

Black Immigration and the West

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From Africa to the American West

African-American Immigration and the American West

April and May of 2006 saw national demonstrations in the U.S., mostly by immigrants south of the U.S. border, hoping for a measure of appreciation and respect for the contributions they feel they have made to this country. They were also responding to the attempt by lawmakers to make illegal immigration a felony. Immigration has always been a race card issue in U.S. history and its relationship to African-Americans as the measure for labor costs is historically attached to the days of slavery. When Mexican President Fox made the statement that Mexican immigrants do jobs in the U.S. that not even the Blacks will do, he was merely mimicking a U.S. sentiment that has been around long before he was elected. The truth is African-Americans might do the jobs, but not at the wages paid to immigrants exploited because of their citizenship status. W.E.B. Dubois, Frederick Douglas, and Booker T. Washington all addressed the issue of immigration of European and Asian laborers after slavery and how they believed it would negatively impact freed slaves in the labor market. Immigration control and exclusion laws have been extended to the Chinese, the Irish, Filipinos, Japanese, Burmese, the French and Africans. Though there are no exclusion acts yet for our Southern neighbors, the pathology is eerily similar. Canada mirrored the United States with race-based immigration laws, which may help explain why the vigilantes aren't as pre-occupied with our Northern borders.

In the historic west it was the African-American that was the illegal immigrant in some territories. The Dred Scott decision established the points that not only were slaves not citizens but neither were free African-Americans. Every territory which entertained or enacted Negro exclusion laws was able to do so based on the premise that since African-Americans were not citizens of any country, they had even less obligation to recognize them. The historical reasons to control immigration were the same as they are today, to protect U.S. wage laborers and to resist cultural change, even among African-Americans, who were recorded as having trouble with other African descent immigrants such as the Cubans, West Indians and Nigerians. It's hard for anyone not born into African-American culture to understand how it evolved around centuries of state mandated race laws. I'd like to explore a few of the anti-Negro immigration movements of the old west and present some of the reasons stated as to why anti-Negro immigration was necessary.

The earliest exclusion laws for free African-American immigration began in the Eastern states. This first excerpt describes how the prohibition by Congress of Black immigrants in 1803 was intended to protect free labor:

Thus' in 1803 a bill passed Congress which prohibited bringing to the country certain Negro and mulatto immigrants. But it was a bill which sprang from the fears of slave-holders, and which was intended to protect slavery. In the same year South Carolina repealed her State law prohibiting the slave-trade. The objection was to black freemen, not to black slaves; and it is not legislation to which an American can recur with pride.

<http://immigrants.harpweek.com/ChineseAmericans/items/item076L.htm>

While the South's motivation was to protect slavery, the North's exclusion laws were meant to protect White laborers; the next excerpt explains:

The pressure for total exclusion came from the working class whites, struggling for a little bargaining power with the shop owners and fearful of inexpensive black competition that could drive down wages. New Jersey in 1786 had prohibited blacks from entering the state to settle, because "sound public policy requires that importation be prohibited in order that white labour may be protected." Connecticut's legislature, making the same prohibition in 1784, had declared that it did so because "the increase of slaves is injurious to the poor."

<http://www.slavenorth.com/exclusion.htm>

Other states with Black immigrant exclusion laws were Indiana, Illinois, Iowa, Michigan, Massachusetts and New Jersey.

In the West, debates and laws about excluding Blacks occurred in Kansas, Texas, Oregon, and California. The next excerpt is from the proposed California Negro Exclusion Bill of 1858 written by Isaac Allen:

The presence of the free Negro here is a constant source of disquiet, for we are sorry to say, that there is not wanting, a clan of white men, in our state: whom a false philanthropy leads to fasten the ignorant hide of the free negro, so that he becomes insolent and defiant and if in sufficient numbers would become dangerous, as evidenced by recent occurrences in one of our cities.

<http://learncalifornia.org/doc.asp?id=1916>

The bill did not pass but this was one of several attempts to pass anti Black immigration in California. The California Constitutional Convention of 1849 was overly burdened with debates about whether to allow African-American residency in the state.

Oregon was one of the earliest Western states to exclude Blacks. One African-American was actually deported from Oregon because of his status as an illegal immigrant, the next excerpt from E. McLagan's Peculiar Paradise explains:

On August 20, 1851, a black man named Jacob Vanderpool, who owned a saloon, restaurant and boarding house across the street from the offices of the Oregon Statesman in Salem, was arrested and jailed. His crime was living illegally in Oregon because he was black. Theophilus Magruder had filed a complaint against him, saying that his residence in Oregon was illegal because of an exclusion law passed by the Territorial government in 1849.

<http://gesswhoto.com/paradise-chapter2.html>

In keeping with the presentation of reasons for anti-immigration Peculiar Paradise provides a view of the times from historic Oregon:

The House bill was prompted by two petitions. One, presented by 293 citizens of Multnomah County, complained that black and Chinese people were becoming an intolerable nuisance in that part of the state, crowding in and taking over jobs that poor whites had held.

They are of no benefit to the State either socially, morally or politically--they pay no taxes, and the Chinamen after accumulating large amounts of money carry it to the celestial land. We therefore

ask your [honorable] bodies to provide by law for the removal of the negroes and such provisions in reference to Chinamen as to cause them to prefer some other country to ours.

<http://gesswhoto.com/paradise-chapter5.html>

Oregon's anti-Negro immigration law was one of the harshest, with a threat of lashings until the illegal Negro immigrant left the territory.

Texas was an independent territory before statehood in 1845 and in 1840 passed a law forbidding free blacks from citizenship. Few know that Texas was one of the recommended destinations for freed slaves along with Liberia and Haiti while it was still Mexican territory. It is my belief that this colonization scare spurred anti-Negro immigration laws in Texas before the Civil War. A unique status existed regarding Black immigrants prior to Texas independence from Mexico that the reader may find interesting in the next excerpt.

Early in 1830 the legislature of Louisiana ordered the expulsion of all free negroes and mulattoes who had illegally entered that state since 1825. Here seemed to be a good opportunity to secure the needed workingmen for the Texas plantations. Instead, however, of offering inducements to these laborers to emigrate to Texas, we find the Mexican vice-consul in New Orleans publishing notices that such negroes are strictly forbidden to enter Texas, and that shipmasters will not be allowed to land them on the Texas coast. The free negro was not wanted in Texas.

<http://www.tamu.edu/ccbn/dewitt/slaverybugbee2.htm>

The law established after Texas independence to exclude free Blacks caused minor troubles. The next excerpt discusses a dilemma for one of those free Blacks in 1840 named William Ashworth:

"Relatives named Ashworth also came to the Zavala colony and were affected when the General Council passed an ordinance forbidding the immigration of free blacks into Texas. The law was not enforced against any of the Ashworths. When the Texas Congress passed an act on February 5, 1840, ordering all free blacks to leave the republic within two years or be sold into slavery, white support for the Ashworths came in the form of three petitions requesting their exemption from the act." <http://www.tsha.utexas.edu/handbook/online/articles/AA/fas5.html>

Kansas is better known for the radical liberator John Brown, but it like most Free States also let it be known that they not only wanted to be free of slavery, but free of all Negroes as well. The term free probably was intended to give notice to a free labor status rather than lofty humanitarian ideas. James H. Lane who was previously of the Negro exclusion state of Indiana, became a prominent political figure in early Kansas government, and ironic similarity to how the first governor of California, Peter Burnett, came from the Negro exclusion state of Oregon to affect Black exclusion in California in 1850. The next two excerpt discuss the situation of Kansas:

Antislavery settlers then met at Topeka, and from Oct. 23 to Nov. 12, 1855, they held a constitutional convention. The Topeka Constitution that resulted banned slavery; the question of admitting free blacks into the state was submitted to a popular vote as a separate issue. On December 15, antislavery Kansans ratified the Constitution and by a three-to-one margin voted to exclude free blacks from the territory."

<http://www.britannica.com/Blackhistory/article.do?sessionId=FF61B9ADB1CC599B546413ECE619ABAF?nKeyValue=72908>

KANSAS - THE PRELUDE TO THE WAR FOR THE UNION

BY LEVERETT WILSON SPRING

Chapter 4

The question of slavery brought on an all-night discussion, in which he persuaded the committee to adopt violent anti-negro principles. Only one among the thirteen stood out to the end, -- an inexpugnable home missionary, James H. Byrd. The platform branded the charges of abolitionism, so industriously circulated against free-state men, as "stale and ridiculous." With that mischievous and deplorable fanaticism it disavowed all sympathy. "The best interests of Kansas require a population of free white men." When the time came for the establishment of a state government, negroes of every stripe, bond and free, should be excluded. The convention adopted the platform without dissent. At Big Springs assuredly the anti-slaveryism was of a diluted milk-and-water type."

http://www.kancoll.org/books/spring/s_chap05.htm

This year sympathizers and perhaps illegal aliens themselves staged one of the most appropriate May Day actions since U.S. labor activists established its importance in 1891 (before modern Communism). Literal interpreters of the law see no middle ground, you are either a criminal or you are not, but it was once illegal to be a fugitive slave, some laws must be enforced with common sense. Like the illegal fugitive slave searching for a place to better his or herself and family, the illegal alien's crime must be weighed against their demonstration to better their lives through honest labor. Criminalizing immigrants has always had an underlying degree of racism in the U.S. In the Old west, it was African-American immigrants who faced the constant threats now experienced by Latino immigrants today. The immigration issue today has several important lessons to be learned from American West history.