

Denis Kearney and the Chinese Exclusion Acts

Semi-slave competition hurts American workers

by Kevin Jenks

During the recent debate over California's Proposition 187, neither side spoke of Denis Kearney, a Californian whose name was once a byword for immigration controversy. Should readers wonder just who Denis Kearney was, they are not alone. There is still no biography of this 19th-century Irish immigrant to the Golden State. Even for those specialists in American immigration history who have touched on his career, Kearney remains more a symbol than a man.

In the late 1870s, however, Denis Kearney and what his ideologically minded foes called "Kearneyism" dominated headlines in California, and made news across the nation. At the head of his Workingmen's Party, Kearney forged California's white laborers into a feared political force for economic and political reform, including exclusion of Chinese "coolie" labor. Within five years of the inception of Kearney's brief public career Congress passed, and President Chester Arthur signed into law, the first measure to restrict Chinese immigration into America.

As the man who epitomized opposition to the Chinese presence, Kearney has been diabolized, both by his contemporaries and subsequent writers, as have few other figures in American history. For James Bryce, the influential British historian and diplomat, Kearney was "...a demagogue of a common type, noisy and confident, but with neither political foresight nor constructive talent." American diplomatic historian Thomas Bailey dismisses Kearney and his heavily Irish followers as comical though bigoted

Kevin Jenks, a free lance writer who writes popular articles about military, political and immigration history, is a lifelong resident of California.

Micks, non-Americans crying "Immericky for Immiricans, bejabers!"

Harvard's Samuel Eliot Morrison writes that Kearney organized riots against the Chinese, while Yen Ching-Hwang, in his *Coolies and Mandarins*, first accuses Kearney and his Workingmen's Party of "[the] most barbaric behavior of burning Chinese buildings and killing the Chinese," then cites a string of incidents, all of which took place *before* Kearney was active and the Workingmen's Party existed.

Frank Roney, a rival of Kearney's for leadership of the Workingmen's Party, claimed not only that Kearney was a mere opportunist, but that his impassioned speeches were ghostwritten by a newspaperman. Gertrude Atherton, a San Francisco society lady who once met Kearney, derided him as an empty blusterer who was "...merely talk, talk, talk," then hints that he was bribed into retiring from politics in the 1880s.

Even those sympathetic to Chinese exclusion have often been less than favorable to Kearney. The antics of Kearney and the Workingmen's Party caused President Hayes to veto the Fifteen-Passenger Bill (in 1879), the contemporary Democrats charged; later historians, such as E.C. Sandmeyer (in his standard study, "The Anti-Chinese Movement in California") and S.B. Miller, claim the importance of the role of Kearney's party in securing Chinese exclusion has been much exaggerated.

Veiled in century-old obscurity, strait-jacketed in academic and political animus, who was Denis Kearney? What, if anything, did Kearney accomplish, and what significance does he hold for today's immigration reformer? To answer these questions, it is necessary first to look at the Chinese who were streaming to America, the Americans who welcomed them, and those Americans, native and immigrant, who raised the cry for Chinese exclusion.

First Entry of the Chinese

The Chinese who came to America, beginning in 1849, little mirrored the China dear to American and European sentimentalists of the day. They numbered few Confucian philosophers, converts to Christianity, or delicate porcelain beauties: almost all were male peasants and laborers from Canton and other provinces of south China. Despite vigorous denials by their importers, these "Chinamen" were seen by most California whites, with some justice, as "coolies." Although many today think of the term as a racial slur, Random House Webster's Dictionary explains that a coolie is "a laborer hired at subsistence wages for unskilled work." Indeed, most of the Chinese immigrants were indentured laborers who had been inveigled or impressed into decade or longer contracts by unscrupulous Chinese entrepreneurs, the notorious "companies." Indentured or contracted, free or unfree, the Chinese immigrants were formidable economic rivals: they worked hard, they worked cheap, and they gave no labor problems — the Chinese "companies" which ruled the immigrants with an iron hand saw to that.

***"Indentured or contracted,
free or unfree, the Chinese
immigrants were formidable
economic rivals..."***

Within a couple of years, there were over twenty thousand Chinese in California, a number which quadrupled in two decades. Their presence quickly grated on the rough-and-ready white immigrants who had swarmed to the state from the East Coast and Europe. Soon there were outrages in the mining camps and tumults in the towns, as the Forty-Niners found unfree labor competition, from black slaves or the Chinese, intolerable.

Aside from the economic threat the Chinese posed to white laborers, the Forty-Niners complained of the vices and failings of the Chinese community such as endemic gambling, opium smoking, dirt and disease, and brothels which stocked Chinese prostitutes, often underage girls sold and held in virtual slavery. These vices, in their general forms, were not unknown to the miners, but their specific manifestations stirred genuine disgust.

Opponents of Restriction

In the quarter century between 1850 and 1877, white Californians made many political attempts, on the local, state, and national level, to stem the influx of Chinese. All of them failed in the face of opposition from entrenched business interests — especially the railroads, banks, and steamship lines — and reinforced by a vociferous strain of "liberalism" led by ex-abolitionists and egalitarians, churchmen, and "reformers" of various stripes. Then as now, the pro-immigration forces were well situated to influence public opinion from prestigious pulpits, editorships and professorial chairs. The high-minded posturing of advocates of unlimited coolie immigration frequently veiled a considerable animus against the "bigoted" foes of immigration, often immigrants themselves: the staunch Yankee defenders of the Chinese were as capable of stigmatizing the Irish, German and other European immigrants, as they were at minimizing the vices and privations that flourished among the Chinese laborers and brothel slaves in San Francisco and elsewhere along the West Coast.

Then, too, there was the opposition of the courts which relied on the common law, generally tolerant of immigration, and the Constitution, which protected the Chinese despite their ineligibility to be naturalized — a situation which few supporters of the Chinese immigration, except for such radical egalitarians as Massachusetts Senator Charles Sumner, wished to change.

The ratification of the Burlingame Treaty in 1868, which conferred most-favored-nation status on Chinese immigrants, marked the high point of their legal status in nineteenth-century America. In the next year tens of thousands of them were moved into the Sierra to dig, drill and blast a path eastward for the Central Pacific.

Meanwhile, interested entrepreneurs east of the Mississippi were looking into the possibilities that a cheap and reliable labor force afforded. Attempts were underway to use Chinese to replace the freed slaves of the American South; more ominously, in 1870 Chinese workers were brought in to break strikes in North Adams, Massachusetts and Belleville, New Jersey.

Around that time Irishman Denis Kearney immigrated to California. Born on February 1, 1847 in Oakmount, Cork at the depth of the "Great

Hunger," young Denis had gone to sea at eleven, rising to the rank of first officer on American-flag steamers. Settling in San Francisco in 1868, he married an Irishwoman, Mary Ann Leary, started a family, bought a draying business, and became a citizen and taxpayer.

Post-Civil War Economic Crisis

In 1873 a nation-wide economic slump brought renewed interest in the Chinese, little of it benign. Thanks to incidents like those in Belleville and North Adams, the Chinese question became a national issue, and in 1874 President Grant called for restricting Chinese immigration.

The twin blows of drought and depression struck California in 1876-1877, wiping out the savings of countless employees and small businessmen, and sending rents on farms owned by the big railroad companies soaring. For laboring men, wage cuts and layoffs now joined the competition of the Chinese as grounds for anxiety — or outrage.

“Kearney was already well known to San Francisco working men through his frequent lectures at a local workers’ lyceum.”

In July 1877, workers in the East struck several railroads, including the Penn Central. These strikes resulted in an economic violence unprecedented in America, nowhere worse than in Pittsburgh, where on July 21 pro-management militia mowed down dozens of strikers with Gatling gun fire, after which infuriated workers sacked and burned railroad property.

Two days later, a sympathy rally in San Francisco erupted in violence as a mob stormed the docks of the steamship lines that transported the Chinese, then rampaged through Chinatown. Several of the rioters were shot dead on the docks, and order was quickly restored by William T. Coleman’s Committee of Safety, 7,000 men strong, and a contingent of U.S. troops from the naval base at Mare Island.

Trapped in the vise of monopoly capital and coolie labor, outgunned by the forces of law and

order, and betrayed by professedly anti-Chinese politicians who never seemed to deliver, California’s hard-pressed white workers appeared defeated.

Enter Denis Kearney

At this moment of crisis Denis Kearney stepped out to take the lead. Using the workers’ clubs of the San Francisco Bay area as a base, within two months Kearney and several lieutenants had organized and proclaimed the Workingmen’s Party of California (early October, 1877). Kearney was named the party’s president, chief promoter, and director of *The Open Letter*, the party organ.

Despite his youth and political inexperience, Kearney was already well known to San Francisco working men through his frequent lectures at a local workers’ lyceum; earlier in 1877, he had been deputized to present the grievances of the Draymen and Teamsters’ Union to California’s Senator Sargent.

Though lacking a formal education, Kearney had read Charles Darwin and Herbert Spencer and had a broad knowledge of history and current events. At first a clumsy speaker, he had turned himself into something of a local Demosthenes at the People’s Meeting for Discussion (where he had come to know Henry George, the brilliant reformer and author of *Progress and Poverty*, who would later stand for election on the WPC ticket).

The program proclaimed by the Workingmen’s Party of California appeared intolerably socialistic to the capitalists and conservatives of the Gilded Age, but its planks were well in line with those of subsequent populist movements: to unite labor and small business owners against big capital; to break the monopoly power of banks and railroads over what had been public land; and to outlaw unfair competition from imported, unfree, alien labor. As a Workingmen’s Party resolution thundered: “The Chinese laborer is a curse to our land, is degrading to our morals, is a menace to our lives, and should be restricted and forever abolished, and ‘the Chinese must go.’”

The strategy behind the WPC was no less important than its program. Kearney and his aides knew full well that appeals for insurrection, no less than actual riotousness and bloodshed, would result in the movement’s suppression by the superior power of the government and the monopolists. Yet mere

anti-Chinese oratorical pyrotechnics wouldn't be enough to fire the enthusiasm of potential voters: these they had heard again and again, of late even from the establishment politicians.

***“The struggle of Kearney
and his party to loosen the
stranglehold of the railway
and banking concerns on
California’s economy foundered,
however, on the practiced,
determined opposition of the
stand-patters who ruled
both major parties.”***

By all the evidence, Kearney decided on a daring course. In his *Open Letter*, and before the crowds, Kearney would call for no violence, would warn against violence — but would then roar that without reform, of the Chinese problem above all, violence was inevitable.

The electioneering and speechifying undertaken by Kearney and the WPC in the fall of 1877 make today's carefully staged “events,” “opportunities,” and “sound bites” seem drab. With a vigor notable even in light of electoral practice in his era, Kearney whipped up a whirlwind of mass meetings, torchlight parades, and propaganda salvos which scorched California's economic and political establishment, above all for their importation of the Chinese.

Kearney's speeches were the mainstay of the WPC's campaigning. They abounded in the rabid anti-Chinese invective of the day (“leprous, rat-eating Chinese slaves” is one phrase cited), and each speech by Denis Kearney ended with his Catonian “signature” line, “The Chinese must go!” In fact, the unsupported allegations of careless writers to the contrary, practically no violence resulted from the activities of the WPC, despite the thousands of far-from-meeek dock workers, ex-miners, and the like that swarmed to its rallies.

Soon enough, the law, as interpreted and en-

forced in 1877 San Francisco and California, was leveled at Kearney and his Workingmen. In early November, a few days after a WPC demonstration just outside the ornate Nob Hill mansion of George Crocker, Kearney and several of his lieutenants were arrested on charges of incitement to riot. After Kearney spent three weeks in jail, the charges were dropped. (Crocker was the steamship and Central Pacific magnate who had, after a rare strike, overseen his Chinese work force with whip and revolver in 1869.)

There was more than one way to skin the cat of Kearneyism, perhaps. In January, 1878 San Francisco's mayor, Andrew Bryant, issued a decree against public meetings; two days later the state legislature banned “incendiary” speech before gatherings of more than 25 men, indoors or outdoors, the so-called “Gag Law.” These measures, which resulted in further arrests, but not convictions, of Kearney and his men, served only to increase sympathy for their party. Workingmen's candidates began winning elections for state and local offices in Santa Clara, Oakland, Sacramento and elsewhere in northern California. (It should be remembered that in the 1870s Los Angeles and its suburbs were little more than dusty frontier towns). In June of 1878, its high-water mark, the WP elected over one third of the delegates to a convention called to rewrite California's state constitution, giving the Kearneyites potentially great influence in reforming California's railroad and banking practices and its inequitable tax laws, as well as providing a strong platform from which to agitate for national reform of Chinese immigration.

The struggle of Kearney and his party to loosen the stranglehold of the railway and banking concerns on California's economy foundered, however, on the practiced, determined opposition of the stand-patters who ruled both major parties. While the WPC, in alliance with delegates from the National Grange and even some Democrats and Republicans, did get a number of its planks, including a ban on the employment of Chinese labor, written into the constitution, most of these (including the anti-Chinese Article 19) were either overturned by the courts or disabled by the legislature. By 1880, buffeted from without, beset by internal rifts between skilled and unskilled workers, laborers

and shopkeepers, the Workingmen's Party had ceased to be a factor in California politics.

Continued Demands for Chinese Exclusion

The brief rise and rapid fall of the Workingmen's Party didn't, however, mark the defeat of the movement to stop the mass importation of Chinese coolies to compete with American working men. The WPC's agitation in California had helped awaken American workers nationwide to the problems that Chinese immigration posed, as well as awaken American politicians to the potential of an anti-Chinese, working-class voting bloc. Kearney himself crossed the country to build support for Chinese exclusion, meeting with allies such as Samuel Gompers, founder of the American Federation of Labor, and Massachusetts's opportunistic governor, Ben Butler.

After President Hayes vetoed (in 1879) a bill to limit the number of Chinese laborer immigrants landing on any one ship to fifteen, growing political pressure led to the negotiation, in the next year, of a new treaty to withdraw China's most-favored-nation status in immigration. In 1881 President Arthur vetoed a bill which would have effectively banned the immigration of Chinese laborers for twenty years; the next year, he signed into law a measure which provided for a ten-year suspension. Students, teachers, and tourists continued to be welcome, but these and subsequent measures passed over the next quarter century effectively slowed the flood of Chinese

immigration to the merest trickle until the passage of the 1965 law initiated a massive new Chinese immigration.

An Assessment

How important were Kearney and the party he founded and led in achieving Chinese exclusion? To be sure, Kearney and "Kearneyism," as the anti-Chinese movement was dubbed, served as a convenient bugbear in mobilizing "refined" sentiment against any measures to control the Asiatic immigration: it was a point of pride for advocates of unrestricted immigration that "the solid classes," as Viscount Bryce called them, were decidedly against

Kearney. And it was perhaps true, as Democrats in California charged, that the "Kearney" incubus had helped defeat the Fifteen-Passenger Bill, but Kearney and his party were against it anyway: if denied the expulsion for which they clamored publicly, they would still settle only for total exclusion.

Other scholars have been more positive. While rejecting blanket claims (or denunciations!) that the Kearney movement alone achieved or catalyzed Chinese exclusion, historian Ira B. Cross wrote that the WPC "...forced the Chinese question into the foreground and compelled the Federal government to abrogate the Burlingame Treaty." And Claude G. Bowers stated of Kearney: "He put the fear of the toiler into the heart of the politicians." Even more telling, perhaps, is pro-Chinese historian Mary Roberts Coolidge's negative estimation of what the heavily Irish (and to a

EDITOR'S NOTE:

In *The Case Against Immigration* (Norton, 1996), author Roy Beck notes that although the popular pressure to exclude Chinese indentured labor "included ugly racial overtones," it was not primarily about race. During the same period, Americans also were calling for an end to indentured contract labor from white Europe. They achieved their first success with the famous Chinese Exclusion Act of 1882. Far less known is that worker agitation continued until 1885 when the Alien Contract Law halted the practice of industrialists importing European workers who were legally bound to work in indentured servitude. The industrialists had been using Chinese and European immigrants to fight American workers' push for an eight-hour workday and other improvements in working conditions.

Beck writes: "Sounding remarkably like the pro-immigration forces of the 1990s, the industrialists of that time justified their actions on the basis of protecting an unfettered free-market system. They condemned labor organizing and strikes for better working conditions as violation of the 'eternal laws of political economy,' according to the historian Eric Foner."

(See an advertisement for Beck's book inside the back cover of this journal.)

lesser extent, German) immigrant movement Kearney had led achieved: "The clamor of an alien class in a single state — taken up by politicians for their own ends — was sufficient to change the policy of a nation and to commit the United States to a race discrimination at variance with our own professed theories of government, and so irrevocably that it has become an established tradition."

Coolidge's stern judgment, published in 1909, signals one potential significance of Denis Kearney and his movement. The fissure she created between Irish and Continental immigrants on the one hand and Gilded Age robber barons, New England reformers and imported Chinese laborers on the other, calls into question the glib (and sometimes calculating) division between bigoted "nativists" and tolerant immigrants: troubling though it may be to the "wretched refuse" set, it is nonetheless fact that while the hard-headed Yankees, including former Know-Nothings, vigorously defended the Chinese, immigrants hardly off the boat from Cork or Bremen demanded: "America for the Americans."

Yesterday and Today

The battle over Chinese exclusion of the 1870s and 1880s affords broader comparisons to trends in today's America. The 19th century anti-Chinese coalition which grew to include Southern politicians as well as many Southern immigrants to California, foreshadows the "emerging Republican majority" (really an alliance of Southern whites and northern "ethnics," many of them Irish or otherwise Catholic) championed by Nixon advisor Kevin Phillips, which has sustained the Republican Party from the 1960's to the present. Too, recent history's "East Coast Establishment," together with today's "politically correct," "multicultural" knowledge and entertainment complex, may profitably be analyzed as a successor to the coalition of capitalists, preachers, reformers and egalitarians who agitated on behalf of the "underclass" (and the ruling class) of a century ago.

In addition to touching on Kearney's achievements and his significance, we need to re-establish what Denis Kearney was not: he was not a murderer, nor an inciter to violence; not an unlettered ignoramus, nor a penniless enemy of private property; far from untalented; and, in the absence of any convincing evidence to the contrary, neither venal nor an

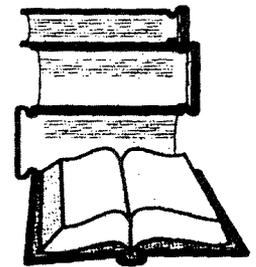
opportunist.

Absent the biography that cries out to be written, the details of Denis Kearney's later years, like those of his youth, are sketchy. About 1882, his personal fortunes badly drained by neglect of his private affairs and by the various legal ordeals he had suffered, Kearney, who had never run for or held public office, retired from public life to support his family, eventually starting a successful employment agency. He died in Alameda in 1907.

Perhaps the last word on what he stood for should be Kearney's. After the appearance of Bryce's *American Commonwealth*, Kearney, nettled by the British scholar's contemptuous dismissal of the Workingmen in favor of the "solid classes," wrote: "I don't quite understand what you mean by the 'solid classes.' The money-lenders, land monopolists, and those who were growing rich by importing and employing Chinese laborers were against me, and did all in their power to kill both the movement and myself... My only crime seems to have been that I opposed the Mongolization of my state in the interest of our own people and their civilization."

SOURCES

- Gertrude Atherton, *California: An Intimate History*, (Harper, 1914).
- Bailey, Thomas, *The American Pageant* (Little, Brown and Co., 1966).
- Bowers, Claude G., *The American Secretaries of State and Their Diplomacy*, Vol. VII.
- Bryce, James, *The American Commonwealth*, (Macmillan, 1891) Vol. II, p. 431.
- Coolidge, Mary R., *Chinese Immigration*, (Henry Holt and Co., 1909).
- Cross, Ira B., *A History of the Labor Movement in California*, (University of California Press, 1935) p. 129.
- Miller, S.B., *The Unwelcome Immigrant*, (University of California Press, 1969).
- Morrison, Samuel E., *Oxford History of the American People*, (Oxford University Press, 1965).
- Roney, Frank, *Irish Rebel and Labor Leader*, (University of California Press, 1931).
- Sandmeyer, Elmer C., "The Anti-Chinese Movement in California," *Illinois Studies in the Social Sciences*, Vol. XXIV, no. 3, (University of Illinois Press, 1939).



Labor-led Immigration Restriction

Book review
by **Wayne Lutton**

The context within which popular demands for the restriction of Asian immigration were made in the last century is little understood by contemporary Americans. Too often dismissed simply as outbreaks of "nativism" or "racism," a more careful consideration of this chapter of our history reveals that it was free labor who led the campaign to end large-scale Chinese (and later Japanese) immigration. In time, organized labor, in the person of Samuel Gompers of the American Federation of Labor, came to endorse a sharp restriction of immigration from European sources as well.

Alexander Saxton is one of the first historians to reexamine these events. The UCLA professor conducted original research among primary documents housed at the California State Library at Sacramento, the California Historical Society in San Francisco, as well as the libraries of San Francisco, UC-Berkeley and UCLA. His book, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California*, was published a quarter-century ago and has only now been re-

*Wayne Lutton, Ph.D. is
associate editor of THE SOCIAL
CONTRACT.*

printed by the University of California Press. For the reader wishing to learn why Asian immigration was curtailed in the late 19th century, this is a good place to begin your inquiry.

Migrating from the East to the West coast, especially after the end of our Civil War, many Americans and recently-arrived immigrants, found themselves competing for work in the

**The
Indispensable
Enemy: Labor
and the Anti-
Chinese Movement in
California**

By Alexander Saxton
Berkeley: University of California
Press, 1971; paper reprint, 1996
303 pages, \$21.00, ISBN: 0-520-02905-4



mines, on the railroads, in construction and industry, against Chinese workers who were paid anywhere from one-quarter to one-twelfth of what had been the prevailing wage. West Coast businessmen contracted with Chinese labor bosses to provide set numbers of workers, who were then shipped over to the United States on steam ships often as not owned by their future U.S. employers. Once ashore in California, the newly-arrived Chinese workers came under the control of what were known as The Six Companies—

Chinese syndicates that controlled the Chinese workers and their communities. Wages were paid to the Companies, and no Chinaman could return home without the express permission of the Company to which he was enrolled.

Although the Chinese in America worked for a fraction of what free labor demanded, there was no shortage of takers in a China that even then was overpopulated and suffered from periodic famines and chronic political instability. The goal of the "coolies" was to earn what they could in America and then take their savings back to China.

American capitalists welcomed the steady supply of cheap foreign labor. They argued, as does Microsoft chairman Bill Gates today, that their businesses would fail or be forced to move overseas if they were not permitted to import Chinese workers.

Saxton estimates that by the early 1870s, Chinese constituted at least a quarter of the labor force in California, playing a prominent role in agriculture, heavy construction, and manufacturing. As the author remarks in his Introduction, "clearly, the importation of indentured workers from an area of relatively depressed living standards constituted a menace to a society developing, at least after 1865, on the basis of free wage labor."