pro Chinese advocates inundated national politics and altered public opinion on the question of Chinese immigration--all to legally or illegally open the U.S. to surplus Chinese laborers. In a 1901 speech to the AFL’s national delegation, Andrew Furuseth explained that Chinese labor represented a permanent and existential threat to the entire American working class so long as American and Chinese commercial and transportation interests who dealt with “Chinese labor as a commodity” were able to subvert federal law and immigration officials. He explained that the domestic transformation of China, and the growth of commercial relations between China and the U.S. had only exacerbated the threat. The flow of American and European investment capital and technology into China transformed the Chinese peasantry into a pool of mobile surplus-labor ready to compete with American labor should the Chinese gate remain open.³¹⁸

AFL officials, in consultation with Powderly, translated these anxieties of a Chinese immigration crisis into a concrete demand for a new Chinese exclusion statute that could be passed in 1902. In a letter to the executive council, Gompers advocated a new law that would insulate the existing Powderly system from any diplomatic or domestic efforts to weaken the effectiveness of enforcement through judicial or political challenges or question the legitimacy of the Bureau of Immigration and immigration officials. “There would be no safety [for Chinese exclusion], he wrote, “short of lifting present laws clear of the dangers of the attacks upon them.” During the 1901 AFL national convention, he warned that “[o]ur recent experience with the Chinese...is no inducement for the relaxation of the laws for their rigid exclusion from our

³¹⁸ “Coolies and Negroes,” *The Carpenter* (March, 1902); Furuseth is quoted in AFL Convention Proceedings, (1900): 190.

country.”³¹⁹ Gompers likely had in mind not only illegal Chinese immigration, but also the myriad ways in which lawyers and Chinese immigrants continued to challenge enforcement policies through the legal system and the diplomatic criticism leveled against the Bureau of Immigration by China.³²⁰ The AFL approved Gompers’ recommendation and adopted a resolution favoring the passage of “an exclusion act which will effectively exclude” by including a provision “for proper enforcement of the law when enacted, and the jurisdiction and execution of the law so conferred as to remove it from the legal juggling to which former laws have been subject.” The Federationist put it this way: “[U]nless Congress shall reenact the present law, with such additions and extensions as experience has demonstrated to be necessary, [my italics] the gates will be thrown wide open for the full, free, untrammled, and possibly overwhelming immigration of the hordes of Chinese into America.”³²¹

The AFL and Terence Powderly were not alone in their insistence that backdoor Chinese migration represented a threat to the American labor market. In 1901, the United States Industrial Commission (USCIS), tasked with investigating the domestic labor problem, released its 18-volume study of U.S. industry, immigration, labor and industrial conflict. The USCIS’s volume on the “Asiatic” labor problem concluded that illegal immigration necessitated a new exclusion statute that would enhance the Bureau of Immigration’s ability to enforce Chinese exclusion. The relentless presence of Chinese laborers within the United States engendered a national, rather than sectional, problem of Chinese labor competition, the report argued. “While the baneful influence of coolie competition is more noticeable upon our Western coast,” the report suggested, “it is certain to have its effect upon the labor of the entire nation.” The USCIS insisted that the formation of a national labor market in the late nineteenth century laid the groundwork

³¹⁹ *Ibid.*. According to his analysis, in the event of the Geary Act’s termination in 1902, the exclusion provision of the U.S.-Chinese treaty of 1880 would still be in operation, yet the Treaty would be “without the machinery of the law.” Exclusion would, in effect, be rendered a “dead letter.”

³²⁰ Lucy Salyer, *Laws Harsh as Tigers*, ch. 6.

³²¹ “Wholesale Chinese Immigration Threatened,” *American Federationist* 8 (August 1901): 306.

for the nationalization of this disastrous competition between Chinese and white laborers by bringing workers east of the Rockies into competition with “Asiatics.” The expansion of smuggling coupled with the inadequacy of border enforcement in the late nineteenth century only exacerbated this problem by reproducing the population of Chinese laborers in the U.S. A stronger Chinese gate was, therefore, “justifiable and indeed essential, for the protection of American labor and American citizenship.”³²² The USCIS legislative recommendation called for the codification of stricter enforcement--recommendation insisted that any modifications of the Chinese gate should only be applied within the limits of what U.S.-Sino diplomatic relations, treaties, and U.S. commercial interests would allow.

By the turn of the century, however, the demands made by the AFL and Powderly’s Bureau of Immigration for the codification of Powderly’s “total exclusion” policy,” This policy of protecting the American from—too precedent over diplomatic—or commercial relations. This radical demand did provoke a diplomatic retaliation from China, as well as from an increasingly powerful and influential domestic “Open Door” interest. Exclusionists came into conflict with Chinese diplomats and a new America “Open Door” interest group, who argued that a stronger gate violated existing treaties between the United States and China and threatened to undermine American commercial access to China’s domestic market. Exclusionists and their opponents were on a collision course over the limits of federal gatekeeping sovereignty, the ultimate national purpose of exclusion, and the future legal and administrative shape of the federal Chinese gate. Pro-Chinese spokesmen argued that the exclusionists’ demands represented an illegitimate radicalization of the Chinese gate which, if enacted in law, would violate American

³²² The USCIS recommended the “renewal and continuance of the Chinese-exclusion laws and the introduction of administrative amendments in order to render these laws less liable to evasion; *but framing restrictive legislation so as not to hinder or seriously interfere with commerce with China.*” “Chinese and Japanese Labor in the Pacific and Mountain State,” *United States Industrial Commission*. Part IV. United States Industrial Commission, *Reports of the Industrial Commission* Vol. 19 (Washington: Government Printing Office, 1901).

diplomatic obligations and sacrifice the future of American commercial interests in the Pacific for the protection of American laborers and a domestic labor market against Chinese immigration.

III

This opposition took shape between 1898 and 1902. The Chinese diplomatic legation in the United States led the way.³²³ In a series of diplomatic notes to the State Department, Wu Ting Fang (China's minister in the United States) argued that Powderly's policies, as well as the extension of Chinese exclusion to the insular possessions, represented an illegitimate and radical break with the pre-1898 legal and diplomatic framework of Federal exclusion policy. According to Wu, this radicalization was not only the outcome of Powderly's enforcement, but also of his labor allies who demanded that the Federal gate be decoupled from treaties and made subject to the prejudiced and irrational demands of organized labor. As a result, the enforcement of exclusion, he argued, had become politicized and removed from the realm of diplomacy, treaties, and law. Wu assured State Department officials that the mutual interests of China and the United States could be reconciled through a "...thorough investigation," of exclusion policy, "uncontrolled by the *unthinking clamor of selfish interests*."³²⁴ In his memos to the State Department, Wu pointed out that the Chinese diplomats who negotiated the original U.S.-

³²³ On the general history of U.S. and Chinese diplomatic relations in this period, see David L. Anderson, *Imperialism and Idealism: American Diplomats in China, 1861-1898* (Bloomington: Indiana University Press, 1985); Michael H. Hunt, *The Making of a Special Relationship: The United States and China to 1914* (New York: Columbia University Press, 1983); On the composition of the Chinese legation, its relationship to the Six Companies, and its function as a modern interest group, see *The Diplomacy of Nationalism: The Six Companies and China's Policy toward Exclusion* (Honolulu: University of Hawaii Press, 2009): 119-138; McKee, *Chinese Exclusion Versus the Open Door Policy*, 15-27.

³²⁴ The Minister was a diligent student of the legal and diplomatic dimensions of U.S. gatekeeping, and he also possessed a sophisticated understanding of the ideology of Chinese gatekeeping as well as the domestic politics of exclusionism. Wu Ting-fang, "China and the United States," *Independent* 52 (March 29, 1900); Ho Yow, "The Attitude of the United States towards the Chinese," *Forum* 29 (June 1900): 387. "Prospect of Chinese Trade: Consul General Ho Yow Says Development Must Go On," *New York Times*, July 14, 1900; Ho Yow, "The Chinese Question," *Overland Monthly* 34:1 (October, 1901): 250-257.

Chinese Treaty of 1880 were under the assumption that China, “would not again be called upon for further concessions in the interest of and at the demand of the labor unions on the Pacific coast...” Yet China was again forced to make concessions to exclusionists based on prejudiced fear of Chinese immigrants.³²⁵ China had not sanctioned the right of the federal government to exclude classes of Chinese immigrants other than laborers, but Powderly’s regime illegitimately excluded classes of Chinese immigration who were, in theory, protected by treaties and law. He also argued that Powderly’s excessive deportations violated treaties by “working undue hardships” on Chinese residents within the United States. Wu insisted to the State Department that Powderly’s policies would have to be reversed, and that any legitimate *future* modifications of the Chinese gatekeeping system would have to fall within the framework outlined by existing U.S.-Chinese treaties and kept well out of reach of domestic exclusionists.³²⁶

The Chinese legation’s ability to challenge exclusionists and the Bureau of Immigration on their own was limited. Wu, however, laid the groundwork for a coalition between China and an emerging Open Door interest group which had begun to accumulate significant influence by the turn of the century. By the end of the nineteenth century, the growth of U.S. exports to China along with the increasing support for the Open Door within Congress and the State Department, signified the growing influence of an open door vision of U.S. commercial and imperial interests in the Pacific. More importantly, however, official policy circles in the State Department, and even Congress, became more receptive to the belief that commercial access to China’s market was a necessity for the nation’s economic and imperial interests in the Pacific.³²⁷ The Open

³²⁵ In 1901, Wu re-stated his general argument in a letter to Senator Robert Hitt, Chairman of the House Committee on Immigration. Wu Ting-fang to Robert Hitt (December 18, 1901). Printed in Sen., Doc. 162 57th Cong, 1st Sess. U.S. Senate Committee on Foreign Affairs (Washington: GPO, February 3 1902); Wu’s specific arguments did, in fact, shape the Congressional debate on the extension of the Chinese Exclusion Act in 1902. His access to policy making spheres infuriated exclusionist leaders, who demanded that Chinese immigration policy remain solely within the hands of citizens and their legitimate representatives. On the criticism of Wu Ting-Fang by the trade union movement see, “Chinese vs. Laboring Men,” *Washington Post* (Feb., 4, 1902): 4.

³²⁶ *Exclusion of Chinese Laborers*, 57th Cong., 1st sess., 1902. H. Doc. 162.

³²⁷ On the open door and Chinese exclusion prior to this period, see Lew-Williams, *The Chinese Must Go*: Ch. 2.

Door's primary interest group, the American Asiatic Association (AAA), was in a strategic position to oppose the trade union movement as well as the Bureau of Immigration. By the turn of the century, the AAA represented a complex of export-industries, southern textile producers, and financiers in the Northeast. The Association's secretary, John Foord, summarized the investment of Open Door interests in the politics of Chinese gatekeeping this way: Open Door interests did not previously participate in the politics of Chinese exclusion because "there was no department of our export trade to China which visibly furnished employment for a large contingent of our work people and a considerable amount of capital," yet, by the turn of the century the Chinese market represented a new horizon not only for firms with a vested interest in the Chinese market but for U.S. economic and imperial interests more broadly. Foord exaggerated. American advocates of an Open Door policy in China had historically opposed calls for harsher Chinese exclusion when these demands interfered with American and Chinese diplomatic relations. However, it was only after 1898 that open door interests came together as a formal interest group with the authority and resources necessary to oppose exclusionists and offer an alternative vision of Chinese gatekeeping, empire, and national economic interests.³²⁸

Beginning in 1898, the Chinese legation cooperated with the AAA and other Open-Door organizations in the United States by forming a shared gatekeeping interest and by identifying a common enemy in the AFL and Terence Powderly. Wu worked to convince representatives of this rising commercial interest that the radicalization of Chinese gate threatened the diplomatic foundation of American commercial access to the Chinese market. Referring to a growing sense of nationalism in China at the end of the nineteenth century, Wu insisted that the Chinese state as

³²⁸ James J. Lorence, "Organized Business and the Much of the China Market: The American Asiatic Association, 1898-1937," *Transactions of the American Philosophical Society* 71 (1981): 1-112; James J. Lorence, "Business and Reform: The American Asiatic Association and the Exclusion Laws, 1905-1907," *Pacific Historical Review* 39 (Nov., 1970): 421-38; John Eperjesi, *The Imperialist Imaginary: Visions of Asia and the Pacific in American Culture*, (Dartmouth: Dartmouth University Press, 2004); Walter LaFeber, *A New Empire: An Interpretation of American Expansion 1860-1898* (Ithaca: Cornell University Press, 1998 [1963]); Thomas McCormick, *China Market: America's Quest for Informal Empire, 1893-1902* (Chicago: Quadrangle Books, 1967).

well as Chinese merchants would retaliate by boycotting American commercial interests. In 1901, Wu attended a dinner hosted by the AAA. To great applause, the Chinese minister insisted that access to China's market hinged on the treatment and protection of exempted classes of Chinese immigrants in the insular possessions. "You all know that China," he reminded the attendees, "is a great market with her 400,000,000 population, which had to be fed, clothed, and provided all the necessities of life. She wants the wheat of the Platte, the cotton of the Carolinas, the steel of Pennsylvania and Alabama." "If you want to have a share of China's trade," he admonished, "a good deal depends upon the kind of treatment you extend to my countrymen in this country, and *especially in your new possessions*...It will not do for you to expect China to keep her door open all the time if you shut the doors on Chinese merchants who come to your gate."³²⁹ According to Wu, China would ensure that the future of the Open Door hinged on whether or not the AFL and Bureau of Immigration's specific designs for a new exclusion statute were successfully opposed. Throughout that year, Wu continued to deploy the carrot of China's market with the stick of a potential boycott. In the fall of 1899, he addressed the International Commercial Congress in Philadelphia on the topic of the Chinese market and its relationship with the Chinese exclusion policy in the Philippines. "Now that the United States has practically become our neighbor by its recent acquisition of the Philippine Islands," he told the audience of exporters and industrialists, "the prospect [of increased trade between the two countries] is brighter than ever." Wu warned that imperial gatekeeping policy in the Philippines could have a direct effect on this trade going forward. "I should not be surprised," he implored, "that if under favorable conditions and *not retarded by unwise methods*, the trade will be doubled or trebled in a few years."³³⁰

Fear of Chinese reprisal encouraged the AAA to oppose total exclusion and advance a

³²⁹ *The New York Times* (Jan., 27, 1900): 3.

³³⁰ *Ibid.*,

vision of Chinese exclusion that was conducive to a more open commercial relationship between both countries. Directly contradicting domestic exclusionists, the AAA concurred with China that federal gatekeeping policy should, ultimately, accord with existing treaties and be undertaken without the interference of prejudiced labor unions.³³¹ Open door advocates took this demand a step further. Like its opponents in the AFL, the AAA representatives believed that gatekeeping policy should serve the national interests. This meant, in this specific situation, that Federal gatekeeping policy should prioritize American commercial interests in China over the protection of a domestic labor market. The AAA insisted Chinese laborers should still be excluded, as treaties and federal statutes *originally* intended, while the trans-pacific circulation of Chinese merchants, traders, and students should be protected, and even encouraged. The AAA's spokesman even argued that the Chinese gate could, ultimately, establish a framework for the flow of people, commodities and capital from the U.S. to China which would facilitate commercial access to the Chinese market while also protecting the domestic U.S. economic and racial order from Chinese laborers.³³²

The AAA, along with Wu, showed Federal policymakers that the AFL and its partners did not represent the only vision of Chinese exclusion, and the nation's interests, nor were they the only significant American stakeholders in federal gatekeeping policy. The AAA's authority on the nation's industrial, commercial, and imperial interests was an effective counterweight to the AFL and its vision of a protected domestic labor market. The Association even argued that a more open Chinese gate, by opening China to American commerce would resolve the crisis of domestic "overproduction" by providing an outlet for U.S. industrial capitalism. The Chinese market, rather than the domestic market, would ensure the future economic health of the nation.

³³¹ For example, see John L. Barrett, "Our Interests in China—A Question of the Hour," *American Monthly Review of Reviews* 21 (Jan. 1900).

³³² Paul Kramer, "Imperial Openings: Civilization, Exemption, and the Geopolitics of Mobility in the History of Chinese Exclusion, 1868-1910," in *Journal of the Gilded Age and Progressive Era*, 14, no. 3 (2015): 317-247.

According to this scheme, the surplus savings and commodities produced by the incessantly expanding productive capacity of American industry would be diverted to China's growing market in the form of direct investment and consumer goods.³³³ According to the AAA's *Journal*, China's closing of its domestic market to commerce, on the other hand, would exacerbate overproduction, drive down profit rates, and worsen the cut-throat business competition in the United States. A Chinese boycott, "would be a calamity to the American farmer and manufacturer." "Without outside markets for the distribution of our surplus products," prices would fall, and mills and factories would be, "shut down and labor be thrown out of employment."³³⁴ The AAA, therefore, represented the national interest, not the AFL. Former Secretary of State and advocate for the Open Door, John Foster, summarized this position before the Senate Committee on Foreign Relations. He did not wish to "belittle the claims which American labor" has made. However, it was "reasonable to insist...that these claims shall be made to *harmonize with the principles of international justice and with other great interests of the country* [my italics]."³³⁵

On the eve of the debate over the Congressional extension of Chinese exclusion statute in 1902, Wu and the AAA had successfully organized the nation's exporters, textile manufacturers, and sympathetic policymakers with a vested interest in the China market against the AFL and its exclusionist partners. In the fall of 1902, the *New York Times* questioned whether there would be popular support for Chinese exclusion when the ten-year deadline of the 1892 Chinese Exclusion Act expired on May 5th, 1902. "The [anti-Chinese] excitement of twenty years ago,"

³³³ Martin J. Sklar, "The Open Door, Imperialism, and Postimperialism: Origins of U.S. Twentieth Century Foreign Relations, Circa 1900," in *Post Imperialism and World Politics*, ed. David G. Becker and Richard L. Sklar (Westport, CR: Praeger, 1999): 317-36. On contemporary conceptions of the Open Door and U.S. diplomacy in Asia see, John W. Foster, *American Diplomacy in the Orient* (Boston, 1903); Charles Contant, *The United States in the Orient: The Nature of the Economic Problem* (New York: 1900).

³³⁴ "The South and the Open Door in the Far East," *Journal of the American Asiatic Association*, 1:8 (Feb., 10, 1900): 75; Foord was the main representative of the AAA during the Congressional hearings on Chinese Exclusion. He also penned several mainstream articles representing the Association's stance on Chinese Exclusion; John Foord, "The Business Aspects of Chinese Exclusion," *New York Times*, (February 9, 1902): 24.

³³⁵ Congressional Serial Set, (1902): 52.

has completely subsided and, “It would be impossible,” the writer insisted, “to revive it.” If China “has been as successful as is reported, in securing a Southern and Eastern interest, in an important modification of the present exclusion law...the question will have a great deal more interest than it has had for the past ten years at least.”³³⁶ The Chinese legation and the AAA made inroads into key policy circles and found support in both the State Department as well as the Treasury Department. Both Secretary of State John Hay and former Secretary of State John Foster explicitly opposed Terence Powderly’s policies, while internal memos reveal that State Department officials even anticipated a serious Chinese backlash should a stronger Chinese statute be seen to violate existing treaties. Federal officials tried to mediate this conflict by recommending that the existing Chinese exclusion statute be extended in 1902, without modifications, as if annexation and Powderly’s tenure as Commissioner General of Immigration had never occurred.³³⁷ Even though exclusionists had infiltrated the highest executive position in the Immigration Department as well as many of the Bureau’s field offices by the turn of the century, Powderly’s policies engendered significant dissent within the department. H.A. Taylor, the Assistant Secretary of the Treasury, for example, went so far as to recommend the “abolition” of Chinese exclusion entirely. It was “a good enough piece of legislation when it was proposed,” he admonished, “but there is no longer a rush of Chinese coolies to this country, and the causes which made the laws necessary have ceased.”³³⁸

What was clear to the AFL and other exclusionists was that, although the Supreme Court

³³⁶ *The New York Times* (Oct., 10, 1901): 8.

³³⁷ The recommendation was that the Geary Act would be extended until the Grisham-Yang treaty’s deadline in 1904 when a new exclusion act could be negotiated along with a new treaty. Secretary of State John Hay understood the Chinese delegation and the A.A.A. vocally opposed the Immigration Department’s exclusion of exempted Chinese immigrants and continued to lodge formal complaints with the State Department in response to the exclusion of Chinese from the Philippines. In 1902, W.W. Rockhill circulated a memo among policymakers that simply recommended the Geary Act of 1894 be extended until December 8th 1904 to coincide with the ten-year termination of the 1894 treaty. “Memorandum,” W.W. Rockhill to Secretary of State (Dec. 7, 1901), NA, RG 59, Reports of Bureau Officers, 1899-1911, vol. 10.

³³⁸ *The Washburn Times* (September 12, 1900).

had affirmed the absolute power of Congress to control the nation's borders, federal officials were still largely unwilling to violate American treaty obligations, at least on the specific terms put forth by trade unions and the Commissioner of Immigration between 1898 and 1902. Treasury and State department officials did not recognize the degree to which the conflict between the AFL and its partners, on the one hand, and China and the AAA on the other, pitted not only two conflicting visions of Chinese exclusion, but two fundamentally opposed positions on Congressional gatekeeping sovereignty and the national interest in relation to federal exclusion policy.

On a rainy night in the summer of 1901, Wu met Powderly at his home in Washington D.C. According to Powderly's account of the meeting, Wu feigned ignorance and inquired as to whether organized laborers had any interest in a new, and stronger, exclusion statute in 1902. He simply asserted American workers despised their Chinese counterparts due to their racial inferiority. The Commissioner denied what had become a shared racist and exclusionary project between the AFL and his office to protect a domestic labor market and white workers by codifying his enforcement policies and by extending the gate to the empire. Powderly simply informed Wu that the Minister should contact Samuel Gompers for the labor movement's official position on the Chinese immigration question. In the meantime, Gompers and the AFL were in the process of articulating that position.

IV

The AFL kept an eye on Wu throughout the year. Gompers warned the International Typographical Union that the Minister's diplomatic work was, "plainly for the purpose of making friends in every direction against the time when there shall be a renewal of the efforts to

keep Chinamen out of this country.”³³⁹ He anticipated that the Chinese and their partners would not only open the gate, but would also undermine the nation's sovereignty by preventing American citizens from implementing a more effective exclusion policy in 1902 by way of Congressional statute. At the 1901 AFL convention, Gompers warned that their opponents' success, “depends in a large [sic] measure upon the general ignorance of many of us east of the Rocky Mountains.” Whether or not the federal gate was protected against Chinese and capitalist interference depended upon the democratic activism of the trade union movement, he argued. The AFL, and the body of citizen workers it represented, would have to convince policymakers that the nation’s sovereignty was inviolable and that their vision of Chinese exclusion was necessary to protect American workers and, by extension, American civilization. The citizenship of American workers entitled them to wield federal gatekeeping power in the nation’s interest. “Apart from the fact that we are workingmen,” he declared “we are also American citizens, fully imbued with the grand principles underlying our form of government and our present system of civilization.” The Convention approved a resolution, “to get rid of this monstrous evil...by dissemination of information respecting its true character, and by urging upon our representatives in the United States Congress the absolute necessity of passing laws entirely prohibiting the immigration of Chinese into the United States.”³⁴⁰

Beginning in the summer of 1901, the AFL cooperated with West Coast politicians, and the newly formed San Francisco-based “California Exclusion Convention” (CEC). Exclusionist spokesmen from the AFL and California took to the press, their own organizations, and Congressional hearings to articulate why Congress should prioritize American workers, and the

³³⁹ Gompers in quoted in the *International Typographical Union Resolutions*, Poughkeepsie, New York, Nov. 1, 1901, to Congress in NA, Legislative Records, Petitions, House Committee on Foreign Affairs, 57th Cong., 1st sess., 1901-1902, HR 57A-H7.3, FB 4818.

³⁴⁰ “The New Chinese Exclusion Law,” *American Federationist* 9:6 (June, 1902): 277.

white democratic civilization that they represented, over the Chinese market and over American treaty obligations. To do so, exclusionists turned to the logic of sovereignty, and, more specifically, Congress' plenary power over the nation's borders. They argued that the Supreme Court affirmed the right of Congress to control immigration as an incident of the nation's sovereignty. This right, they pointed out, could only be exercised by citizens and their representatives because only they represented the national interests. Edward Livernash, a lawyer and arch-exclusionist Senator from California, explained to a Senate committee that "our exclusion policy does not rest on the consent of China," but rather "is the expression of a vital need of our nation." Oregon Senator John Mitchell articulated the link between the nation's polity and its absolute power to exclusion on the floor of the Senate in 1902. "So absolute is this indisputable power upon the part of the American Republic..." he claimed, "that no treaty stipulation to the contrary can stand for one moment against it."³⁴¹

Exclusionists in the AFL and from California imagined a bounded white, democratic, and industrial civilization which had to be permanently protected against racially inferior Chinese immigration. This civilization was inseparable from the economic condition and political status of its white male citizen workers, who constituted the nation's domestic market as well as its democratic polity. Unlike the Chinese, American workers functioned not only as productive laborers but as consumers and as citizens. The protection of their "standard of living" meant, by extension, the protection of the nation's economic order and democratic polity. The concept of an American standard of living, deployed by exclusionists, signified the expanding wants and desires of male citizen workers, which were secured through trade unionism and underwritten by the nation's expanding and developing industrial capacity. A high standard of living, protected against cheap labor by the federal government, would allow American workers to both function

³⁴¹ *Hearings on Chinese Exclusion*. Subcommittee on Immigration. Senate. Sen Bill 2. 2960 (1902): 99; Congression Record, Senate, (1902): 3665.

as intelligent citizens and as consumers who constituted a domestic market for the surplus produced by domestic industry. An American standard of living, therefore, linked the fate of the nation's workers to its larger democratic and industrial civilization. The AFL's executive council summarized this logic in an explicit formula: Chinese exclusion represented, "the protection of the American laboring class essentially and primarily, and, in consequence, the protection in general of American civilization."³⁴²

In his *North American Review* essay "Why the Chinese Must Go," the former mayor of San Francisco, James Phelan, explained the underlying political economy that made the federal protection of American workers essential for American civilization. The ultimate purpose of the Chinese gate, he argued, was not to provide capitalists with access to foreign markets or cheap labor, but to secure the economic and political foundation of American civilization by protecting its "population" of white workers from displacement by Chinese "machines." In his own words, the Chinese gate protected, "the status of the men who are called upon to maintain the country's institutions and contribute by their presence to its true wealth." The "lowering" of the gate would bring "inferior civilization in competition with our own," he suggested, which would, "destroy the population on whom the perpetuity of free government depends." White workers contributed to both the growth of the nation's industrial order and the functioning of its democracy, as "both producers and large consumers, which the Chinese are not." If Chinese workers, who could neither function as citizens or as consumers, were "substituted" for whites, not only would the nation's citizenry be annihilated but so would its "home market" of high-wage consumers. Consequently, the displacement of American workers and their American standard of living by the Chinese would hinder the growth of the nation's industrial order by eliminating its domestic outlet for production. It was the AFL and exclusionists, not the Open Door interest, who grasped

³⁴² *AFL Executive Council Proceedings*, Reel 15. (1902). Records of the AFL Executive Council. College Park, Maryland.

the long-term interests of the nation's civilization and its industrial order. Short-sighted capitalists who desired access to the Chinese market or the introduction of a "servile class of coolie laborers" to the country, "would reduce American labor to the condition of Oriental servility..." and undermine the "standard of living" on which its civilization rested. The future of Chinese exclusion, was, therefore, "not a mere labor question, nor a race question. It is an American question, affecting the perpetuity of our institutions and the standard of our civilization."³⁴³

In November 1901, Phelan, along with other exclusionists in California, joined San Francisco's Union Labor Party (ULP) and the San Francisco Labor Council (SFLC) to organize a two-day convention advocating for a new Chinese exclusion statute in 1902. The primary goal of the "California Exclusion Convention" (CEC) was to unite exclusionists around a shared gatekeeping project and identity as white citizens engaged in the defense of the nation's civilization. Under a banner emblazoned with the phrase, "Labor shall not be Sacrificed to Commerce," the Californians used the two-day convention to discuss the Chinese question, form an official committee to represent it in Washington, and to produce an official memorial to be sent to Congress and distributed on a national scale.³⁴⁴ The final product of the convention was the thirty page *Memorial for the Re-enactment of the Chinese Exclusion Law*, which articulated the exclusionist vision of bounded civilization, domestic market, and American standard of living.³⁴⁵ The drafters of the memorial criticized the claims made by Open Door advocates that

³⁴³ AFL Executive Council Minutes (May 5th 1902), Records of AFL Executive Council, College Park, Maryland. Phelan's essay was a direct response to Ho Yow, "Chinese Exclusion, a Benefit or a Harm?," *The North American Review* 538 (Sep., 1901): 314-330; James D Phelan, "Why the Chinese should be Excluded," *The North American Review* 540 (Nov., 1901): 663-676.

³⁴⁴ The Convention was covered by the San Francisco press. *The San Francisco Call*, (Nov., 22, 1901).

³⁴⁵ "California's Memorial to the President and the Congress of the United States for the Re-enactment of the Chinese Exclusion Law," Nov. 21-22, 1901, LR, Petitions, House Committee on Foreign Affairs, 57th Cong., 1st sess., 1901-1902, HR 57A-H.7.3. Also printed in Sen. Doc. 191, 57th Cong., 1st sess., 1901-1902. The memorial itself consolidated and synthesized anti-Chinese discourses which circulated in West Coast trade unions, civic organizations, and within national exclusionists circles in the late nineteenth and early twentieth century. It assembled ideas of race, social reproduction, and civilization which were expressed not only during the Convention, but also within the West Coast and national nativist networks of anti-Chinese commentators, amateur political economists, immigration officials, and trade unionists. Neil Gotanda, "Exclusion and Inclusion: Immigration and

access to the Chinese market represented the ultimate solution to America's crisis of industrial overproduction and that the nation's economic interest were compatible with limited Chinese immigration. Instead, the *Memorial* maintained that the Chinese gate would only secure the nation's industrial, political, and racial order by protecting the reproduction of a domestic population of high-wage citizen workers, even at the expense of the Chinese market. "It is not wealth at any cost that sound public policy requires," the *Memorial* declared, "but that the country be developed with equal pace with the growth of a desirable population, which stands not only for industry but also for citizenship." The CEC's *Memorial* imagined that the drastic transformations of the nation's industrial order in the late nineteenth century had, in effect, nationalized the need for federal protection against Chinese immigration. The federal gate would not only protect individual workers but would secure and protect a national "standard of living." "In this age of science and invention," the *Memorial* claimed, "the production of wealth can well be left to take care of itself." the United States achieved a level of technical and social development surpassing any other modern national economy, accumulating, "a greater per capita of working energy than any other land." With the question of production solved, it was "the distribution of wealth...not its production," which is, "our most serious political question."

The issue of Chinese gatekeeping was inseparable from the question of distribution, because gatekeeping policy itself, as envisioned by exclusionists, had profound consequences on the national distribution of wealth. This transformation of US capitalism rendered all Chinese immigration, by virtue of its cheapness, a threat not only for American laborers but for the nation's entire civilization. The *Memorial* admitted that while cheap Chinese labor once

American Orientalism," in *Across the Pacific: Asian Americans and Globalization*, ed. Evelyn Hu DeHart (Philadelphia, 1999), pp. 129-132; Robert G. Lee, *Orientalism: Asian Americans in Popular Culture* (Philadelphia, 1999), pp. 51-64; Charles McClain, Jr., *In Search of Equality: Chinese Struggle against Discrimination in Nineteenth-Century America* (Berkeley, Calif., 1994); K. Scott Wong, "Immigration and Race: The Politics and Rhetoric of Exclusion," in *Many Americas: Critical Perspectives on Race, Racism, and Ethnicity*, ed. Gregory Campbell (Dubuque, IA, 1998)" pp. 231-244

contributed to the development of U.S. industry and western expansion, overproduction and the closing of the frontier rendered Chinese cheapness not only obsolete but dangerous for the nation. The Chinese did not reproduce themselves according to the progressive standards demanded by the modern U.S. economy.³⁴⁶ Unlike white workers, Chinese immigrants did not form independent households, consume American made goods, demand higher wages, or circulate their earnings within the national market. If the nation's industry was, "stimulated by a nonassimilative and nonconsuming race" there would be a "grave danger of overproduction and stagnation."

American workers and the domestic market they constituted, on the other hand, were vital to the development of the nation's industrial order because they consumed surplus production, circulated their earnings within the national market, and demanded higher wages through trade union organization. White workers, unlike their Chinese counterparts, were "brought up by our civilization to family life and civic duty." The CEC elaborated a broader vision of industrial citizenship in which white workers would become incorporated into American civilization not only through their ability to consume the surplus of American industry, but also to act as responsible heads of household and as patriotic citizens and taxpayers invested in the nation's political institutions. Therefore, "American labor," the *Memorial* demanded, "should not be exposed to the destructive competition of aliens who do not, will not, and cannot take up the burdens of American citizenship." According to this conception of Chinese

³⁴⁶ Chinese gatekeeping discourse had always been gendered. The Memorial was no different, although its conception of gender and reproduction linked directly to the reproduction of a national political economy was novel. Karen J. Leong, "'A Distant and Antagonistic Race': Constructions of Chinese Manhood in the Exclusionist Debates, 1869-1878," in *Across the Great Divide: Cultures of Manhood in the American West*, ed. Laura McCall, Matthew Basso, Dee Garceau (New York, 2000): 131-148; Sucheng Chan, "The Exclusion of Chinese Women, 1870- 1943," in *Entry Denied: Exclusion and the Chinese Community in America, 1882-1943*. Ed. Sucheng Chan (Philadelphia: Temple University Press, 1991): 94-146; Catherine Lee 'Where the Danger Lies': Race, Gender, and Chinese and Japanese Exclusion in the United States, 1870-1924," in *Sociological Forum*, 25:2 (June, 2010): 248-271; George A. Peffer, *If They Don't Bring their Women Here: Chinese Female Immigration Before Exclusion* (Urbana Champaign: University of Illinois Press, 1999).

gatekeeping, exclusion not only controlled the racial boundaries of the nation but also functioned to secure a standard of living conducive to the reproduction of America's civilization. The Chinese gate was, therefore, inseparable from American democracy and by extension from the status of workers as citizens, heads of household, and as consumers. The *Memorial* expressed this connection this way: "Manhood ...gives title to rights, and the Government, being ruled by majorities, is largely controlled by the very class which servile labor would supersede--the free and independent workingmen of America." "The political power invested in men by this Government," the *Memorial* concluded, "shows the absolute necessity of keeping up the standard of population and not permitting it to deteriorate..." In short, the nature of American civilization as both a white democracy and as an advanced industrial order necessitated the protection of its citizen workers and rendered any foreign threat to this population by Chinese immigration into a threat to civilization itself.³⁴⁷

Armed with this civilizational vision of exclusion, the CEC legislative committee arrived in Washington at the end of November 1901 where it joined trade union representatives Gompers and the AFL's lead lobbyist for exclusion, the California cigar maker, Herman Gutstadt. The two lost no time incorporating the text of the CEC memorial into the AFL's now infamous pamphlet, *Some Reasons for Chinese Exclusion: Meat vs. Rice: American Manhood against Asiatic Coolieism: Which Shall Survive?*⁷⁶ Gompers and trade unionists from California made the AFL the nexus of exclusionism, connecting the Federation's national and international unions with the CEC and with pro-exclusionist officials in California and in the federal government. AFL leaders focused on mobilizing trade unionists across the nation to secure support from Congress and the President. Its national membership became a built-in national constituency for exclusion, while

³⁴⁷ The memorial was printed verbatim in, Samuel Gompers and Herman Gutstadt, *Some Reasons for Chinese Exclusion: Meat vs. Rice: American Manhood against Asiatic Coolieism: Which Shall Survive?* (Washington, D.C.: American Federation of Labor, 1902).

the AFL's periodicals and printing office became a clearing house for anti-Chinese literature. Gutstadt explained his vision of the strategy going forward. "There is no intention of conducting this campaign," he assured the readers of the *Federationist*, "than other than by force of reason, backed up as the occasion may require by official data..."³⁴⁸

The AFL's executive council set the Federation's machine in motion in the summer and fall of 1901. Spokesmen represented the trade union movement in public, to Congress, and to their own membership, as the national representative of a working-class citizenry. A shared vision of citizenship and sovereign protection for American civilization connected the Federal to the West Coast exclusionists. The ideology outlined by the CEC's *Memorial* aligned with the AFL's conception of high wages, industrial citizenship, and protection for the nation's domestic market. In his testimony to the Senate Committee on Foreign Affairs, Gompers claimed that the AFL spoke for the "great body of the wage-earners of America." The exclusion of Chinese, "from the United States and its possessions," Gompers argued, "is asked by all of the wage workers of our country...regardless of any section of the country from which they may hail..." Gompers explained that the protection of American labor, even at the expense of the Open Door, had become even more necessary in the early twentieth century. The control by capitalists over the nation's labor market drew citizen workers in California together with workers beyond the West Coast. All workers, regardless of their location, were subject to mechanization and competition on a national scale and had thus become *equally* vulnerable to Chinese immigration. "The introduction of new machinery day after day," he argued, along with, "...the division...of labor, the application of the great forces of steam and electricity to industry...all these, together with the concentration of these industries...make the wealthy possessors of our country

³⁴⁸ Eva McDonald Valesh, "Three Notable Lines of Labor Work," *American Federationist* (November 1901): 458-459. Gutstadt even traveled back to San Francisco during the Congressional debate to keep the San Francisco movement aware of the proceedings and, according to one reporter, "rouse public interest in the Mitchell Kahn bill now pending in Congress." *San Francisco Call* (March 7, 1902).

exceedingly powerful... We have enough to contend against without being compelled to meet the competition and the contamination of the Chinese..." Their political status as citizens, their shared function as consumers as well as producers, bound all white workers together within the nation's labor market and within the nation's polity. Echoing the claim made by the CEC, Gompers argued that this market and polity could not be sacrificed to the Open Door without undermining American civilization. China's market would not "recompense our people for the immensely greater loss caused by the displacement of our own countrymen who are consumers as well as producers..." While the Chinese sent their earnings back to China, American wages remained at home, "stimulating our own industry and trade..." The incorporation of American workers into the nation's industrial order by way of higher wages made them essential to American civilization and therefore entitled to protection. Commercial access to the Chinese market could not, "obliterate the necessity of maintaining our American industrial system as the basis of that social progress which is the characteristic of our...civilization."³⁴⁹

As Congress readied for the debate over exclusion in the winter of 1902, the AFL launched a massive petition campaign. Exclusionist spokesmen in Washington represented their coalition to policymakers, the press, the public, and their own supporters as a mass popular demand for the federal government to wield its sovereign power to exclude and ensure the reproduction of American labor and American civilization. Gompers crystallized this logic in a letter to President Theodore Roosevelt. A stronger Chinese gate "means bread, butter, reproduction, life, and we have faith that you will take such steps, as you consistently can, to avert from us and our civilization, from this pending danger." All white workers were united

³⁴⁹ Gompers testimony, and these quotations can be found in, *Hearings on Chinese Exclusion*. Subcommittee on Immigration. Senate. Sen Bill 2. 2960 (1902): 99; 257. For similar arguments, see George Gunton put it this way: "Commercial expansion must not be secured by undermining the high standard of our own almost limitless home market, made so by the ever increasing wants of a progressive people." George Gunton, "An Ingenious Plea for Chinese Immigration," *Lecture Bulletin of the Institute of Social Economics*, 5:2 (New York, October 1, 1901): 49-50; "Should Chinese Laborers Be Excluded," *Lecture Bulletin of the Institute of Social Economics*, 5:13 (New York, March 15, 1902).

behind enhancing the capacity of the Chinese gate not only to exclude, but to secure a future for an American working class. “There is nothing upon which we are so united,” he assured the President, “and there is no question upon which we will be so capable of distinguishing between the chaff and the wheat, as on this question.”³⁵⁰

V

In his annual message to Congress on December 3rd, 1901, President Theodore Roosevelt recommended that Congress pass a new Chinese exclusion statute with modifications, “wherever necessary in order to make its enforcement entirely effective.” Republican leaders in Congress recommended the re-extension of the 1892 statute (as if Powderly’s reign and annexation never happened), with the hopes of satisfying all parties. Roosevelt, however, bucked his party’s Congressional leadership and informed the AFL in conference that they could count on his support of a more “effective” exclusion bill in 1902. Believing that disaster would follow if the moderate wing of the Republican party took the initiative, the AFL and CEC drafted a bill that would enact all of their demands.³⁵¹ According to Gompers’ characterization, the “Federation” bill (also called the Mitchell-Kahn bill, named after the California congressmen who introduced it) would close all administrative and legal loopholes, fully insulate the nation’s gate from future diplomatic interference or judicial challenges, and permanently extend the gate

³⁵⁰ Samuel Gompers to Roosevelt, (May, 3 1902). Reel 123. Samuel Gompers Letterbooks.

³⁵¹ The AFL’s legislative committee, in conjunction with the CEC’s delegation in Washington, worked to outflank their opposition by drafting a bill that aligned the administrative features recommended by officials from the Immigration Department with the AFL’s specific plan to enact exclusion within the U.S. empire. Representatives of the AFL and the CEC turned to the Pacific Coast’s congressional sub-committee and worked to bring exclusionist politicians in line with the trade unions and the California Movement. After some initial conflict with some West Coast congressmen, the final bill eventually was backed by all segments of the coalition and advocated for in Congress by the West Coast’s congressional delegation. By the beginning of January, the coalition led by the AFL as well as Senators Kahn and Livernash of California and Newlands of Nevada finally introduced their expansive and unified bill. The impending Congressional election in the Fall of 1902 likely encouraged the unwavering support of the Pacific Coast, and possibly other Senators. *San Francisco Call* (March 7 1902); “Eastern Congressmen will Aid Pacific Coast,” *ibid.*, (Dec., 3 1901). “Chinese Exclusion Bill: Pacific Coast Members Complete their Measure,” *Washington Post*, (Jan., 7, 1902): 4.

to the empire. Their goal, in effect, was to pass a statute that would fully enact federal gatekeeping sovereignty into law--once and for all decoupling the Chinese gate from any international obligations or legal and diplomatic challenges. The bill codified the “effective” codes and policies of the enforcement system that had accreted through statute and administrative procedure since the passage of the Geary Act in 1892 and 1902 and contained language that would explicitly centralize all administrative and enforcement decisions within the Treasury Department. In addition, the Federation bill would insulate enforcement of Chinese exclusion from diplomatic attack by mandating that Chinese Exclusion would operate indefinitely, subject to no legislative time limitations.³⁵² Its other core features dealt with exclusion in the empire. The bill would permanently extend the Chinese gate to all U.S. possessions while also preventing the movement of Chinese between territories, or from territories to the mainland. To do so, it would give the Immigration Bureau the power to fully control Chinese mobility within *all* U.S. territory (removing control of Chinese immigration from the local government in the Philippines and the other territories and placing it squarely within the realm of congressional statute and under the control of the Treasury Department).³⁵³

Armed with a comprehensive bill backed by a unified exclusionist coalition, the AFL

³⁵² Any future Act, they argued, which merely continued the existing system or instituted another time-limit for exclusion would not effectively decouple U.S. Chinese gatekeeping system from the U.S.-Sino treaty obligations and would allow the Chinese and other opponents of exclusion to influence and limit the operation of the U.S. gatekeeping system. According to Phelan’s characterization, the Mitchell-Kahn bill “incorporated the Geary law, the Scott law as far as applicable, and the rules and practice of the Treasury Department in one bill.” The exclusionists who drafted the bill maintained that a moderate bill would not extend the “vital provisions” of the Scott Act of 1888. Specifically, they feared that the 1904 deadline would invalidate all the administrative features of the exclusion law which made it effective because the Scott Act of 1888 was never ratified through a subsequent treaty. Exclusionists feared that the termination of the Grisham-Yang treaty on January 7th 1904, would place U.S.-Sino relations back onto the terms of the 1868 Burlingame Treaty, which upheld the right of mobility and held China as a “most-favoured” nation.

³⁵³ This feature of the bill was intended to insulate the imperial gate from commercial interests or imperial policymakers who might modify exclusion to permit the importation of Chinese laborers into the territories or the movement of Chinese laborers between territories. The bill’s imperial provision was specifically written to exclude include Filipino Chinese who resided in the territories prior to annexation and to all those born to Chinese parents in the territories thereafter. As for the bill’s provisions controlling the mobility of Chinese immigrants within the empire, it would prohibit the entry of Chinese laborers into any U.S. state, territory, or possessions. The bill, however, did not conflate domestic territory with the insular possessions. Instead, it created an analytical and legal

flexed its political muscle by reaching out to supporters in both parties and by punishing politicians who were reticent. The AFL puts its large infrastructure to work ensuring that supporters of Chinese exclusion in both parties would not only back their bill but ratify their vision of total exclusion and reminding politicians that any failure to enact their bill into law would elicit reprisal from trade union voters. The campaign opened fault lines within Congress. Overnight, it became impossible for Congressman rhetorically to support Chinese exclusion in the name of “American labor” while backing alternative exclusion bills that exclusionist considered to be ineffective.³⁵⁴ The executive council urged all affiliated unions to ratify the bill within their own conventions and to continue petitioning their congressmen. The AFL also distributed thousands of copies to all unions affiliated with the Federation and forwarded the *Meat versus Rice* pamphlet, copies of the bill, along with an extensive memo critiquing the moderate gatekeeping position to members of the Senate Committee on Immigration and the House Committee on Foreign Affairs. In December, the *San Francisco Call* reported a nationwide outburst of labor union sentiment in favor of the extension of Chinese Exclusion. Petitions and memorials were, “...being piled up in the Capitol like cord wood.”³⁵⁵

The AFL secured the enthusiastic support of several powerful senators and representatives beyond the Pacific Coast. While defending the bill on the Senate floor, George Patterson, a representative from an Anthracite coal district in Pennsylvania, asserted that the

³⁵⁴ “Exclusion of Chinese,” *The Sun* (April 5, 1902): 2; The arch-exclusionist James Phelan argued that Chinese transportation interests and smugglers supported the extension of the Geary Act because it would leave the Immigration Bureaus’ enforcement system open to judicial challenge from Chinese diplomats, lawyers, and from Chinese immigrants themselves. U.S. Congress, Senate, Committee on Immigration, *Senate Bill 2960...*, 57 Cong., 1st, sess., 1902: 293-295.

³⁵⁵ Article printed in, U.S. Congress, Senate, Committee on Immigration, *Senate Bill 2960...*, 57 Cong., 1st, sess., 1902. Despite the sensationalist tone, there was truth to this claim. By the end of 1901, the Knights of Labor, the Western Railroad Union, and the Railroad Brotherhoods, city central labor councils, and state federations all had begun to lodge thousands of petitions and memorials with Congress, many targeting their specific Senators and Congressmen, not ceasing the campaign until the Spring of 1902. Even though many of the petitions derived from unions located on the Pacific Coast and in the Rocky Mountain West, an extensive number of Midwest and East Coast unions that participated in the campaign were extensive.

“miner of Pennsylvania is as desirous of the passage of this bill as the California wage worker.” He felt, “that the great interest in this measure on the part of the people I represent, as evidenced by the large number of petitions, memorials, resolutions, and letters I have received ...and introduced on this floor, is such that I would be derelict in my plain duty did I permit this occasion to pass without expressing the overwhelming sentiment that prevails in my district in favor of this bill.” Senator Boies Penrose of Pennsylvania became the exclusionists’ most vocal ally on the Senate Committee of Foreign Affairs, claiming that he and his exclusionist colleagues in the Senate were the representatives of a “vast army” of native, trade union affiliated workers across the nation. “The enlightened statesmanship of the country and the just demands of organized labor,” he wrote “were aligned together, in favor of the extension of the Exclusion law with *stringent amendments*.” According to Penrose, support for exclusion was the democratic outcome of intelligent and organized workers demanding their protection as citizens and laborers.³⁵⁶

The exclusionists’ bill quickly passed in the House of Representatives but came under immediate criticism from senators in both parties sympathetic to the arguments made against the bill by the Open Door lobby and by Wu-Ting Fang. The AAA publicly declared that the bill was solely the product of the “the rabid anti-Chinese sentiment of the Pacific Coast,” as led by “professional labor leaders, reinforced by a sensational newspaper.”³⁵⁷ Prominent newspapers were also critical. The *New York Times* noted that the central conflict over exclusion pit open door interests against the AFL and West Coast’s over whether or not the nation’s sovereignty

³⁵⁶ Boies Penrose, “Chinese Exclusion and the Problems of Immigration,” *Independent* (January 2, 1902). Penrose, a senator from a mining district in Pennsylvania claimed that it was a “conservative estimate to say that no less than 50,000 of my constituents have made direct and pressing appeals to me to vote and work in the interest of this particular law.” See Speech of Hon. George R Patterson of Pennsylvania in the House of Representatives, *New York Time, Chinese Exclusion Bill* (Washington, April 5, 1902).

³⁵⁷ “Legislation Affecting American Relations with the Far East,” *Journal of the American Asiatic Association* II:3 (April, 1902). For the AAA’s characterization of the M.K. Bill, see “The Chinese Exclusion Law,” *ibid*: 58-59.

could and should be limited in regard to Chinese exclusion for the sake of the Chinese market. “Anyone who has observed the flood of petitions praying for exclusion of the Chinese...will readily conclude that the American people have not changed their minds...” Yet, “in view of all that we have done and insisted upon to protect our right to the open door in China it would be a National disgrace and a National misfortune if the new law should carry the principle of exclusion to unreasonable and offensive lengths.”³⁵⁸

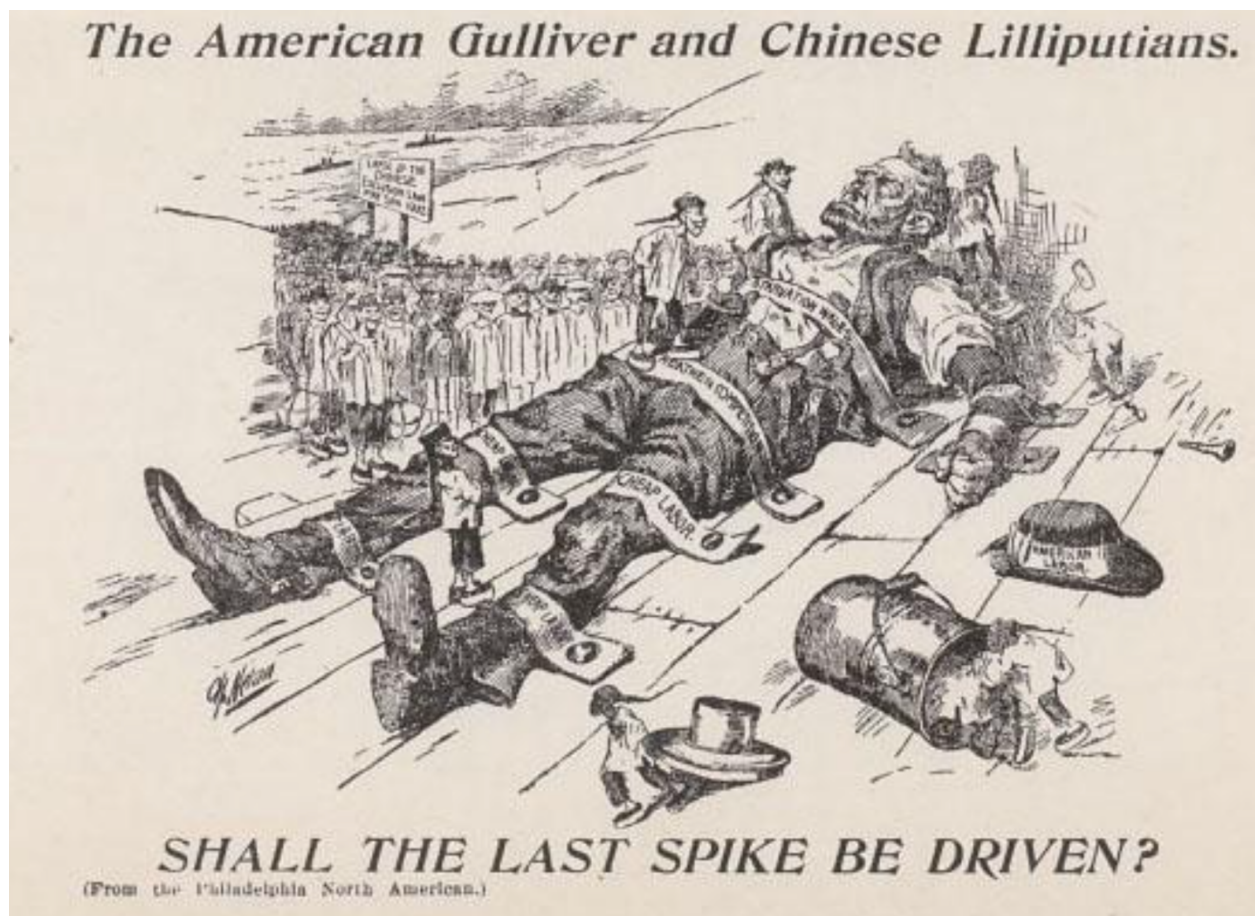


Figure 7: "The American Gulliver and Chinese Lilliputians", "Some reasons for Chinese exclusion: Meat vs. rice; American manhood against Asiatic coolieism. Which shall survive?," University of California, Bancroft Library. 1901.

The conflict came to a head during Congressional hearings held from January 21 to March 5, 1902. The AAA organized a considerable block of federal policy makers, lawyers,

³⁵⁸ The *New York Times* (April, 17, 1902): 8.

former federal officials as well as representatives from exporters and textile manufacturers. For instance, the association garnered the support of former Secretary of State John Foster, Maxwell Evarts (the attorney of the Pacific Mail Steamship Company), and Charles Hamlin, acting Secretary of the treasury and spokesmen for the Boston Chamber of Commerce. Those opposed to exclusion rehearsed their arguments that the U.S. had a duty to respect existing treaties and that commercial access to China was vital for the economic interests of the nation.³⁵⁹ AAA spokesmen turned not only to treaties and international law, but also the U.S. Constitution to defend the Chinese rights of mobility. The legal status and mobility of Chinese in the empire along with the right of mobility of exempted classes of Chinese immigrants became the focal point of conflict over the limits of national sovereignty over Chinese immigration. More specifically, the future status of the Chinese population in the Philippines, as well as the status of their children, quickly became a lightning rod for the debate. Would Filipinos of Chinese descent receive citizenship in the future, and would they be able to move freely to the United States? Would their children, born within U.S. territory, become U.S. citizens and therefore possess the right of mobility?

Evarts argued that the Chinese question in the Philippines was separate from that on the mainland due, in part, to the political and economic distinctions differences between the islands and the U.S. mainland. Evarts claimed that Senator Edward Livernash, an exclusionist representative at the hearings, had no “familiarity with these questions” yet he “defines what the United States is, and he defines what the insular possessions are.” According to Evarts, the Federal government did not have the explicit right to restrict the mobility of Chinese who were natives to recently acquired U.S. territories from entering the mainland. Evarts appealed specifically to the Supreme Court’s *Wong Kim Ark* (1896) ruling that Chinese, born of Chinese

³⁵⁹ U.S. Congress, Senate, Committee on Immigration, *Senate Bill 2960...*, 57 Cong., 1st, sess., 1902: 293-295.

parents in the United States, would be citizens under the Constitution. “If he is a citizen,” Evarts claimed, “it does not make any difference whether he is a Chinaman or any other color, he is just as good as you are or as I am; and he has the right to go there or to come here or to go anywhere where the United States has jurisdiction.” The Federal government’s sovereign right to control Chinese immigration could in fact be limited by the U.S. Constitution.³⁶⁰

While pro-Chinese representatives relied on the scalpel of constitutional law, exclusionists responded with the sledgehammer of sovereignty, racism, and their entitlement as citizens to Federal protection. The lawyer and senator from California, Edward Livernash, took the lead on this front, reminding the Senate Committee that the nation’s sovereignty was at stake. Livernash pointed out that the extension of exclusion to the empire was an essential component of the bill, and that the nation’s sovereignty extended across *all of the nation’s territory*.³⁶¹ The extension of Chinese exclusion to the Philippines was critical to the effective operation of an imperial Chinese gatekeeping system. Livernash reminded the committee that Congress had not yet incorporated residents of the Philippines, “into the body of American citizens.” The legal ambiguities arising from this fact should, he argued, be resolved “*in favor of American labor*.” It was imperative, Livernash concluded, that Congress therefore “fix the status of the Chinese in the Philippines, and not only of the alien Chinese, but of the native Chinese and half-breeds, and in so fixing status to do all things needful to protect our own continental territory from an invasion from the insular possession...”³⁶² Livernash insisted that there was no distinction between the U.S. mainland and the insular possessions for the purposes of excluding Chinese from entering the U.S. territory. However, he also argued that the Chinese gate should

³⁶⁰ Ibid, 337. Memo circulated between the C.E.C. and the AFL located in Samuel Gompers Letterbooks, Reel 57.

³⁶¹ The exclusion bill, Livernash explained, “has an eye to the Philippines, not incidentally, but all the way through, making the erection of safeguards in that regard one of its primary purposes.” U.S. Congress, Senate, Committee on Immigration, *Senate Bill 2960*..., 57 Cong., 1st, sess., 1902: 293.

³⁶² Ibid, 194. My italics.

differentiate between the continental United States and imperial possessions to prohibit Chinese residing in the empire from entering the metropole. The Federal government, he argued, should make no distinction between Chinese based on the residency or nativity of Chinese in the Philippines, or Chinese who would enter the Philippines in the future. To rationalize and justify these demands, Livernash turned, once more, to the citizenship of American workers and to the inherent racial inferiority of *all* Chinese. “From the standpoint of the American laborer,” he concluded, “or from the standpoint of American civilization, it is indifferent where a Chinese person comes from if he be of [sic] the class injurious to our laboring men and hurtful to our civilization.” If a new statute failed to extend exclusion to the Philippines, it would not achieve “what we ask and what we require, and what the Congress ought to give us.” Livernash acknowledged that changes in the gatekeeping system since 1898 raised critical questions concerning the future shape of the Chinese gate. He argued that the citizenship of American workers entitled them to Congress deciding in their favor on all relevant questions. To illustrate how this sovereign power applied to the U.S. empire and Chinese immigration, Livernash referred to the historical relationship between the Federal government and native American populations in the late nineteenth century. It was the case that, “we have exercised under claim of right our physical power to limit freedom of locomotion of the North American Indians. Not only have we required that certain tribes should remain strictly within specified boundaries, but we have at pleasure moved whole nations from one place to another.” According to Livernash, the power to control the mobility of foreign populations was coextensive with U.S. territory, and he reminded the committee that Congress had already sanctioned this fact by extending exclusion to Hawaii through the Organic Act of 1899. Livernash acknowledged that this feature of the Act had not yet been judicially tested, yet demanded, nonetheless, that the Pacific coast and American labor not be denied the “extension of this principle to the Philippine Islands.” The right of American labor for Federal protection preempted any claims that Chinese immigrants

possessed.³⁶³

Spokesmen also deployed this same logic of sovereignty to justify their demand that “loopholes” in the Federal gatekeeping system be closed by a new statute. According to James Phelan, Chinese immigrants, regardless of class status or geographical place of origin, represented an existential threat to all American labor. “There is great danger of an inadequate exclusion law,” he argued, “permitting the Chinese to come from Mexico and from British Columbia in transit...” The Supreme Court, “held that of course acts of Congress were paramount and supreme, even against the provisions of the treaty...” The existence of this threat subordinated all treaties and class-based exemptions to the interests of American labor and to national sovereignty. Without the codification of the Immigration Department’s enforcement practices, the nation would be open to illegal Chinese immigration and federal gatekeeping policy would be vulnerable to interference by the Chinese and their allies. According to Gompers, their bill, on the other hand, would reinforce Federal sovereignty and bolster Congressional power. “It would make effective the laws of the land,” he argued, and “preserve the dignity of the law-making power and the Government of the United States.” The expansion of the federal gate as outlined in the exclusionist bill, he argued, was not based on prejudice, but was the outcome of years of trade union and immigration official experience with Chinese immigration. Although the bill “may seem cumbersome...and even harsh,” he concluded, its enforcement provisions represented the “crystallization of our severe experience with oriental deceptiveness.”³⁶⁴

This overall justification for a more expansive Chinese gate gained substantial traction in Congress and laid the groundwork for the passage of a new statute in May of 1902, but only after

³⁶³ *Ibid.*,

³⁶⁴ *Ibid.*, 75-77. Gompers made sure to note that, “The average Caucasian who is without experience in dealing with Asiatic duplicity is in the need of careful research before passing adversely upon” the bill’s enforcement provisions.

significant debate. Immediately following the Congressional hearings, the Senate Committee on Immigration, chaired by Boies Penrose, reported favorably on every provision of the exclusion bill in the name of protecting, "...American Workingmen from the competition of Asiatic labor."³⁶⁵ The Committee affirmed the arguments that a new statute was necessary, "...because of the changed conditions arising from the acquisition of additional territory and the difficulties experienced in the enforcement of all exclusion laws in the past." The report endorsed the exclusionist bill and concluded that, it "is no longer a question of transcontinental limitation, but its mantle must now be thrown over the shoulders of the native toilers in the insular territory of recent acquisition..."³⁶⁶

This endorsement inflamed the opponents of the exclusionists, alienated Congressional moderates, and further divided the Senate along partisan lines.³⁶⁷ A contingent of Republican senators led by Orville H. Platt, Henry Cabot Lodge, and William P. Dillingham worked to defang the more draconian features of the bill.³⁶⁸ Those Congressmen opposed to the exclusionists' bill, but unwilling to challenge it publicly, found a solution when Senator Platt of Vermont introduced an amendment on April 10th intended to eliminate the bill entirely and continue the existing exclusion law until December 7th, 1904. Exclusionists flooded Congress with petitions and lobbied the President and Congressional leaders to support the key features of their bill. A memo written by the CEC read before the Senate declared that those who opposed their bill, were "willing to weigh the exclusion system against bolts of cloth and tins of kerosene" and are, "tempted to resolve in favor of that race [the Chinese] and against the workers

³⁶⁵ See Senate debates on April 15h, 1902. 57th Cong., 1st sess., *Congressional Record* 35: 4762.

³⁶⁶ U.S. Congress, Senate, Committee on Immigration. *Report to Accompany S. 2960*. 57th Cong., 1st sess., 1901. Italics my own.

³⁶⁷ The Six Companies retaliated against the Chinese delegation for their supposed "luke-warm opposition." "Wu and How Yow Assailed," *Washington Post* (March 21, 1902): 1.

³⁶⁸ 57th Cong., 1st sess., Cong. Rec. 35: 3808. The House Committee on the exclusion bill eliminated the provisions of the bill designed by the exclusionists to restrict the immigration of merchants and students and amended the bill so as to eliminate the bill's definition of "Chinese" (which purposefully made no distinction based on geographical residence or political loyalty).

of American...”³⁶⁹

After some legislative maneuvering, a joint conference was organized by Senate and House leaders settling on a compromise bill which was ultimately passed by Congress and signed by Theodore Roosevelt. The statute extended all existing exclusion laws and adopted the core features of the exclusionist bill until the expiration of the 1894 Chinese-U.S. treaty in 1904, “so far as the same are not inconsistent with treaty obligations, until otherwise provided by law.” Despite this nod to treaties the final bill ensured that federal sovereignty trumped diplomatic obligations by enacting the major imperial and enforcement provisions demanded by exclusionists, even over the continued protests of China. Exclusionist representatives, however, still complained that the federal gate was tied to treaties. Gompers, ever prone to exaggeration and paranoia, informed AFL members that this “Bunco bill” was “one of the most conspicuous pieces of bungling or vicious legislation...ever enacted by Congress.” A private law firm informed the AFL legislative committee that the Chinese gate would likely be thrown open in 1904 when the existing treaty expired. This concern, however, was unfounded, and failed to recognize the degree to which federal Chinese exclusion policy had been transformed.³⁷⁰ The bill Theodore Roosevelt signed into law dramatically expanded the powers and reach of the Federal Chinese gate.³⁷¹ The statute extended exclusion to the new territories, sanctioned the enforcement policies of the Bureau of Immigration, and granted the Commissioner General free reign to enforce exclusion laws. Even more significant than the immediate administrative consequences of the 1902 Act were the transformation of the politics of Chinese gatekeeping

³⁶⁹ The AFL and CEC were equally infuriated and responded aggressively with a twenty-page memo re affirming the imperial exclusion provision as essential. AFL Executive Council Proceedings, Reel 15. (1902). Records of the AFL Executive Council. College Park, Maryland.

³⁷⁰ “Senate Voted Nay,” *Washington Post* (April 17, 1902): 1; “Chinese Exclusion Bill,” *ibid* (April 13, 1902): 4; 57th Cong., 1st. Sess., Apr. 29, 1902, Senate Journal, p. 362. Under the counsel of a D.C. law firm, Gompers informed the trade union movement that this “bunko bill” effectively opened a potential loophole which would allow the movement or importation of Chinese in the Philippines to enter the domestic United States. “The New Chinese Exclusion Law,” *American Federationist* 9:6 (June, 1902): 275-297.

³⁷¹ According to Wu Ting-Fang’s memo to the president, the bill did violate U.S.-Chinese treaties. Wu Ting-Fang to Secretary John Hay, (Apr. 29, 1902). Roosevelt Papers. Library of Congress.

which occurred between 1898 and 1902.³⁷²

By the early twentieth century, the AFL positioned the trade union movement and its exclusionist partners on the West Coast as the democratic guarantors of the nation's sovereign power to exclude Chinese workers. Trade union representatives gained national and elite recognition as an organization with a vested interest in Chinese gatekeeping, while the Federation's national membership and affiliated unions ensured that exclusionism possessed a built-in political constituency. Exclusionists created a durable coalition that connected the national trade union movement to the Bureau of Immigration and West Coast politicians. The AFL and its West Coast partners remained a unified political block against continued efforts by Chinese diplomats and open-door commercial interests to reverse or modify the draconian gatekeeping features established by the 1902 Act. In addition, this block would act in the coming years to extend, through new statutes, Chinese exclusion to other populations of Asian immigrants. In the meantime, the AFL also began to set its sights on European immigration.

³⁷² Ibid.; The exclusionists' main criticism was that the amendment dispatched with the definition of "Chinese" as necessary "all those of Chinese blood," therefore rendering the, "protection of Hawaii, Porto Rico, and the American mainland against the Philippine Chinese of little practical value, because there are hundreds of thousands of persons of Chinese and Filipino blood, and this fact will lead naturally (if the Platt bill be adopted, to the practice of claiming Filipino blood as the 'open sesame' to forbidden territory." Exclusionists were also concerned that the new bill would only "carry forward" valid provisions of existing Chinese exclusion laws, thereby obviating the features of the bill which would codify the Treasury Department's enforcement practices. See Samuel Gompers to Boies Penrose (April 10 1902) Reel 57. Gompers Letterbooks.

Chapter Five:

“The Highest, Best Civilization in the World”

Corporate Capitalism, Race Competition, and the Origins of the Dillingham Commission, 1893-1913

“The people of the United States stand for what, in their judgment, is the highest, best civilization in the world...Americans undeniably wish to maintain their standard, and if possible to raise it.”
The Dillingham Commission (1912)

The Commissioner General of Immigration observed in 1894, that the nation-wide depression which had set in in the previous year made the restriction of European immigration unnecessary. Official data, he claimed, revealed that immigration from Southern and Eastern Europe had significantly slowed in response to mass unemployment and business failure in the United States. It appeared that the European worker had given up “hope of finding an El-dorado [sic] on this side of the Atlantic.”³⁷³

The Depression of the 1890s (1893-1896) is typically characterized by historians of nativism and U.S. immigration policy as a turning point in the immigration debate. Scholars argue that unprecedented levels of unemployment, the proliferation radical movements of industrial workers and farmers engendered a broader, restrictionist political movement and convinced elite and middle-class Americans that the United States should close its gate to Europe.³⁷⁴ This chapter puts forward a different conceptualization of the causal relationship between U.S. capitalism and immigration restriction as a political movement at the turn of the

³⁷³ United States Bureau of Immigration, *Annual Report of the Commissioner-General of Immigration to the Secretary of the Treasury for the Fiscal Year Ended*. (Washington, D.C., 1895).

³⁷⁴ Higham, *Strangers in the Land*, ch. 4; Lee, *America for Americans*, ch. 4, also see Lee, Erika. "America First, Immigrants Last: American Xenophobia Then and Now," *Journal of the Gilded Age and Progressive Era* 19:1 (2020): 3–18; Laura L. Lovett, *Conceiving The Future: Pronatalism, Reproduction, and the Family in the United States, 1890-1938*, (Chapel Hill: University of North Carolina Press, 2007); Richard Jensen, "Comparative Nativism: The United States, Canada and Australia, 1880s–1910s," *Canadian Journal for Social Research* (2010) vol 3:1 pp. 45–55.

century. It was not the depression of the 1890s, but the period of corporate consolidation, imperial expansion, and dramatic economic growth between 1896 and 1904, that created the necessary economic and political conditions for the consolidation of a unified and cross-class political bloc that supported the restriction of European immigration. During these years, the nation's productive capital became concentrated in the hands of a new legal entity: the corporation. Corporate concentration allowed U.S. employers to, once and for all, break the power of skilled workers over production and to reorganize the productive process and mobilize machine production on an unprecedented scale. This new regime unlocked massive productivity gains in manufacturing and extractive industries like steel and coal mining. New methods of mass production made unskilled foreign labor even more significant for domestic capital accumulation and raised the stakes for organized labor and employers alike to influence immigration policy and to shape the broader narrative about industrial development, foreign labor, production, and consumption.

By the mid 1890s, a new organization, the Immigration Restriction League (IRL) became the center of elite, restrictionist activity and the nation's most potent pro-restriction interest group. Founded in 1894, the League incorporated the vision of labor, race, and state power articulated by the American Economic Association (AEA) and brought several restrictionist social scientists into its fold. During its first several years, the IRL advocated for a new immigration law that contained a literacy test among other more specific demands to restrict European immigration. In doing so, the League and its spokesman argued that mass immigration and U.S. industrial capitalism's reliance on the "cheap" races of Europe had led to "race suicide," or the literal replacement of American workers and their families with a degraded,

foreign born working class.³⁷⁵ Although the League did not intend to do so, they antagonized U.S. employers and launched a broader debate over whether or not the U.S. corporate capitalist order needed unskilled foreign labor. By 1896, employer organizations and pro-immigration groups like the National Liberal Immigration League and the National Association of Manufacturers mobilized against the IRL and helped ensure that Congress did not pass legislation further restricting European labor immigration in 1896.

At this moment, both the IRL and its supporters in Congress recognized that the political muscle and influence of the trade union movement would be essential in future restriction campaigns. However, by 1897, the AFL was engaged in an intense political battle over Chinese Exclusion and the New Empire. Its national convention had not yet officially endorsed the general restriction of European immigration. Beginning in 1898, the Federation's national leadership worked to steer AFL's national membership and affiliated unions towards support of the new, more radical immigration legislation drafted by the IRL. The Executive Council and Legislative Committee framed the debate over European immigration, like Chinese Exclusion policy, as a proxy war between organized labor and capital over the new conditions of mass production, consumption, and racial competition of the turn of the century. Trade union writers, political economists, and national labor leaders made the case that the consolidation of economic ownership by corporations coupled with mass immigration from Southern and Eastern Europe allowed U.S. employers to fracture the working class along racial lines, undermine native-born

³⁷⁵ Within this context of upheaval, a new restrictionist interest group, the Immigration Restriction League (IRL) forged a capacious ideology against immigration that drew from new discourses of scientific racism, eugenics, and racial nationalism. Erika Lee, for instance, argued that the IRL “crafted and perfected a new xenophobic message designed to influence policy.” Lee, *America for Americans*, 113; John Higham, “Origins of Immigration Restriction, 1882-1897: A Social Analysis,” *Mississippi Valley Historical Review* 39:1 (1952): 77-88.

trade unionism, and prevent “American workers” from sharing in the economic abundance produced by the new corporate order.

By the turn of the century, the AFL’s national leadership and its largest affiliated trade union successfully marginalized pro-immigrations sentiment within the labor movement and encouraged rank and file workers to endorse a capacious restriction bill written by the IRL. Labor leaders and the AFL did not intend organized labor to be a junior partner in its relationship with the League. Between 1897 and 1904, the Federation conducted its own independent campaign for immigration restriction but cooperated closely with IRL’s national representatives to coordinate their lobbying efforts as well as their arguments for restriction. In turn, the AFL did influence its elite partners. Between 1902 and 1907, the IRL abandoned its earlier reluctance to antagonize employers and adopted the Federation’s more assertive, anti-employer argument against immigration. During these years, both organizations functioned as a political block, and made common cause during Congressional Hearings and on Capitol Hill. They pushed for a single immigration law that contained a literacy test, along with other specific demands intended to restrict immigration, and successfully infiltrated the federal Bureau of Immigration to ensure that existing immigration laws would be maximally enforced.

While legislation containing the literacy test was ultimately blocked, the AFL and IRL successfully shaped how federal officials, lawmakers, and industrial investigators conceptualized the threat of European immigration. After 1902, the AFL-IRL bloc brought a network of highly influential industrial investigators, social scientists and progressive reformers into their fold: John R. Commons, Edward Ross, and Walter Weyl. These individuals argued that national prosperity and economic development had made immigration restriction more essential, not less. The emergence of a new regime of “mass production,” had created a racially fractured and

hierarchical working class that would ultimately push American workers out of the labor market. They framed immigration restriction as a necessary state action that would ensure that U.S. corporate capitalist order remained white. This argument was crystallized in a report on immigration that came out of the United States Industrial Commission of 1898 to 1902. John Commons, the director of what became known as the “Commons’ Report, summarized his investigation’s conclusion: “The competition of races is the competition of standards of living ...Almost every great manufacturing and mining industry has experienced a...substitution of races.” “As rapidly as a race rises in the scale of living, and through organization begins to demand high wages...” he argued, “employers substitute another race and the process is repeated. For Commons, and the broader network of organized labor and nativist academics he echoed, racial substitution had become the organizing principle of U.S. corporate capitalism and the modern system of machine production—this dynamic ultimately prohibited the formation of a genuinely homogenous national working class and had set the United States on a trajectory of endless racial conflict and displacement. Only the federal government could avert this outcome by closing off the United States to the “degraded races” of global capitalism.³⁷⁶

Organizations like National Liberal Immigration League and the National Association of Manufacturers along with pro-immigration lawmakers were able to prevent the passage of a literacy test but were unable to restrain the influence of restrictionists and their ideas within the federal government. The high-water mark of this influence was the so-called “Dillingham Commission,” (1907-1912) which was initially promoted by pro-immigration advocates to delay the immigration debate and hopefully stop restrictionist moment. Advocates of immigration, however, failed to consider the extent to which restrictionist ideas had infiltrated the terrain of

³⁷⁶ John. R Commons, *Races and Immigrants in America* (New York, 1907):62-63.

federal investigation and social science by the early twentieth century. The vision of the immigration problem and federal gatekeeping that the IRL and the AFL promoted was crystallized in the Dillingham Commission's final report published in 1912.³⁷⁷ Ironically, the Dillingham Commission only strengthened the relationship between the AFL and the IRL, and convinced these organizations that the struggle for immigration restriction was, ultimately, a struggle to protect the nation's racial order and "American standard of living" against European immigration. The Commission's report revealed how the immigration debate had become, by the second decade of the twentieth century, an ideological conflict pitting competing visions of race, labor, and the nation's new corporate capitalist order.

I

In the nadir of the Depression of the 1890s, restrictions social scientists were drawn into the orbit of a new organization, the Immigration Restriction League (IRL).³⁷⁸ Founded in 1894, the IRL was the creation of a small group of Boston Brahmins, including Charles Warren, Robert DeCourcy Ward, and Prescott Hall. Unlike the AEA, which was an academic association, the IRL was a single-issue, formal interest group organized for the sole purpose of advocating "for the further judicious restriction, or stricter regulation, of immigration." The IRL crafted

³⁷⁷ A recent study of the Dillingham Commission by Katherine Benton-Cohen argues that the Commission invented the "immigration "problem." The Commission, Benton-Cohen argues, was the first official body to determine that the United States no longer needed unskilled European labor. Katherine Benton-Cohen, *Inventing the Immigration Problem: The Dillingham Commission and its Legacy* (Cambridge, Mass.: Harvard University Press, 2018). This interpretation suffers from several drawbacks. First, the vision of the "Immigration Problem," articulated by the Dillingham Commission was present in earlier federal investigations of immigration, as well as in the books, essays, speeches produced by pro-restriction organizations like the American Federation of Labor, the American Economics. Second, a focus on the Dillingham Commission entails a "top-down" approach to the study of policy. Statesmen, policymakers, and state institutions are assumed to be the main actors. This framework does not account for the ways in which these actors were shaped by, and even took part in, the restrictionist movement.

³⁷⁸ The unemployment rate in states like Pennsylvania was 25%, 25% in New York, and 43% in Michigan. Udo Sautter, *Three Cheers for the Unemployed: Government and Unemployment before the New Deal*, (Cambridge: Cambridge University Press), 14,18.

immigration legislation and worked closely with like-minded lawmakers to lobby for and pass legislation. The League's founders recognized that the success of their legislative campaign was contingent on the shaping of public and official opinion on immigration policy. For this reason, the IRL developed a propaganda apparatus which, in its own words, would "issue documents and circulars to solicit facts and information, on that subject, hold public meetings, and to arouse public opinion to the necessity for a further exclusion of elements undesirable for citizenship or injurious to our national character." The league established branches in New York, Chicago, and San Francisco.³⁷⁹

IRL spokesmen positioned the League not as a nativist organization motivated simply by hostility to immigration, but as an institution of scientific "expertise," as well as the representative of a cross-class consensus on race, nation building, and federal power. The League's membership drew heavily from academic social science. Francis A. Walker, for instance, served as Vice President of the IRL. By the turn of the century, prominent restrictionist academics like Jeremiah Jenks, John Commons, Edward Ross, Henry Pratt Fairchild contributed to the League's project, either through lobbying, the publication of restrictionist literature, or by attaching their own "expertise" and prestige to the League's political project. The IRL did not invent a new rationale for immigration restriction out of whole cloth. Rather, its officers, spokesmen, and contributors promoted and refined the one forged in the previous decade by restrictionist social scientists of the AEA and labor leaders of the AFL. The primary legislative demand of the IRL was the literacy test that had been promulgated by the AEA. One of the League's early documents explained that "The illiterate Slav, the Latin and Asiatic races" came from those who were "historically downtrodden adavistic [sic] and stagnant." The literacy test

³⁷⁹ Robert Julio Decker, "Citizenship and its Duties: The Immigration Restriction League as a Progressive Movement," in *Immigrants & Minorities* 32:2 (2014): 162-182; Tichenor, *Dividing Lines*, 78-89, 114-49.

was intended to exclude “a considerable proportion of the least desirable immigrants, those who are most alien to us in race, habit, and standards of living.” The League, however, not only focused on lobbying for the literacy test. Between 1894 and the first decade of the twentieth century, the IRL also worked to strengthen and expand existing immigration regulations to restrict the entry of as many Southern and Eastern European immigrants as possible.³⁸⁰

The vision of the immigration problem advanced by the IRL during the late nineteenth and early twentieth century was rooted in the political economy of race, labor, and economic competition articulated by the AEA. One IRL document explained that the goal of immigration restriction was “to preserve the American Republic and the high standard of American civilization and citizenship” from the degrading influence of immigrants who were of a different and less desirable race. Frances A. Walker promoted the IRL’s project in 1896 in the middle-class magazine *Atlantic Monthly*. The primary function of immigration legislation, he argued, should be concerned not merely with excluding undesirable immigrants, but with “protecting the American rate of wages, the American standard of living.” Building on his earlier work for the AEA, Walker warned of an impending demographic crisis of “race suicide.” Competition between races would always result in the eventual destruction of the superior race, or the race with the highest “standard of living.” With the opening of mass immigration from Southern and Eastern Europe and the mechanization of industry in the United States, he explained, workers of the “American race...shrank alike from the social contact and the economic competition thus created.” Consequently, Walker observed, American workers had refused “to bring forth sons

³⁸⁰ Barbara Miller Solomon, *Ancestors and Immigrants: A Changing New England Tradition* (Cambridge: Harvard University Press, 1956): 78-79; Prescott Hall, “Immigration and the Educational Test,” 165:491, *North American Review* (October 1897): 393-402; on the relationship between IRL and the Immigration Bureau, see Cannato, *American Passage: The History of Ellis Island*, 95-106-165-190.

and daughters who should be obliged to compete in the market for labor and in the walks of life with those whom they did not recognize as of their own grade and condition.”³⁸¹

During the depression of the 1890s, the IRL’s literature and spokesmen made the case that wide-scale unemployment and radicalism proved that the United States simply did not need the type of degraded, low-wage immigration arriving from Southern and Eastern Europe.³⁸² Ironically, the depression did not necessarily create a fruitful environment for this argument to gain popularity. Between 1894 and 1896, immigration from Southern and Eastern Europe declined significantly, leading many commentators, officials, and business spokesmen to argue that restriction was no longer immediately necessary. After 1894, the Republican Party dropped the AEA’s literacy test from its platform.³⁸³ The electoral influence of first- and second-generation immigrant voters in cities like New York, Chicago, and Philadelphia expanded throughout the 1890s. According to one historian, twelve states with the country’s largest foreign-born populations gave President William McKinley a 202-1 edge in the electoral vote of the 1896 Election. McKinley noted in one journal that these immigrants were not “as dangerous an element in politics as has been frequently asserted...” In addition, ethnic organizations like the American Jewish Committee (AJC) devoted resources to aiding newly-arrived compatriots and became an important advocate for immigration.³⁸⁴

³⁸¹ Frances Walker “Restriction of Immigration,” *Atlantic Monthly* (1896); Immigration Restriction League, “The Present Aspect of the Immigration Problem,” Boston (1894) IRL Records, Houghton Library, Harvard University. The League also collected data and reports on issues related to unemployment, depression, and industrial relations [All IRL publications and records in this chapter are from Harvard University]. For instance, see *Proceedings of the National Association of Officials of the Bureaus of Labor Statistics in the United States Fourteenth Annual Convention Detroit Michigan* (June 14-16 1898). IRL Records, Box 19.

³⁸² Robert DeC. Ward, “Open Letters: An Immigration Restriction League,” in *The Century*, 49 (1895): 639–40.

³⁸³ Tichenor, *Dividing Lines*, 81.

³⁸⁴ Rivka Shpak Lissak, “The National Liberal Immigration League and Immigration Restriction, 1906–1917,” *American Jewish Archives*, Fall/Winter 1994.

In 1895, the IRL drafted a capacious immigration bill, the main component of which was the literacy test. Although the mainstream Republican Party turned against restriction, this legislation did gain traction among a committed cadre of Republicans who dominated the Senate Congressional Committee on Immigration. Henry Cabot Lodge, the arch-restrictionist Republican senator, became the League's representative in Congress and moved the bill to the Senate. Once the legislation became public however, it encountered furious opposition. The steam-ship lobby, employer's organizations, as well as the spokesmen of ethnic organizations like the AJC argued that the bill violated the right of Europeans to immigration, and would prohibit the immigration of much-needed unskilled labor. Immigration advocates challenged the restrictionist claim that mass Southern and Eastern European immigration threatened the "American standard of living," and engendered the decline of American workers and their families. One writer, for instance, acknowledged that, while the mechanization of industrial production had temporarily displaced skilled, American native-born workers were not disappearing. Rather, native-born, male citizen workers were simply moving into higher-paying occupations: "the place that he [the foreign-born worker] is content to occupy in the trenches cannot be filled by the native American" because the latter had "moved up to a higher plane and to more congenial employment." Another writer observed that Southern and Eastern European labor was "a necessary part of the human machinery that causes the commercial and financial world to revolve in its daily orbit."³⁸⁵

One IRL Pamphlet noted that "the steamship companies and others interested in preventing legislation..." were aligning themselves against restrictionist legislation. Instead of forcing the issue, the IRL and its supporters in Congress backed down from their original

³⁸⁵ Parker, George. "What Immigrants Contribute to Industry," in *Forum* 14 (January 1893): 600-607.

position that their legislation was a measure intended to staunch the flow of foreign labor into the United States.³⁸⁶ On the floor of the Senate, Henry Cabot Lodge claimed that the bill would leave open “a large portion of the present immigration,” and only exclude “the most undesirable portions of immigration...” Still, restrictionists like Lodge could not fully disguise the fact that the bill was aimed to restrict the immigration of unskilled, Southern and Eastern European laborers. In late 1896, as Congress considered the legislation, a powerful block of Southern Democrats and Republicans from districts with substantial foreign-born electorates pointed out the need for labor in U.S. industries and agriculture.³⁸⁷

At this point, Lodge urged the IRL to encourage the trade union movement to flex its political influence.³⁸⁸ There was one problem. The AFL was committed to protecting the Chinese gate and enforcing the Alien Contract Labor system, but the Federation had not officially endorsed the literacy test. Even Gompers argued that the slow-down of immigration during the depression made a more radical restrictionist law temporarily unnecessary.³⁸⁹ In addition, the Depression of the 1890s radicalized industrial workers and farmers across the United States. The 1894 strike at the Pullman railroad car company in Chicago led by the American Railroad Union and Eugene Debs, for instance, illustrated the possibility of cooperation among workers across craft, ethnic, and racial cleavages. Populist political platforms and socialist parties and organizations proliferated during 1890s—putting forward ideas for how unemployment and privation could be alleviated not through immigration restriction and federal

³⁸⁶ Henry Cabot Lodge to Prescott Hall (November 30, 1896), IRL Records, Box 10.

³⁸⁷ Claudia Goldin, “The Political Economy of Immigration Restriction in the United States, 1890-1921,” in Claudia Goldin and Gary D. Libecap eds. *The Regulated Economy: A Historical Approach to Political Economy* (Chicago: University of Chicago Press, 1994): 223-258; Walter Fleming, “Immigration to the Southern States,” *Political Science Quarterly* 20:2 (June 1905): 278-94; Raymond Griffins, “Encouraging Immigration to the South,” *Proceedings of the Social Science Association* (Boston, 1906).

³⁸⁸ Lodge’s speech was printed in, “Must Guard our Gates,” *New York Times* (March 17, 1893).

³⁸⁹ For Gompers’ position, see *Proceedings of the Annual Convention of the AFL*, (1894): 47.

gatekeeping, but through more radical modes of federal intervention in the industrial order. Congress, for instance, was bombarded with petitions for public employment, federal laws regulating hours and wages, and for the nationalization of key sectors of the U.S. economy. Radicalism even blossomed within the mainstream trade union movement. During the mid-1890s, the AFL's conservative leadership was challenged by the more radical socialist and populist wing of the movement. A more radical contingent of the AFL, led by the socialist trade unionist John McBride, put forward a program which called for government ownership of key industries, but also cooperation with labor and populist parties. Immigration restriction was not on this platform.³⁹⁰

Despite the challenge to their authority, the AFL's pro-restriction Executive Council and Committee on Immigration attempted to steer the Federation's 1896 national convention towards support for the Lodge-IRL bill. Gompers argued that the labor movement could "no longer remain neutral on this question." Although he made a case that employers and steamship companies opposed the bill, and that the trade union movement needed to act, not all delegates at the national convention were convinced. One unionist, for instance, argued that "It was not the pauper who alarmed him but rather the men who drew the life—blood out of the nation." Another delegate explained that the literacy test "was not a labor measure," and that it "came

³⁹⁰ On the Pullman strike and industrial unionism, see On populism during the Depression of the 1890s, Thomas Goebel, "The Political Economy of American Populism from Jackson to the New Deal," *Studies in American Political Development* 11 (Spring 1997): 109-48; Michael Kazin, *The Populist Persuasion: An American History* (New York, 1995); Bruce Palmer, "Man Over Money": *The Southern Populist Critique of American Capitalism* (Chapel Hill, 1980); Reznick, Samuel S. (1953); On the conflictual relationship between the AFL and the populist movement, see Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State, 1877-1917* (Chicago university of Chicago press 1999); This is not to say that the entire trade union movement rejected populism. See, Matthew Hild, *Greenbackers, Knights of Labor, and Populists* Athens University of Georgia Press, 2019; Michael Pierce, *Striking with the Ballot: Ohio Labor and the Populist Party*, northern illinois university press 2010.

from capitalists...” Ultimately, the measure failed to pass, and the AFL did not officially endorse restriction based on the literacy test.³⁹¹

Even without the AFL’s support, the House and the Senate passed the Lodge-IRL bill. The bill, however, was vetoed by the lame-duck President, Grover Cleveland. The President argued that the bill would “revolutionize” the nation’s traditional open immigration system and would cut off the labor that was essential for national economic development. Although it had come close, the IRL’s bill was thus ultimately defeated in 1896. At the same time, structural changes within the U.S. economy only incentivized even stronger and more organized opposition to future campaigns for immigration restriction. Between 1896 and 1904, U.S. capitalist political economy underwent a fundamental re-organization that made foreign labor even more significant for capital accumulation and production. In response to the protracted depressions, over-competition and deflation of the late nineteenth century, corporate leaders, lawyers, and policy makers moved to consolidate the nation’s capitalist order into large corporations able to moderate competition and coordinate economic activity on a national scale. The so-called “merger movement” involved the integration of well over 2,000 companies into around 200 trusts. This legal concentration of capitalist ownership helped unleash a wave of mechanization, which de-skilled production in the nation’s most significant industries, undermined the position of craft workers and created new demands for unskilled and semi-skilled labor. Economic historians still debate the causal relationship between mass immigration and the transformation of U.S. capitalism into a new regime of accumulation characterized by capital-intensive mode of production. However, there is a general scholarly consensus that the availability of a steady and predictable flow of European foreign labor contributed to the growth of new efficiencies of

³⁹¹ *Proceedings of the Annual Convention of the AFL*, (1896): 81-82.

production not only through the introduction of electricity and machine-production, but also through the organization of new economies of scale in manufacturing and extraction.³⁹²

While U.S. employers were never of one mind on immigration, these years witnessed the formation of a more organized pro-immigration network during. After 1898, commercial steamship companies expanded their lobby in Washington D.C. and employers organizations became a critical political block that opposed restriction. After its founding in 1895, the National Association of Manufacturers (NAM), which represented hundreds of industrialists across the United States and was fiercely opposed to organized labor, publicly opposed the literacy test. In 1898, pro-immigration intellectuals, business leaders, and social workers organized both the Immigration Protective League (IPL) and the National Liberal Immigration League (NLIL). As the Congressional debate over the literacy test in 1896 illustrated, support for European-born labor also took on a regional dimension during the late nineteenth and early twentieth centuries. Economic boosters, governors, and employers in the agricultural West and Southeast established state-level Immigration Bureaus, sent recruiting agents to Europe, held conventions and lobbied for more lenient immigration laws and national policies that would help “distribute” foreign labor to labor-starved regions of the United States.³⁹³

After the failure of their 1896 bill, restrictionist lawmakers as well as IRL leaders began to recognize that the immigration debate had essentially become a conflict over the labor demands of U.S. capitalism. Although they had not intended to antagonize employers and other advocates of foreign labor, restrictionists began to anticipate that, going forward, there would be

³⁹² Naomi R. Lamoreaux, *The Great Merger Movement in American Business, 1895-1904* (New York: Cambridge University Press, 1977), 472 and 611; Matthew Schneirov and Richard Schneirov, “Capitalism as a Social Movement: The Corporate and Neoliberal Reconstructions of the American Political Economy in the Twentieth Century,” in *Social Movement Studies* (2016): 1-15.

³⁹³ The National Civic Federation collected evidence of the support among employers and southern and western interests for immigration. See, in particular, Reel 173, Records of the National Civic Federation, New York Public Library, New York.

no way to hide the fact that immigration restriction was a measure to restrict the very unskilled immigrants that fueled domestic industrialization. In 1898, on the eve of another campaign to pass a capacious immigration law, Henry Cabot Lodge privately informed the IRL's executive committee that, if it were to do so, it would need the cooperation of the mainstream labor movement. Steamship companies were already mobilizing against their legislation. It was "urgent," Lodge concluded, that the IRL bring trade unionists into the fold. . If the League was to counter pro-immigration voices inside and outside of Congress, it would need to more clearly and convincingly articulate how and why foreign labor was not in the interest of the nation's political, racial, and industrial order. To effectively achieve this goal, the cooperation of the trade union movement was essential.³⁹⁴

II

After 1897, the restrictionist wing of the trade union movement, centered around Samuel Gompers, re-asserted control over the AFL. This group consisted of Frank Morrison, P.J. McGuire, James O'Connell, M.M. Garland, and John Mitchell. Conservative leaders worked to put the Federation's political agenda back on a more conservative trajectory. For these individuals, this entailed an unwavering commitment to protecting and expanding all elements of the federal gatekeeping state. By the end of the nineteenth century, the AFL's conservative leadership successfully marginalized internal radical opposition, and re-solidified their own control over the Federation's national political agenda. After 1898, the Federation began to function as a modern interest group--devoting monetary resources and manpower to lobbying,

³⁹⁴ Correspondence within the IRL and between the League and their advocates in Congress illustrate this recognition of the necessity for trade union support. See; Minutes of Meetings of the Executive Committee, (May 8,1896) and (January 101898), IRL Records (MS Am 2245), Series II: Record Books, Vol. 1, fMS (1050); IRL, *Annual Report of the Executive Committee for 1897*, Ward Scrapbooks. IRL Records.

shifting its national headquarters to Washington D.C. and by establishing a permanent Legislative Committee. The AFL was still a democratic organization, however. Its national convention had to endorse any legislative provision that the Executive Council put forward. This meant that trade union leaders would have to secure consent before the Federation spent valuable political capital and union resources on advocating for legislation. The growth of the AFL's membership, and of its affiliated unions, meant that it could draw on significant rank and file support to petition congress, and influence Congressional elections. However, if the Federation were to mobilize rank and file workers and their unions, the Federation's lobbyists needed to ensure the cooperation of affiliated unions and their delegations.³⁹⁵

In 1897, the Executive Council set out to work securing the consent of affiliated unions and rank and file members for a multifaceted campaign to strengthen and expand the federal gatekeeping state. The *American Federationist* (whose board was made up of the AFL's Executive Council), made the case for a new law--to ensure a "more rigid compliance," with existing immigration laws, but also to restrict the flow of Southern and Eastern European immigration through the passage of new laws. Aside from amendments to the Alien Contract Labor Law this list included a literacy test as well as an increase of the "head tax." Both would ensure that those immigrants entering the United States were from regions of Europe that were relatively developed industrially. Workers who were literate, it was argued, were more likely to aspire to an American higher standard of living. An increased "head tax" would fulfill a similar role by ensuring that those workers entering the U.S. were neither impoverished nor desperate, and, therefore, would be less susceptible to be controlled or exploited by employers. The goal of immigration restriction, according to this logic, was not only to exclude those workers

³⁹⁵ Greene, *Pure and Simple Politics*, 79-83.

economically unfit to become American workers, but to ensure that those workers who did enter the United States would not put downward pressure on the “American standard of living.” The “head tax,” would also allow the Bureau of Immigration to raise the funds necessary to enforce gatekeeping laws. These policies, Gompers and other AFL representatives explained, shared the same goal: the protection of an “American standard of living.” The protection would occur in two ways. First, by restricting the number of workers who entered the United States, thereby raising the demand as well as the value of labor within the national labor market. Second, by ensuring that those workers who did enter the United States possessed a standard of living comparable with the “American Standard.” James O'Connell explained it this way: “...by fixing a high standard...as a condition of admission to this country, we not only protect our high standards of life and labor here...we also ensure that those men entering the country are in line with our standards.”³⁹⁶

³⁹⁶ “The Immigration Laws,” *American Federationist*, 5 (March, 1898):16-17; Also, see Henry White “Immigration Restriction as a Necessity,” *American Federationist* 4 (June, 1897): 67-69. Some of these articles were collected by the IRL. See, “Immigration and Organization,” *American Federationist* in IRL Records, Box 13.

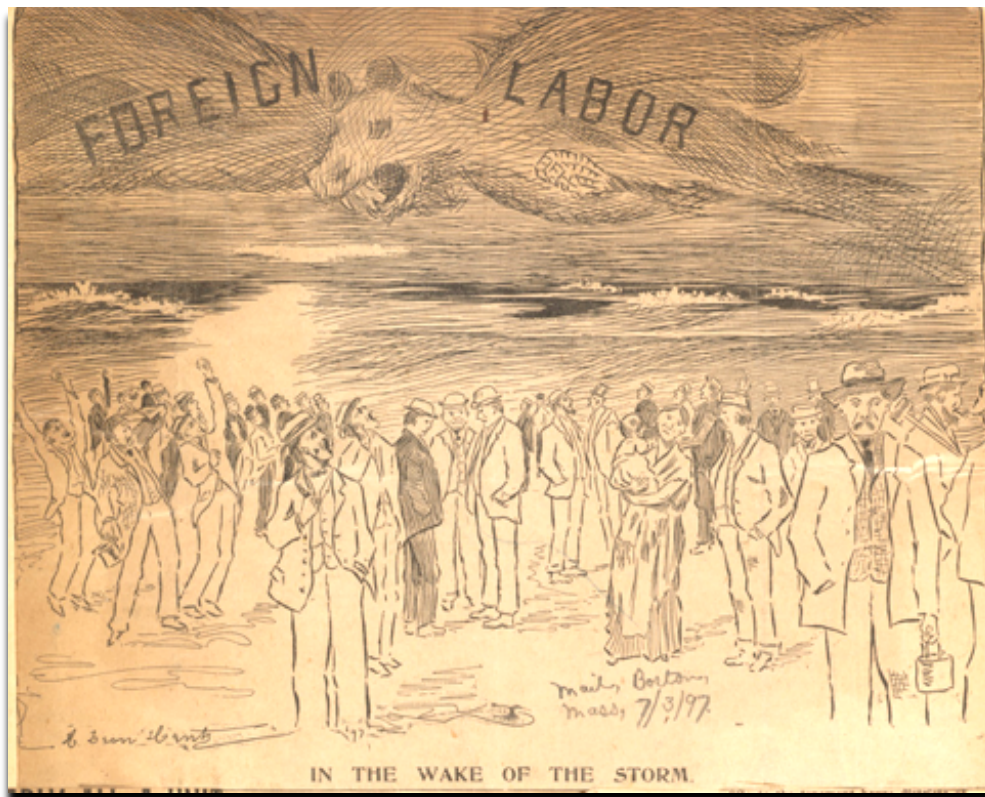


Figure 8: "In the wake of the storm." 1897. Unknown Boston Newspapers. Image depicts the return of cheap foreign labor once the United States recovers from Depression. Terence Powderly Scrapbook. Catholic University of America.

The Executive Council sent out a circular surveying all affiliated trade unions on specific aspects of the immigration question and immigration policy ahead of the 1897 national convention in Nashville. The AFL's Legislative Committee put forward a resolution for support of new immigration legislation. Gompers informed the convention in his Presidential Report that there must be no "equivocation" on the matter, because Congress would soon re-consider the legislation that President Cleveland had vetoed earlier in the year. Aware that there would likely be opposition to immigration restriction, Andrew Furuseth of the Legislative Committee reminded the delegates that the AFL's resolution was firmly based on the survey that had been circulated among affiliated unions. Yet, there was equivocation. Delegates representing trade unions with significant socialist and foreign-born constituencies tended to oppose restriction. The

Journeyman Bakers' Union, for instance, put forward a resolution declaring that "Trade unions on account of their progressive tendencies should be the last bodies of American citizens to" turn away the "oppressed" of Europe. A German-speaking delegate declared that opposition to immigration was a capitalist ploy. Another delegate argued that what was needed was "restriction of the machine" and not of immigration. The convention eventually voted to empower the Executive Committee to carry this gatekeeping project forward as part of the AFL's political platform, which included an anti-injunction law, the abolition of prison-labor, and a law protecting American seamen.³⁹⁷

Pro-immigration sentiment was present at the AFL's national convention.³⁹⁸ This dissent was never enough to overturn the AFL's pro-restriction position, however. During AFL national conventions after 1897, most delegates and affiliated unions endorsed restriction; the centralization of the AFL's political activities at the national level meant that the Legislative Committee and Executive Council had the power to lobby for immigration restriction as they saw fit. However, trade union restrictionists carefully justified the necessity of spending valuable trade union resources on this project. One editorial in the *American Federationist*, for instance, argued that "It is not because we object to foreigners or any class of them... We are ourselves... either of foreign born or within a few generations of it." However, an "embargo" against European immigration was necessary "until every American workingman, *by which I mean every workingman in the United States*, now out of employment, shall have been provided for." Samuel Gompers laid out this rationale to a labor union representative in Italy who

³⁹⁷ Unfortunately, the responses to this survey are not extant. *AFL Convention Proceedings* (1897): 23, for the survey, see "Immigration Question to Referendum," *American Federationist* 4 (April, 1897): 101.

³⁹⁸ *AFL Convention Proceedings* (1897): 23, 56, 64. Opposition to the literacy test is on pages 88-91; A.T. Lane, "American Trade Unions, Mass Immigration and the Literacy Test, 1900-1917," *Labor History* 25: 1 (1984) 5-25.

expressed concern about anti-immigration sentiment in the United States. The AFL did not view restriction alone as a “means by which labor can be emancipated...” In endorsing restriction, the American labor movement was recognizing that it confronted a “hard and bitter struggle to maintain or to make any progress in our standard of life, and that what, with the inventions of machinery and the application of new forces to industry, on the one hand, and the wholesale immigration of low-paid workers from other countries...” This view, Gompers reasoned, “was not entirely a selfish one.” The closing of the United States labor market would compel European workers to remain in Europe and to organize their own national labor movements within their respective nation-states. Workers of the world would unite but they would do so within their own nations and among their own national populations.³⁹⁹

Trade unionists also readjusted their rationale for restriction to the new industrial conditions unleashed by the consolidation of corporate capitalism. The period between 1896 and 1904 was one of rising real wages for workers, linked, in part, to the productivity unleashed by the incorporation of U.S. capitalism. Between 1897 and 1902, unions affiliated with the AFL expanded from a membership of 400,000 to almost 3 million members. In 1899, the AFL-affiliated political economist, George Gunton explained in his magazine that this era of growth and prosperity had made immigration restriction even more necessary. The United States, he suggested, was entering a new “re-developing era,” in which the wealth that was produced by U.S. capitalism would be “turned back into education and civilizing and cultivating the channels of the community.” The labor movement was the great force for civilization, and not capital: “In the coming period of prosperity...capitalists will be capitalists. They will seek to survive in the

³⁹⁹ Henry White, “Immigration Restriction as a Necessity,” *American Federationist* 4:4 (1897): 67-68; On the spread of restrictionist sentiment among rank and file workers and within the broader trade union press during the 1890s, see A.T. Lane, *Solidarity or Survival?*, 148-157.

struggle for profits and supremacy...” If they were able to undermine the demands of labor unions for a share of the nation’s income by “drawing unlimitedly upon the cheap labor of Europe, they may be relied upon to do it...” Another trade unionist made the point that capitalists would deploy any means necessary, including mass immigration, to undermine gains made by the labor movement. “The standard of wages for both skilled and unskilled labor in the United States,” they argued, “has been built up as a result of years and years of energetic effort, and sacrifice...” This was ultimately a racial argument, in that the “standard of living” to be defended against foreign competition was linked to the overall political and biological health of the national body.⁴⁰⁰

The core of restrictionism in Congress was the Republican Party, particularly among those Republicans such as Henry Cabot Lodge and William Chandler who dominated Congressional Committees on Immigration. However, the Republican Party itself, which had a majority in Congress during this period, still had not officially endorsed the literacy test. The AFL retained a bi-partisan position during these years, supporting “pro-labor” candidates within both major parties. However, for issues related to immigration policy, the Federation worked to shift the Republican Party’s position towards restriction. The AFL’s appeals for restriction were pitched specifically in terms of the GOP’s broader ideology and policy platform. After the massive electoral victory in 1896, the Republican Party had become the cultural and ideological embodiment of U.S. corporate capitalism. The Party’s vision of prosperity, economic nationalism, and of an “American standard of living” was tailored to appeal to industrial workers. Trade unionist political literature framed restriction as the logical extension of this vision. For instance, one Memorial submitted to Congress stated that: “Multitudes of our

⁴⁰⁰ George Gunton, “Has the Republic a Policy?” *Gunton Institute Bulletin*, 3:18 (January 21, 1899): 369-388.

working people—American citizens—at this hour are suffering humiliating poverty and countless privations and look to you for speedy relief.” “Last fall,” workers “were promised helpful legislation, and they expect it from you without unnecessary delay.” The document referenced several of the Federation’s demands, including the “remodeling of our immigration laws, so as to secure an enlarged protection to American citizens and their family.” It concluded by referring to the growing political influence of union voters: “We assure you the millions are now in no disposition to be trifled with. They are fast becoming desperate, and deep are their mutterings of discontent. They desire to realize some of the prosperity so freely promised on the stump six months ago.” George noted in one essay that within ten days of McKinley’s inauguration the Republican-dominated Congress raised the tariff protecting American employers, but still had not officially endorsed the literacy test. Republican politicians, he quipped, “have no right to complain if the workingmen interpret this as an unfriendly act.”⁴⁰¹

By 1898, the AFL was fully aligned with the IRL behind a restrictionist bill that included a literacy test and numerous other features intended to restrict immigration. The Executive Council did not intend to become the junior partner in this coalition. The AFL had made it clear that if restrictionism as a political project were to have the support of the trade union movement, then future campaigns for immigration restriction would have to rationalize immigration restriction as a measure explicitly intended to restrict the flow of foreign labor into the United States and to protect “American” labor from foreign competition. The Federation conducted its own campaign but cooperated with IRL lobbyists to flood Congress with evidence of pro-

⁴⁰¹ See, “Memorial,” *American Federationist* 4:3 (May 1897): 56; George Gunton, “The Menace of Immigration,” *Gunton’s Magazine* 16 (March, 1899): 166-170.

immigration sentiment among organized workers.⁴⁰² At the same time, it pressured affiliated unions to make it known to Congressmen that the AFL had endorsed a new immigration bill. In Congress and in Congressional Committees on Immigration, restrictionist Republicans made hay out of this trade union support, referencing it in their floor speeches and entering trade union petitions and Memorials in the Record. AFL officials met with President McKinley in 1897, when they put forward the Federation's political program, which prioritized immigration. The Congressional GOP, however, was still torn, and the Republican Party itself did not officially endorse the literacy test. Employer organizations and ethnic organizations held anti-literacy test rallies across the country. Ultimately, the bill never made it to the desk of President McKinley.⁴⁰³

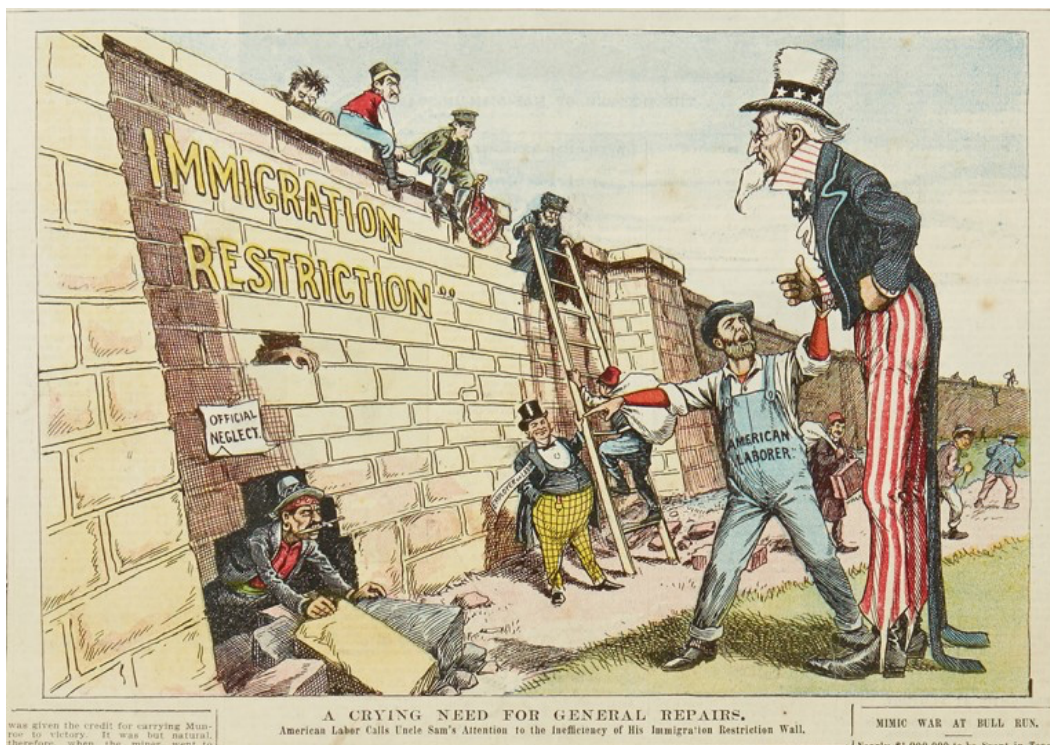


Figure 9: "A Crying Need for General Repairs. American Labor Calls Uncle Sam's Attention to the Inefficiency of His Immigration Restriction Wall," *Saturday Globe* (August 27, 1904)

⁴⁰² Henry Cabot Lodge to Prescott Hall (Jan., 7 1898); Minutes of the Executive Committee of the IRL Meeting, (January 10, 1898); Records of the Executive Committee of the IRL, vol 1. IRL Records. Houghton Library.

⁴⁰³ *American Federationist*, 54 (1898); *New York Times*, (March 3 1898).

The IRL and the AFL were not simply interested in the legislative dimension of gatekeeping policy. The spokesmen of both groups believed that their respective organizations should play a direct role in the day-to-day administrative aspects of the federal gatekeeping state. Both the Federation and the League worked to strengthen the enforcement of federal immigration laws by working with the Immigration Bureau of the Treasury Department. Until 1897, the Bureau's executive office, the Commissioner General of Immigration, was occupied by individuals who were relatively moderate on immigration policy. President McKinley broke this trend in 1897. In a bid to appeal to "American workers" the incoming president appointed the former Grandmaster of the Knights of Labor, Terence Powderly. Trade union restrictionists recognized Powderly's unwavering commitment to restriction and developed a working relationship with the Bureau. Powderly was crucial in helping to pass an extension to the Chinese Exclusion Act in 1902, and his office's published official reports effectively made the case for restriction.⁴⁰⁴ The AFL's office of the president also became a conduit for trade union complaints regarding alleged violations of the Alien Contract Labor Law. Powderly was responsive to specific complaints regarding violations of the law and often intervened quickly to penalize employers and transportation companies who were at fault.⁴⁰⁵ At the same time, the IRL used Powderly's office to ensure that the maximum number of immigrants would be excluded under existing statutes barring certain categories of immigrants from entering the United States.⁴⁰⁶

⁴⁰⁴ For more on Powderly's role in enforcing the Chinese Exclusion Act, see Chapter Four of this dissertation.

⁴⁰⁵ See Gompers' Presidential Report in *Convention Proceedings of the AFL* (1900), 26.

⁴⁰⁶ Robert Julio Decker, "Citizenship and its Duties: The Immigration Restriction League as a Progressive Movement," in *Immigrants & Minorities* 32:2 (2014): 162-182; 82-209, Tichenor, *Dividing Lines*, 78-89, 114-49; Cannato 95-106-165-190. Powderly also used his office to investigate immigration and published official reports that effectively case for restriction. Perhaps one of his most lasting contributions was a report classifying re-classifying immigrants based on race and not on political allegiance and nationality—thereby categorizing Southern and Eastern immigrants as members of a less desirable race. Joel Perlman "Race or People": Federal Race Classification for Europeans in America, 1898-1913," Working Paper, No. 320, Levy Economics Institute of Bard College (2001).

By the turn of the century, pro-immigration forces and lawmakers had blocked the IRL and AFL's legislation and ensured that the Republican Party did not endorse a literacy test. However, a genuine cross-class restrictionist coalition had emerged by the beginning of the twentieth century. The AFL had marginalized pro-immigration dissent within the trade union movement and hitched the Federation's political resources and lobbying capacity to a larger restrictionist project. The AFL's Washington lobbyists became allies of their IRL counterparts, not only on Capitol Hill but also in the Bureau of Immigration.

III

Between 1898 and 1902, restrictionism gained a beachhead within the federal government's expanding investigative infrastructure. The most significant example of this was the United States Industrial Commission (USIC). In 1898, Congress established a joint commission to investigate the corporate transformation of U.S. capitalism at the turn of the century. The report that the USIC eventually produced, according to the historian Melvyn Dubofsky, "formed a national agenda for labor reformers" in the early twentieth century. Its recommendations included state laws to regulate working conditions, and restrictions on the power of federal courts to issue injunctions in labor disputes. While Dubofsky characterizes these recommendations as "anticlimactic," this is only the case if one overlooks the USIC's investigation of immigration.⁴⁰⁷ As part of its investigation, the USIC established a committee to study the relationship between immigration and foreign labor to the larger dynamics of labor conflict, mechanization, and wealth distribution. Ironically, the Industrial Commission's committee to study immigration was the idea of pro-immigration representatives and lawmakers

⁴⁰⁷ Melvyn Dubofsky, *The State and Labor in Modern America*, 33-35; David Montgomery, "Age of Industrial Violence, 1910-1915," in *Technology and Culture* 8:2 (April, 1967): 234-237; S. N. D. North, "The Industrial Commission," *The North American Review* 168: 511 (June, 1899): 708-719.

who wished to postpone the increasingly conflictual immigration debate. The committee and the report that it published ultimately had the opposite effect. This investigation was directed by John R. Commons, a University of Wisconsin social scientist and historian. Although there is no evidence that restrictionists played a role in his appointment, they testified extensively during the hearings, and Commons embodied the alignment between elite and trade union restrictionism. He was a member of the AEA, contributed extensively to the IRL and was a proponent of the AFL and “American unionism.”⁴⁰⁸

The investigation produced thousands of pages of testimony and research on everything from the effects of immigration on domestic wages and unemployment, to the consequence of immigration on financial panics and depressions. The Committee produced a highly influential final report which made an elaborate case for immigration restriction as a necessary reform of the nation’s modern capitalist mode of production. The first section of the “Commons Report” laid out how mass immigration made possible the dramatic growth in the productivity of U.S. capitalism between 1896 and 1902. More specifically, the constant supply of foreign labor enabled American employers to break the control that skilled, native-born laborers had maintained over the production process through the late nineteenth century. With access to a steady stream of foreign labor, capitalists could more easily implement new techniques of mechanized production, making skilled labor less necessary. Although this transformation had

⁴⁰⁸ Commons did claim to have met with over half of the nation’s trade unions. Commons, *Myself: The Autobiography of John Commons* (New York: 1963): 72; On Commons’ career, see Harter G. Lafayette, *John R. Commons: His Assault on Laissez-Faire* (Corvallis: Oregon State University Press, 1962): 23, 168-169; Richard A. Gonce, “John R. Commons ‘Five Big Years,’ 1899-1904, *The American Journal of Economics and Sociology* 61:4 (October, 2002): 755-777; Malcolm Rutherford, “Wisconsin Institutionalism: John R. Commons and His Students,” *Labor History* 47:2 161-188.

been uneven in its application and timing, he noted, by 1902 it had become “nearly universal” within all major branches of industry.⁴⁰⁹

This emerging regime of “Machine Production,” Commons argued, had enormous consequences for the U.S. racial order. Those industries which were the most mechanized (he cited steel production, cigar-making, coal mining, and textile manufacturing) had become a “refuge” for “low-standard populations.” At the same time, “Higher standard” native-born skilled workers either “shrank” from this new competitive arena or accepted an increasingly degraded standard of living. Commons argued that this dynamic was producing and reproducing an industrial working class fractured into competing nationalities and races, which allowed employers to pit workers against each other to drive down the “standard of living” for all of them. Ironically, Commons did not blame the exclusionary nature of the American trade union movement for keeping workers divided. The culprits were capitalists who maximized the exploitation of labor by intentionally keeping their labor forces fractured along racial lines. It was when examining this dynamic, Commons explained, that “we touch a striking feature of American” industrial relations: “Where divergent nationalities have been introduced and the former high-standard labor has been displaced, labor organization is usually effectively stopped.” Having access to a diverse pool of foreign labor allowed employers to keep work forces divided and, therefore, exploitable, undermining labor unionizing and ultimately prevent workers from achieving a larger share of the national income produced by American capitalism. “There is no country in which the problem of labor organization is more complicated...than in the United States....” he exclaimed, “and these causes are based directly on immigration.” Commons made

⁴⁰⁹ *Reports of the Industrial Commission on Immigration and on Education*, vol 15, 57th Cong, 1st sess., HOR Document 184 (Washington: GPO, 1901).

the case that the nation's financial panics and depressions were intensified by this dynamic. The constant downward pressure on the "American Standard of Living," that resulted from this racial competition and differentiation intensified the tendency of U.S. capitalism to produce more than the nation's population of workers could consume: "The result is a quick overproduction of commodities, owing to the inability of the working population, when prices have risen more than wages, to purchase and consume the same proportion of their product as that to which they have been accustomed."⁴¹⁰

The "Commons Report" was highly influential. Commons was endorsed by Congressional Committees on Immigration as well as other areas of federal industrial investigation. The Federal Bureau of Labor, for instance, published several studies on the ways in which U.S. manufacturing profited from racial competition and the degradation of "American standards." One example was a study entitled "Italian, Slavic, and Hungarian Unskilled Immigrant Laborers in the United States." The study referred specifically to Italian workers who found work through the so-called "padrone system" of labor contracting. These workers arrived in the U.S. willing to work for substandard wages and under substandard living conditions. Over time, "having spent a certain amount of time in the United States," these workers began to desire an American standard of living and to join American labor unions. However, "when this point is reached," American employers and Italian-born labor contractors simply imported newly arrived degraded workers from Italy.⁴¹¹

⁴¹⁰ cite commons report pg 278 and 317

⁴¹¹ Frank Sheridan "Italian, Slavic, and Hungarian Unskilled Immigrant Laborers in the United States Bulletin of the Bureau of Labor no. 72" (Washington, September 1907); *Ninth Special Report of the Commissioner of Labor, The Italians in Chicago: A Social and Economic Study*. (Washington, 1897); "The Padrone System and the Padrone Banks," *Bulletin of the Department of Labor*, no. 9 (March, 1897); *Thirteenth Annual Report of the Commissioner of Labor, Hand and Machine Labor* Vol. 1 (Washington, 1899).

In 1904, the progressive journalist Walter Weyl explained to reformers of the University Settlement Society of New York that, as long as the rate of profit could be maximized through the exploitation of a cheap and racially divided labor surplus, employers would not be compelled to develop a more rational and equitable system of production. The real “immigration question” was “whether or not the immigration is needed or is a surplus or waste product.” Weyl argued in favor of the latter. Mass immigration not only intensified the structural unemployment unleashed by mechanization, driving down the standard of living, it also gave capitalists the means to keep the domestic working class and labor market disorganized: “large employers can secure an unlimited supply of cheap labor even in good times, and consequently an unduly large share of the benefits of prosperity.” During a period of economic growth and prosperity, industrial workers simply were unable to gain their share of the national income, so long as employers were free to undermine their efforts to unionize.⁴¹² The Progressive reformer Frances Kellor addressed this issue in her study of unemployment in Massachusetts. Kellor explained that the constant flow of unassimilated and cheap foreign labor into the United States prevented the nation from creating a more rationalized and organized labor market both through trade union organization and through federal and state intervention. “So long as industry can draw unsparingly upon an inexhaustible supply of labor,” she argued, “there will be little incentive for it to undertake regularization and other measures...”⁴¹³

Progressive writers and journalists characterized labor systems like the Italian “padrone” system, as well as the so-called “sweating system” in the garment industry in New York City, as examples of inefficient and exploitative labor systems, the existence of which necessitated mass

⁴¹² Walter E. Weyl, "Immigration and Industrial Saturation," NCCC. Proceedings (1905): 363-75, 553.

⁴¹³ Frances Kellor, *Out of work, A Study of Unemployment*, 1904.

immigration.⁴¹⁴ The coal industry became a lightning rod for advocates of this idea. By the turn of the century, coal mining employed one of the most ethnically and racially diverse labor forces in the United States. The industry was characterized by a high rate of mechanization as well as unionization. In 1902, a strike of the AFL-affiliated United Mineworkers drew the attention of the public, federal officials, and journalists to the interrelated problem of mass immigration, racial competition, and unionism. In his report to President Theodore Roosevelt on the causes of the strike, the Commissioner of Labor Carroll D. Wright accused coal operators of systemically recruiting Italian and Eastern European workers to undermine the demands of the mineworkers union. The journalist and industrial investigator Frank Julian Warne made this same point in a series of articles published for the *Philadelphia Outlook*.⁴¹⁵ His 1904 book *The Slav Invasion and the Mine Workers* summarized the argument. Warne observed that the mining industry had always relied on the labor of foreign workers. He praised the UMW for its role in “uniting the mine-workers of all nationalities and creeds and tongues...” Unionization, he argued, had transformed a “heterogeneous mass” into a “socialized working class.” However, the 1902 strike illustrated that the combination of new methods of mechanized mining and mass immigration from Southern and Eastern Europe ensured that unionization “...is soon to be a thing of the past...” “The Slav nationalities, with their great power of industrial competition,” Warne claimed, “have already secured a foothold.”⁴¹⁶

⁴¹⁴ S. Merlino, “Italian Immigrants and Their Enslavement,” *Forum* 15 (1893): 183-190; George Ethelbert Walsh, “Immigration and the Sweating System,” *Chautauquan* 18 (November, 1893): 174-179.

⁴¹⁵ “Report to the President of the United States on Anthracite Coal Strike,” *Bulletin of the Department of Labor* No. 43 (Washington, 1902); Frank Julian Warne, “The Real Cause of the Miners’ Strike,” *Outlook* LXXI (1902), 1053-157; Frank Warne, *The Slav Invasion and the Mine Workers: A Study in Immigration* (Philadelphia and London: J.B. Lippincott Company, 1904).

⁴¹⁶ Frank Warne, *The Slav Invasion and the Mine Workers: A Study in Immigration* (Philadelphia and London: J.B. Lippincott Company, 1904): 9.

After the 1902 Strike, John Mitchell, the President of the United Mineworkers, became the AFL's most vocal and nationally recognized spokesman for restriction. The UMW was the largest industrial union in the United States.⁴¹⁷ As such, it attempted to organize all workers regardless of occupation or ethnicity. For Mitchell, restrictionism was not ironic nor a contradiction, but grew out of his own racism (particularly against so-called "new immigrants,") as well as his experience with the difficulty of organizing workers across racial, ethnic, and linguistic differences. The successful organization of an industrial union and the maintenance of an "American Standard of Living," he believed, necessitated some degree of racial and ethnic homogeneity. Like Warne, Mitchell explained that the UMW had successfully welded "old immigrants" into an "English-language" union. He claimed confidently that "There is perhaps no group in America so free from racial or religious prejudice as the workingman." However, the "American workingman realizes his own welfare depends upon being able to work and live in harmony...with those who have been admitted and are now a part of our industrial life..." But now, employers were consciously drawing in the most degraded and unassimilable races from Europe, forcing the American worker to take a stand against the lowering of his "standard of living."⁴¹⁸

In 1907, John Commons published a book entitled *Immigrants and Races in America*, on behalf of the Immigration Restriction League. "Race suicide" he argued, was one of "*the most fundamental consequence of our social and industrial institutions...*" The hostility of American workers to their foreign counterparts was not driven by simple prejudice, but by the fact that they were "resisting their displacement" both by machines and by the cheaper foreign races that

⁴¹⁷ See, Gwendolyn Mink, *Old Labor and New Immigrants*.

⁴¹⁸ John Mitchell, *Organized Labor: Its Problems, Purposes, and Ideals and the Present and Future of American Wage Earners* (New York: 1909). See his chapter on "The American Standard of Wages."

operated them. In the United States, the problem of economic competition was a problem of racial competition and degradation. “What appear often to be religious, political, and social animosities,” among workers in the United States, he claimed, “are economic at bottom...” “This hostility is not primarily racial in character,” he concluded. “The competition of races,” Commons expounded, “was the competition of ‘standards of living’.” Commons was not arguing that race was merely a fiction. There was indeed a global hierarchy of racial populations, organized according to their different “standards of living.” However, by the turn of the century, competitive capitalism had brought them into destructive “competition” which had “no respect for the superior race.” This competition was not an accident, but rather a strategy of employers: “the substance of the economic struggle is the advantage which third parties [employers] get when competitors hold each other down.” The recently arrived foreign workers demonstrated “obedience to orders, and patient toil which employers desire where hundreds and thousands are brought like an army under the direction of foremen, superintendents, and managers.” It was the ability to create and exploit racial differences among workers that was “the only device and symptom of originality displayed by American employers in discipline their labor force...” However, immigration restriction would allow the “American labor movement” to overcome this competition: “it is not too much to say that the only effective Americanization force for the southeastern European is the labor union.”⁴¹⁹

William Z. Ripley, a prominent race scientist and contributor to the IRL, agreed with this reasoning. He explained in one article that domestic employers would not stop exploiting foreign workers to undermine American trade unionism. This fact threatened the nation’s broader racial order. “Whatever our judgment as to the legality or expediency of...our American unions,” he

⁴¹⁹ John Commons, *Races and Immigrants in America* (New York, 1907 [1920]): 113; John Commons, “Americanization by Labor Unions,” in Winthrop Talbot, *Americanization* (New York, 1920): 305.

wrote, “no student of contemporary conditions can deny that they are a mighty factor effecting the assimilation of our foreign-born population.”⁴²⁰ The social scientist and trade union advocate Edward Ross became IRL’s most prolific and influential theorist of race suicide, capitalist competition, and the labor movement. Ross received his restrictionist credentials as a professor of political economy at Stanford University. During his tenure, Ross took a public stance against Chinese immigration in support of white trade unionists which led to the loss of his teaching position.⁴²¹ In 1900, Ross traveled East, where he transferred his hostility against Chinese “coolies” to Southern and Eastern European laborers. Like Commons, Ross believed that “our increase of diversity in blood and tradition, by permitting race prejudice to be played upon, divides and weakens the people in their fight for self-government.” The “helplessness” of these new immigrants “invites oppression...and cause Americans to shrink from them as from a lower caste.”⁴²²

By 1902, these reports, investigations, and essays crystallized a sophisticated and fundamentally racist critique of the modern industrial production and social relations shared by both the AFL and the IRL. In doing so, they helped reveal the ways in which the debate over immigration restriction had, by the twentieth century, become a debate over the very dynamics, requirements, and consequences of U.S. capitalism.⁴²³ Although the League had not originally intended it, the immigration debate had begun to take on the characters of a class conflict. By claiming to speak for “American Labor,” and an “American Standard of Living,” the IRL and

⁴²⁰ William Z Ripley, “Race Factors in Labor Unions,” *Atlantic Monthly* 93 (1904): 300.

⁴²¹ Warren J. Samuels, “The Firing of E.A. Ross from Stanford University: Injustice Compounded by Deception?,” in *The Journal of Economic Education* 22:2 (Spring, 1991): 183-190; Julius Weinberg, “E.A. Ross: The Progressive as Nativist,” in *The Wisconsin Magazine of History* 50:3 (Spring, 1967): 242-253.

⁴²² Edward Ross, *Changing America: Studies in Contemporary Society*, (New York, 1912). See also Laura L. Lovett, *Conceiving The Future: Pronatalism, Reproduction, and the Family in the United States, 1890*; Edward Ross: The Progressive as Nativist; “Edward Alsworth Ross on Western Civilization and the Birth Rate,” *Population and Development Review* 29: 4.

⁴²³ Prescott F. Hall “The Present Status of Immigration Restriction,” in *Gunton’s Magazine* (1900).

restrictionist lawmakers were, in effect, taking a position that conflicted with an increasingly powerful and influential pro-immigration network. Not only were these texts incorporated into the IRL propaganda machine, but the League brought social scientists like John Commons, Walter Weyl, Edward Ross, Frank Warne and Jeremiah Jenks into its network of experts during the first decade of the twentieth century. After this period, the IRL became more unapologetically committed to the conceptualization of the immigration problem as a problem of cheap labor, racial competition, and capitalism. This critique undergirded the IRL and AFL's even more cooperative campaign for a new immigration law after 1902.⁴²⁴

IV

The AFL's convention of 1902 voted overwhelmingly to endorse a new immigration bill, 1,858 votes to 352. The most controversial feature of the legislation that the AFL and IRL proposed in 1902 was the literacy test, while other components of the legislation represented the different priorities of trade unionists and the IRL. However, the moving parts of this legislation shared the same goal: to restrict the immigration of "cheap" Southern and Eastern European labor. The AFL, for instance, desired an increased "head-tax," as well as policies that would strengthen the Alien Contract Labor Law. In particular, the Federation was concerned that the law was being violated by Hawaiian employers who were "importing" Japanese laborers. Trade unionists were also concerned that the Supreme Court rulings created loopholes in the Alien contract labor system for American employers to hire certain skilled contract laborers. For the IRL, the legislation also contained provisions creating new categories of excludable

⁴²⁴ See the chapter entitled "Economic Effects of Immigration," in Prescott Hall's *Immigration and its Effects Upon the United States*, (New York, 1906). Also, see the correspondence between IRL representatives and these individuals in Boxes 1, 5, 6, and 14. IRL Records.

immigrants.⁴²⁵ The IRL and the AFL each conducted their own independent campaigns between 1902 and 1907. Independence, however, entailed close cooperation. The leadership of both organizations coordinated their lobbying activity and presented a common front during Congressional Hearings on immigration legislation.⁴²⁶

⁴²⁵ *AFL Convention Proceedings* (1900), 26; 58; 92; 135. In particular, see the report given by Edward McSweeney the AFL's delegation in 1900. This report is titled, "Method of Evading Contract Labor Law," and can be found on, 76-88. Also see Edward McSweeney's "The Problem of Immigration," *American Federationist* 9 (1902): 11-14. For the AFL's 1902 Convention vote, see Higham, *Strangers in the Land*, 186.

⁴²⁶ The AFL's Executive Council instructed established Washington-based Department of Legislation to work closely with the IRL. "Immigration Referred," *American Federationist* 3:12 (February 1897): 257, Gompers, *Seventy Years of Life and Labor*, 159-60.

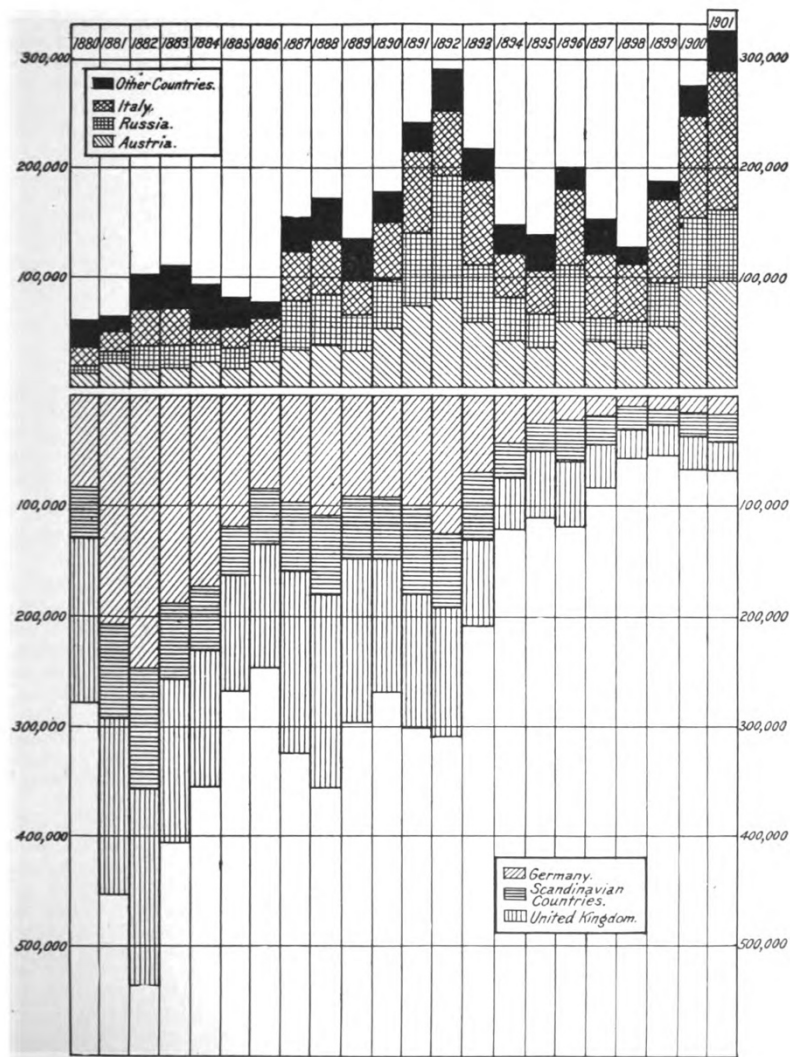


CHART SHOWING MARKED INCREASE OF ITALIAN, RUSSIAN AND AUSTRIAN IMMIGRATION DURING PAST TEN YEARS. ALSO PROPORTION FROM OTHER COUNTRIES.

Figure 10: "Problems of Immigration," by Edward F. McSweeney, Assistant Commissioner of Immigration at the Port of New York. *American Federationist* Vol. 9 No. 1 (January, 1902). A graph illustrating the volume and ethnic composition of European immigration.

This common front was put on full display on the new bill held by the House and Senate Committee's on Immigration in 1902. Over the course of these hearings, business spokesmen and representatives of ethnic organizations testified against the literacy test. John Commons, Henry Pratt of the IRL, and Frank Morrison of the AFL stood arm in arm. During his testimony,

Commons argued that American workers were unanimous in their desire for the literacy test. “Every representative of labor who appeared before the Industrial Commission,” he insisted, “was in favor of additional restrictions...” The only workers who were in opposition were socialists, he claimed. “The socialist theory of opposition to a restriction...is to my mind the strongest argument in favor of it...” he added for good measure. Prescott Hall argued that employers desired Southern and Eastern European unskilled workers because lack of literacy prevented them from assimilating “with respect to our standard of living.” It was one reason why “[the Southern and Easter European worker] herds with people of his own race in separate colonies and is at the mercy of contractors for the cheapest grade of labor...”⁴²⁷

The Secretary of the AFL, Frank Morrison, painted opposition to the literacy test as part of a nation-wide campaign to break labor unions, fracture the working class and maximize unemployment. Morrison accused representatives of two railroad firms in attendance at the hearing of paying “starvation wages.” And yet “they dare to come here and talk about the scarcity of labor.” Across the United States, he claimed, employers were working to undermine the struggle for “American conditions.” “That is what we are seeing in the coal mines. Similar struggles are going on in the clothing trade...” he lamented. “As fast as one lot of immigrants begin to make a stand for conditions approaching those which every American worker ought to have, they find a horde of newer arrivals upon their backs...” The economic health of the United States was therefore contingent on the success of labor unions in their fight to build a class of citizen consumers: “The remedy for depression is to increase the purchasing power of wage earners by raising their wages.” The goal of the federal government, therefore, should be to create a “need” for labor by restricting immigration.

⁴²⁷ Report of the Committee on Immigration on Regulation of Immigration, Bill 12199. 57 Cong. 2d session. Sen Doc. 62. Washington 1902.

Trade union petitions, memorials, and correspondence throughout this decade left few Congressmen undisturbed. A 1902 report from the House Committee on Immigration found that the “labor interests of the country were demanding restriction with an almost unanimous voice.”⁴²⁸ A 1902 letter from Gompers to Congressional Representative Wilson laid out the argument in full: “There must be some practical means devised to give employment on useful labor to the hundreds of thousands of our unemployed workers.” U.S. prosperity rested on the ability of workers to organize to raise their “standard of living.” However, as “the number of our unemployed increases it will unquestionably have a corresponding limitation not only upon our foreign markets but also upon the consuming and using power of the people of our own country.” Congress owed American workers, as citizens and heads of household. These same citizens were “justified by every self-protection, justified by their love of their wives and their children, justified by their love of their country, in taking every action within the law to prevent the growing up in our country of a permanent standing army of unemployed.”⁴²⁹

The persistence of restrictionists revealed a major fissure within the national Republican Party. The GOP’s national platform had not yet endorsed the literacy test. As the party of U.S. corporate capitalism, Republicans had strong connections with large industrialists in the Midwest and Northeast who benefited from immigrant labor. In addition, immigrant voters in urban areas had become an important constituency. At the same time, the Republican Congress’ investigation of the new corporate order (the USIC, 1898-1902), had recommended immigration restriction as a necessary reform. A growing chorus of respected experts and trade unionists had recommended that U.S. industry no longer needed foreign labor, and that this labor was responsible for a myriad of industrial problems.

⁴²⁸ Senate. Report, 57th. Cong., 1st. Sess., No. 2119.

⁴²⁹ Gompers to Rep Wilson (find first name). 1902. Gompers Letterbooks.



*Figure 11: “In the Name of Labor.” A cartoon illustrates a capitalist ventriloquizing a dummy American laborer arguing for a protective tariff. In the background, foreign “pauper labor” leaving a steamship is funneled into a factory labeled “Starvation Wages.” A flesh-and-blood “American workman” asks: “HOW MUCH LONGER CAN HE GET AWAY WITH IT?” *Puck Magazine* (August, 8th, 1912)*

Perhaps no lawmaker represented the Republican Party’s strained position on immigration better than President Theodore Roosevelt. The AFL and the IRL saw in Roosevelt a potential ally. The President was a committed supporter of the Alien Contract Labor Law and was instrumental in the passage of the Chinese Exclusion Act of 1902. Roosevelt feared alienating ethnic organizations and foreign-born voters and did not officially endorse the literacy test, but he had fewer qualms about alienating industrialists. In one memo, for instance, Roosevelt stated that undermining the Alien Contract Labor Law, “would be one of the most effective ways possible of attacking the American wageworker.” He noted in his correspondence that, “The real opposition against the [AFL-IRL] bill is evidently...those who wish to throw

open the doors for the admission of contract laborers to this country...⁴³⁰ After he assumed the Presidency, Theodore Roosevelt continued the trend of appointing “union men,” as Commissioner General of Immigration when in 1902 he replaced Powderly with Frank Sargent, the former president of the Brotherhood of Locomotive Firemen and Enginemen and a fervent nativist. Henry Cabot Lodge eventually moved the IRL and AFL’s bill onto the floor of Congress, but without the literacy test. Congress eventually passed what became the Immigration Act of 1903. The Act tightened existing regulations, established exclusions for “epileptics, anarchists, the “insane” and “professional beggars,” doubled the head tax, and placed the financial burden of immigration inspections onto shipping companies.⁴³¹

The 1903 Act helped sharpen the dynamics of class conflict that had come to characterize immigration debate by this decade. The militancy of restrictionists encouraged several major employers’ organizations to take a stronger stand against restriction. The National Board of Trade voted to oppose the literacy test in 1904. The AFL’s arch enemy, the National Association of Manufacturers (NAM) organized its own pro-immigration lobby in Washington D.C. Individuals like Andrew Carnegie and Charles Elliot, the President of the National Liberal Immigration League addressed Congress and the mainstream public, outlining the ways in which the nation’s increasingly mechanized economy needed foreign labor. Eliot claimed that “In all great industries the desirable development is hindered not by lack of capital, but by lack of workmen.” The two main characteristics of American industry, Eliot argued were that “labor is

⁴³⁰ Hans Krabbendam, “In the interests of all of us...’: Theodore Roosevelt and the Launch of Immigration Restriction as an Executive Concern,” in the *European Journal of American Studies* 10:2 (Summer 2015); *Remarks of the President Before the Convention of Brotherhood of Locomotive Firemen, in Executive Session* (September 9 1902); Theodore Roosevelt Papers. Library of Congress, Manuscript Division.

⁴³¹ Note on Immigration Bill 1904 (April, 26 1904); *Charles William Eliot to David Ellis*, (June, 19, 1906) Theodore Roosevelt Papers. Library of Congress, Manuscript Division. *Letter from Henry Cabot Lodge to Theodore Roosevelt*.

scarce, and, secondly, that wages have been high relatively to those prevailing in other countries.”⁴³²

Delegates at the AFL’s national conventions as well as the editorial section of the *American Federationist* characterized this opposition to the literacy test as capitalist conspiracy—thereby obfuscating what it actually was—a network of employers’ organizations that simply opposed to the idea of restricting European immigration based on a literacy test.⁴³³ Organized workers had a reason to be cynical and conspiratorial. During these same years, industrialists (particularly those represented by the NAM) responded to the rapid growth of trade unionism with a nation-wide campaign to break unionism through legal and extra-legal means. In addition, several trade union periodicals informed rank and file workers of the so-called “rate war” on the North Atlantic of 1904. They argued that the dramatic decline in Atlantic steerage rates (which was really the result of intense competition) was the result of employers and shipping companies alike to accelerate the immigration of the poorest Europeans into the United States.⁴³⁴ The Immigration Bureau under the leadership of Frank Sargent helped affirmed the belief that there was a conspiracy among steam shipping companies and employers to flood the country with “cheap labor.”⁴³⁵

⁴³² *National Board of Trade Proceedings* (1903): 208-209; (1904): 174-175; *Views of Charles W. Eliot and Andrew Carnegie Opposing Restriction of Immigration*, (Washington, 1911).

⁴³³ Lydia Commander, “Evil Effects of Immigration,” *American Federationist*, 12, (1905)749. *AFL Convention Proceedings* (1905): 75-76.

⁴³⁴ The rate war has been covered by business historians and historians of shipping but not by historians of nativism and U.S. immigration. “North Atlantic Shipping Cartels and the effects of the 1904 Fare War upon Migration between Europe and the United States.” In *Regulierte Märkte: Zünfte und Kartelle*, edited by Magrit Müller, Heinrich R. Schmidt, and Laurent Tissot, pp. 359-75. Schweizerische Gesellschaft für Wirtschafts- und Sozialgeschichte, vol. 26. Zurich: Chronos, 2011. “Transatlantic Shipping Cartels and Migration between Europe and America, 1880-1914.” *Essays in Economic and Business History* 17 (1999), pp. 195-213; “Costs, Risks, and Migration Networks between Europe and the United States, 1900-1914.” In *Maritime Transport and Migration: The Connections between Maritime and Migration Networks*, edited by Torsten Feys, Lewis R. Fischer, Stéphane Hoste and Stephan Vanfraechem, pp. 113-173. *Research in Maritime History* 33 (St. John’s: International Maritime Economic History Association, 2007).

⁴³⁵ Sargent even betrayed his official disinterest by insisting that, if employers were really suffering a “labor shortage,” then they should simply pay “living wages.” Frank P. Sargent, “Problems of Immigration” in

Although the Federation helped pass the Chinese Exclusion Act in 1902, AFL exclusionists were still deeply insecure about the strength of the federal Chinese gate.⁴³⁶ California trade unionists urged the AFL's Executive Council that West Coast and Hawaiian employers were pressuring federal officials to open the United States not only to Chinese labor but to Japanese and Korean labor as well. Frank Duffy of the United Brotherhood of Carpenters and Joiners worked with Gompers to expand the AFL's exclusion policy to apply to "Asiatic" or "Oriental" workers. In 1905, Gompers ensured Duffy that the AFL would guarantee that "...our fellow workmen living on the Pacific coast and in Hawaii realized the danger that not only threatened but confronted them from Chinese, Korean, and other Mongolian laborers..." The AFL urged President Roosevelt to intervene in the situation and sent out a circular entitled "Hawaii must Not Be Asiatic." Hawaii sugar planters, this circular argued, were trying to "weaken existing law against Chinese immigration, and no doubt working hand in glove with the transportation companies..."⁴³⁷ In 1904, the AFL responded forcefully to a new protest by the Chinese government against the harsh treatment of Chinese immigrants in the United States. The

Annals of The American Academy of Political and Social Science vol 24 (July 1904); 153-155. "The Flood from Europe: The Immigration Problem, 1903."

⁴³⁶ For instance, when Roosevelt removed Terence Powderly as Commissioner General of Immigration in 1902 (for reasons related to corruption at Ellis Island), Frank Duffy, the Secretary General of the United Brotherhood of Carpenters and Joiners, and other trade union leaders, assume without evidence that this was because of Powderly's incessant support for exclusion. "Organized Labor Did Not Oppose Powderly." Unknown Newspaper (1902). Terence Powderly Scrapbooks. Catholic University of Pennsylvania.

⁴³⁷ The Hawaiian Sugar Planters' Association had been seeking Japanese, Filipino, and Korean labor since the 1860s. However, it appears that this only became a problem for the AFL in the early twentieth century. The records of the United Brotherhood of Carpenters and Joiners of America (UBCAJ) houses this correspondence. Frank Duffy to Samuel Gompers (April 11, 1905); Samuel Gompers to Frank Duffy (September 15, 1905). Series 12. Subseries 1. UBCAJ Archives. College Park, Maryland. In a 1905 letter, Samuel Gompers noted that: "The American Federation of Labor secured the enactment of the Chinese Exclusion Law by the Federal Government, and the effective amendments to that law. Our fellow workmen living on the Pacific Coast and Hawaii realized the danger that not only threatened but confronted them from Chinese, Korean, and other Mongolian laborers, and the American Federation of Labor conventions declared that efforts should be made to extend the exclusion laws or to bring about some exclusion of Oriental laborers coming to the United States and its possessions." Samuel Gompers to L. W. Tilden, (Sept. 16, 1905) printed in Stuart Kaufman et al., *The Samuel Gompers Papers, Vol. 6: The American Federation of Labor and the Rise of Progressivism, 1902-6* (Urbana Champagne: University of Illinois Press, 1997).

AFL and Exclusionist organizations on the West Coast pressured Congress to pass a new Chinese Exclusion Act in 1904 extending the Chinese gate in perpetuity.⁴³⁸

In short, between 1904 and 1906 trade union leaders had become convinced that organized labor was engaged in a multi-front war against capital over the federal gate—a war extending from the Atlantic and Pacific. At the AFL’s 1906 national convention, the Federation put forward a Bill of Grievances. The Bill was a list of legislative demands including a federal eight-hour law, protection against convict labor and “induced and undesirable immigration,” and the maximum enforcement of Chinese Exclusion.⁴³⁹ The AFL and IRL representatives also made a common cause for restriction at the National Civic Federation. Founded in 1900, the NCF was a tripartite organization of trade unionists, employers, and representatives of the public intended to help forge a more cooperative regime of industrial relations in the United States. Between 1900 and 1906, immigration was not a primary concern of the NCF. However, as the IRL and the AFL pushed their conceptualization of the immigration problem into the national spotlight, the NCF responded by establishing an immigration research department under the direction of Frank Warne, as well as Jeremiah Jenks.⁴⁴⁰ The goal of the department was merely to investigate immigration and to determine if organized workers and employers could achieve consensus on the issue. This hope was dashed at a conference on the topic held by the NCF in New York. During the conference, Prescott Hall and the AFL both laid out a case for restriction. As the discussion unfolded, Samuel Gompers, John Mitchell, and James O’Connell (of the International Association of Machinists) became more combative in response to pro-immigration arguments

⁴³⁸ Jeremiah W. Jenks, Ph.D., LL.D. and W. Jett Lauck, A.B., "The Chinese Exclusion Law of 1904" In *The Immigration Problem*, (New York: Funk & Wagnalls Company, 1912): 320.

⁴³⁹ "Labor’s Campaign in the Making," *American Federationist* 13 (November, 1906): 879-884.

⁴⁴⁰ Reel 173. NCF Department of Immigration. NCF Records. NYPL; on the NCF, see Christopher Cyphers, *The National Civic Federation and the Making of a New Liberalism, 1900-1915* (New York: Prager, 2002).

put forward by business representatives. O'Connell, for instance, claimed that the "The present laws are being violated in every possible way..." Gompers lambasted those present who were not workers but who support immigration. The immigration question, he implored, "may not be vital to those who are assured in this world's goods, but to the men who are dependent upon their day's labor to live, to them it is not an academic proposition, but a vital question." While Ralph Easley worked to convince trade unionists that the NCF did not endorse open immigration, trade union representatives made it clear that if capital and organized labor were to build a more harmonious domestic industrial relationship, then no compromise on immigration restriction could be tolerated.⁴⁴¹

As the NCF was embroiled in debate throughout 1906, the AFL and the IRL cooperated with Henry Cabot Lodge and Charles Dillingham (R-Vt) to put their immigration bill before Congress. In the meantime, Gompers claimed that he made dozens of trips to the Hill, while an IRL representative noted that "Never has there been a time when Congressmen and Senators have been so overwhelmed with personal correspondence urging legislation." Robert Ward of the IRL met with the AFL's Executive Council in Washington to discuss legislative strategy and to warn that the railroads and steamships were working to block the legislation. Ward urged the AFL to coordinate a campaign to apply pressure to Congressmen who did not support the bill (referring specifically to Bennet Ruppert of New York). The AFL sent this bill to members of Congress and threatened retaliation against Congressmen who did not support these demands. In the meantime, AFL leaders met with President Roosevelt. The meeting grew tense when

⁴⁴¹ National Civic Federation, *Report of the Proceedings of Conferences on Immigration* (New York September 24 and December 12 1906).

Roosevelt did not support an anti-injunction law, but he did assure those trade unionists present that he was in full agreement on Chinese Exclusion and European immigration restriction.⁴⁴²

Republican Senator William Paul Dillingham of Vermont introduced a sweeping immigration bill. It would double the head tax (from \$2.00 to \$5.00) and add new classes to the exclusion list. Another section would create the Division of Information within the Bureau of Immigration to promote the distribution of immigrants. The House Committee's majority report argued that the Commons Report, and other "expert" studies of immigration proved the necessity of restriction.⁴⁴³ The legislation, including the literacy test, gained significant support in the Senate and, in the Summer of 1906 the House of Representatives was on the verge of passing the legislation. However, it reached a roadblock in the person of speaker Joseph Cannon, the arch-nemesis of the AFL and labor legislation. Cannon also vehemently opposed the literacy test and used his power in the House to stall debate on the bill.⁴⁴⁴ Privately, President Roosevelt proved his restrictionist mettle. In his correspondence in 1906 on the IRL and AFL's bill, the President made it clear that the labor question was the hinge of the conflict. In one letter to Cannon urging the Speaker to move the legislation, Roosevelt explained that Cannon's belief that "the Wall Street men" supported restriction was fundamentally flawed. "The chief opposition to this bill," Roosevelt insisted, "comes from those in New York and elsewhere who are directly concerned in getting immense masses of cheap labor—labor which had all the bad effects upon the country which the labor imported under contract previously had." Roosevelt claimed that the "The big

⁴⁴² Ward and Hall to Gompers (April 8 1906); *Zion's Herald* (March 28, 1906). Reel 98. Samuel Gompers Letterbooks; Tichenor, *Dividing Lines*, 326.

⁴⁴³ Congressional Record, 59 Cong., 1 Sess., Vol. 4U, Ft. 8, pp. 7280-300, 7393, 7643, 7886, Pt. 9, p. 8302; Immigration of Aliens Into the United States, House Report 4558 (Serial Set 4908), 59 Cong., 1 Sess., Ill, 1-29; Immigration of Aliens Into the United States, House Report 4912 (Serial Set 4908), 59 Cong., 1 Sess., Ill, 1-37.

⁴⁴⁴ Robert F. Zeidel, "Hayseed Immigration Policy: 'Uncle Joe' Cannon and the Immigration Question," *Illinois Historical Journal* 88:3 (Autumn, 1995): 173-188; John Higham, *Strangers in the Land*, 106-128; Janice A. Pettechak, "Conflict of Ideals" *Samuel Gompers v. 'Uncle Joe' Cannon*," *Journal of Illinois State Historical Society*, 74 (1981): 31-40.

foreign steamship companies...” were behind the pro-immigration campaign. They had influenced “some very noteworthy citizens of foreign birth against it.” In another message to Cannon, Roosevelt claimed that he met with ethnic organizations on the bill. “I have not a particle of prejudice.” However, “it is against the interests of all of our people, and especially of our working people...To bring in such immense masses all at once as to tend to produce congestion and a lowering of the standard of living.”⁴⁴⁵

The pressure of the IRL and the AFL was not enough to overcome opposition to the bill within the House of Representatives. Cannon continued to block the progress of the bill, and, at the moment, Roosevelt backed down—informing Cannon of the danger to Republican electoral success in the upcoming midterm elections. In private, he again informed Cannon that “My idea is to say nothing that will not help us in the election.” Gompers attempted to intervene but with no success. Cannon ultimately blocked the bill, and shielded pro-immigration members from AFL and IRL retaliation by shortening the Congressional debate and by prohibiting a recorded vote on the literacy test provision. Congress eventually passed the Act of 1907 as a compromise. The Act included many of the demands of restrictionists including raising the “head tax” on European immigration. For pro-immigration representatives, the Act had done away with the literacy test. Perhaps more significantly the 1907 Act established a bipartisan Congressional committee to investigate European immigration. Cannon intended for a prolonged investigation to diffuse restrictionist sentiment and demoralize both the AFL and the IRL.⁴⁴⁶

⁴⁴⁵ Theodore Roosevelt to Joseph Gurney Cannon (May 27th, 1906). Theodore Roosevelt Papers. Library of Congress Manuscript Division.

⁴⁴⁶ Theodore Roosevelt to Joseph Gurney Cannon (January 19, 1907) Theodore Roosevelt Papers. Library of Congress Manuscript Division; Gompers, Memorandum, April 7, 1906, Box 1, Folder 7, Gompers to Henry A. Cooper, April 26, 1906, Box 1, Folder 7, and Gompers to Cannon, Jan. 19, 1907, Box 2, Folder 1, all in Cannon Papers. On the Congressional politics of this law, see John R. Jenswold, “Leaving the Door Ajar: Politics and Prejudices in the Making of the 1907 Immigration Law,” *Mid-America* 67, no. 1 (January 1985): 6. Zolberg, *A Nation by Design*, 228-231; Tichenor, *Dividing Lines*, 126-128. *Congressional Record*, 59 Cong., 1 Sess., Vol. 40,

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The United States Congressional Joint Immigration Commission, or the “Dillingham Commission,” as it became known (1907-1912) involved the labor of a wide range of individuals with a diverse set of opinions on immigration. The Commission conducted field research and produced thousands of pages of empirical research on immigration, foreign labor, and industry.⁴⁴⁷ At first, the AFL and the IRL were hopeful that the Dillingham Commission would align with their vision of the immigration problem. Both organizations closely monitored the progress of the Commission, but unlike the USIC, the Commission was not open to the input of non-governmental organizations. For the most part, trade unionists were disenchanted after the passage of the 1907 Act. At its 1909 Convention, delegates declared that employers were so strongly opposed to restriction that a future campaign would be impractical. Trade unionists accused the Immigration Bureau’s Division of Information (established by the 1907 Act) of “scheming” to channel surplus foreign labor to areas of the country where workers were on strike. Roosevelt also angered the AFL, by appointing Oscar Straus, president of the pro-immigration American Jewish Committee (AJC) Secretary of Commerce and Labor, giving him veto power over the Commissioner General of Immigration. The Federation conducted its own investigation of immigration by sending trade unionists to Europe.⁴⁴⁸

The original advocates of the Dillingham Commission failed to consider the ways in which mainstream social science and industrial investigation had become inundated with

Pt. 3, p. 2524, Pt. 5, p. 4429, Pt. 6, pp. 5192, 5606, 5805, Pt. 8, pp. 7143, 7212-34; Immigration of Aliens Into the United States, Senate Report 2186 (Serial Set 4905), 59 Cong., 1 Sess., II, 1-10.

⁴⁴⁷ On the background of the Dillingham Commission, see Katherine Benton Cohen, *Inventing the Immigration Problem*, ch. 1.

⁴⁴⁸ These investigators even held a conference with Italian labor representatives to discuss strategies by which Italian immigration could be controlled. AFL Convention Proceedings (1909): 103-104; AFL lobbyists drew the conclusion that the Dillingham Commission was forced through by employers and their allies like Commons. See *Papers of the Legislative Department of the AFL*. Container 67, Folder 12. College Park, Maryland.

restrictionists and their ideas. Senate restrictionists constituted a third of the Commission's membership (the Commission consisted of three Senators, three Representatives, and three Presidential appointees). More significantly, the Commission's final report was drafted by two social scientists with restrictionist sympathies and with connections to the restrictionist circles, namely Jeremiah Jenks and W. Jett Lauck. Like the Commons' report for the United States Industrial Commission, the conclusion that the Report drew, as well as the policy recommendations it put forward, were anything but neutral. In short, the Commission determined that the "immigration problem" was fundamentally a labor problem. There was: "an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole." The Report confirmed the existence of an immigration business: "Thousands of steamship-ticket agents operating in Southern and Eastern Europe combine the business of supplying laborers to large employers and contractors with the so-called immigrant banking business and the selling of steamship tickets."

Jenks and Lauck laid out this problem in a book, *The Immigration Problem*, at public lectures and in the mainstream press. Jenks explained in an address that if employment was no longer growing proportionally to the increase of output, because of the growing significance of mechanized production, then the U.S. industrial order simply no longer needed as much labor as it had in the past. Mass immigration would exacerbate the nation's already significant structural unemployment.⁴⁴⁹ Lauck's article "The Vanishing American Wage-earner," explained the ways in which this dynamic was ultimately a racial problem. The Dillingham Commission's study of "basic industries" like coal mining, iron and copper mining, steel production, and textile

⁴⁴⁹ Jeremiah Jenks, "The Character and Influence of Recent Immigration," *Addresses Delivered in the Page Lecture Series, 1913, before the Senior class of the Sheffield scientific school* (New Haven: Yale University Press, 1913); also see William M. Leiserson, "The Problem of Unemployment Today," *Political Science Quarterly* 31 (1916): 1-24.

manufacturing, Lauck explained,” had unearthed a nation-wide dynamic of racial substitution.” “In all industries,” he claimed, “the immigrant wage-earner, through the elimination of the requirements of skill and experience, is being brought directly into contact and working competition with the native Americans.” Most significant for the AFL, the Dillingham Report along with Lauck’s and Jenks’ public writings, affirmed the vision of the AFL as an agent of Americanization and racial homogenization. The labor unions “which should have been among the greatest factors in assimilating industrially the recent immigrant, and in educating him to American standards...have been completely inundated, and wholly or partially destroyed by the sudden and overwhelming influx.”⁴⁵⁰

The Dillingham Commission put forward a list of policies including the literacy test and enhancing existing regulations. The Commission also put forward the idea of a system that would establish quotas for immigration. These policies shared the same goal: the restriction of unskilled labor that would put U.S. capitalism on a new trajectory of development and help assimilate those foreign workers who did enter the United States, to the American standard. “A slow expansion of industry,” the report stated, “which would permit the adaptation and assimilation of the labor supply is preferable to a very rapid industrial expansion which results in the immigration of laborers of low standard and efficiency, who imperil the American standard of wages and conditions of employment.” It concluded that “The people of the United States stand for what, in their judgment, is the highest, best civilization in the world...Americans undeniably wish to maintain their standard, and if possible, to raise it.”⁴⁵¹

⁴⁵⁰ W. Jett Lauck “The Vanishing American Wage-Earner,” *The Atlantic* (November 1912).

⁴⁵¹ Abstracts of Reports of the Immigration Commission, Senate Document 747 (Serial Set 5865-5866), 61 Cong., 3 Sess., I, 12. See also Reports of the Immigration Commission (Washington, D.C.: GPO, 1911)

Both the AFL and IRL rushed to publicize the Commission's conclusions and its legislative recommendations. The IRL's representatives did not reject the economic and labor dimension of the Dillingham Committee's report. IRL literature characterized the report as a confirmation of the conceptualization of European immigration as a problem of racial competition and race suicide rooted in an unregulated capitalist order. A 1913 pamphlet published by the League, for instance, summarized the findings of the Commission: "Steamship agent and brokers all over Europe, and even in Western Asia and Northern Africa," the pamphlet declared, "are today deciding for us the character of the American race of the future." It was the incessant drive for cheap labor that had led to the importation of "alien bodies," that were threatening the nation's racial order. Immigration as a racial problem was ultimately rooted in the economic logic of profit and exploitation: "It is just at this point" of the capitalist impulse to exploit cheap labor "that there is the contact between immigration as an economic problem and immigration as a racial and as a eugenic problem..."⁴⁵² The eugenicist and sociologist Henry Pratt Fairchild explained in *Immigration: A World Movement and its Significance* that "the great argument for immigration during the past half century has been the economic one..." The "fittest to survive" was the race least fit for modern civilization. He argued that there was not in fact a shortage of labor in the United States, but rather "a shortage of labor at a given wage." So long as there was access to cheaper labor, employers would be unwilling to raise wages to a level adequate for the American worker to reproduce himself and his family. "In the United States," he warned, "we have adopted the opposite policy. In the vast peasant population of Europe there is an inexhaustible reservoir of labor, only waiting a signal from this side to enter the labor

⁴⁵² Robert DeC. Ward, "The Crisis in our Immigration Policy," *The Institution Quarterly* 4:2 (1913): 37-50.

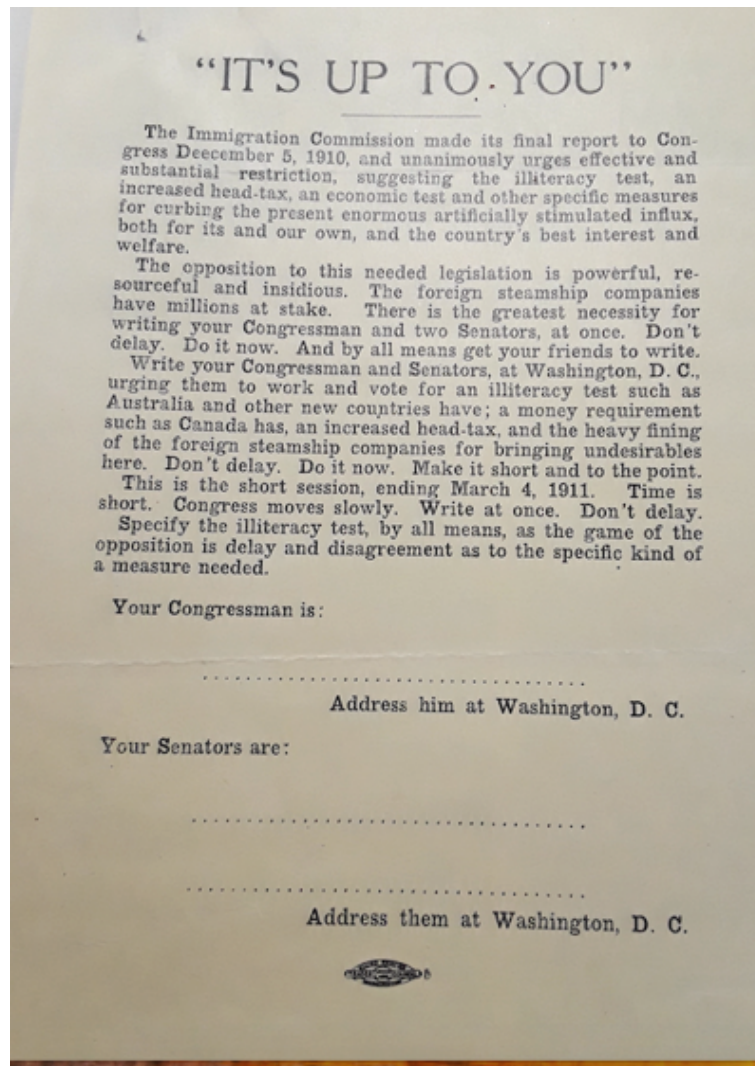


Figure 12: "It's Up to You." The Executive Council of the AFL made use of the Dillingham Commission to mobilize rank and file support for restriction. This is a pamphlet directing workers to contact their lawmakers. UBCJ Papers. AFL-CIO Collection. College Park.

The Dillingham Committee galvanized the AFL even more so than the IRL. The AFL had been planning to upset Henry Cabot Lodge's re-election due to the Senator's mostly anti-labor position. However, the promise of immigration restriction had returned, and the AFL's

⁴⁵³ Henry Pratt Fairchild, *Immigration: A World Movement and its American Significance*, (New York, 1918): 345.

Executive Council called off the election. By 1910, the AFL as well as the IRL had even more reasons to be optimistic. A group of House Democrats and Republicans worked to strip the Speakership, which had been occupied by Cannon, of its powers. This “House revolt against Cannonism,” helped concentrate influence and power in Congressional standing committees. The AFL, which had been pushing pro-labor lawmakers to overtake Cannon, celebrated this development as a positive omen for labor legislation in general and immigration restriction in particular. In a 1911 essay, Samuel Gompers attempted to catch readers of the *American Federationist* up to speed. Gompers characterized the Dillingham Report as a confirmation of a “decade of research on the question undertaken by the trade union movement.” Gompers explained that the Report illustrated that the immigration debate pitted two fundamentally different and competing visions of U.S. capitalism against each other: one grounded in consumption and high wages for native-born and “Americanized” workers, and the other rooted in cheap labor and high profits. The line of battle had been drawn for the future struggle over immigration policy: “The final inning of the tug of war over immigration has now begun. In this contest tremendous forces are engaged...On the pro-immigration side is the powerful immigration machine, composed of the trans-ocean combine, with all its thousands of agents and other innumerable parasites, the bankers, padrones, etc., who are coining money out of the millions of immigrants.”⁴⁵⁴

In 1896, trade unionists had been reluctant to endorse restricting European immigration. By 1912 however, the uncompromising commitment to federal gatekeeping was a core component of the Federation’s political project. The progressive reformer and AFL supporter William English Walling put forward an apt explanation of why skilled workers, or what he

⁴⁵⁴ On the unseating of Cannon, see Tichenor, *Dividing Lines*, 132-133. Also see, Samuel Gompers, “Immigration Up to Congress,” *American Federationist* 1911.

called the “aristocracy of labor,” had taken a stand against “Asiatic or against colored labor...” of the world. They had done so not simply to protect their wages from foreign competition, but to win a larger share nation’s industrial surplus. In other words, skilled workers had become materially and psychologically invested in a national industrial project. They had become “shareholders in the nation’s industries...” Labor leaders and trade unions recognized that their future income share was linked directly to the economic success of U.S. capitalism: “skilled laborers gain more—their labor privilege rises in value with the commercial success of their country.” For this reason, “They want industry to keep its foreign markets, and they want to exclude immigrants from competing with them.” In short, the trade union movement, which was now locked in a battle with employers over the boundaries of the nation’s labor market, recognized that they had “something to defend.”⁴⁵⁵

By 1912, the AFL did have something to defend. The Federation helped turn the immigration debate into a proxy war between organized labor and its partners on the one hand, and employers and pro-immigration organizations on the other. For trade unionists, the arena of immigration policymaking had become one in which lawmakers, intellectuals, and federal investigations recognized the right of native-born workers to a share of the nation’s income, or at least to have this share protected from foreign competition. Both the United States Industrial Commission as well as the Dillingham Commission conceptually linked the wages of American workers to standard of American “civilization.” In addition, former labor unionists occupied the highest administrative position within the Bureau of Immigration where they used the office to ensure that immigration statutes would be enforced to the maximum. These victories, however,

⁴⁵⁵ William English Walling, *Progressivism and After* (New York, 1914): 272-273.

were not enough to satiate the trade union movement. On the eve of World War I, however, the AFL and other restrictionists were locked in a conflict with an increasingly organizing pro-immigration political bloc, over a set of crucial questions: would Chinese Exclusion be extended to all Asian immigrations? Would Congress pass a more radical act restricting European immigration?

Chapter Six

“Industrial Americanization”

World War One and the Road to the Johnson-Reed Act of 1924

“Nations, to-day, are like Craft-Unions—compartments into which it is sought to keep the proletariat divided...”
Daniel DeLeon (Socialist Labor Party)

The Dillingham Committee’s 1912 report affirmed the vision of the immigration problem that had been articulated by the IRL and the AFL during the first decade of the twentieth century. Whether or not this vision would be translated into law was, by 1913, an open question. The Commission emboldened restrictionists, but it also encouraged major pro-immigration organizations, employers, and ethnic organizations to counter-mobilize. By the eve of World War One, both sides of the debate were locked in a serious political and ideological stalemate. This chapter begins in the immediate aftermath of the Dillingham Commission, illustrating the dynamics of this stalemate and how it led to the eventual veto, by President Taft, of an AFL and IRL sponsored immigration bill in 1913. To traces the ways in which World War One helped pave the path for the eventual passage of the Johnson Reed Act in 1914.

In 1914 World War One began to reconfigure dynamics of class conflict and labor politics, and paved the way for the AFL and its partners in the IRL and in Congress to pass immigration laws that transformed the nation’s existing system of immigration restrictions and regulations into the capacious, and racist gatekeeping state that restrictionists had advocated for since the early twentieth century.⁴⁵⁶ The growing demand for U.S.-produced agricultural and

⁴⁵⁶ There is a consensus among immigration historians that the war was a pivotal moment for the immigration debate and for immigration restriction as a political movement. Typically, these accounts have stressed the ways in which ideas about “Americanization” and the fear of immigrant disloyalty and radicalism convinced a growing number of elite and middle-class Americans that the era of mass immigration should come to an end. At the same time, the war also helped popularize ideas about eugenics and race science in America, which paved the way for the broader acceptance of a fundamentally racist immigration system embodied by the 1924 Johnson-Reed Act.

industrial products during the war, coupled with the effective wartime restriction of immigration, helped tighten the national labor market and shift the balance of power from capital to labor.⁴⁵⁷ These years witnessed a record degree of strikes as well as the mobilization of skilled and unskilled, native and foreign-born, male and female workers both inside and outside of the traditional labor movement. The American Federation of Labor (AFL) began to play a more influential role within the Democratic Woodrow Wilson administration, as an organization that would help “contain” labor militancy to acceptable channels and “Americanize” an increasingly militant and diverse industrial working class. During the war years, gained influence within and helped shape the dramatically interventionist Presidential Administration, Congress, and Department of Labor which, over the course of the war, began to side of organized workers and against employers.⁴⁵⁸

This new situation helped the AFL and its partners in academia and in the wartime Federal government shift the political and ideological balance of power towards restrictionism.

For a summary of this argument, see Erika Lee, *America for Americans*, 139; Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998): 77-84. The account presented in this chapter explains the significance of ideas about eugenics and “Americanization,” but focuses on the ways in which the growing political influence of the AFL, enabled by the war and by an activist wartime state, helped shift the political balance of power towards restrictionism. To do so, it draws on the work of historians of labor and the federal government during WWI: Joseph McCartin, *Labor’s Great War: The Struggle for Industrial Democracy and the Origins of Modern American Labor Relations, 1912-1921* (Chapel Hill: University of North Carolina Press, 1998); Melvyn Dubofsky, *The State and Labor in Modern America*, ch. 3; Nelson Lichtenstein and Howell John Harris, eds., *Industrial Democracy in America: The Ambiguous Promise* (Cambridge: Cambridge University Press, 1993); David Montgomery, “Immigrants, Industrial Unions, and Social Reconstruction in the United States, 1916-1923,” in *Labour/ Le Travail*, 13 (Spring, 1984): 101-113. The consensus among labor historians is the WWI was the highwater mark of the Gilded Age and Progressive Era labor movement. These historians have focused on the ways in which organized labor were able to help build a relatively pro-labor federal government during the war, but they have overlooked the significance of immigration policy, at least for the AFL.

⁴⁵⁷ Stan Vittoz, “World War I and the Political Accommodation of Transitional Market Forces: The Case of Immigration Restriction,” *Politics and Society* 8:1 (March 1978): 49-78.

⁴⁵⁸ Historians of immigration policy and politics of this period also fail to note the ways in which the AFL’s growing political influence and recognition was a significant factor both in the passage of the 1917 law, but also for the quota laws of 1921 and 1924. Lee, *America for Americans*; ch. 4; Tichenor, *Dividing Lines*, 139-149; Zolberg, *A Nation by Design*, need pg numbers.

Between 1914 and 1917, John Mitchell, Samuel Gompers, and Frank Morrison cooperated with the IRL to pass the immigration law that had been vetoed by Presidents Taft and Wilson. The Immigration Act of 1917 finally instituted a literacy test. It was created an “Asiatic Barred Zone” that prohibiting immigration from a vast swath of Asia. In federal hearings, and in published literature and speeches, trade union spokesmen along with progressive labor reformers argued that the decline in immigration brought about by the war had proven restrictionists correct: U.S. capitalism no longer needed mass immigration to thrive. Wartime restriction, they argued, had effectively created the national labor market that restrictionists had long fought to construct. More specifically, they argued that this new situation had led to a rising “American standard of living” that helped assimilate foreign born workers to the superior “American standard,” disincentivized radicalism, and forced employers to recognize the legitimate demands of their workers. This argument, which some reformers began to refer to as “Industrial Americanization,” echoed and was legitimized by the enormously influential United States Industrial Relations Committee (1912-1915). The AFL launched a simultaneous, all-out propaganda that tarred pro-immigration organizations as part of a larger capitalist conspiracy to keep labor in the United States “cheap” and “foreign.” AFL lobbyists in Washington also worked with the IRL to build a veto-proof restrictionist majority in Congress that included nationalist Republicans and Southern Democrats, as well as a substantial contingent of “pro-labor,” Democratic Congressmen. Restrictionists were ultimately able to pass the Immigration Act of 1917, which included a literacy test and a provision barring most Asian immigration from entering the United States.

The entrance of the United States into the War in 1917 only enhanced the influence of organized labor within the Federal government and helped convince trade unionists that the

Immigration Act that organized labor had recently helped pass would not effectively render wartime immigration restriction permanent. Between 1918 and 1919, the AFL put forward an even more radical and totalizing immigration policy as part of its broader plan for post-war Reconstruction. This program called for total Asian exclusion, the temporary prohibition of all immigration, and maintained that the primary function of a future permanent restriction policy should be the maintenance of the “American Standard of Living.”

By 1919, however, the AFL’s influence was rapidly waning. The failure of a major national Steel Strike in 1919 unleashed a harsh anti-labor reaction across the United States. Public opinion shifted against all organized labor. At this critical moment, progressive reformers, social scientists, and lawmakers associated with a new organization, the National Committee for Constructive Immigration Legislation (NCILL), which intervened in the national debate and argued that the United States needed a “scientific” immigration policy that would balance the interests of labor with that of capital. The NCILL organized a network outside of traditional restrictionist organizations like the IRL and AFL, and, in doing so, put forward the idea of new, nondiscriminatory immigration system that would subject all nations to the same quota and effectively dismantle the nation’s Asian gate.⁴⁵⁹

Despite the new opposition it faced, and its own internal opposition to the AFL’s traditional leadership, the Federation still possessed enough political and ideological influence and connections with other restrictionist organizations to ensure that whatever permanent policy Congress implemented would be compatible with its vision of a racially exclusionary nation,

⁴⁵⁹ Son-Thierry Ly and Patrick Weil, “The Antiracist Origin of the Quota System,” in *Social Research* 77:1 (Spring, 2010): 45-78. Ly and Weil point out the non-discriminatory origin of the Quota System. This chapter helps show how the AFL, in conjunction with eugenicists and other advocates of racist exclusion, helped transform this initially “anti-racist policy idea,” into an immigration system that was fundamentally grounded in a racist conception of the American nation, labor market, and working class.

working class, and labor market. Between 1919 and 1924, the AFL and IRL worked with Washington Congressman Albert Johnson to design and push for a new set of immigration laws that discriminated against Asian immigration (through the total exclusion of all Asian immigration) and created a federal quota system that privileged populations of workers with “higher standards of living” from Northwestern Europe, while discriminating against more degraded populations of workers from Southern and Eastern Europe.

I

In 1913, pro-immigration organizations like the National Liberal Immigration League (NLIL) and the American Jewish Committee (AJC) intensified their opposition to restrictionism. One area they targeted was the Bureau of Immigration. Since 1896, the office of the Commissioner General of Immigration had been occupied by former trade-unionists. As part of the Department of Commerce and Labor, the Bureau, and by extension the Commissioner General, had been under the jurisdiction of the Secretary of Commerce and Labor Charles P. Neill. Neill, who was sympathetic to trade unions, gave the “trade union” Commissioners great leeway to shape immigration policy and enforcement. The NLIL and AJC helped secure the appointment of pro-immigration lawyer Charles Nagel as the Secretary of Commerce and Labor in 1909. Nagel called for the resignation of Commissioner and former longshoreman Daniel Keefe (1908-1913), undermined some of his harshest policies, and publicly opposed restrictionist measures like the literacy test.⁴⁶⁰ The Bureau’s Division of Information also became a venue in which pro-immigration forces worked to promote a more humane federal gatekeeping policy.

⁴⁶⁰ “Wants Keefe’s Resignation,” *New York Times* (Feb. 23, 1913); “Nagel Denounces the Literacy Test,” *New York Times* (Jan. 26, 1913).

This division was established in 1909 to “promote a beneficial distribution of aliens admitted into the United States,” but quickly came under criticism from the AFL for allegedly sending foreign labor to union-dense regions of the country. Both the AJC and NLIL lobbied to expand the capacity and resources of the Division and even pushed to have the federal government pay the fares of aliens moving from the coast to inland destinations. Labor leaders protested the new Division and characterized the idea of distribution as a “scheme” by which pro-employer immigration officials would channel cheap labor to where it was desired. These protests amounted to nothing.⁴⁶¹

The AJC and NLIL also mobilized their own network of “experts,” to counter the claims of the Dillingham Commission and the growing prominence of restrictionist academics like Jeremiah Jenks, John Commons, and Henry Pratt Fairchild. This network included public intellectuals like Charles Eliot (the President of Harvard), and the Jewish-American lawyer and activist Max Kohler. The most influential defense of immigration sponsored by these organizations was a study of the Dillingham Commission’s report by the Jewish-American, Marxist social scientist Isaac Hourwich. Hourwich’s *Immigration and Labor* (1912) used the Dillingham Report’s own data to argue that there simply was no immigration “problem” in the United States. Mass immigration did not cause unemployment, labor exploitation, and class conflict, Hourwich insisted. These were structural consequences of industrial capitalism. It was the “normal state of every industry,” he claimed, “to have a larger [labor] force than can ever find employment in it at any one time.” Unskilled foreign workers simply had not displaced

⁴⁶¹ National Liberal Immigration League, *Division of Labor and the Distribution of Immigrations: An Appeal for Free Transportation/Opinions of the Press* (New York, 1910); *Labor Conference: Proceedings of the Conference with the Representatives of Labor Held in the Office of the Secretary of Commerce and Labor* (February, 10-11, 1909. Washington GPO); Joseph P. Goldberg and William T. Moye, “The AFL and a National BLS: Labor’s Role Crystallized,” in *Monthly Labor Review* (March 1982): 21-29.

skilled native-born workers. The rapid pace of mechanization of production had reduced the “relative number of skilled mechanics.” This process simultaneously “increased the number of skilled and supervisory positions so fast that practically all the English-speaking employees have had the opportunity to rise on the scale of occupations.” In other words, skilled, native-born workers were not being displaced. Rather, Hourwich observed that “the English-speaking workmen” were being raised to the “status of an aristocracy of labor...”⁴⁶² Hourwich’s argument was rooted in both bourgeois academic social science as well as the ideology of internationalism that circulated within radical labor organizations, immigrant communities, and the radical press during the early twentieth century. Hourwich observed in *Immigration and Labor* that unskilled, foreign-born workers and radical inclusive organizations like the Industrial Workers of the World had shown that capital could only be contested if workers organized across ethnic, national, and racial divides. Capitalism had become global in its ability to acquire labor. If trade unionists only organized skilled, native-born workers, and if immigration restriction were implemented, then capital would simply seek out cheap labor by moving abroad. It was the narrow, exclusionary “labor aristocracy” of American trade unions, and not mass immigration, that was responsible for fracturing the U.S. working class, and undermining labor standards.⁴⁶³

The publication of *Immigration and Labor* in 1912 was a national bombshell. It garnered reviews in the popular and academic press, engendered serious debates within academic social science, and even made its way to the Oval Office. A meeting of the American Association for the Advance of Science held in New York City broke out into heated debate. The AEA also

⁴⁶² Isaac A. Hourwich, *Immigration and Labor: The Economic Aspects of European Immigration to the United States*, (New York: 1912); Hourwich, “The Economic Aspects of Immigration,” *Political Science Quarterly* 26:4 (Dec., 1911): 615-642; Yale Schacher, “A Contrarian Expertise: Isaac Hourwich’s Immigration and Labor,” Unpublished Paper in Possession of author; Melech Epstein, *Profiles of Eleven: Biographical Sketches of Eleven Men Who Guided the Destiny of an Immigrant Jewish Society*. (Detroit: Wayne State University Press, 1965; pp. 255–268)

⁴⁶³ Hourwich, *Immigration and Labor*, 108-119.

hosted several debates on the topic.⁴⁶⁴ Restrictionists recognized its influence and challenged the book's core claims. Prescott Hall of the IRL, for instance, came to the defense of Jenks and Lauck of the Dillingham Commission. Hall's argument was that, if immigration did not lower the "American standard" then why was it the case that "practically every employer" was opposed to restriction "and every wage-earner to free immigration..." By 1913, even Jeremiah Jenks was compelled to explain to President Wilson that he was "well aware of the fact that Mr. Hourwich ...and many others claim that the bringing in of these laborers simply fills demand for unskilled workmen and that the American laborers and the earlier immigrants go to higher positions." However, Jenks assured the President that while it might have been the case in the past that the U.S. needed foreign labor, this was no longer so.⁴⁶⁵

Delegates at the AFL's national conventions in 1912 and 1913 were alarmed by the inroads pro-immigration advocates had made into the policymaking circles and the public sphere. Charles Nagel's influence over the enforcement of immigration laws and in the work of the Bureau's Division of Information particularly concerned delegates. As always, trade unionists framed pro-immigration sentiment as merely the work of capitalists.⁴⁶⁶ The AFL's response to the 1912 Lawrence Textile Strike illustrates this reasoning. In the winter of 1912, workers of 50 different nationalities, men and women, organized a strike in response to a pay reduction. The AFL assumed that such a diverse group of workers simply could not win a strike

⁴⁶⁴ Robert F. Foerster, "Review of Hourwich's Immigration and Labor," *The Quarterly Journal of Economics* 27:4 (August 1913): 656-671; "Immigration Labor by Isaac A. Hourwich," *The American Economic Review* 3:2 (June, 1913): 422-427; "W. F. Willcox, "Popular Delusions about Immigration," *The Independent* (Feb 8 1912); "Need Immigrants Badly, Says Eliot," *New York Times* (Feb. 26, 1914): 7; Max Kohler, "Some Aspects of the Immigration Problem," *The American Economic Review* 4:1 (March, 1914): 93-108; "Debate over the Immigration: Emily Balch, W.F. Willcox, Jeremiah W Jenks, Max Kohler," *The American Economic Review* 2:1 (March 21): 6.

⁴⁶⁵ Prescott Hall to Jeremiah Jenks (May 1913); Jeremiah Jenks to Woodrow Wilson, (May 1913). Box 12. IRL Records.

⁴⁶⁶ AFL Convention Proceedings (1912): 18-19; AFL Convention Proceedings (1913): 124-187.

of this scale because they did not share a common culture and language, were easily exploitable, and would be susceptible to “radical” organizations and ideologies like that offered by the IWW. The ability of capitalists to keep their workers divided simply made organizing impossible. An *American Federationist* article explained this rationale: “The fact of the matter is that the large body of unskilled workers of the United States are composed of workmen brought here from Europe, who do not speak our language... in many instances have had their suspicions and prejudices aroused by so-called radical Socialist intellectuals.” The real threat to American labor were not radical workers, but “The transportation companies, the mining companies, the steel company, the sugar trust, the harvester company, the textile companies, and the packing houses,” who were opposed to restriction.” “They want cheap labor.”⁴⁶⁷

At its 1913 national convention in Seattle, the AFL endorsed legislation written by the IRL that would provide for a literacy test and increase the head tax on immigration. According to the AFL’s Immigration Committee, the bill also contained “many administrative features to render its enforcement effective.” West Coast unions were concerned about reports that steamship companies were awaiting the official opening of the Panama Canal to flood California with cheap European labor; they had “laid their plans for the construction of more ships for the transportation of immigrant workers to the Far West...” This conspiracy was connected to state and national labor exchanges and distribution bureaus in the U.S. which, according to Gompers, “have shown me that they are inevitably linked up with the schemes of steamship combines to bring immigrants to, [sic] and distribute them over the United States.” The Federation’s solution was not simply legislation that would restrict immigration. The immigration platform it adopted in 1913 also called for increased funding for “proper immigration stations and detention sheds on

⁴⁶⁷ Report on the Recent Textile Strike. Executive Committee Records. Box 14. College Park, MD University of Maryland.

the Pacific coast” to “handle the immigrants to be expected via the Panama Canal.” West Coast unions affiliated with the AFL and the Executive Council also marshalled the AFL’s national convention to endorse the idea that all “Asiatic” immigration should be excluded from the United States.⁴⁶⁸

The AFL was in a stronger position than it had been in earlier years to help win Congressional support for a new immigration bill. Skilled workers and their unions had become a significant voting bloc for the Democratic party as well as a key component of the party’s electoral apparatus. In the midterm elections of 1910, the Democratic Party made significant gains in the House and Senate. The AFL played a role in this electoral success, helping to strengthen its relationship with the Party. Democratic Party leaders had positioned their party as one of industrial and labor reform. The Federation’s legislative committee worked closely with a new group of pro-labor Congressmen who were represented on the House Committee on Labor. This group was composed mostly of Democrats, but also one socialist as well as current and former trade unionists. The *American Federationist* boasted that there were sixteen “union card men in the House and one in the senate.” The National Association of Manufacturers (NAM), a major opponent of the AFL, described the House Committee on Labor as being, “under the domination of present or ex-labor union officials who sit in Congress.” The labor group advanced legislation that would raise wages for women who cleaned the House office building, conduct government investigations into the causes of unemployment, regulate the hours of work in continuous work factories, and create an old-age pension system. For the most part, immigration restriction had the support of the group, especially William B. Wilson (future Secretary of the Department of Labor) but it did draw criticism from several members. Victor

⁴⁶⁸ AFL Convention Proceedings (1913): 18-19.

Berger, for instance, refused to countenance the restriction of European immigrants--even though he was militantly opposed to Asian immigration.⁴⁶⁹

In the 63rd session of Congress, pro-labor Democrats who supported restriction joined Southern Democrats and pro-Reform Northern Democrats along with restrictionist Republicans in the House of Representatives. The AFL supported efforts of West Coast representatives to insert a provision in the bill to effectively exclude all “Asiatic” immigration. However, the idea of “Asiatic exclusion” came under heavy criticism particularly from those Representatives who feared that the U.S. would upset diplomatic ties to Japan. Exclusionists found no support in the IRL. Although IRL leaders detested Asian immigration, the League was unwilling to risk alienating lawmakers who were opposed to European immigration but might balk at Asiatic exclusion. The provision was ultimately dropped in the House, but the legislation’s European immigration provisions (specifically the literacy test and the increased head tax) eventually passed in both the House and the Senate.⁴⁷⁰ The approval of President Howard Taft remained an open question. The President held hearings in the Oval Office. The AFL Secretary Frank Morrison and the Commissioner of Immigration in New York, William B. Williams laid out the case for restriction, while the fiercely pro-immigrant Charles Bennet (R-NY) spoke against this legislation. In the meantime, trade union petitions for restriction piled up in Congress and in the White House.⁴⁷¹

Taft did not fold under pressure and vetoed the bill. The lame-duck President had historically been hostile to organized labor and was a supporter of the prerogatives of employers,

⁴⁶⁹ On the labor group, see Greene, *Pure and Simple Politics*, 229-231; Greene notes opposition to immigration restriction on 231. See Victor Berger and John Martin, *Congressional Record*, Vol. 49, pt. 4 (February 13-26,, 1913): 3422-3.

⁴⁷⁰ The AFL’s role in this process is outlined in AFL Convention Proceedings (1915): 107-109; Hutchinson, *Legislation History of American Immigration Policy 1798-1965*: 150-155.

⁴⁷¹ *New York Times*, (January 1913).

but he also defended immigration on more principled terms. Taft's veto message argued that the literacy test would violate the nation's tradition of open immigration for European immigrants. His veto message then turned to the economic rationale put forward by restrictionists. He rejected the argument that native workers had more of a right to work in the United States than immigrants: "The claim is...made that the influx of foreign laborers deprives of the opportunity to work those who are better entitled than they to the privilege of earning their livelihood by daily toil." Taft acknowledged that, while there was mass unemployment in the United States, this was the result not of mass immigration, but of the consequence of the cycles of capitalist prosperity and depression. Unemployment was simply to be suffered by native-born workers until the inevitable return of prosperity: "In the meantime those most willing and best entitled ought to be able to secure the advantages of such work as there is to do." Taft's message further antagonized the AFL by including a note from Secretary of Commerce and Labor Charles Nagel: "America needed labor, and the natives were unwilling to do the work which aliens came over to do."⁴⁷²

Taft's veto was a legislative failure for the AFL and IRL, but it also set off a chain of events that eventually lead to a major change in the administrative side of the federal gatekeeping state. John Mitchell, the President of the UMW and one of the Federation's representatives in Washington, explained to the fervently pro-restrictionist Senator Henry Cabot Lodge (R-MA) that the veto would further drive organized workers out of the Republican Party. The former mineworker made it clear that he "would protest with all the force at my command against any immigration legislation that did not contain the illiteracy test..." Mitchell's bluster was calculated. In this same letter he suggested that the failure of the Immigration bill might

⁴⁷² "Message from the President of the United States," (Feb., 14 1913). 62d Cong 3rd sess., Sen. Doc. 1087; For a summary of Nagel's message, see "Immigration Bill Vetoed," *The Duluth Herald* (February 16, 1913).

allow the AFL to win its other major demand: the establishment of an independent Dept. of Labor....” . The Federation’s more radical solution to the problem of immigration law enforcement was the establishment of an independent Department of Labor that would house the Bureau of Immigration. Doing so, trade union representatives believed, would help insulate the Bureau and the office of the Commissioner General from the interference of employers and their allies. The new department, “with a Secretary who would be a labor man...” would be more willing to act in the interests of labor. Lodge, wary of the Republican party’s loss of labor union voters, concurred and called on Taft to support the bill. On his final day in office and only two days after he vetoed immigration legislation, Taft signed legislation creating an independent Department of Labor.⁴⁷³

The following day, the new President Woodrow Wilson entered office. Although a Democrat, Wilson was personally uncommitted on the labor question but had run on a platform of reform. The President signaled goodwill to organized workers by appointing William B. Wilson as the first Secretary of Labor over the protest of the National Association of Manufacturers. W. B. Wilson had been a former mineworker, an AFL executive, and had supported immigration restriction as a Democratic representative and member of the Congressional labor group. Although suspicious of President Wilson, the AFL believed that the new administration and the President’s appointment of William B. Wilson was promising. As one of his first acts of Secretary of Labor, W.B. Wilson sent an investigator to Europe to unearth the attempts of American employers and labor recruiters to encourage the immigration of

⁴⁷³ John Mitchell to Henry Cabot Lodge (March 1, 1913). Box 67. John Mitchell Correspondence. John Mitchell Papers. Catholic University of America; Joseph P. Goldberg and William T. Moye, “The AFL and a National BLS: Labor’s Role Crystallized,” *Monthly Labor Review* (March 1982): 21-29.

“cheap” labor. He published a report claiming that “... thousands of aliens at village markets and fairs are secretly advised to come to America by steamship agents...”⁴⁷⁴

Emboldened by the new administration, the AFL and IRL determined that it was time to push for the legislation that Taft had vetoed. Both organizations conducted their own independent campaigns but remained in contact.⁴⁷⁵ Edward Ross, on behalf of the IRL, wrote an article in *Century Magazine* on the “Economic Consequences of Immigration,” arguing that the President’s campaign promise to enact a more activist, regulatory federal government, necessitated restriction. John Commons too requested that the IRL use his name in their lobbying of the President. R.M. Bradley of the IRL wrote to Woodrow Wilson: “...no amount of wisdom in the regulation of industry and commerce would compensate for perpetuating...a condition whereby the resistless working of economic law tends to make existence yearly more difficult for the great mass of your fellow citizens.”⁴⁷⁶ In his extensive testimony on immigration restriction before the House Committee on Immigration, Frank Morrison framed the issue of immigration as a direct consequence of undemocratic and unamerican employers’ corruption. The rise of working-class radicalism, he argued, was “the direct result of the un-American position taken by the great employers of this country.” Employers simply wanted “more people that are more uneducated, because they are more helpless and easily controlled.” Morrison made sure to link the issue of European immigration to that of Asian immigration. There were good, native-born

⁴⁷⁴ Roger W. Babson, *W.B. Wilson and the Department of Labor*, (New York: Brentano’s: 1919): 20.

⁴⁷⁵ Joseph Lee of the IRL requested the AFL and the United Textile Workers of America to pressure Senators. The IRL requested that John Mitchell join a National Committee for Regulating Immigration, but Mitchell declined and stated that he wished to keep his restrictive activities confined to the AFL. He did promise to join the League in meeting with the President. John Mitchell to Prescott Hall (March 19 1913); E.O. Morris to Prescott Hall (February 26th 1914) IRL Records, Box 8; John Commons to Prescott F Hall (October 6 1914) Box 3. IRL Records.

⁴⁷⁶ IRL to President Woodrow Wilson (April 16 1914) Box 11. IRL Records; Jeremiah Jenks to the President (Feb. 18th 1913) Box 11. IRL Records. H.M. Walker to President Woodrow Wilson (June 22 1914) Box 11. IRL Records. John Golden to Joseph Lee (February 17th 1914) Box 10. IRL Records; R.M. Bradley to Woodrow Wilson (January 15 1915) and E.A. Ross to Prescott Hall (July 25 1913) Box 9. IRL Records.

workers, he claimed, who were “out of employment all along the line; but the Hindu, the Japanese, the Chinaman, the Galatian, and Polack, the Slav were all working.”⁴⁷⁷

In the meantime, both the IRL and AFL found an advocate in Congress fervently committed to the cause: John L. Burnett, a Democratic Representative from Georgia who pushed the bill easily through the House. After a long debate in the Senate, the bill made it to the President’s desk in January of 1915. However, like his predecessor, Woodrow Wilson vetoed the act. His veto message acknowledged that “there would be serious discontent and lowering of standards of living,” in sections of the country where immigrants congregated, but he also publicly declared the literacy test to be unnecessary.⁴⁷⁸ To add insult to injury, William B. Wilson also publicly turned against the literacy test. He was followed by several pro-labor Congressmen who had previously supported the bill but were unwilling to overturn the Democratic President’s veto.⁴⁷⁹

The AFL’s situation was not promising. There simply was not enough Congressional support to overturn a Presidential veto. In addition, provisions to exclude all “Asiatic” immigrants had been persistently defeated. The Federation had hitched itself to the Democratic Party, yet despite this party’s pro-reform stance, the new Presidential administration was hostile to the idea that immigration restriction should be part of this agenda. However, only months before Wilson’s veto, war had broken out in Europe. Over the course of the next several years, the war altered the dynamics of U.S. class conflict and labor politics and opened a space for the AFL and its partners to finally achieve their desired legislation.

⁴⁷⁷ Statement of Frank Morrison in Hearings Before the Committee on Immigration and Naturalization on H.R. 6060; 63rd Cong., 2nd Sess., House of Representatives, (Friday, December 12, 1913): 267.

⁴⁷⁸ See Woodrow Wilson’s address to the Foreign Press Association. Box 11. IRL Records.

⁴⁷⁹ Samuel Gompers to Editor of Mountain West (March, 17, 2015). Reel 178. Samuel Gompers Letterbooks.

II

Between 1914 and 1918, war in Europe helped shift the balance of economic power in the United States towards labor, both organized and unorganized. The demand for American agricultural and industrial commodities lead to growing demand for labor nation-wide. In addition, immigration from Europe declined from 1.4 million in 1914 to 300,000 in 1916 and helped tighten the domestic labor market. Between 1914 and 1918, rising real wages engendered rising expectations among skilled and unskilled, native and foreign-born workers throughout the United States. The number of strikes between 1915 and 1916 reached 3,789, the most ever recorded in U.S. history.⁴⁸⁰

While much of this wartime militancy occurred outside of the mainstream trade union movement, the nation-wide demand for labor coupled with an assertive industrial working class enabled the AFL to expand its influence within the Democratic Party and the federal government. The Wilson administration eventually came to embrace the mainstream labor movement and “respectable” labor leaders as a crucial tool to discipline labor militancy and to help rationalize the nation’s labor supply. During the war years, pro-labor politicians, union leaders and labor reformers used the Democratic party as a vessel to design and implement pro-labor policies and legislation. The AFL became more assertive, making the argument that the contribution of citizen workers to the nation’s industrial productivity and their cooperation with the federal government entitled them to state action on their behalf. “The European War,” Gompers explained in one pamphlet, “has demonstrated the dependence of the governments upon the cooperation of the masses. Since the masses perform indispensable service, it follows

⁴⁸⁰ Dubofsky, *The State and Labor in Modern America*, 62; Montgomery, *The Fall of the House of Labor*, 320-21, and Montgomery’s *Workers’ Control in America*, 95-98.

that they should have a voice in determining the conditions upon which they give service.”⁴⁸¹

The AFL’s Executive Council gained unprecedented access to President Wilson’s cabinet.

During the war years, the Department of Labor, for the most part, protected the right of workers to strike and played a more direct role in compelling employers to bargain. This same Congress was also receptive to several of the AFL’s core legislative demands. In 1914, Congress passed the Clayton Anti-Trust Act which, at least theoretically, helped legitimize and legalize collective actions like strikes and boycotts. In 1916, Congress also passed the Adamson Act, establishing an eight-hour workday for interstate railroad workers.⁴⁸²

Between 1915 and 1917, many trade unionists and labor reformers drew the conclusion that the restriction of immigration had been essential for the wartime growth of real wages within all sectors of industry, the overall expansion of labor unions, and the enhanced political influence of organized labor. From the perspective of restrictionists in the AFL, by effectively cutting off immigration from Europe, the war created the *national* labor market which had not only shifted power from capital towards labor, but also forced capitalists to adapt to conditions in which labor was scarcer. An essay in the *American Federationist* entitled “We can Win the War without Coolies” laid out this argument. The author explained that capitalists “have always expected workers to conform to the needs and interests of employers.” The predictable and constant influx of cheap foreign labor meant that “Labor had been considered as an unimportant part of production, to be either hired or fired in the process of production.” In the past, if workers organized, “The only remedy to them was to open up the flood-gates of America.” However, American capitalists after 1914 “could no longer simply turn on the valve of ‘cheap foreign

⁴⁸¹ Samuel Gompers, “American Labor’s Position in Peace or in War,” (Mar. 1917) in *The Samuel Gompers Papers*, Vol. 10.

⁴⁸² Dubofsky, *The State and Labor*, 61-75.

labor.” Employers were now forced to adjust “the economies of their organization to the new situation” in which U.S. workers had become “valuable and less readily available.”⁴⁸³

In 1915, the AFL’s Executive Council re-committed to passing the immigration law that Taft and Wilson had vetoed—in cooperation with the IRL, and the restrictionist firebrand Democratic Representative from Alabama, John Burnett. If the war had brought about an effective restriction, a new statute was to render this situation permanent.⁴⁸⁴ The Federation’s specific goal for the 64th Congress was to ensure a veto-proof majority for its legislation. The AFL used its new-found leverage to discipline Democrats who had voted for restriction in 1914, but were reluctant to override the President’s Veto. Simon Patten of the IRL noted in a letter to Prescott Hall that “[Frank] Morrison is in the fight to win. The A.F.L will make it the one piece of legislation asked for from the next Congress.”⁴⁸⁵ The Federation launched its own propaganda campaign that winter, printing and distributing an addition of its *Weekly Newsletter* from January of 1915 to Congress and rank and file workers alike. This edition functioned as an exposé: “The trusts furnish money to the National Liberal Immigration League,” it explained. The NLIL is in “league with the National Association of Manufacturers.” Employers, it was alleged, contributed \$1,584.30 to distribute pro-immigration literature and steamship companies had been crucial in the appointment of Charles Nagel as the Secretary of Commerce and Labor. The Executive Council also worked with the officers of several major unions to coordinate campaign activity, distribute literature, and pressure Democratic Congressman who had pledged their support of the AFL’s political platform. The AFL as well as the IRL were also joined by the National Farmers

⁴⁸³ “We Will Win Without Coolies,” *American Federationist*, 25 (January, 1918): 58-60.

⁴⁸⁴ Convention in Philadelphia directs the Executive Council and Legislative Committee to continue the effort to secure the enactment of the immigration bill, and recommend Asiatic Exclusion. AFL Executive Minutes (January 11-15, 1915). Records of the AFL Executive Council. University of Maryland, College Park; Prescott Hall, “The Recent History of Immigration and Immigration Restriction,” *Journal of Political Economy* 23 (1913).

⁴⁸⁵ JH Patten to Lee Feb 6 1915; Unknown AFL Rep to Lee November 11, 1915. Both in Box 6, IRL Records.

Union in a meeting with President Wilson. James Patten, the president of the Union, accused cheap-labor employers of “‘Russianizing’ American labor.” He declared farmers “did not want the kind of labor that the bill would restrict.”⁴⁸⁶

Wilson vetoed what had become referred to by 1916 as the “Burnett Bill.” The House vote to overturn the President’s veto was close but insufficient: 261 in favor and 136 against.⁴⁸⁷

AFL officers responded by becoming more assertive in their campaign. The closing off of immigration and the growth of wages would lead foreign-born workers in the U.S. to adapt to “American standards” of consumption and trade unionism, the argument went. However, Un-American employers were actively fighting against this process. Gompers explained to one federal labor official the irony that employers were now complaining about the radicalism and disloyalty of their foreign-born workers yet were also working to keep them from “Americanizing.” “It is a matter of common knowledge and Congressional Record that in the steel industries...” he wrote, “the groups of foreign workers are kept isolated so that there could be the least possible communication and intercourse. No effort was made to Americanize them; on the contrary, the companies did everything within their power to prevent” this Americanization. Consequently, Gompers gloated, “These steel operators now find themselves with workers out of harmony with American customs and institutions.”⁴⁸⁸

The AFL’s Frank Morrison laid out case in full before House Committee on Immigration hearings in 1916. Like “Prussian junkers,” American employers desired a class of illiterate, exploitable workers. “The immigrants are exploited,” Morrison claimed, and that is why the American Federation of Labor desires a restriction of immigration as to prevent exploitation.”

⁴⁸⁶ “Literacy Test Favored by Trade Unionists.” *American Federationist Weekly Newsletter*, (Saturday January 30, 1915).

⁴⁸⁷ Higham, *Strangers in the Land*, 202-203.

⁴⁸⁸ Samuel Gompers to Daniel Williard (April, 25 1917). Reel 233. Samuel Gompers’ Letterbooks.

“Let us give our country the opportunity,” he insisted, “to digest and assimilate the millions of illiterates now within its confines.” For Morrison, employers had all the labor they could use, but they would never be satisfied: “The great industrial companies of this country have more men today than they can employ, but they want two men for every job.” Morrison specifically attacked Charles Eliot, the President of Harvard and spokesman for the National Liberal Immigration League. His “defense of everything favorable to big business disqualifies him as an unbiased student of things economic.” Morrison made sure to link the problem of European immigration to Asian immigration: “While war munitions are yet necessary for the life of a nation, the man behind the gun must be the first consideration. American manhood cannot survive against competition with the living standards of eastern Europe and Asia.”⁴⁸⁹ In his testimony, Louis Hammerling, the president of the American Association of Foreign Language Newspapers accused Morrison and the AFL of being responsible for a strike of steelworkers in Youngstown, Ohio. John Burnett (D-AL), the chair of the House Committee on Immigration came to the defense of the AFL. It was foreign workers, he argued, who were responsible for the strike. Burnett pointed out the hypocrisy of industrialists who were protected by the national tariff system, but who yet desired the cheapest labor possible: “We find that the most highly protected industries, particularly the industries that are now controlled by trusts, such as the steel trust, the rubber trust, sugar trust, packing houses, and textile industry, pay to their employees the lowest wage in the country...”⁴⁹⁰

⁴⁸⁹ Statement of Frank Morrison, *Restriction of Immigration*, Hearings before the Committee on Immigration and Naturalization, House of Representatives, 64th Cong., 1st Sess., on H.R. 558 (January 21, 1916): 12-13; on Charles Eliot’s position on immigration, see “Need Immigrants Badley, Says Eliot,” *New York Times* (February 26th 1914).

⁴⁹⁰ Statement of John L. Burnett, *Restriction of Immigration*, Hearings before the Committee on Immigration and Naturalization 64th Cong., 1st Sess., (January 20 and 21, 1916): 18.

The anti-employer position of the AFL and restrictionists like Burnett was bolstered by a general shift in public opinion against powerful industrialists during the war years. Congress, for instance, had already launched an investigation into the NAM and its allegedly corrupt influence over national policy.⁴⁹¹ The United States Commission on Industrial Relations (USCIR) was also profoundly consequential in this regard. Established by President Taft in 1912, the USCIR studied working conditions and industrial relations between 1913 and 1915. Its final report condemned the maldistribution of wealth, called for measures to stop unemployment, and revealed the ways in which capitalists had historically undermined the labor movement. The *Seattle Record*, for instance, called it an “indictment to organized capital.” The USCIR majority Report also confirmed the AFL’s overall position on immigration. Mass immigration, the Report continued, had been responsible for some “difficult and serious industrial problems and has been responsible in a considerable measure for the existing state of industrial unrest.” However, “the great diminution of immigration as a result of the European war has already begun to show its salutary effects.” Without this restriction it would be “impossible to have brought industrial conditions and relations to any proper basis...” It was now possible for the foreign-born worker in the U.S. to “quit his job without starving, because there is another job waiting for him...” Frank Walsh, the radical chair of the Commission, published a minority dissenting from this argument.⁴⁹²

By 1915, the assimilation of foreign-born Americans became a national concern for officials, employers, and other elite and middle-class individuals and institutions. The fear of

⁴⁹¹ “Charges against members of the House and lobby activities of the National Association of Manufacturers of the United States and others,” Hearings Before the Select Committee of the House of Representatives appointed under House Resolution 198, 63rd Cong., 1st Sesss. (July 12, 1913).

⁴⁹² United States Committee on Industrial Relations. *Final Report*. Vol. 44 (1915); George P. West to Frank Walsh (January 22, 1916) Folder 15 Box 34; Letter Addressed to Americanization Committee (December 1915) Folder 53 Box 34. Both letters can be found in Frank Walsh Papers, New York Public Library, New York, NY.

immigrant loyalty to foreign nations, as well as concerns over radicalism (especially after the successful Bolshevik Revolution in Russia in 1917) encouraged state governments, private organizations and employers to formulate strategies to “Americanize” workers, and to theorize the very meaning of “Americanism” and “Americanization.” Frances Kellor, the president of the Committee for Americanization, agreed that there was a crucial economic dimension to “Americanization.” “When there is abundant employment for new immigrants...” she explained in one essay, “they become loyal to their new home.”⁴⁹³ One of the most vocal theorists of so-called “Industrial Americanization” was W. Jett Lauck (the former director of the Dillingham Commission). During the war, Lauck served as Secretary of the National War Labor Board. In one report, he observed that “...The stimulus of war activities, regular employment, higher wages, and improved working conditions,” had dissolved “old barriers and brought [foreign workers] up to, or at least nearer, the American level of living.” The growth of their “earning power” meant that these workers now felt that they had “A permanent interest in the industries in which they worked and in the communities in which they lived was aroused by pronounced efforts towards their industrial assimilation and general Americanization.”⁴⁹⁴

The progressive magazine, *The Nation*, explained that “Experience has shown...the progress of Americanization is most rapid when the flow of immigration is even and moderate.” However, “When the flow is excessive it is inevitable that great alien masses, impenetrable to American influences, should form in our industrial centers.” The “scarcity of labor” brought about by the war “was our greatest blessing.” In effect, immigration restriction had expanded the

⁴⁹³ Frances Kellor, *Industrial Americanization: a Discussion of the Conditions of the Labor market Now and After the War* (New York: 1916); On Americanization more broadly, see James Barret, “Americanization from the Bottom Up: Immigration and the Remaking of the Working Class in the United States, 1880-1930,” *The Journal of American History* 79:3 (December, 1992): 996-1020.

⁴⁹⁴ W. Jett Lauck, *Conditions of Labor in American Industries: A Summarization of the Results of Recent Investigations*, (New York and London, 1917).

political and economic value of the American worker to the nation. Restriction had given “us an unequalled per capita product; it enabled us to use not brute force merely, but intelligence and the products of intelligence; it gave the laboring man a position in society, a high standard of living, a self-respect in the present, and a hope in the future.” The regulation of immigration was simply the extension of the modern regulatory state that would rationalize the nation’s labor market in the interests of capital and labor: “The responsibility of the state for the welfare of its individual members is progressively increasing,” the author claimed.” Immigration policy would be part of a broader “national labor policy,” in which the flow of foreign labor would be regulated, “with respect to conditions of employment...”⁴⁹⁵ This line of reasoning gained traction within Congress, particularly in the House of Representatives. The House Committee on Immigration’s final report warned that, without this act, “...the worst will flock to our land and beat down the price of labor, and erect the lowest standard of living which decent men can conceive...” “Is it right that American laborers and their families should be forced to live amid such revolting environments?” The Report stoked fears of radicalism by referencing a strike in Youngstown Ohio, “as an illustration of the conditions brought about by this kind of labor.”⁴⁹⁶

⁴⁹⁵ “The Control of Immigration,” *New Republic* (April 8th, 1916).

⁴⁹⁶ The Report concluded with a letter that Samuel Gompers had written in support of the legislation: “if ever the citizenship of the United States has given indorsement to any measure of legislation, it certainly has done so to the principles embodied in this bill.” *Immigration of Aliens into the United States.* 64th Cong., 1st sess., Report 95. U.S. Congress. House of Representatives. Committee on Immigration. (GPO: Washington, 1916): 5.



Figure 13: Samuel Gompers pictured with President Woodrow Wilson and Secretary of Labor William Bauchop Wilson at a Labor Day rally. Washington D.C., July 1916. Library of Congress.

As the House was considering the Burnett Bill, the California newspaper mogul and exclusionist advocate V.S. McClatchy, along with lawmakers from the Pacific Coast, worked to insert an “Asiatic” exclusion provision in the Burnett Bill. The AFL made it known to the House that organized labor was in favor. The House voted favorably on a provision that would bar “Hindus and persons who cannot become eligible, under existing law, to become citizens of the United States by naturalization.” When the bill moved to the Senate, however, senators struck out this provision and instead included a clause prohibiting any immigration from an” Asiatic

Barred Zone,” defined by a certain line and latitude.⁴⁹⁷ Wilson again vetoed the legislation. The AFL’s lobby in Washington D.C. went into action. The lobby focused on pressuring Democrats and some Republicans in the House and the Senate who had benefited from the electoral support of organized labor. The United Mineworkers as well state labor federations in Illinois and New Jersey flooded Congress and the Oval Office with petitions.⁴⁹⁸

On the floor of the Senate, John Burnett (D-AL) chastised those union “card holders,” in his own party, “who had gone to organized labor, asked for help in the last campaign only to betray the workingmen on this occasion.”⁴⁹⁹ The IRL’s representative in Washington, JH Patten, informed Prescott Hall that he and Frank Morrison had become “fixtures of the House Office Building.” Burnett and the IRL were able to wrangle Southern Democrats, while the AFL focused on pro-labor Democrats. This time, pro-labor lawmakers voted almost unanimously with the AFL, with one exception. The AFL’s *Weekly Newsletter* identified the Socialist Congressman of New York, Meyer London. The writer chose to ignore Meyer’s principled defense of immigration, and, instead, informed readers that Meyer’s opposition to the bill was “In a tone that sounded like a spokesman for the National Association of Manufacturers...” To boast about the influence of trade unions during this round of Congressional debate, the AFL referenced a Representative whom the Federation had attempted to persuade, James Robert Mann’s (R-Ill) reversal. Mann, who had originally voted against the Burnett Bill, laid out his reasoning for why now sided with restriction: “...unless those countries [countries at war] by their own legislation

⁴⁹⁷ Hutchinson, *American Immigration Policy*: 166. Seema Sohi, “Barred Zones, Rising Tides, and Radical Struggles: The Antiradical and Anti-Asian Dimensions of the 1917 Immigration Act.” *The Journal of American History* (September 2022): 298-309.

⁴⁹⁸ Newspaper clippings reporting on this petition can be found in Box 15, IRL Records.

⁴⁹⁹ Box 5, IRL Records.

can prevent their citizens coming here, we are liable to have a flood of immigration...after the war.”⁵⁰⁰

Congress overrode the veto and passed the Burnett Bill on February 5th of 1917.⁵⁰¹ The Immigration Act of 1917 consolidated numerous existing immigration statutes barring “undesirable immigrants,” and added several categories to the list. The Act also increased the head tax, which would, it had been argued by trade unionists, prevent the immigration of more destitute (and therefore exploitable) workers. Its most significant feature, at least, for immigration from Europe, was the literacy test. The specific test the statute put in place would admit those immigrants who had the ability to read 30-40 words in their own language from an “ordinary” text. In addition, the bill also created the Asiatic Barred Zone, which prohibited immigration from most of Asia and the Pacific Islands.⁵⁰²

Delegates celebrated the new statute at the AFL’s national convention in 1917. The Committee on Immigration explained to the general delegation that the Act would be sufficient to deal with the peacetime return to normal immigration levels: “It is confidently believed that when normal times shall again return,” the provisions of the Immigration Act of 1917, “will justify our efforts in securing its passage.” An article in the *American Federationist* by Sam Gompers explained that this victory “illustrates the distinctive political power which organized labor has developed since 1906.” Since then, organized workers had “used their political

⁵⁰⁰ “Votes on Restriction in House Analyzed,” *American Weekly Newsletter*, (1915).

⁵⁰¹ Higham, *Strangers in the Land*, 203; Cong. Rec., 64 Cong., 2 Sess., 316, 2443, 2456; Literary Digest, LIV (1917).

⁵⁰² On the Asiatic Barred Zone, see Amy J Wan, *Producing Good Citizens: Literacy Training in Anxious Times*, (University of Pittsburgh Press, 2014): 45; The Act also reaffirmed the ban on contract labor but made a provision allowing workers to obtain a permit to temporarily work in the United States. This provision went unmentioned by the AFL but would become seen as a major problem for trade union leaders as American employers—particularly those in the Southwest—began to increasingly turn to Mexican labor. Russell, John (2007). "Alien Contract Labor Law". In Arnesen, Eric (ed.). *Encyclopedia of U.S. Labor and Working-class History*. Taylor & Francis; Sohi, Seema (2013).

strength—a byproduct of their economic power—to defeat Labor’s antagonists...” They had done so “Without forming a political party, without forming any new organizations, without additional expenditures of trade union funds...” Gompers, however, hedged his faith in the new law. If the War as well as the Immigration Act of 1917 helped solidify a national labor market, he anticipated the integrity of this labor market was contingent on the balance of power between organized workers and employers. He pointed out that federal laws that acted in the interest of workers would only be effective if these laws were effectively enforced and insulated from the machinations of employers. He warned *Federationist* readers that employers would do their best in the coming years to obviate the law and/or that new conditions might emerge within the domestic or international arena that might necessitate further action of the AFL to shape policy: “We do not assert that the provisions of the immigration law will accomplish all that its friends desire. Time and experience may demonstrate that necessity for amendments to rectify those features which may have been overlooked and with conning and designing may invent to circumvent its provisions...”⁵⁰³

III

The United States entered the war on April 6th, 1917, only three months after the passage of the Burnett Bill. Throughout 1918, the federal government played an even more interventionist and pro-labor role in industrial relations to maintain labor discipline and ensure that labor was efficiently allocated to war production. The AFL participated in this regime, moderating labor militancy by enforcing no-strike pledges, purging radicals from its ranks, and supporting the Wilson presidency’s war aims. Labor leaders were rewarded with positions within

⁵⁰³ Samuel Gompers, “Immigration Legislation Effectuated,” in *American Federationist*, 24:3 (March, 1917): 189-195.

the wartime federal government. Samuel Gompers was appointed to the Advisory Council on Labor-- of the newly created Council on National Defense (CND)--where he helped set up the War Committee on Labor. Organized labor worked to ensure, with some success, that the federal government would avoid either “compulsory legislation” or the “inundation of industries by unskilled and cheap labor.” The Department of Labor adopted stipulations that were relatively pro-labor in this regard. For instance, workers were not to be sent to a plant that was striking. In return, the federal government intervened in capital-labor relations: management would not discriminate against union members, employers would bargain with union reps, and whenever possible, wages would be calculated according to prevailing union rates. The *New Republic* observed that the United States had “already passed to a new era, the transition to a state in which labor will be the predominating element... The character of the future democracy is largely at the mercy of the recognized leaders of organized labor.”⁵⁰⁴

The confidence of AFL leaders in the Immigration Act of 1917, however, began to falter when U.S. employers, squeezed by even tighter domestic labor markets, sought out loopholes in the federal immigration system. Congress received memorials and resolutions from California calling on Congress to investigate ways that Chinese labor could be imported. In December of 1917, Senator Gallinger of New Hampshire put forward a resolution investigating whether new legislation could be passed to “permit the importation of Chinese farmers into the United State.” AFL lobbyists were even forced to protest legislation introduced by Daniel Riordan (D-NY) that would eliminate the Literacy test.⁵⁰⁵ While these attempts were successfully blocked, the AFL

⁵⁰⁴ For a general focus on federal intervention into domestic political economy, Kennedy, *Over Here*, ch. 2; Dubofsky, *The State and Labor in Modern America*, 63-65. The *New Republic* quote can be found on page 76 of Dubofsky.

⁵⁰⁵ Hutchinson, *Legislative History*, 262. Between 1914 and 1920, the NCF Committee on Immigration submitted a questionnaire to U.S. employers from various sectors of industry. The correspondence collected on Reel 182 reveals a general concern that the war and immigration restriction created a untenably tight labor market. Reel 182. National Civic Federation Records, NYPL.

was less successful with immigration from Mexico. Growers in the agricultural West lobbied the Department of Labor for access to Mexican agricultural labor. Harris Weinstock, the State Market Director of California, declared that “A great cry over the scarcity of labor comes from the farmer, more especially for the West...” Weinstock claimed that “our American-born workers look with more or less disdain upon the handling of the pick and the shovel.”⁵⁰⁶ In 1918, Southwestern farmers successfully petitioned the Department of Labor to secure an exemption from prohibitions against contract labor, large head taxes as well as literacy test requirements for 75,000 Mexican workers. These provisions were also extended to Canada as well as English-speaking Caribbean Islands over the protests of the AFL. The Federation attempted to leverage its wartime influence by pressuring William B. Wilson and the Department of Labor. The limits of the AFL’s influence became more and more obvious as the war went on. The Secretary continued to support the demands of employers for Mexican labor. The waiver for agricultural workers was soon extended to mining and railroad industries—which met protest from the independent Railroad Brotherhoods as well as the United Mineworkers (UMW).⁵⁰⁷

These limited attempts to secure Mexican labor affirmed the conspiratorial belief of trade unionists that capitalists would, if given the opportunity, flood the country with “cheap labor,” to break down the high “standard of living,” that organized labor had achieved during the war. It also affirmed the conception, held by AFL leaders, that this flood would come if organized labor did not act to keep the nation’s gate closed. As the war entered its final months, the concern of trade unionists shifted from Mexican labor to what they perceived as a more urgent immigration problem on the horizon: the return of mass immigration from Europe once the conflict ended.

⁵⁰⁶ *New York Times*, (October 10th 1919).

⁵⁰⁷ A summary of the Department of Labor’s administrative exception for Mexican laborers, see “Labor Laws and Regulations,” *Monthly Labor Review* 7:5 (November 1918) 266-27. “Immigration and American Labor.” *The Annales of the American Academy of Political and Social Sciences* 69 (January 1917): 66-71.

One trade union writer claimed that immigrants who were “fit to survive” would be “seduced” to stay by European states who had lost. European states would offer any “inducements or assistance they may to the migration of the unfit to the United States...” If the wartime restriction of immigration had helped tip the scales between labor and capital and enabled the AFL to raise the “American standard of living,” then the return of mass immigration would achieve the opposite. A new wave of immigration, it was argued in the labor press, conventions, and conferences, would only exacerbate the mass unemployment that would surely follow post-war demobilization. Ironically, while trade unionists spent over two decades advocating for a literacy test, discussions of immigration within trade union circles and labor periodicals assumed that the Immigration Act of 1917 was simply insufficient to the problem at hand.⁵⁰⁸

In 1919, the AFL’s Executive Council, Immigration Committee, Committee on post-war Reconstruction, and the *American Federationist* laid out a larger set of policies that some trade union officials referred to as “rigid exclusion.” First and foremost, Asian exclusion was non-negotiable. The Asiatic-Barred zone and the Chinese exclusion system were to be defended against the attempts of employers to find “loopholes” within the Asian gate, and any future immigration legislation should make exclusion as totalizing and permanent as possible. The second element of “rigid exclusion” concerned enforcement. The AFL called for maximum funding for the Department of Labor for border enforcement. In 1919, for instance, trade unionists lobbied for increased funding for the Immigration Bureau to support enforcement and prevent employers from “scheming to flood the country with Mexican and Asian labor.” Third, the AFL advocated for a temporary prohibition of all immigration for five years. Doing so would preserve wartime immigration restriction, prevent worse mass unemployment from

⁵⁰⁸ “After the War Problems.” Reel 419. National Civic Federation Records, NYPL.

demobilization, and enable the labor movement and restrictionists to manufacture a more permanent immigration policy.⁵⁰⁹ This set of policies shared a common goal: to make permanent the wartime restriction of immigration and to strengthen and enforce the legal enclosing of an American labor market and American working class. The designers of the AFL's immigration policies laid out the rationale and function of all future gatekeeping policy at the 1919 national convention. All additional regulation should be based on two principles: first that "the flow of immigration must not at any time exceed the nation's ability to assimilate and Americanize the foreigners coming to our shores," and second "that at no time shall immigration be permitted when there exists an abnormal degree of unemployment." "The American standard of life" must not only be "maintained" but also "improved." Furthermore, "The workers of the nation demand a living wage for all wage earners, skilled or unskilled—a wage which will enable the worker and his family to live in health and comfort, provide a competence for illness and old age..." The federal gate should ensure that those foreign-born workers already in the U.S. were "Americanized": "Americanization of those coming from foreign lands, as well as our standards of education and living, are vitally affected by the volume and character of immigration." For the AFL, this was a project of race and nation building: "It is imperative that America have time and opportunity to develop an American race." The United States simply could not remain, "a dwelling place of many races and many nationalisms." If mass immigration were to return, Americans would not be able to "develop a racial unity and a thoroughly American psychology..."⁵¹⁰

⁵⁰⁹ The New York Times covered the AFL's role in the NCF's Reconstruction Committee meetings that were held after the war, see. "Wants Five-Year Immigration Ban," *New York Times* (Dec., 3 1918).

⁵¹⁰ These policies were laid out extensively at the AFL conventions in 1919 and 1920. AFL Convention Proceedings (1919): 76, 121; 123-23; 182; 190; 365-368; AFL Convention Proceedings (1920): 82-83, 96, 104-105.

The radical and totalizing policy of “rigid exclusion” was an essential part of the AFL’s overall program for post-war “reconstruction.” The AFL’s reconstruction document stated that: “The standards which we have raised and established for the American workers are high and we are not going to give them up to the greed and rapacity of the employing class.” In the short term, this program was intended to help manage the problems that would be created by demobilization of the U.S. Army and by economic re-conversion from military to consumer production. The AFL put forward several policies intended to manage the return of mass unemployment. For instance, its representatives lobbied the Department of Labor to distribute demobilized soldiers and unemployed workers to “new points where they may obtain work” and to “to pay them a weekly wage during their enforced idleness.” In the long term, the Reconstruction Program called for making permanent the pro-labor infrastructure that the federal government had developed during the war, like the National War Labor Board. Trade unionists saw a new immigration policy that could effectively set boundaries for the national labor market as one of the most significant and effective strategies by which “American standards” could be conserved.⁵¹¹

⁵¹¹ “Many Idle, Morrison Says,” *New York Times* (Jan., 17 1919). The AFL’s reconstruction program was reported to the NCF’s Committee for Reconstruction. NCF Committee on Reconstruction. National Civic Federation Records, Reel 373, NYPL.



Figure 14: Samuel Gompers pictured with Frank Morrison in Washington D.C. The two are leaving the AFL's Washington Office to testify before the Senate regarding the 1919 Steel Strike. Library of Congress.

The Fall of 1919 was the highwater mark for organized labor, but this moment of opportunity would be short lived. Trade union membership had soared from 2.4 million in 1917 to 4.1 million in 1919, or 20% of the non-agricultural workforce. Industrial strikes reached 3,000 and involved over four million workers. Between 1918 and 1919, trade unionists made serious inroads into the nation's largest industries like meatpacking and coal mining. In the Fall of 1919, the AFL was focused on a massive strike undertaken in the steel industry. The AFL-affiliated Amalgamated Association of Iron, Steel and Tin Workers and its steering committee lead by John Fitzpatrick and William Z. Foster, were initially successfully in organizing the steel industry's diverse workforce. The AFL's national leadership, however, had little faith in foreign-born workers, refused to sanction a strike, and instead sought help from the Wilson

administration but to no avail. Workers went on strike anyway, shutting down half the steel industry, but by this time employers helped fan the flames of anti-labor and eventually crushed the strike. The failure of the 1919 U.S. Steel Strike emboldened employers' organizations.⁵¹² Major industrialists had also begun to dismantle the wartime federal government--abolishing wartime agencies like the Railway Administration, the War Labor Board, the Fuel Administration, as well as curbing the power of the Department of Labor. Congress also became more hostile to pro-labor legislation. For instance, the AFL and the nation's largest Railroad Unions put forward the Plumb Plan with the intent of keeping railroad management under federal control. Congress not only refused to consider this legislation, but instead passed the Transportation Act of 1920, restoring the railroads to private ownership and even forbidding strikes.⁵¹³

By 1919, organized labor was under attack on multiple fronts and the horizon for a pro-labor Reconstruction program was shrinking rapidly.⁵¹⁴ The AFL was also riven with internal conflict and by challenges to the entrenched leadership of Gompers and its cohort. Conservative trade union leaders responded by purging radicals from the movement's ranks and by distancing the Federation from the type of militant interethnic unionism illustrated by the 1919 Steel Strike.

⁵¹⁵ IRL executives warned each other that the AFL was not in the position that it had been in 1917: "Labor as you know is head over heels in organization [sic] strife. The rank and file have

⁵¹² David Brody, *Labor in Crisis: The Steel Strike of 1919* (Urbana Champagne: University of Illinois Press, 1965); Rosemary Feurer and Chad Pearson, eds., *Against Labor: How U.S. Employers Organized to Defeat Union Activism* (Urbana Champagne: University of Illinois Press, 2017).

⁵¹³ McCartin. *Labor's Great War*, Ch. 6; Dubofsky, *The State and Labor in Modern America*, 76-79.

⁵¹⁴ The shrinking horizon for the AFL's Reconstruction program was illustrated by an industrial conference called by Woodrow Wilson. Wilson selected men like Rockefeller and Elbert Gary to attend the conference on behalf of employers. Labor leaders and pro-labor reformers forward numerous proposals and each one of them, including restriction, was opposed. Dubofsky, *The State and Labor in Modern America*, 80; Robert H. Zieger, *Republicans and Labor, 1919-1929* (Lexington, University of Kentucky Press, 1969).

⁵¹⁵ "Labor Federation Ousting Radicals," *New York Times* (Nov., 18, 1920).

almost gotten away from Gompers and Morrison, who feel they are fighting for their very lives and the life of the organization.”⁵¹⁶

Despite these concerns, AFL leaders assured the IRL and John Burnett in Congress that the organization was committed to its restriction plan.⁵¹⁷ The IRL, and the House and Senate Committees on Immigration (both of which were dominated by restrictionists) had also been dissatisfied with the Immigration Act of 1917 and were looking for a new strategy to restrict immigration. Andrew Burnett embraced the AFL’s idea of temporary restriction as early as 1918, and in the Winter of 1919 Burnett put forward a law in Committee that would prohibit all immigration for four years with no exception for Mexican agricultural workers. Burnett was able to wrangle support for the legislation but chose to wait for the Congress that would convene in March.⁵¹⁸ In the meantime, Southwestern growers, the National Federation of Construction Industries, and employer organizations forcefully opposed the legislation. The president of NAM declared that “such action will hamper the future expansion of industry and agricultural development...” The Inter-Racial Council, a coalition of business executives as well as immigration advocates, convened a National Conference on Immigration and opposed the idea of temporary suspension. At the same time, Elbert Gary who had helped crush the 1919 Steel Strike, went on a nation-wide crusade for immigrant labor.⁵¹⁹ The AFL’s Executive Council successfully petitioned the Department of Labor to establish a labor union bureau in Ellis Island. This request was denied when it provoked a storm of protest. The Michigan Manufacturer’s

⁵¹⁶ Letter to Prescott Hall (October 2, 1919) Box 7, IRL Records.

⁵¹⁷ “Immigration Ban Wins First Test,” *New York Times* (Jan 29); Burnett urged the IRL that organized labor’s cooperation should be sought after. John Burnett to Prescott Hall (December 5 1918) and Burnett to Prescott Hall (December 10 1918.) Both can be found in Box 3. IRL Records.

⁵¹⁸ *Executive Committee to Members of the League*, February 22, 1917; and Publications of the IRL no. 69, May 3, 1918. Lee Papers, Box. 3; Hutchinson, *Legislative History of American Immigration Policy*, 170-171.

⁵¹⁹ *New York Times* (Feb., 1919); Kristofer Allerfeldt, “‘And We Got Here First’: Albert Johnson, National Origins and Self-Interest in the Immigration Debate of the 1920s,” *the Journal of Contemporary History* 45:1 (Jan., 2010): 7-26.

Association, for instance, wrote to the Assistant Secretary of the Department of Labor: “I am sure that you, as an American citizen, do not desire to have class hatred taught to the foreign born the minute they land on shore.”⁵²⁰

For the most part, rising inflation, the onset of unemployment, and the fear of labor radicalism, illustrated by events like the Steel Strike and the General Strike in Seattle, encouraged most major press outlets and public intellectuals to co-sign the dismantling of the wartime government and endorse the repression of organized labor. Prominent outlets like the *New York Times* and the *Chicago Tribune* argued that the interventionist, pro-labor wartime state was a temporary aberration, and that the United States should now return to the normal order of things.⁵²¹ However, federal gatekeeping became one arena in which the opinion of the press and more moderate reformers and federal officials aligned with organized labor and not with employers. In 1919 and 1920, the idea that the wartime restriction of immigration was beneficial for the United States and should be made permanent gained traction beyond the traditional bastions of restrictionism.

IV

The *Saturday Evening Post* claimed that “If the World War can teach us anything it should have taught us the folly of throwing open our sea gates to all the peoples of the Old World.” “The exploiters of cheap labor and the incurable sentimentalists,” the author argued, “stand almost alone in their continued allegiance to the policy.” The temporary suspension of immigration would simply “give Congress leisure in which to accomplish the vast amount of

⁵²⁰ For the AFL’s petition and correspondence from business interests opposing this petition see, U.S. Department of Labor. Bureau of Immigration. I-8. H, NARA, Washington D.C; AFL Executive Council Minutes (1920). Records of the AFL Executive Council. College Park, MD.

⁵²¹ “The Steel Strike,” *New York Times* (September 9, 1919); McCartin, *Labor’s Great War*, 257.

constructive work that must be done.” Advocates of restriction like the sociologist and eugenicist Henry Pratt Fairchild and Prescott Hall attempted to steer public opinion towards this line of reasoning. Fairchild wrote in the *New York Times* that “the war did to immigration what all the restrictionist agitation in the world could not have accomplished—it stopped it altogether.” The return of mass immigration would only exacerbate the problems associated with demobilization and the re-conversion of the U.S. economy to a peace-time basis: “It is painfully obvious that we shall have all that we can do to handle the problems of demobilization of our own army, and readjustment of our industrial situation, without serious injury to our standards of wages and working conditions.” Hall, for his part, published an essay in a prominent academic journal stating that “The first point proved by the war was that the immigration of a million aliens a year is not necessary to sustain the industries of this country.”⁵²²

In his book, *Progressivism and After*, the socialist William English Walling explained that the war had driven the U.S. industrial order into a new stage of capital-intensive accumulation—just as the AFL and other restrictionists had argued. The imperative for U.S. capitalism was not the overall supply of labor, but the assimilation of this labor into a regime of mechanized production. With the supply of cheap labor diminished because of the war and other factors, Walling argued, “the cost of production of labor is being more and more considered, and more and more money is being invested privately and governmentally in efforts to improve the quality...of the labor supply.” What the United States needed was a more efficient, disciplined, and satisfied national working class, and this could be secured, in part, through immigration

⁵²² “No admittance,” in *Saturday Evening Post* (January 8, 1921): 24; “Immigration After the War,” *New York Times*, (May 1919); Henry Pratt Fairchild, “Immigration Standards After the War,” *American Academy of Political and Social Sciences* 81: 1 (January, 1919). Prescott F. Hall, “Immigration and the World War,” *The Annals of the American Academy of Political and Social Science* (Jan 1921) 190-193.

restriction.⁵²³ *The New Republic* also concurred: “Employers think of the wage earner merely as a factor in production. They overlook the fact that he is one of the chief elements of the consuming public.” The demand for U.S. production had collapsed since the war. The last thing the United States could afford was the return of mass immigration that would further inhibit the ability of its workers to consume: “the industrial world having arrived at what might be called a crisis period through the rapid extension of machinery and the consequent overdevelopment of industries...makes the doctrine that the United States offers asylum to the world...renders it a doctrine now largely out of place.”⁵²⁴

By 1920 there was a growing national consensus that federal intervention in the form of a new immigration policy was necessary to prevent the return of mass immigration and to maintain an “American standard of living.” The Republican Party which swept to victory in the 1920 election embodied this call to action in its national platform. While the GOP did not endorse any specific immigration policy, its plank on immigration policy stated that: “The standard of living and the standard of citizenship of a nation are its most precious possessions, and the preservation and the elevation of those standards is the first duty of our government.” Ironically, while the party’s planks called for the continued dismantling of the interventionist federal government and the re-institution of financial and monetary discipline, it held that immigration policy going forward “should be such as to ensure that the number of foreigners in the country at any one time shall not exceed that which can be assimilated with reasonable rapidity, and to favor immigrants whose standards are similar to ours.”⁵²⁵

⁵²³ William English Walling, *Progressivism and After* (New York: 1914): 47.

⁵²⁴ “Immigration and Labor Shortage” *The New Republic* (August, 1 1923).

⁵²⁵ Republican National Committee, *Official Report of the Proceedings of the Seventeenth Republican National Convention*, Chicago, June 8-12, 1920 (New York, 1921): 32.

For the most part, progressive intellectuals and reformers who believed that a new policy was needed also feared that the immigration debate and policymaking would revert to a class conflict, pitting organized workers who desired maximum restriction against employers who desired open immigration. The economist Arthur Todd pointed out in one article that the total prohibition of immigration was simply irrational, as would be the return to open immigration. What was needed was a federal immigration policy that would balance both the nation's need for labor as well as the vital role of citizen workers as consumers. He accused "The recent hysterical demands for easing up the immigration law," of being both dangerous and irrational. "Temporary scarcity there may be, due to dislocation like the present war, or refusal to recognize the principle of adequate wage," however, "there is nowhere in America a chronic state of real labor shortage." For Todd, immigration policy should function to meet what he called the "true demand for labor." Using new data and techniques of investigation into the cost of living, workplace conditions, and industrial production and consumption, federal policy could regulate immigration in a such a way that would ensure low unemployment, disincentivize class conflict, and maximize worker efficiency. In doing so, the nation's industrial workers would be rewarded for participating in American capitalism, and foreign-born workers would begin to feel materially and psychologically invested in American industrial and political institutions.⁵²⁶

Social scientist and reformer Frances Kellor became one of the most vocal and widely respected advocates of this argument after the War. Her 1920 *Immigration and the Future* attempted to outline what future immigration policy should look like. Kellor claimed that those arguing for a return to open immigration did not recognize that "...the day of the unregulated flow of immigration is passing..." In the wake of the war, nation-states had come to see their

⁵²⁶ Arthur J. Todd. "Control of Immigration Based Upon the True Demand for Labor," *Publications of the American Sociological Society* 12 (1917).

own working classes not as pools of labor that simply needed to be increased, but as national resources whose identity, standard of living, and reproduction needed to be controlled and managed more rationally and scientifically by the state.⁵²⁷ “America looks squarely in the direction of the assimilation of races...” but the United States had come out of the war with a labor market and working class fractured along ethnic, racial, and national lines. The foreign worker in the United States, she explained, “has traditions, customs, habits of thought, and centuries of inheritance which the employer is generally indifferent.” “Lenin,” for instance, “has demonstrated that he has found a way by which internationalism can go further, because his propaganda has already followed working men into production---whether they are workers in the most remote lumber camp or in the most perfectly organized factory.” What was needed, according to Kellor, was a permanent, scientific immigration federal policy that would control immigration in such a way as to balance the demand of labor for certain regions and branches of industry in the United States while also maintaining conditions of stable employment and economic security necessary for foreign workers to feel invested in American capitalism.⁵²⁸

A new organization, The National Committee for Constructive Immigration Legislation (NCCIL) became the center of gravity for those policymakers, public intellectuals, and social scientists who believed that the United States needed “scientific” immigration policy—one that would be shaped not by workers and professional xenophobes, but by disinterested social scientists. The NCILL was founded in 1919 by William H. Husband and Sidney L Gulick, a theology professor and former missionary to Japan.⁵²⁹ One of its earliest pamphlets laid out the problem at hand: “capital is calling for a return to open immigration,” and “... organized labor is

⁵²⁷ “The Control of Immigration,” *New Republic* (April, 8 1916).

⁵²⁸ Frances Kellor, *Immigration and the Future*, New York (1920): 21, 166.

⁵²⁹ On the founding of the NCILL, see Son-Thierry Ly and Patrick Weil, “The Antiracist Origin of the Quota System,” in *Social Research* 77:1 (Spring, 2010): 45-78.

demanding complete stoppage of immigration.” “Now that the war has been won,” the pamphlet continued, “the closely interrelated problems of unemployment, of consequent labor unrest and of immigration are becoming acute.” “If Bolshevist doctrines are not to find wide acceptance in America....we must find prompt and effective solutions to this problem,” another of its documents read. “Irregular employment and overwork can lead to revolutionary tendencies, exhaustion and insecurity,” but a new gatekeeping system could alleviate this problem. What was needed was a policy that would admit only so many immigrants “as we can hope to Americanize...” This policy would “protect American labor from dangers of unregulated immigration, help maintain American economic, social and hygienic labor standards and tend thus to remove the present widespread industrial and social discontent.” It must also work to “stabilize business by preventing extreme fluctuations of available labor which result in over-production and then in stagnation of business with unemployment of labor....”⁵³⁰

By 1919, the NCILL’s membership list included the likes of Jeremiah Jencks, Henry Pratt Fairchild, and William Howard Taft. The NCCIL rejected the idea of temporary prohibition of immigration and believed that the literacy test was simply too crude and discriminatory. Instead, the Committee latched onto the idea of a Quota system. The logic was simple: immigration from every nation would be restricted and each nation would be allotted a certain number of immigrants. The idea that immigration would be regulated by a quota was originally suggested by the Dillingham Commission in 1912 and by 1920, Republican Senator William Dillingham had become its advocate in the Senate. The specific quota that the NCILL and Dillingham proposed would not discriminate based on race, ethnicity, or nation. Congress would adopt a single quota for all nations. It would be, “applicable equally to all people and therefore

⁵³⁰ Sydney Gulick, “A Comprehensive Immigration Policy and Program” (New York, 1916).

free from invidious discrimination in principle...” This system entailed the abolition of the Chinese Gate as well as the Asiatic Barred Zone. In addition, the NCILL’s spokesman proposed that the goal of the Quota was not simply to restrict immigration. Rather, the exact quota could be adjusted to meet the demand for labor (or lack thereof) of U.S. industry and agriculture.⁵³¹

Throughout 1919, the NCILL put forward its plan in public meetings, through pamphlets, as well as the direct lobbying of lawmakers. The NCILL had created a network of experts and lawmakers apart from the traditional organizations of restriction. It had also forged an immigration policy that fundamentally challenged the maximalist and discriminatory vision of a federal gate which, by 1920, was shared by these organizations. Although the AFL’s influence in Washington was in rapid decline, Frank Morrison informed Sydney Gulick that organized labor would not accept any immigration bill that entailed leniency for “Oriental Immigration.” California’s Asiatic Exclusion League (AEL) went even further, accusing the NCILL’s secretary of being an “agent of Japan.”⁵³² The AFL also let it be known that it would oppose the implementation of a quota system if this system did not discriminate against Southern and Eastern Europeans. For the AFL, the “American working class,” and the “American labor market” were racial entities. The goal of immigration policy, as the AFL had spelled it out by 1920, was not simply to restrict the volume of immigration, but to ensure that those workers who did enter were racially, economically, and politically worthy of becoming “American workers.” Certain populations, in particular “Asians” and Southern and Eastern Europeans were more threatening to the “American standard of living,” and were therefore less desirable for the United

⁵³¹ “Report of Progress No. 4 to the members National Committee for Constructive Immigration Legislation,” (October 15 1919).

⁵³² Box 1. IRL Records; *Proceedings of the Asiatic Exclusion League* (San Francisco, Jan-Feb 1913); for a contemporary account of the development of the Asiatic Exclusion League, see Raymon Leslie Buell, “The Development of the Anti-Japanese Agitation in the United States,” *Political Science Quarterly* 37:4 (1922): 605-38; Kornel Chang, *American Crossroads, Pacific Connections: The making of the U.S.-Canadian Borderlands*, (Berkeley: The University of California Press, 2012): 106.

States. A system that did not discriminate against the cheaper races of the world would not effectively protect the American standards and American workers.⁵³³

The IRL took note of the AFL's position and began to maneuver against the NCILL in Washington D.C. John Commons advised Prescott Hall that equal treatment for "Orientals" was at the heart of the NCILL bill and that, therefore, "...the American Federation of Labor would be strongly against it..." The IRL wrote confidentially to Edward Ross that "Oriental naturalization and freer immigration is the essence of" the NCILL quota plan. Hall was informed that the IRL would help "kill it [NCILL Quota legislation] if necessary."⁵³⁴

IV

The debate began in the Winter of 1920. The falling demand for U.S. commodities, the demobilization of the U.S. army, and the deflationary monetary and fiscal policies of the Republican Party unleashed sharp economic recession between 1920 and 1921. It was not the return of mass immigration that engendered this recession. The number of immigrants from Europe only increased from 27,000 to 550,000 in 1920.⁵³⁵ Yet, this did not stop restrictionists from concluding that the end of wartime restriction was a major cause. After the death of John Burnett in 1919, the AFL and the IRL found a new committed advocate in representative Albert Johnson (R-Wash.). Johnson replaced Burnett as the Chair of the House Committee on

⁵³³ AFL Executive Council Minutes, (March 4-7, 1919) and (February 17 1920). Records of the AFL Executive Council. College Park, MD.

⁵³⁴ Commons to Prescott Hall (April 25th 1919); Prescott Hall to Edward Ross (April 22 1918) Box 9. IRL Records. Unknown Representative to Prescott Hall (November 16 1918) and (April 23, 1919). For a statement of the IRL's position in immigration at this moment, see "Immigration Restriction and Americanization," *Publications of the Immigration Restriction League* no. 74, March 1920.

⁵³⁵ Stan Vittoz, "World War I and the Political Accommodation of Transitional Market Forces: The Case of Immigration Restriction," *Politics and Society* 8:1 (March 1978): 49-78; Wesley C. Mitchell, "The Crisis of 1920 and the Problem of Controlling Business Cycles," in *The American Economic Review* 12:1 (1922): 20-32; Warren M Persons, "The Crisis of 1920 in the United States: A Quantitative Survey," *The American Economic Review* 12:1 (1922): 5-12.

Immigration. In several ways, Johnson was an even more ideal candidate for restrictionist spokesman than his predecessor. He had served as president of the AEL and was a devout advocate of white trade unionism. Johnson was also a highly respected eugenicist--he would serve as president of the Eugenics Research Association between 1923-25.⁵³⁶

For the moment, Johnson ignored the literacy test idea that was circulating within Congressional circles. With the AFL's support, he made use of the recession, as well as an alarming State Department report that claimed 15,000,000 Europeans were preparing to immigrate to the United States. He opened hearings in 1920 by declaring an "immigration emergency," and put forward legislation would prohibit immigration for two years (with exemptions for blood relatives and contained provisions to deport those who entered in violation of the law). The argument he laid out was, by now, familiar to all participants: the conjunction of domestic recession, mass unemployment, and the imminent return of mass immigration created a dangerous situation for the United States. U.S. capitalism which had become more efficient, productive and mechanized because of the war, had simply outrun the demand for U.S. produced commodities. An "excess of common labor" had driven down prices, wages, and destroyed living standards of workers, who were the nation's primary consumers. "A temporary suspension," he claimed, "would help keep the price of labor high to prevent worse unemployment." Temporary suspension, he insisted, would also help "Americanize" those foreign-born workers already in the United States by cutting off new infusions of foreign workers and their foreign identities and ideologies. Finally, a temporary suspension, he concluded, would leave open the possibility that a more permanent policy could be designed and

⁵³⁶ Kristofer Allfeldt, "'And We Got Here First': Albert Johnson, National Origins and Self-Interest in the Immigration Debate of the 1920s," in *Journal of Contemporary History* 45:1 (January 2010): 7-26; Alfred J Hillier, "Albert Johnson, Congressman," *Pacific Northwest Quarterly* 36:3 (July 1945): 193-212.

implemented soon. The National Federation of Construction Industries as well as the NAM protested the legislation, but the “Johnson Bill” passed the House of Representatives in December. The Senate, however, refused to accept a total suspension of immigration. At this moment, William Dillingham (R-Ver.) put forward legislation along the same lines as the NCILL’s plan for a non-discriminatory Quota. His argument mirrored Johnson’s. During the War, “our industries had so largely increased they were conducted without the 4,000,000 immigrants,” who would have immigrated if there had not been a war. This situation created “An unusual demand for American labor...” which must be preserved in the face of the nation’s economic recession. Johnson made it known to Dillingham that a non-discriminatory quota and the overturning of Asian Exclusion would be a non-starter for the organizations that he represented. In the meantime, he was able to persuade the AFL’s representatives that a quota system could discriminate against Southern and Eastern Europeans, and that the implementation of a quota would not require overturning Asian exclusion.⁵³⁷

Dillingham, a consummate politician, put forward a new bill on December 20th. This bill removed the provision abolishing Asian exclusion. It would limit immigration for one year based on a three percent quota of each European nationality living in the United States at the time of the 1910 census. In one of his final acts as President, Woodrow Wilson pocket-vetoed the bill. In 1921, William Harding, a restrictionist, had become President. Under pressure by restrictionists of all backgrounds, Dillingham introduced another bill that was even further from the NCILL’s original proposal. This bill also entailed a temporary quota that discriminated against Southern and Eastern European immigrants and provided a numerical limitation--355,000 immigrants per year. The Act, however, was only temporary, set to expire after two years. The text of the statute

⁵³⁷ Report on Emergency Immigration Legislation. 66th cong. 3rd Session. Senate. Report no. 789. Calendar no. 756. Report on bill HR 14461; Frank Morrison To Robert Ward (May 1 1919). Box 1. IRL Records.

also explicitly laid out its intention: “It is hereby declared to be the policy of the United States to admit annually only so many law-abiding immigrants of any national or racial group as may be capable of being so employed *as not to endanger the normal American standard of living, labor and wages...*” [my emphasis]. The Emergency Quota Act was passed in May of 1921.⁵³⁸

The 1921 Act was celebrated by the AFL. An article in the *American Federationist* boasted that “... the four and a half years’ total suspension of immigration caused by the war, and by the 3 percent law,” had made it “possible for the immigrants and the native workers to improve their conditions...”⁵³⁹ In the wake of the 1921 Immigration Act, several organizations representing major U.S. industries also began to shift on the question of federal gatekeeping and the demands of U.S. capitalism. The *Iron Age*, for instance, commented that “the iron and steel industry and employing interests of the country generally have accepted [the idea] of restrictive immigration legislation with comparatively little complaint.” Even the National Association of Manufacturers (NAM) warned of “abnormal stimulants to immigration visibly operating in many states of Europe and the near east.” The fear of bolshevism and radicalism, no doubt, factored into this fear of immigration. However, major employer organizations also acknowledged that structural changes within the domestic industrial order meant that the epoch of mass immigration should come to an end. *The Manufacturers Record* noted that, with the collapse of demand for American goods, U.S. industries were entering a new crisis of “overproduction.” Within this context, “a scarcity of labor is not wholly an evil. We are already producing more than our railroads can handle, and many laborers are only partly employed or employed a part of each day because factories and coal mines cannot run at full capacity.” The National Industrial Conference

⁵³⁸ Congressional Record, 67th Cong, Vol. LXI, p. 509; Lee, *America for Americans*, 140-141.

⁵³⁹ *American Federationist* 29:1 (1922): 137; see also “Report of the Legislative Committee,” on page s 290-291 in the same volume.

Board made this point at its conference on immigration policy in 1923: “Immigration policy should be constructed so as to [sic] account for the ‘economic well-being’ of our people.” Four years earlier, the NICB furiously opposed the AFL’s call for the temporary prohibition of immigration, but by 1923, it declared that: “Economic considerations should take into account not only the importance of maintaining the productivity of industry, but also the opportunities for employment and the effects of immigration on the standard of living of wage earners.”⁵⁴⁰ For the most part, business organizations supported the renewal of a quota and saw its expiration as an opportunity to ensure that there would be “flexibility” in whatever future law Congress passed. Employers lobbied for new legislation that would retain a quota system but also exempt the Western Hemisphere, thus keeping open Mexican immigration. Employers also called for a more “flexible” enforcement system whereby they could lobby the Department of Labor to allow for the importation of foreign labor in states of emergency, or for new industries that required skilled labor.⁵⁴¹

Albert Johnson ridiculed those employers who called for a weaker and more flexible quota system. “The steel men,” he publicly argued, “say that they are now so short of labor that they can’t cut the hours, but they didn’t reduce the long day, when fifteen months ago we had millions of unemployed in the United States.”⁵⁴² The AFL still was not satisfied. The Federation complained that employers were still smuggling “coolies” across the border. Labor leaders made it clear to Johnson that an even stronger law would have to be implemented after the temporary

⁵⁴⁰ *Manufacturer’s Record* (April, 1923); *Iron Age* (May, 1922); National Industrial Conference Board, “The Immigration Problem in the United States.” Research Report no. 58; Stan Vittoz, “World War I and the Political Accommodation of Transitional Market Forces: The Case of Immigration Restriction,” *Politics and Society* 8:1 (March 1978): 49-78.

⁵⁴¹ The Secretary of Labor, James Davis outlines this plan in an article he had written for the *American Federationist*: James Davis, “An American Immigration Policy,” 31:1 *American Federationist* (March 23, 1924): 289-294.

⁵⁴² *Olean Evening Times* (28 April 1923).

Act expired. They also demanded maximum Congressional appropriations for the Department of Labor to protect the U.S.-Mexico and U.S.-Canda border. The AFL also re-affirmed its commitment to “rigid exclusion” at its Executive Council meetings. The Federation’s Washington representatives protested any exception for the Western Hemisphere within the quota system, made it known that organized labor would not compromise on Asian exclusion, and argued that the idea of administrative “flexibility” was part of a broader scheme by employers to kill immigration restriction. One representative at an Executive Council meeting even accused capitalists of importing “negro labor” from the South to convince “southern legislators to vote for unrestricted immigration.”⁵⁴³

These uncompromising demands were also shared by reactionary organizations that had blossomed after WWI. Lamuel Bolles, the national Adjunct of the American Legion, told members that “it is far more important to us that America shall remain American than that the steel trust shall have plenty of cheap labor.” Ironically, the Legion had become one of the nation’s most effective strikebreaking institutions. This did not stop the *American Federationist* from printing an article promoting an even stronger Quota system, written by the Legion’s Commandant: “American institutions are established upon the marginal wage that American labor requires to maintain itself as a self-respecting unit of American society.” The Ku Klux Klan (another strike-breaking organization) also took an anti-business approach. A pamphlet written by the Imperial Wizard entitled “The Modern Menace of Immigration” asked: “Do our

⁵⁴³ See, “Report of the Legislative Committee,” in *American Federationist* 30: 1 (January 1923): 97-98; Executive Minutes of the Executive Council (November to May 1922-1923). Records of the AFL Executive Council. University of Maryland, College Park.

overlords of industry realize what they are doing to America? Have they stopped to measure the national consequences of this cheap foreign labor idea?”⁵⁴⁴

At this time, an increasingly influential network of eugenicists entered the policymaking sphere. Simply put, the motivating idea behind the eugenics movement was that state power could and should be used to ensure the healthy biological reproduction of the nation’s “Anglo-Saxon” racial order.⁵⁴⁵ The biological logic of race, reproduction and state power, however, was not incompatible with the economic logic that motivated the AFL’s vision of federal gatekeeping, race, and capitalism. Edward Ross had argued since 1900 that a racially homogenous population could only be ensured through a rising “standard of living.” A higher standard of living would compel white workers and their families to control and restrict their reproduction—and focus not on “breeding” but on participating in “civilization.” The growth of the population, he claimed, “is regulated by the standard of living, and with every improvement in agriculture or industry it raises its standard instead of allowing the slack to be taken up by mere increase of numbers.” So long as inferior “high-breeding” races were excluded, then the superior race would be able to reproduce without being replaced. Madison Grant, the author of *The Passing of the Great Race* (1916) made a similar point in a 1924 article. Grant argued that the American worker and his family were reproducing at a slower rate in comparison to foreign races who “expand at a rate of increase entirely out of proportion to the rate of native Americans.” Without immigration restriction, there would be a wholesale replacement of the

⁵⁴⁴ Modesto Evening News (July 9 1923); Dr. H.W. Evans, “The Menace of Modern Immigration, (Texas: October 24 1923).

⁵⁴⁵ Frye-Jacobson, *Whiteness of a Different Color*, 82-85; Ruth Clifford Engs, “Eugenics, Immigration Restriction and the Birth Control Movement,” in Katherine A.S. Sibley, *A Companion to Warren G. Harding, Calvin Coolidge, and Herbert Hoover*; Kenneth M. Ludmerer, “Genetics, Eugenics, and the Immigration Restriction Act of 1924,” in *Bulletin of the History of Medicine* 46:1 (January-February 1972): 59, 81.

American population with foreign races.⁵⁴⁶ The eugenicist Rosalie Jones also encapsulated this logic in her book *The American Standard of Living and World Cooperation*. The “standard of living” of the American worker had increased since the World War, which had resulted in “a perceptible growth of desires for education, comforts, and luxuries becomes apparent, and he consciously joins society in limiting the aimless increase of population.” The idea that the state should protect the “American Standard of Living,” according to Jones, was first introduced in the passage of the Chinese Exclusion Act in 1882. Since the World War, this principle had become dominant across the industrializing world. “Under this nationalistic policy there is developed...a practice of attempting to acquire for one’s own nationals what one forces from an unwilling neighbor.”⁵⁴⁷

Albert Johnson, along with eugenicists like Madison Grant, Henry Laughlin, and Senator David A. Reed, was part of the official-sounding United States Committee on Selective Immigration. This committee produced a report which laid out a new quota system based on 2 percent of each groups’ population according to the 1890 census. Doing so would ensure that those low-wage Southern and Eastern European races who had emigrated between 1890 and the 1920s would be severely restricted. Johnson explained publicly that “Never again is there to be an unlimited influx of cheap alien labor.” This bill “would change the character of immigration, and hence of our future population...” It would discriminate against those immigrants of

⁵⁴⁶ Edward Ross, *The Old World in the New: The Significance of Past and Present Immigration to the American People*, (New York, 1914); Madison Grant, “The Racial Transformation of America,” *The North American Review* 219:820 (March, 1924): 343-352; Grant also makes this argument in the “Checking the Alien Invasion” chapter of his book, *The Conquest of a Continent or The Expansion of Races in America* (New York and London, 1933); for a critique of capitalism from the perspective of eugenical “science,” see also H.J. Muller, “The Dominance of Economics over Eugenics,” *The Scientific Monthly*, 37:1 (July, 1933): 40-47.

⁵⁴⁷ Rosalie Jones, *The American Standard of Living and World Cooperation* (New York, 1923): 6-9.

degraded races and favor those that were of “higher intelligence” and therefore provided the “best material for American citizenship.”⁵⁴⁸

AFL representatives were enthusiastic about the use of the 1890 census. In a private letter, Samuel Gompers noted that this new system would “permit desirable immigration from Northern and Western Europe.” Johnson met with the AFL’s Executive Council to ensure their support for the coming campaign for a new quota law. Johnson informed them that if he were to lose the support of organized labor, he would give up the fight for restriction. He informed the AFL that Asian exclusion would be made indestructible by a provision whereby “permanent residence be denied to all aliens who are ineligible for citizenship.” The legislation would also keep intact the Chinese Exclusion gate. Gompers personally asked Johnson to ensure that Canada and Mexico would be included in the Act’s quota structure. However, Johnson informed him that, while he supported it, it would undermine the support of Southern producers of fruit and vegetable-packers of California for the bill. Ultimately, Johnson was able to convince the AFL to accept an open “Back Door,” and to back the bill.⁵⁴⁹

In short, the bill that became of the Immigration Act of 1924 instituted almost all of the demands of the AFL, eugenicists, and other advocates of an explicitly racialized and discriminatory immigration system. For one, it ensured total Asian exclusion by providing that no alien ineligible to become a citizen could be admitted to the U.S. as an immigrant. The quota system which was originally laid out by Dillingham and the NCILL had been transformed—it now mapped onto the hierarchy of races and standards of living that had crystallized over the

⁵⁴⁸ Second and third report of the Committee on selective immigration of the Eugenics Society of the United States of America; Restriction of immigration; Hearings before the Committee on immigration and naturalization, House of Representatives, Sixty-eighth Congress, first session, on H.R.5, H.R.101, H.R.561 [H.R.6540].

⁵⁴⁹ Samuel Gompers to Opendahl (September, 18, 1923). Reel 293. Samuel Gompers’ Letterbooks. AFL *Executive Council Proceedings* (November to May 1913). Records of the AFL Executive Council. College Park, Maryland.

previous four decades. The Act would also control the overall volume of immigration by setting the total immigration quota of 165,000 for countries outside of the Western Hemisphere, which achieved the goal of limiting the volume of immigration. The act also helped assuage the AFL's fear of "coolie" smuggling by inserting a provision that would impose fines on transportation companies who landed aliens in violation of U.S. immigration law. The AFL, employer organizations, eugenicists groups, the KKK, the American Legion, and myriad other organizations aligned around the Johnson-Reed Act. The only dissent within Congress came from representatives and senators from districts in the Northeast with significant foreign-born populations. President Calvin Coolidge signed the Johnson-Reed Act into law in May of 1924.

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The Johnson-Reed Act of 1924 did reduce total emigration from 357,803 between 1913 and 1924 to 164,667 between 1924 and 1925. Immigration from Italy, for instance, fell by 90%. The Federal government had created a massive legal wall. At its 1924 national convention, the AFL's Immigration Committee commended all delegates present for supporting the passage of the new law. Immigration restriction was therefore one element of the wartime conditions that Congress eventually did make permanent. The law, although new, was ultimately rooted in the "immigration principles for which organized labor has consistently fought."⁵⁵¹ The discriminatory structure of the law mapped onto the logic of a global racial hierarchy that had been laid out by the AFL and its racist elite partners. In short, the federal government had created a massive wall around a national labor market. William English Walling, an associate of Samuel

⁵⁵⁰ On the structure of the 1924 Act and the framework of the National Origins Formula, see Mae M. Ngai, "The Architecture of Race in American Immigration Law: A Re-Examination of the Immigration Act of 1924," *The Journal of American History* 86:1(June, 1999): 67–92.

⁵⁵¹ Philip Ager and Casper Worm Hansen, "Closing Heaven's Door: Evidence from the 1920s U.S. Immigration Quota Acts," *American Economics Association* (December 2017); AFL Convention Proceedings (1924): 186.

Gompers and supporter of the AFL, believed that the new law was of fundamental importance. In his book *American Labor and American Democracy*, he suggested that “Labor is now beginning to receive a slightly increased proportion of our new wealth,... not through the natural working of our economic system, but because of its own organization and the political power which (with the aid of certain other groups) brought about and maintains the restriction of immigration...”⁵⁵²

The advocates of the 1920s Quota Acts might have framed immigration restriction to protect the “American Standard of Living” against foreign competition, but protection did not necessarily guarantee a rising “Standard of Living.” In 1925, *The New Republic* explained the core problem. Since the war and the closing of the nation’s borders, “A larger rate of production was realized not through foreign labor, but through the input of “new inventions, more and better machinery, the advance of technique...” What would keep this system moving was the ability of the U.S. population to consume that which U.S. capitalism would produce. However, at this point, the analysis turned grim. “The principal reason why this possibility is not fully realized is that the demand for commodities does not grow as rapidly as the ability to produce.” “Effective demand...” the author noted, “depends in the end on the purchasing power of the general population...A continual and fairly rapid increase in their real wages...” The purchasing power of most of the nation’s workers simply was not growing. Isaac Hourwich noticed this trend as early as 1922. Hourwich published a new edition of his book *Immigration and Labor*, which included a section reflecting on the lessons taught by the recent World War. His analysis proved prophetic: “If restriction is to become the permanent policy of the United States, our recent war experience does not warrant the assumption that the resulting scarcity of labor will inure to the

⁵⁵² William English Walling, *American Labor and American Democracy*, (1924): 224.

benefit of the American wage earner.” “Advances in wages,” he argued, “come as a result of the slow process of collective bargaining...whereas the prices of commodities consumed by the wage earner are controlled by monopolistic combinations...” While the first edition of his book was attacked by restrictionists and celebrated by supporters of immigration, by 1922 Hourwich appeared to be a voice in the wilderness.⁵⁵³

Hourwich’s prediction was proved correct. The wall that Congress had put up around the United States did not radically transform the balance of class power within the national labor market. By the early 1920s, the elements of the wartime federal government that did help engender higher wages and higher rates of unionization had been dismantled. Union memberships plummeted as did the real wages of nearly all industrial workers throughout the 1920s. Furthermore, the restriction of immigration did not slow down the displacement of labor by mechanization. White, native-born workers were again subject to mass unemployment, precarity, and downward pressure on their wages.⁵⁵⁴ Ironically, the only native-born workers who benefited from the Johnson-Reed Act were workers who the AFL had not considered part of the “American working class”: native-born Black workers from the South, who had migrated to the industrial North and West during the War and the 1920s.⁵⁵⁵

⁵⁵³ Isaac Hourwich, *Immigration and Labor* (1912 [1922]): 509-511.

⁵⁵⁴ Montgomery, “The ‘New Unionism’ and the Transformation of Workers’ Consciousness in America, 1909-1923,” *Journal of Social History* 7 (1974): 509-29; Charles S. Maier, “The 1920s—Consolation or Warning?: A Response to David Montgomery,” *International Labor and Working-Class History* 32 (Fall, 1987): 25-30; on the negative economic effects of the Johnson-Reed Act, see Ran Emramitzky et.al, “The effect of Immigration Restrictions on Local Labor Markets: Lesson from the 1920s Border Closure,” in *American Economic Journal* 15:1 (January 2023): 164-91; for the link between immigration restriction, the loss of earnings of native white workers, see Philip Ager and Casper Worm Hansen, “Closing Heaven’s Door: Evidence from the 1920s U.S. Immigration Quota Acts,” *American Economics Association* (December 2017).

⁵⁵⁵ Bin Xie, “The Aggregate and Distributional effects of Immigration Restrictions: The 1920s Quota Acts and the Great Black Migration,” in *Journal of Comparative Economics* 53:1 (March 2025): 25-55.

Conclusion

According to the historian Mae Ngai, the Immigration Act of 1924 instituted a “regime of immigration restriction that unquestionably legitimized immigrant exclusion and restriction on the basis of race as an acceptable policy.” The law, she argues, “constructed a white American race.”⁵⁵⁶ What this dissertation has shown is that the logic of race and racial exclusion encoded in the 1924 Act was rooted in a comprehensive ideology of race, nation, and class which had been constructed over the previous five decades by organized labor and their restrictionist partners. The law crystallized the logic of a homogenous and exclusionary “American” working class constituted by white, male, citizen consumers. The boundaries of this class were constrained by an exclusionary national labor market and enforced by the sovereign power of the federal government. The economic worth of the American worker to the nation was not only his whiteness, but also his ability to consume and reproduce along acceptable lines (i.e. to be a head of the household), and to be invested, materially and psychologically in American capitalism and political institutions. The white worker was not entitled to own productive property or land. Rather, his status as an American worker entitled him to a share of the surplus produced by U.S. capitalism, or at least the protection of this share against foreign competition, by the state.

The core claim of this dissertation has been this: the closing of U.S. borders during the late nineteenth and early twentieth century went hand in hand with the invention of an American working class and American labor market. The ideology of the U.S. federal gatekeeping state was an interlocking articulation of race, nation, and labor. The category of the white, American worker and the American working class—a *national* working class—was a creature of

⁵⁵⁶ Mae M. Ngai, “The Architecture of Race in American Immigration Law: A Re-Examination of the Immigration Act of 1924”, *The Journal of American History* 86:1, (June 1999), 67–92.

immigration law and the politics of federal immigration policymaking. The “American working class” was produced and reproduced not only through the creation and enforcement of immigration law—it was reified in Congressional hearings, by pro-restriction lobbying, federal investigations, and academic social science. Its very existence and its reproduction necessitated the creation and operation of a powerful federal gatekeeping state. This, ultimately, was the major argument of the actors in this dissertation—from the trade union movement to academic social scientists and eugenicists. There simply could be no *American* working class without the creation and execution of federal laws that established and enforced a boundary between a national labor market and global capitalism.

This ideological architecture was instantiated not in one law or one Congressional debate. The “American working class” is a legal and ideological fiction with a racist and exclusionary genealogy that “Possessing a Nation” has helped track. This dissertation has shown that this legal and political order crystallized by the 1924 Immigration Act was the culmination of a longer history of conflict and debate over the boundaries of the U.S. capitalist order, wage labor market and global capitalism. It was the outcome of a decades-long history of political mobilization, ideological articulation, electoral maneuvering, and policymaking on the part of organized labor, social scientists, and lawmakers. Between the Civil War and the 1920s, the transformation of the United States into a capitalist social order, coupled with the integration of this order into a global labor market, challenged the nation’s white, democratic polity by subjecting white citizens to economic displacement, wage market competition, and unemployment. The creation of national immigration policies that regulated and restricted were conceptualized, as part of a broader strategy of racist and nationalist industrial nation-building. on a new trajectory of development—

one driven not by the exploitation of foreign labor or a global labor market, but by the reproduction of homogenous domestic American. The closing of U.S. borders promised to protect these white citizens against foreign competition and help ensure that they enjoyed a privileged position atop the global labor hierarchy that crystallized by the early twentieth century. This was a nationalist project which, as it took shape during the late nineteenth century, articulated a new vision of an industrial nation in which male citizen workers—by virtue of their citizenship, their membership in a national community, and their virtuous patterns of reproduction, family life and consumption—were entitled to state protection against foreign competition. What bound this imaginary population of workers together was not necessarily their position as exploited wage-earners, but their shared status as “American workers,” defined in opposition to threatening, foreign-born workers. The invention of the “American worker,” entailed the racist construction of the “cheap” foreign worker.

This dissertation does not show that nativism or anti-immigration sentiment was the dominant position of all workers in the United States during the years under consideration in this project. It also does not make the claim that federal gatekeeping and immigration restriction was the sole concern of organized workers and the labor movement of the Gilded Age and Progressive Era. However, it helps explain how and why actual anti-immigration sentiment among primarily white, skilled workers emerged during the late nineteenth century. More significantly, it has explained how and why this sentiment was channeled into a concerted and organized political movement by a relatively small number of labor leaders, labor organizations, political economists and their political and ideological partners. They attempted to speak for all industrial workers in the United States and to build a federal gate that would serve the interests of an imaginary national community of male citizen laborers. The closing of the nation’s borders

did not fundamentally revolutionize U.S. capitalism, but it did influence the political and ideological dynamics of class formation and labor politics in the United States. Immigration policy was one arena in which the Gilded Age and Progressive era labor movement helped build the modern U.S. state. Whether or not immigration restriction raised the real wages of native-born workers mattered less than what a federal gatekeeping state promised: the power to shape and control the identity of the U.S. working class and labor market—and the power to determine which groups of immigrant laborers were worthy of joining that class.

The tragedy of organized labor's commitment to the ideology of economic nationalism is that a labor politics and working-class identity defined by the nation is limited by the nation. Nationalist class consciousness ultimately excluded those workers deemed unfit to join the American working class. While Samuel Gompers and others made the case that capitalism and employers were responsible for dividing workers in the United States along racial and ethnic lines, the AFL and other labor organizations ultimately helped reproduce this order. The category of a homogenous "American working class" of white male citizens helped naturalize and obfuscate a domestic industrial working class that was both diverse and hierarchical. The nationalist logic of labor and class crystallized by the U.S. federal gate and by the mainstream labor movement of the early twentieth century foreclosed any hope of organizing workers beyond territorial national boundaries. Despite the passage of laws restricting immigration between the Civil War and the 1920s, this working class also remained connected to Europe and Asia by way of monetary remittances, correspondence, and the movement of people. Furthermore, the end of the era of mass immigration did not stop U.S. capitalism from reproducing and exploiting racial, gender, and ethnic hierarchies within the United States. Throughout the 1920s, skilled, native-born workers continued to enjoy higher wages and job security relative to unskilled or semi-skilled African American, foreign-born, and women

workers in the United States. It was not until the 1930s that genuine alternatives, and more inclusive articulations of class identity and labor politics, emerged in the United States.

This potent ideology of economic nationalism did not wither away after it had served its purpose in 1924. These ideas continue to be recuperated by a wide range of actors and mobilized to justify and enact state violence against perceived foreign threats on behalf of an imagined American economic national community. The first quarter of the twenty-first century has witnessed the new birth of economic nationalism—this iteration not rooted in organized labor, but in a network of think tanks, academic associations, and racist and nativist organizations and political parties. The modern Republican Party has come to embody a vigorous and violent economic nationalism centered around the instigation of trade wars, mass deportation, and the construction of a border wall, all in the service of a white national community. In several ways, this project has become bi-partisan consensus. A Democratic Congress in 2024, for instance, declared a national “border emergency,” and passed incredibly draconian immigration legislation. At the same time, the perfectly named, “Endless Frontier Act” of 2021 framed economic competition with China as the crux around which the United States will launch a new era of economic investment, capital accumulation, and the growth of middle class “American jobs.” The second Donald Trump administration has pushed this logic seemingly to its logical conclusion in the form of a spectacular mass deportation campaign and an unprecedented trade war with traditional U.S. trading partners. Much of this policy has been couched as a strategy to help stabilize an already crumbling “standard of living” for most American citizens. This new regime of economic nationalism, however, will not “bring back industry” to the United States.

Instead, it will give reactionary white citizenry the joy of watching the state punish one's imagined enemies: either "illegal aliens," or China, while distributing wealth upwards.⁵⁵⁷

Even in our own century, the call for a "left wing" politics of immigration restriction has grown louder and louder in recent years.⁵⁵⁸ This dissertation should be a warning to all self-identified leftists and organized workers of the perils of traveling down this path. "Possessing a Nation" shows that there is nothing "natural" about *national* working classes and *national* labor markets. These categories are the creation of state-violence, policy, and a narrow and exclusionary political imagination. If this dissertation offers anything, it is not only an historicization of American economic nationalism between the Civil War and the 1920s, but a set of conceptual tools to be able to interrogate the hollow promises offered by economic nationalism.

⁵⁵⁷ Hanns W. Maull, "The Rise of Economic Nationalism," in *Global Politics and Strategy* 66 2.

⁵⁵⁸ Angela Nagle, "The Left Case against Open Borders," *American Affairs Journal*, 2:4 (Winter 2018).

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