
Anti-Chinese Law and Its Consequences At the Mexican Border

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After the United States (US) implemented The Chinese Exclusion Act in 1882, Chinese immigrants only had two means of entering the US - via Canada or via Mexico. This made the border between the US and Mexico the principal route for undocumented migrations of Chinese migrants. While the US kept a tight policy against international migration, Mexico played an inconsistent role in allowing Chinese immigrants access into the country. This historical paper displays that the Mexican government at first supported the free movement of the Chinese through primary sources. However, after anti-Chinese movements advanced in Mexico, the government developed strict immigration measures against the Chinese population.

Keywords: Mexico-US relations, migration, discrimination, Chinese migration, historical analysis

Introduction

Today, Mexico and the United States (US) share a battlefield: the frontier. On the border, Mexicans fight in search of a brighter future in the US, while US immigration agents relentlessly track and pursue them. However, there was a time in history when the frontier was mainly crossed by another group - the Chinese. After the United States implemented The Chinese Exclusion Act in 1882, Chinese immigrants had only two means of entering the US: via Canada or via Mexico. Though some of them were able to cross through the northern frontier, the Mexico-US border became the main bridge for undocumented Chinese migrants. According to the Mexican Constitution of 1857, Mexican officials should not have persecuted any Chinese immigrants because:

Every person has the right to enter and leave the country, to travel through its territory and to move to a new

house without the necessity of a letter of safe passage, passport, safe-conduct or any other similar requirement.¹

However, when it came to confronting Chinese immigrants, Mexico played an inconsistent role. This “unpredictable” part of history makes us wonder how Mexico participated in the persecution of Chinese people on the frontier. Therefore, the central question this research aims to ask is: What was the role of Mexico in the undocumented migration of Chinese people to the United States? This paper argues that Mexico initially supported the free movement of the Chinese; however, after anti-Chinese movements advanced in Mexico (an indirect consequence of racist US laws), the government developed strict immigration measures against the Chinese population.

This paper is divided into four parts. The first part will briefly discuss the history between the United States, China, and Mexico and the growth of the Chinese population in both countries across the Pacific. The second part will discuss how the increase in Chinese migration impacted Mexico and examine the underlying reasons why the Mexican government defended Chinese migration. In the third part, an analysis will be conducted regarding the anti-Chinese movements in Mexico and how they contributed to the reversal in immigration policies against the Chinese population. Finally, conclusions and potential implications of Mexico’s shift in policy concerning Chinese migration will be presented at the end of this paper.

The primary sources are reports by Mexican and US officers involved in migration policies from 1882 to 1943. These years were chosen for the following two reasons: first (1882), because undocumented migration of Chinese to the United States intensified after the enactment of The Chinese Exclusion Act. Secondly (1943), because the laws that excluded Chinese people were in force until Franklin Roosevelt signed the Magnuson Law allowing the controlled entry of Chinese people into the US.² At the same time, newspapers and archives from the Mexican revolution (1910) onwards will be analyzed to illustrate how an anti-Chinese movement emerged in Mexico and impacted the immigration policies.

1 Political Constitution of the United Mexican States. *Art. 11*. 1857.

2 Lawrence Douglas Taylor Hansen, “El contrabando de chinos en la frontera de las Californias durante el porfiriato (1876-1911),” *Migraciones Internacionales* 1, no. 3 (July-December 2002): 9.

United States: The Link Between China and Mexico

Although the history between China, the US, and Mexico dates from the conquest period (1519-1810), this paper will not include those dates, as they are not relevant for the research of Chinese migratory movements. Since the nineteenth century, contact between China and Mexico has been indirect. Neither country had the necessary resources to trade bilaterally, so they depended on foreign companies (mainly France, England, and the United States).³ From 1850 to 1860, American vessels used San Francisco as their primary port for exporting silver to China. Since Mexican silver mines were the primary source of materials, US trade ships were also connected to Mexican ports.⁴

The development of the US seemed to promise new opportunities, and along with trading between China and the US, several Chinese people (mostly young men) migrated to the US under labor contracts. At the same time, the prohibition of African slaves in some colonies in Latin America prompted certain landowners to hire Chinese people. These groups of contract workers were colloquially referred to as coolies.⁵ Between 1847 and 1862, Chinese coolies arrived in the United States through American shipping and trade companies. However, rather than realizing their promised dreams, the workers were tricked into fulfilling labor under contracts while working in inhumane conditions. They were paid less than negotiated, would live in precarious conditions, and were mistreated. Since these companies started to monopolize the traffic of coolies, the US government applied restrictive laws. As a conclusive measure, the Burlingame Treaty prohibited the trade of such workers in 1868.⁶

Additional groups of Chinese immigrants arrived in the United States to voluntarily work in factories, railroads, farms and create businesses such as laundries and some street markets. The increase of Chinese, accompanied by high unemployment rates and the development of racist practices (such as Yellow Peril) in the US, cause the attacking of Chinese immigrants by the American population. Among the attacks, there were physical confrontations and damages to Chinese businesses and property. The anti-Chinese movement

3 Vera Valdés Lakowsky, "México y China: Cercanía en la distancia," *Estudios de Asia y África* 15, no. 4 (1980): 818, <https://www.jstor.org/stable/40311987>.

4 *Ibid.*, 820.

5 Flora Botton Beja, "La persecución de los chinos en México," *Estudios de Asia y África* 43, no. 2 (2008): 478, <https://www.jstor.org/stable/40313757>.

6 María Elena Ota Mishima (ed.), *Destino México. Un estudio de las migraciones asiáticas a México, Siglos XIX y XX* (México: El Colegio de México, 1997), 193.

gained more and more strength, prompting the government to restrict Chinese migration to the US. On May 6, 1882, the government banned Chinese workers from entering the country for the next ten years.⁷ After that, the US continued to create and enact discriminatory laws against the Chinese population, such as the Geary Act in 1892, where the government implemented rigid rules regarding Chinese detainees. They also demanded that every Chinese person carry a certificate authenticating their legal status in the United States.⁸

Mexico as the defender of undocumented Chinese immigrants

The anti-Chinese movement in the United States pointed to the Chinese as inadmissible people, as they were seen as job stealers who were dirty and inferior to US citizens.⁹ In response to this, Chinese migrants who still wished to enter the United States crossed borders illegally. There were four main routes by which undocumented Chinese could cross into the United States. The first one was the Pacific coast. However, this was dangerous as US agents inspected everyone who disembarked at the ports for documents. The second route was through the Caribbean; however, the trip was complicated given the islands' conditions, mainly because the waters around them were challenging to navigate. The third route, which was through Canada, did not last long as an illegal crossing between the US and Canada was quickly prevented by introducing immigration laws. Then, Mexico became the main crossing point. The border's condition made it easier to cross through Mexico compared to other routes. The frontier between the US and Mexico covered 3,169 kilometers and did not have enough checkpoints at that time.

A significant amount of the Chinese population seeking to enter the United States intended to work there temporarily; they either wished to earn enough to return to China and get married there or to be able to support their families. As more Chinese sought to enter the United States, Chinese associations were created to help border crossing and provide financial support. The most famous group was the Chinese Benevolent Association, better known as the Chinese Six Companies.¹⁰

When the US banned the Chinese from entering the country, smuggler

7 Ibid., 195.

8 The Geary Act (Extends Chinese Exclusion Act of 1882 for Ten Years), Sec. 2-7, 1892.

9 Botton Beja, "La persecución de los chinos en México," 479.

10 Taylor Hansen, "El contrabando de chinos," 11.

companies began to emerge. According to the Treasury Department, Chinese workers entered the United States with fake documents through Canada and Mexico.¹¹ However, as US immigration operatives intercepted illegal networks along the Pacific Ocean, smugglers found new paths through Mexico and Cuba because they had no laws against Chinese migration. According to statistics, around “60,000 Chinese had entered Mexico, but it is estimated that almost 48,000 of them had crossed into the United States illegally.”¹² Additionally, diplomatic relations between China and Mexico were held through and shaped by the United States. The former Mexican diplomat Matías Romero was ambassador to the US from 1837 to 1899 and was considered the most prominent link in the China-US-Mexico relations. Since the implementation of the Exclusion Act, the US government tried to reach an agreement with the Mexican government to limit Chinese migration. However, Matías Romero and other officers, such as Y.L. Vallarta, refused to prohibit the free movement of people based on Mexican legal frameworks and Article 11 of the Mexican Constitution. This was an unanticipated response because it went against the United States’ policies despite the two countries’ close relationship.¹³ A perfect example is reflected in the newspaper Ontario Times, which reported that:

Mexico refuses to engage in an anti-Chinese crusade. On fact, encourages the immigration of the Mongolian population. Employers of labor find the Chinamen much more tractable than the ordinary ‘greaser,’ as willing workers are hard to get, especially in the mining and agricultural districts, there is a disposition to give the almond eyed toiler full swing, however objectionable his presence may be in some social respects.¹⁴

The support for Chinese immigrants in Mexico did not stop there. In 1884,

11 Letter from the Secretary of the Treasury: transmitting, in response to Senate resolution of March 28, 1890, statement of arrivals of Chinese at the port of San Francisco: April 8, 1890, referred to the Committee on Immigration and ordered to be printed, Collection Development Department, Widener Library. HCL, Harvard University Archives, <https://curiosity.lib.harvard.edu/immigration-to-the-united-states-1789-1930/catalog/39-990112870980203941>.

12 Elliott Young, *Alien Nation. Chinese Migration in the Americas from the coolie era through World War II* (North Carolina: University of North Carolina Press, 2014), 160.

13 Ibid., 99-100.

14 Ibid., 99-107.

Matías Romero tried to reach a treaty between Mexico and China to allow the free movement of a steamboat company called *Compañía Mexicana de Navegación del Pacífico* (Mexican Pacific Navigation Company). For Chinese companies in the United States, this agreement was a great incentive since it would facilitate the movement of Chinese people to America.¹⁵ Later, thanks to the influence of Matías Romero, stressing that the Chinese were a good fit for Mexican labor needs given the weather similarities between both countries,¹⁶ Mexico and China signed the Treaty of Friendship, Commerce, and Navigation in 1899. Upon signing this treaty, the free movement of Chinese and Mexican workers and the naturalization of Chinese immigrants in Mexico took place.

Anti-Chinese movements in Mexico and their consequences

Even though most Chinese were in Mexico for the sole purpose of crossing into the United States, some groups decided to withdraw their plans of further migration and settled in the northern states of Mexico. These included groups fleeing from discrimination in America. The majority lived in the border city of Sonora due to its proximity to the US and for the opportunity of mining and railroad jobs. At first, Mexico agreed to the Chinese diaspora's settlement in the north, as the government wanted to develop the country via Chinese labor. For the government of President Porfirio Díaz, European immigrants were the preferred option to ensure national progress. President Porfirio Díaz was well-known for his preference towards Western culture and society, and he tried to incentivize European people to live in Mexico. Hence, the government implemented the *Ley de Extranjería y Naturalización* (Immigration and Naturalization Law), which granted foreigners the same rights and guarantees as Mexicans.¹⁷ However, there were not enough Europeans willing to move to Mexico. The Chinese were considered cheap labor and were already moving around the northern states, so there was no other option but to accept them.¹⁸

The Chinese community competed successfully in several sectors like small businesses, private services, and agriculture. Their success caused anti-Chinese sentiments among Mexicans who felt they were

15 Valdés Lakowsky, "México y China," 824.

16 Young, *Alien Nation*, 99-106.

17 Ley de Extranjería y Naturalización [Immigration and Naturalization Law], *Capítulo 4. De los derechos y obligaciones de los extranjeros*. [Chapter 4. Of the rights and obligations of foreigners] Art. 30, 1886.

18 Botton Beja, "La persecución de los chinos en México," 479.

missing out on job opportunities, especially in northern states.¹⁹ Some Mexican groups also opposed marriages between Mexican women and Chinese men, arguing that the Chinese were weak and ugly. They were only allowed to live in Mexico as “workers,” not potential “breed mixers.”²⁰

The Anti-Chinese movement continued to spread and culminated in the murder of several Chinese migrants in the city of Coahuila in May 1911. According to the *East Oregonian* newspaper, the federals had control of Coahuila city, and insurgent forces thought they were arming Chinese people to attack. The federal army was not strong enough to contain the insurgents, and while retreating, “280 Chinese, 70 Japanese, 12 Spaniards and one German were shot down after the town was captured.”²¹ Although there were deaths of various foreign nationalities, years later, different newspapers confirmed it was an attack directed at the Chinese population.

After the event, US Ambassador Henry Lane Wilson received a request from China’s diplomatic representative in Mexico City asking for assistance from the United States to protect them and waive the exclusion act.²² Hostilities continued and, one year later, the Chinese minister Chang Ying Tang wrote to the acting Secretary of State requesting refuge for the Chinese residents in Mexico that were victims of the “disturbances.”²³ Who would have thought that Mexico, a country that had accepted and protected

19 Samuel Truett, *Fugitive Landscapes. The Forgotten History of the U.S.-Mexico Borderlands*, (New Haven: Yale University Press, 2006), 121.

20 Moisés González Navarro *et al*, “Introducción a la historia de las migraciones asiáticas a México, Siglos XIX y XX,” in *Destino México. Un estudio de las migraciones asiáticas a México, Siglos XIX y XX*, ed. María Elena Ota Mishima (México: El Colegio de México, 1997), 19.

21 “Massacre at Torreon Cause,” *East Oregonian*, May 23, 1911, accessed May 10, 2020, <https://oregonnews.uoregon.edu/lccn/sn88086023/1911-05-23/ed-1/seq-1.pdf>

22 Papers relating to the foreign relations of the United States, with the annual message of the president transmitted to Congress December 7, 1911, “Telegraph from The American Ambassador to the Secretary of State, May 8, 1911”, File No. 704.9312/2, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1911/d876>.

23 Papers relating to the foreign relations of the United States, with the annual message of the president transmitted to Congress December 3, 1912, “The Chinese Minister to the Acting Secretary of State March 6, 1912,” File No. 151.07/4, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1912/d1317>.

Chinese migration, would end up discriminating against them? Direct attacks on the Chinese population continued, and state congresses legislated laws against mixed marriages and laws favoring Chinese district segregation.

After the anti-Chinese movements intensified in Mexico, the government also strengthened its immigration policies. Around 1930, the Mexican government began cooperating with the United States to control Chinese migrants crossing the border. The Chinese caught on the frontier by US agents were deported to China (which was preferred by the Chinese instead of being deported to Mexico due to the tensions). As the Mexican government had previously announced that it would not prosecute or stop Chinese people along the border, the US government diplomatically asked Mexico for measures regarding immigration movements.²⁴

At first, US ambassadors and *Chargé d’Affaires* tried to convince high-ranking Mexican officers to intervene in anti-Chinese movements to reduce the number of Chinese people fleeing from Mexico to the United States. In a letter by the *Chargé d’Affaires*, Arthur Bliss Lane notified the US Secretary of State about the negotiations that he had had with the Mexican Minister of Foreign Affairs, Dr. Puig. In the letter, he assured that Dr. Puig was trying to alleviate the anti-Chinese movements in the northern Mexican cities.²⁵

Upon the reception of that letter, the Mexican government changed its immigration policies and turned against Chinese immigrants. In May 1933, US Ambassador Daniels sent a memorandum about a conversation with Dr. Puig regarding immigration and the Chinese population. According to the Mexican Minister of Foreign Affairs, over the two preceding years (1931-1933), 2,667 Chinese were caught on the border around Texas and deported. However, they were not considered refugees because they were able to pay for their flight tickets. Therefore, the Mexican government was “willing to cooperate by refusing to permit these Chinese nationals to proceed to the border, unless they [were] in possession of documents visaed by American

24 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Secretary of State to the Ambassador in Mexico (Clark) November 32, 1932,” File No. 812.504/1363, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d752>.

25 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Chargé in Mexico (Lane) to the Secretary of State March 30, 1933,” File No. 812.504/1381, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d754>.

consular officers.”²⁶ Expressly, the Mexican government did not object when the American consul in Ciudad, Juarez William P. Blocker, and Mexican authorities began implementing measures to contain Chinese migrants.

As one of the measures taken against the Chinese immigrants, the governor of Sonora tried to prohibit the entrance of Chinese people to Sonora so that none of them could reach the frontier.²⁷ Furthermore, immigration officers began to apprehend Chinese people before crossing the borders of Nogales²⁸ and Navojoa²⁹ (cities in Sonora), making work easier for US immigration officers. However, it was not until July 1933 that the Mexicans “issued definitive instructions to the Migration offices on the border to prevent its illegality.”³⁰

Finally, in a letter from Diplomat Wilbur J. Carr to the *Chinese Chargé*, the US and Mexican governments announced that the Chinese government should be responsible for the expatriation of the Chinese people caught on the frontier. As a response, the Chinese government paid around 4,000 dollars

26 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “Memorandum by the American Ambassador in Mexico (Daniels) of a Conversation with the Mexican Minister for Foreign Affairs (Puig) May 17, 1933,” File No. 812.504/1392, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d755>.

27 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Ambassador in Mexico (Daniels) to the Secretary of State May 22, 1933,” File No. 812.504/1397, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d756>.

28 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Ambassador in Mexico (Daniels) to the Secretary of State May 24, 1933,” File No. 812.504/1398, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d757>.

29 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Ambassador in Mexico (Daniels) to the Secretary of State June 23, 1933,” File No. 812.504/1404, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d758>.

30 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, “The Ambassador in Mexico (Daniels) to the Acting Secretary of State July 1, 1933,” File No. 812.504/1406, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d759>.

to the US.³¹ At the same time, the Chinese Vice Minister for Foreign Affairs, Dr. Hsu Mo, thanked the US government for absorbing expatriation costs and considered the concerns that America had regarding undocumented migration.³²

Conclusion

As illustrated in this paper, the Exclusion Act not only affected the immigration situation of the Chinese in the United States but also affected the entire area of North America. Migration is a phenomenon that persists regardless of adversity. After the US banned the entry of the Chinese, people found new ways of entering the territory through Canada and Mexico. As Canada bowed to US pressure, the US-Mexico border became the main path for Chinese immigrants. At first, the Mexican government was against American Anti-Chinese policies and defended that everybody had the right to absolute freedom of movement.

Furthermore, the government of Porfirio Diaz encouraged immigrants to stay in Mexico and work towards national progress. The regime thought that the greater the number of foreigners, the greater the speed with which Mexico would develop. Although Mexico preferred European foreigners, given the minimal number of European immigrants, the government accepted Chinese laborers, especially in the north of the country.

However, certain factors among Mexican society merged, and racism began to proliferate. First, the Chinese population became a competitive labor force in the mines. Second, they successfully established reliable, competitive businesses that threatened Mexican-owned companies. Consequently, after the revolution began in 1910, Chinese people were killed or kicked out from several states. This anti-Chinese sentiment not only reached society but also influenced immigration policies. Around the 1930s, Mexico completely changed from being an advocate of the freedoms of Chinese immigrants to an anti-Chinese country like the United States.

31 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, "The Secretary of State to the Chinese Chargé (Yung kwai) September 1, 1933," File No. 812.504/1412, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d760>.

32 Foreign Relations of the United States, diplomatic papers, 1933, the American Republics, volume V, "Memorandum by the Minister in China (Johnson) of a Conversation with the Chinese Vice Minister for Foreign Affairs (Hsu Mo) November 11, 1933," File No. 812.504/1421, Office of the Historian, <https://history.state.gov/historicaldocuments/frus1933v05/d761>.

The Chinese Exclusion Act resulted in new perspectives on migration. On the one hand, the undocumented migration of Chinese consolidated the criminalization of undocumented immigrants, which nowadays is portrayed through the concept of an “illegal alien.”³³ On the other hand, the period between the exclusion act and the Magnuson Law strengthened immigration checkpoints on the Mexico-US frontier, particularly after Mexico began to cooperate with the US to control the movement of Chinese immigrants. Chinese immigrants eventually stopped using the Mexico-US frontier, and Mexicans along with Central Americans started to move up north to accomplish the “American dream,” even if that meant migration without documents. Since then, those immigrants have been criminalized, and strict immigration policies have been implemented to prosecute them. Who could have predicted that years after these two laws were enacted, the indirect consequences of this US legislation would end up being used against Mexican and Central American immigrants?