



## Dismantling Historical Racially-Motivated Arguments on U.S. Immigration Policy

Many times when we make arguments or we debate in the classroom we start with an open, debatable question on an issue central to a unit we are in, and then we read and study content in order to stake out a position on the issue and build evidence-based arguments that develop and support that position. This is a common sequence and method of academic argumentation in high school because it is prime preparation for the academic work you will do in college. There are plenty of other variations of argument-centered learning, though. In this project we will be carrying out one of them.

Our ability to make strong, convincing, well-reasoned arguments is the flip side of our ability to analyze and evaluate arguments insightfully, articulately, authoritatively. Being able to analyze and critique arguments is also socially, politically, civically empowering; when we can effectively analyze and critique an argument, we are in control of it more than it can be in control of us. We will be analyzing and critiquing historical arguments on United States immigration policy. These particular arguments are characteristic of their historical period, and, as we will see, they are rooted in racial bigotry. They also seem to disturbingly echo some of the arguments on immigration of our period.

Asians, and in particular the Chinese, were the target of a great deal of racial prejudice and enmity during the mid 19<sup>th</sup> Century, establishing a pattern of anti-immigrant waves of political sentiment and immigrant scapegoating that persisted through the next century and into our own era. The first law in U.S. history to target a single ethnic or racial group for exclusion from this country was the Chinese Exclusion Act of 1882. Anti-Chinese racism would show up in Justice Harlan's famous dissent in the "separate but equal" Supreme Court case of *Plessy v. Ferguson* (1896). And then another, broader racially-tinged "nativist" movement resulted in immigration quotas based on race, ethnicity, and national origin were codified in the Immigration Act of 1924. We will make a close and critical examination of characteristic arguments made for (or in) these historical artefacts, dismantling them for their racial motivation and invalidity as sound, evidence-based argumentation. And we will end with a look at a racially tinged argument on immigration policy within our present political moment, comparing it to the historical arguments we have critiqued.

## Procedure

(1)

We will read and discuss the argument models on both sides of the quasi-academic debatable issue, Is soccer the best sport in the world? We will review the components of an argument: claim, evidence, and reasoning. And we will refresh ourselves on the AWE system of disaggregating argumentative reasoning, into analyzing, warranting, and emphasizing the evidence as support for both the claim and the position being taken by the writer or speaker.

(2)

We will compare the “partial” Critique Builder models to the soccer argument models, in order to understand how arguments are written into the Critique Builder and argument components are disaggregated. You will then have an opportunity to generate critique items for the right-side column of the Critique Builder. After we generate a list of critique items, discussing which are more and which are less supportable, reasoned, or valid, we will study a Critique Builder model. We will conduct turn-and-talk discussing in pairs from “I notice . . . I wonder . . .” stems.

(3)

You will be assigned a partner for pairings that you will work in for the remainder of the project. Then, next, we will turn to background and context for the three historical artefacts that form the basis for this project on race-based arguments made to support and justify U.S. immigration policy. We will screen three videos on the Chinese Exclusion Act of 1882 and the Immigration Act of 1924, and we will have Q. and A. after each of them. I will distribute the Notice/Learn/Wonder graphic organizer and we will do choral and silent reading of historical backgrounders on these artefacts, along with the *Plessy v. Ferguson* Supreme Court decision of 1896.

(4)

Each pair will then be assigned two race-based arguments to analyze and critique. That analysis and critique will be conducted on two Critique Builders. I will showcase student work that is especially exemplary and instructive. You will have about 25 minutes to complete your two Critique Builders.

(5)

In sharing out your work product, we will proceed down the list of race-based arguments made on U.S. immigration policy, covering as many of them as can in the time that we have. When I name an argument, I will ask for which pairs critiqued it. One pair will then present their analysis of the argument – its claim, evidence, and reasoning – for the immigration position it supports, then they will present their critique of that argument. The other pair (or pairs) that critiqued that same argument should take careful notes because they will be asked to “critique the critique” – that is, very briefly summarize points on which the critiques agree, identify additional points that the critique had included that were valid, and attempt to refute or quality points in the critique that were not, in their view, valid.

(6)

We will end with a screening of a recent statement by Fox News conservative commentator Laura Ingraham making an argument against immigration for the demographic changes that it has brought to the U.S. We will do an [Dismantling Historical Race-Based Arguments on U.S. Immigration Policy](#)



informal analysis, critique, and dismantling of this argument, in a manner parallel to the way that did for the historical arguments.

**(7)**

Students will turn in their Critique Builders. Each pair will be assessed using the Critique Builder/Presenter Assessment Rubric.

## Historical Race-Based Arguments on U.S. Immigration Policy

### (A)

It seems to me the point as to this measure—and I have been so impressed for several years—is that the time has arrived when we should shut the door. We have been called the melting pot of the world. We had an experience just a few years ago, during the great World War, when it looked as though we had allowed influences to enter our borders that were about to melt the pot in place of us being the melting pot.

I think that we have sufficient stock in America now for us to shut the door, Americanize what we have, and save the resources of America for the natural increase of our population. We all know that one of the most prolific causes of war is the desire for increased land ownership for the overflow of a congested population. We are increasing at such a rate that in the natural course of things in a comparatively few years the landed resources, the natural resources of the country, shall be taken up by the natural increase of our population. It seems to me the part of wisdom now that we have throughout the length and breadth of continental America a population which is beginning to encroach upon the reserve and virgin resources of the country to keep it in trust for the multiplying population of the country.

-- Senator Ellison DuRant Smith (D-SC), 1924, in a statement on the floor of the U.S. Senate

### (B)

I believe that our particular ideas, social, moral, religious, and political, have demonstrated, by virtue of the progress we have made and the character of people that we are, that we have the highest ideals of any member of the human family or any nation. We have demonstrated the fact that the human family, certainly the predominant breed in America, can govern themselves by a direct government of the people. If this Government shall fail, it shall fail by virtue of the terrible law of inherited tendency. Those who come from the nations which from time immemorial have been under the dictation of a master fall more easily by the law of inheritance and the inertia of habit into a condition of political servitude than the descendants of those who cleared the forests, conquered the savage, stood at arms and won their liberty from their mother country, England.

-- Senator Ellison DuRant Smith (D-SC), 1924, in a statement on the floor of the U.S. Senate

### (C)

We do not want to tangle the skein of America's progress by those who imperfectly understand the genius of our Government and the opportunities that lie about us. Let up keep what we have, protect what we have, make what we have the realization of the dream of those who wrote the Constitution.

I am more concerned about that than I am about whether a new railroad shall be built or whether there shall be diversified farming next year or whether a certain coal mine shall be mined. I would rather see American citizenship refined to the last degree in all that makes America what we hope it will be than to develop the resources of



America at the expense of the citizenship of our country. The time has come when we should shut the door and keep what we have for what we hope our own people to be.

-- Senator Ellison DuRant Smith (D-SC), 1924, in a statement on the floor of the U.S. Senate

**(D)**

But we would like to point out the necessity of getting back our immigration on a little safer line, so that the bulk of it will have the background of free government and will be a little closer to the same background of those who founded our Government.

Up to 1880 we had practically a homogenous race, and it is only within the last 30 years that we have been getting the widely divergent races through immigration. We are getting too much mixture. That does not mean that these races are inferior. While biologists agree that a certain amount of mixture of blood is all right—and we have a great deal of it already—we cannot have too much mixture of the races such as is going on in South America now without getting into trouble in the long run. We are getting too much of this Mexican immigration in here now. That is very different from European immigration. European immigration is much more assimilable.

We have had about ten or twelve million of the newer immigration from southeastern and eastern Europe, from the Near East, from the Balkans—some of it of Asiatic origin—and it is different from the basic stocks of this country.

-- Francis H. Kinnicutt, lawyer and President of the Immigration Restriction League, 1924, in Congressional hearings for the Immigration Act of 1924,

**(E)**

"How does their employment affect our white labor?" We answer, and this is the burden of our arraignment of this Chinese immigration; it is not our sympathy for the wealthy classes, it is our sympathy for the labor classes, upon which, whatever may be our feelings, depends really the whole superstructure of our Government. The true American hero is the man who takes his dinner out in his tin plate, works all day, six days in the week, and brings his wages home for his wife to expend in the maintenance and education of the family, in their clothing and in their protection. Chinese labor drives this class of people from the field. It drives them to starvation. It is a competition that they cannot undertake. The white race, owing to centuries of physical treatment, is incompetent to enter upon the race. The man who labors in our streets and city, and in our country, has been, as have his fathers for generations before him, fed on meat and bread. He demands meat and bread to maintain his physical strength and his existence. Meat and bread command more money than labor will pay for at Chinese rates in any place in America, and especially in California. The Chinaman from generations has been in the habit of living upon rice, tea, dried fish, and desiccated vegetables. The kind of food which will support the Chinaman can in San Francisco be purchased for ten cents a day, and the kind of food which is required to support an American or European laborer cannot be bought for several times that amount. . . . We of California must give this coast up to Asia or we must reserve it for ourselves and our race.



-- Frank Pixley, former Attorney General of California, in testimony to the Joint Congressional Committee on Chinese Immigration, 1876

**(F)**

If the Central Pacific Railroad Company cannot afford from its vast national, State, and municipal subsidies to build roads to open up our valleys and bring to market their products without the small percentage of profit it can pinch from American laborers, we would suggest such legislation as would devolve the trust upon less exacting and less grasping men. Our manufactories can only find healthful development by the employment of white labor. If we stimulate them to unhealthy activity, we do it at the expense of eastern manufacturers and eastern laborers, whom we ought to regard as nearer to us in interest and sympathy than the Chinese.

-- Frank Pixley, former Attorney General of California, in testimony to the Joint Congressional Committee on Chinese Immigration, 1876

**(G)**

The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth, and in power. So, I doubt not, it will continue to be for all time, if it remains true to its great heritage and holds fast to the principles of constitutional liberty. But in the view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. . . .

This question is not met by the suggestion that social equality cannot exist between the white and black races in this country. That argument, if it can be properly regarded as one, is scarcely worthy of consideration, for social equality no more exists between two races when traveling in a passenger coach or a public highway than when members of the same races sit by each other in a street car or in the jury box, or stand or sit with each other in a political assembly, or when they use in common the street of a city or town, or when they are in the same room for the purpose of having their names placed on the registry of voters, or when they approach the ballot box in order to exercise the high privilege of voting.

There is a race so different from our own that we do not permit those belonging to it to become citizens of the United States. Persons belonging to it are, with few exceptions, absolutely excluded from our country. I allude to the Chinese race. But, by the statute in question, a Chinaman can ride in the same passenger coach with white citizens of the United States, while citizens of the black race in Louisiana, many of whom, perhaps, risked their lives for the preservation of the Union, who are entitled, by law, to participate in the political control of the State and nation, who are not excluded, by law or by reason of their race, from public stations of any kind, and who have all the legal rights that belong to white citizens, are yet declared to be criminals, liable to imprisonment, if they ride in a public coach occupied by citizens of the white race.

-- Justice John Marshall Harlan, dissent, *Plessy v. Ferguson*, 1896