

# The Moral Architecture of Chinese Exclusion

*Antislavery, Sexuality, and the Page Act of 1875*

Veronica Sanjurjo

A thesis submitted in partial fulfillment of the requirements for honors in the Department of  
History, Duke University  
Durham, North Carolina

Under the Advisement of Professor Gunther Peck

April 18, 2025

To Abuelo and Abuela, who first taught me to love history—not as dates and facts, but as a way of seeing the world with care and curiosity. Your unwavering support has shaped every step of this journey.  
This work is for you.

## Abstract

This thesis argues that the Page Act of 1875 was not merely a prelude to the Chinese Exclusion Act, but a foundational moment in the rise of federal immigration control. Framed through the language of antislavery and sexual morality, the Page Act marked the federal government's first effort to regulate immigration nationally. In targeting Chinese women suspected of prostitution, it fused immigration policy with white, middle-class ideals of gender, race, and virtue and transformed the rhetoric of emancipation into a tool for exclusion.

The project traces how post-Civil War debates over labor, morality, and citizenship converged in the figure of the Chinese woman, who came to symbolize a threat to national purity. Drawing on congressional speeches, missionary records, and anti-Chinese literature, and based on archival research at the National Archives, Bancroft Library, and Stanford Special Collections, the thesis examines how the Page Act institutionalized the regulation of sexuality at the border as an open-ended function of state power.

Chapter 1 examines how Eastern reform movements and free labor ideology framed female sexuality as a political problem. Chapter 2 turns to California, where economic and racial anxieties constructed Chinese women as morally corrupt. Chapter 3 traces how California lawmakers nationalized this rhetoric, reframing exclusion as a moral imperative.

By offering a unified analytical framework that links the Page Act to antislavery discourse, gendered moral reform, and the expansion of discretionary federal authority, this thesis challenges interpretations that treat the Act as marginal. It shows instead that the Page Act inaugurated a new regime of immigration governance grounded in the surveillance of sexuality, the containment of racialized femininity, and the transformation of freedom into an exclusionary national ideal.

## Acknowledgements

I am deeply grateful to Professor Gunther Peck, my thesis advisor, whose intellectual guidance, thoughtful critiques, and unwavering support have shaped every stage of this project. His mentorship pushed me to think critically, write courageously, and pursue questions that mattered.

I would also like to thank Professor Phillip Stern, whose leadership of the thesis seminar created a space for rigorous discussion, intellectual generosity, and sustained reflection. His insights challenged me to refine my arguments and engage more deeply with the historical material.

A special thanks to Professor Cecilia Marquez, who introduced me to the archives and taught me how to read them not just as repositories of evidence, but as dynamic and contested spaces of historical memory. Her encouragement and example were instrumental in shaping my research process.

I am indebted to my thesis seminar classmates, whose thoughtful feedback, probing questions, and solidarity made this year-long journey not only possible, but meaningful. Their engagement sharpened my thinking and reminded me of the power of collaborative scholarship.

Finally, to my friends and family—thank you for listening to me talk about Chinese exclusion, moral regulation, and nineteenth-century immigration law for the better part of a year. Whether you offered encouragement, asked thoughtful questions, or simply nodded along as I rambled through yet another thought spiral, your patience and support meant more than you know.

## Contents

Introduction.....	1
Moral Reconstruction: Sexuality, Slavery, and the Federalization of Virtue.....	21
<i>From Passion to Panic: Sexual Morality and the Making of Middle-Class Respectability.....</i>	<i>23</i>
<i>Reform and Resistance: Antislavery Rhetoric in Labor, Marriage, and the Marketplace.....</i>	<i>31</i>
<i>Sexualized Racism and the Southern Redemption of White Patriarchy.....</i>	<i>37</i>
<i>The Moral Republic: Federal Power, Immigration, and the Policing of Virtue.....</i>	<i>42</i>
Enemies of Labor, Enemies of Virtue: The Anti-Chinese Campaign in California.....	49
<i>Reconstruction's Western Frontier: State Power, Race, and the Crisis of National Identity.....</i>	<i>52</i>
<i>The Anti-Chinese Labor Movement: Race, Work, and the Afterlife of Slavery in California's Political Economy.....</i>	<i>55</i>
<i>Frontier Bodies: Prostitution, Morality, and the Gendered Landscape of the Gold Rush West... </i>	<i>63</i>
<i>Chinese Prostitution: The Racial-Sexual Economy of Coercion and Commodification.....</i>	<i>66</i>
<i>"Rescue" and Racial Redemption: Missionary Women and the Reproduction of Moral Hierarchy.....</i>	<i>73</i>
Sanctifying the Nation: The Page Act and the Moral Logic of Exclusion.....	81
<i>California's Road to Federal Exclusion.....</i>	<i>83</i>
<i>From Labor Threat to Moral Menace: The Recasting of the Chinese Question.....</i>	<i>86</i>
<i>The Page Act's Creation and Implementation.....</i>	<i>96</i>
Conclusion.....	107
Bibliography.....	113

## Introduction

“As the public policy and law justly hold coolieism to be a species of slavery, and as the system of Chinese prostitution is the most barefaced and shameful offense against public morality, there are hardly any measures of repression less than absolute cruelty that could be suggested which ought not to receive the public approval ... It makes the soul revolt when is read the announcement, as each steamer arrives from China, that she brought so many hundred Chinese girls. They constitute a systematized traffic for purposes of prostitution and are spreading licentiousness at a fearful rate.”

In 1870, California State Senator James A. Johnson stood before his colleagues and read aloud from *The Sacramento Bee*, offering a justification for the rising call to restrict Chinese immigration. What animates this statement is not only its racial and sexual panic, but its rhetorical structure; specifically, its appropriation of the language of slavery and antislavery to demand exclusion, repression, and moral policing. By casting “coolieism” as slavery and framing prostitution as a public moral crisis, the quote invokes the nation’s recently solidified antislavery ideals as a moral pretext for creating control over the flows of immigration to the nation. The figure of the Chinese prostitute represented a threat to the nation itself and a moral crisis that demanded the same attention as the recent war on slavery. The quote exemplified a broader postbellum transformation in the making: the dramatic repurposing of the legacy of antislavery, rather than fading after emancipation, was redirected toward racialized governance and sexual regulation. Antislavery, only recently a call for Black and national liberation and redemption, was becoming a language through which the state might expand its power by

defining who was morally fit to enter the nation, and who, in the name of freedom, must be kept out.

The Page Act of 1875, the first federal immigration law in U.S. history, emerged directly from the ideological convergence that the Sacramento Bee writer established in 1870. Ostensibly a measure to combat prostitution and involuntary labor, the Page Act barred the entry of Chinese women suspected of sex work, along with so-called “coolies” and convicts. In practice, it functioned as a near-total ban on Chinese female migration.<sup>1</sup> While it has often been treated as a legal footnote to the Chinese Exclusion Act of 1882, this thesis contends that the Page Act was far more than a precursor: it marked a pivotal moment in the formation of the American immigration regime. It was the point at which the U.S. government began to define freedom not as a universal right, but as a moral credential. It was also the moment when immigration law became a vehicle for racialized sexual governance, cloaked in the noble language of emancipation.

This transformation did not emerge from nowhere. As Kevin Kenny argues in *The Problem of Immigration in a Slaveholding Republic*, the project of American immigration control was always entangled with questions of freedom and unfreedom. Long before the Page Act, the federal government had asserted the authority to police mobility through laws like the Fugitive Slave Act of 1850, which treated the movement of enslaved people across space as a threat to national order. In Kenny’s reading, the surveillance of fugitive slaves served as a foundational exercise in federal control over bodies deemed suspect.<sup>2</sup> That logic of suspicion laid

---

<sup>1</sup> George Anthony Peffer, *If They Don’t Bring Their Women Here: Chinese Female Immigration Before Exclusion* (Urbana: University of Illinois Press, 1999).

<sup>2</sup> Kevin Kenny, *The Problem of Immigration in a Slaveholding Republic: Policing Mobility in the Nineteenth-Century United States* (New York: Oxford University Press, 2023).

crucial groundwork for later immigration restrictions. The Page Act, in this sense, extended the state's power not simply outward to the border but downward into the realm of gender, sexuality, and moral evaluation. It was a new kind of fugitive regulation, this time aimed not at recovering the enslaved, but at repelling the unfit

This thesis begins from a set of questions: Why target Chinese women for the nation's first immigration law, and why frame their exclusion through the rhetoric of antislavery? Why did sexuality, particularly prostitution, become such a powerful symbol of national decline and threat? And what did it mean that, just a decade after the abolition of slavery, U.S. lawmakers could mobilize the language of freedom to rationalize new forms of restriction? In short: what was it about antislavery that proved so politically resilient and productive for the expansion of federal power?

Indeed, the very language used to condemn slavery now became the moral cover for constructing the state's authority over the border, the body, and the family. Over the course of its creation, the architects of the Page Act would discover something that many historians of immigration have lost sight of: that the meaning of antislavery, far from being resolved by the Thirteenth Amendment, remained deeply unsettled and remarkably flexible. Its elasticity enabled its redeployment, not toward liberation, but toward regulation. As a result, Chinese women, despite their small numbers in the broader migration to North America, became powerful symbols through which the nation could redefine its postwar moral order.

But the Page Act was not an inevitable expression of the political mischief lurking within antislavery ideology and the ambitions of national actors in Washington, D.C. Quite the contrary, it emerged out of a particular political crisis far from the corridors of Congress. It was a product of broader social and economic transformations in California and across the nation that unsettled

existing hierarchies: the rise of industrial capitalism and wage labor, the shifting place of women in public life, and the crisis of moral authority in Reconstruction's aftermath. These disruptions gave rise to a cultural anxiety over who could belong in the republic and what values would define it. While later policies such as the Chinese Exclusion Act or the populist nativism of Dennis Kearney would more explicitly racialize immigration law, the Page Act offered a more legalistic, sanitized, and moralized path to the same ends. It disguised exclusion as protection; it framed surveillance as rescue. And in doing so, it helped define who would be allowed to reproduce the nation morally, sexually, and biologically.

This thesis traces how, in the aftermath of the Civil War, the United States reconstituted itself as an "antislavery state" by constructing new systems of regulation that rechanneled the language of emancipation into a tool of exclusion. Discourses of prostitution and moral decline became central to immigration law, transforming Chinese women into potent symbols of national disorder. Their bodies were made to bear the weight of anxieties about labor, reproduction, and racial boundaries. By targeting these women in the name of rescuing them, the state justified a new moral regime: one in which freedom was conditional, regulated, and deeply entangled with whiteness, patriarchy, and heteronormativity. The Page Act did not protect the vulnerable; it rendered them suspect, using their perceived immorality to justify the expansion of state control.

### **The Contested Space of Antislavery**

In the years following the Civil War, anti-slavery emerged not only as a memory of abolitionist triumph but as a deeply contested ideological space. The rhetoric served as a flexible language through which various social groups articulated their grievances and aspirations.<sup>3</sup>

---

<sup>3</sup> Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (Cambridge: Cambridge University Press, 1998).

Although often conflated with abolitionism, which aimed specifically at ending chattel slavery, anti-slavery discourse extended much further. It came to represent a critique of any condition defined by the denial of personhood, agency, or autonomy.<sup>4</sup> As such, it became a potent framework through which multiple groups sought to shape postbellum American society.

Middle-class women, many of whom had been involved in the abolitionist movement, began to apply the logic of anti-slavery to their own lives. They increasingly recognized how gender roles, intensified by economic transformation, confined them to domestic dependency.<sup>5</sup> Tied to their husbands by law, economics, and custom, women began to view their social condition as one of constrained freedom. Through the lens of anti-slavery, they also cast their gaze downward, seeing in prostitution a stark form of commodification. Prostitutes, often economically desperate and vulnerable to exploitation by pimps and madams, were understood to lack control over their bodies and thus their personhood.<sup>6</sup> By framing such conditions as forms of slavery, reformers lent their cause the moral urgency of the era's most pressing political struggle.

Simultaneously, wage laborers, increasingly disillusioned by the realities of industrial capitalism, invoked anti-slavery rhetoric to express a new class consciousness. The rise of wage labor brought with it a profound sense of dependence and insecurity. Daily wage cuts, the inability to support families, and the manipulation of labor markets through the importation of

---

<sup>4</sup> Stanley L. Engerman, *Terms of Labor: Slavery, Serfdom, and Free Labor* (Stanford: Stanford University Press, 1999).

<sup>5</sup> Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century* (New York: Hill and Wang, 1984); Kathryn Kish Sklar, *Women's Rights Emerges Within the Antislavery Movement, 1830-1870: A Brief History With Documents* (Boston: Bedford/St. Martin's, 2019); Carroll Smith-Rosenberg, *Disorderly Conduct: Visions of Gender in Victorian America* (New York: A.A. Knopf, 1985).

<sup>6</sup> Stanley, *From Bondage to Contract*.

immigrant workers under contract eroded American workers' sense of autonomy.<sup>7</sup> Laborers began to argue that their condition, though legally free, was substantively akin to slavery. For them, the true battle for freedom had only just begun. Unlike abolitionists who had focused on the South, laborers now demanded recognition for the northern forms of unfreedom created by industrial capitalism.<sup>8</sup> In doing so, they offered a racialized vision of freedom that prioritized white laborers' economic security over the broader emancipationist project.

The proliferation of antislavery rhetoric in the postbellum period was far from unified. Competing groups invoked antislavery to advance divergent and often conflicting agendas. Rather than serving as a settled moral consensus after emancipation, antislavery became a deeply contested ideological terrain. Its meanings were unstable, but its political utility was immense. For the federal government, now tasked with reuniting a fractured nation and consolidating power during Reconstruction, this ideological volatility presented both an opportunity and a challenge. Antislavery rhetoric offered a compelling moral framework through which the state could assert legitimacy and expand its authority. But that power was only productive insofar as it could be controlled. Left unbounded, the language of emancipation threatened to unsettle racial, economic, and gender hierarchies, and potentially empower groups who were agitating for a broader vision of freedom. As such, redefining and disciplining the meanings of antislavery became essential to the project of national reconstruction.

---

<sup>7</sup> Robert Asher and Charles Stephenson, eds., *Labor Divided: Race and Ethnicity in the United States Labor Struggles, 1835-1960* (Albany: State University of New York Press, 1990); Jacqueline Jones, *A Social History of the Laboring Classes: From Colonial Times to Present* (Malden: Blackwell Publishers, 1999); David R. Roediger and Elizabeth D. Esch, *The Production of Difference: Race and the Management of Labor in U.S. History* (New York: Oxford University Press, 2012).

<sup>8</sup> Engerman, *Terms of Labor*; Phillip S. Foner and Herbert Shapiro, *Northern Labor and Antislavery: A Documentary History* (Westport: Greenwood Press, 1994).

In this redefinition, morality became a crucial focal point for contesting versions of antislavery discourse to be plotted and fought over. As religious fervor resurged in the postbellum decades, the state increasingly claimed responsibility for policing moral order.<sup>9</sup> It is in this context that Chinese immigrants, particularly Chinese women, became targets of moral reform and anxiety. Although the Chinese arrived as voluntary contract laborers rather than as coerced “coolies,” public discourse increasingly cast them as a new slave class, threatening both the economic and moral foundations of American society. Chinese laborers were portrayed not as victims, but as agents of disorder undermining the white labor market and violating norms of Protestant respectability.<sup>10</sup> Chinese women, many of whom had been trafficked into prostitution, were central to this moral panic. In a society that had come to equate female virtue with national virtue, their presence was seen as intolerable. Though their condition was described as slavery, the goal was not to liberate them but to exclude them. Their presence became evidence of the depravity of Chinese culture, justifying broader claims that the Chinese were unfit for American life. Anti-slavery rhetoric, originally mobilized by marginalized groups to critique inequality and state-sanctioned abuses of trafficked people, was ultimately co-opted by the state to enforce new claims for regulating the movement of people across national, racial, and gendered boundaries.

---

<sup>9</sup> Clinton, *The Other Civil War*; John Fea, “Religion and Reform in the Early American Republic,” Essay in *The Routledge History of Nineteenth-Century America* (London: Taylor & Francis, 2016); Geoffrey R. Stone, *Sex And the Constitution: Sex, Religion, and Law From America’s Origins to the Twenty-First Century* (New York: Liveright Publishing Corporation, 2018).

<sup>10</sup> Lee, Catherine. “‘Where the Danger Lies’: Race, Gender, and Chinese and Japanese Exclusion in the United States, 1870-1924.” *Sociological Forum* 25, no. 2 (2010): 248–71; Matsubara, Hiroyuki. “Stratified Whiteness and Sexualized Chinese Immigrants in San Francisco: The Report of the California Special Committee on Chinese Immigration in 1876.” *American Studies International* 41, no. 3 (2003): 32–59; Rudi Batzell, “Free Labour, Capitalism And The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s,” *Past & Present*, no. 225 (2014): 181; Sucheng Chan, “A People of Exceptional Character: Ethnic Diversity, Nativism, and Racism in the California Gold Rush,” *California History* 79, no. 2 (2000): 44–85.

In this way, the Page Act of 1875 exemplified this contested and evolving ideological struggle over the meanings of antislavery and new dilemmas about federal border policy. The Page Act became an opportunity for supporters of a federalized immigration policy to expand their purview and their political power in a nation still divided by the meaning of antislavery. Rather than a mere response to immigration, it was a state-driven attempt to reclaim and redirect anti-slavery discourse, transforming it from a language of liberation into a tool for exclusion. It helped redefine who counted as a moral subject, a free laborer, and a potential citizen in post-Civil War America.

### **Historiography**

The Page Act of 1875 remains surprisingly underexamined in both the histories of Chinese exclusion and American immigration policy. Most treatments of Chinese immigration afford the law only brief mention, positioning it as a precursor to the more prominent Chinese Exclusion Act of 1882. It is often dismissed as ineffective and therefore unimportant. I contend that the relative neglect of the Page Act is due in part to disciplinary silos: when examined through the isolated lenses of anti-Chinese sentiment, labor politics, or gender and sexuality, the Act appears anomalous. However, when viewed through the connective tissue of antislavery ideology, these disparate threads converge, revealing the Page Act as a critical moment in the evolution of federal power in the United States and an exclusionary understanding of the nation's antislavery identity.

#### *Chinese Immigration and Exclusion*

The historiography of Chinese immigration is robust but often fragmented. Foundational works such as Alexander Saxton's *The Indispensable Enemy: Labor and the Anti-Chinese*

*Movement in California* situate Chinese exclusion firmly within the context of the American West, focusing on the political mobilization of white laborers during and after the Gold Rush. While this work, and others focused on the labor aspect of anti-Chinese sentiment, thoroughly explains Western exclusionist sentiment, it tends to leap from state politics to federal legislation without examining how exclusionist ideologies resonated, or had to be made to resonate, with Eastern lawmakers.<sup>11</sup>

This geographic disconnect obscures the national dimensions of Chinese exclusion. To pass federal legislation, Western advocates had to translate regional anxieties into arguments compelling to Eastern constituencies. Najia Aarim-Heriot's *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848–82* addresses this gap by tracing shared logics of racial exclusion across regions. She underscores the transposition of anti-Black racism, central to white ideology in the East, onto Chinese immigrants in the West. Yet even this more integrative approach often centers race to the exclusion of other driving forces. Missing from much of the literature are the roles of sexuality, class, and particularly antislavery discourse in shaping immigration policy.<sup>12</sup>

Moreover, the literature often severs Chinese exclusion from its broader temporal context. The Page Act emerged not in a vacuum but amid the Reconstruction Era, a period typically narrated in terms of North-South binaries and Black-white relations. As Elliot West

---

<sup>11</sup> Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1971); Batzell, "Free Labour, Capitalism And The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s"; Chan, "A People of Exceptional Character

<sup>12</sup> Najia Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848–82* (Urbana: University of Illinois Press, 2003); Michael D. Bottoms, *An Aristocracy of Color: Race and Reconstruction in California and the West, 1850–1890* (Norman: University of Oklahoma Press, 2013); Arnaldo De León, *Racial Frontiers: Africans, Chinese, and Mexicans in Western America, 1848–1890* (Albuquerque: University of New Mexico Press, 2002); Dan Moos, *Outside America: Race, Ethnicity, and the Role of the American West in National Belonging* (Hanover: Dartmouth College Press, 2005).

argues in “Reconstructing Race,” such frameworks neglect the West entirely and occlude the federal government’s broader postwar efforts to assert control over contested regions and redefine the moral and civic boundaries of the nation. Adopting West’s concept of “Greater Reconstruction,” this thesis locates the Page Act within the larger project of national consolidation and moral standardization, efforts that included defining who belonged within the American polity and who did not.<sup>13</sup>

Although women have often been overlooked in the broader historiography of Chinese Americans, works such as *Unsubmissive Women*, *Unbound Feet*, and “Free, Indentured, Enslaved” have made significant strides in centering their experiences, particularly those of Chinese prostitutes, as key to understanding exclusion.<sup>14</sup> These studies offer crucial insight into the gendered violence of immigration regulation and the lived consequences of the Page Act. However, they tend to treat Chinese prostitution as an exceptional, racially distinct phenomenon, without fully accounting for how it intersects with broader, national anxieties about sexuality, morality, and female labor. These studies rarely place Chinese prostitution in conversation with the regulation of sex work on the East Coast, where white and Black women were also subjected to moral reform campaigns, carceral intervention, and discourses of rescue and containment. As a result, they miss how the Page Act’s moral framework echoed, and was shaped by, ongoing efforts to police sexuality across the country. This thesis intervenes by emphasizing the importance of regional comparison and by demonstrating how the West functioned not as a

---

<sup>13</sup> Elliott West, “Reconstructing Race,” *Western Historical Quarterly* 34, no. 1 (2003): 6–26.

<sup>14</sup> Judy Yung, *Unbound Feet: A Social History of Chinese Women in San Francisco* (Berkeley: University of California Press); Benson Tong, *Unsubmissive Women* (Norman: University of Oklahoma Press, 1994); Lucie Cheng Hirata, “Free, Indentured, Enslaved: Chinese Prostitutes in Nineteenth-Century America,” *Signs* 5, no. 1 (1979): 3–29.

peripheral space, but as a key site in the federal government's attempt to nationalize moral norms through immigration control.

*Gender, Sexuality, and Moral Reform*

A critical yet often overlooked component of the Page Act is its focus on sexuality. The law explicitly targeted Chinese women suspected of prostitution, revealing how deeply embedded moral anxieties were in the architecture of exclusion. As Geoffrey Stone argues in *Sex and the Constitution* and Carroll Smith-Rosenberg in *Disorderly Conduct*, anxieties about sexuality and shifting gender norms fueled restrictive cultural and legal responses throughout the Victorian era. These works illuminate how lawmakers and reformers, often from the middle and upper classes, sought to defend idealized notions of morality by policing bodies and behaviors deemed deviant. However, these accounts often abstract sex and gender from class and race, rendering immigrant and working-class women as peripheral or symbolic rather than as active subjects.<sup>15</sup>

In contrast, Neil Larry Shumsky's "Tacit Acceptance: Respectable Americans and Segregated Prostitution" complicates the binary between public morality and private practice, revealing the hypocrisies underpinning attitudes toward sex work. Prostitution, he argues, was tolerated when confined to marginalized spaces, suggesting that the Page Act's specific focus on Chinese women was not a general attack on sex work but rather a racialized moral panic. This reading invites closer scrutiny of how sexual deviance was racialized and used to justify exclusion in a period when American identity was being actively redefined.

---

<sup>15</sup> Smith-Rosenberg, *Disorderly Conduct*; Stone, *Sex and the Constitution*.

*Antislavery and the Politics of Freedom*

The most understudied but central theme of this thesis is antislavery ideology. Too often, antislavery is conflated with abolitionism, reduced to the campaign against chattel slavery. Too often, antislavery is conflated with abolitionism and reduced to the legal and political campaign against chattel slavery. Yet as scholars like Stanley Engerman and Amy Dru Stanley have demonstrated, antislavery was not simply a historical movement; it was a flexible and evolving ideological framework concerned with the meanings of labor, contract, and freedom in the post-emancipation world. Engerman presents antislavery as a legitimating discourse for emerging capitalist labor systems, one that equated freedom with wage labor, contractual relations, and formal consent. But as he acknowledges, the category of “free labor” was far from stable. It encompassed a broad range of conditions, many of which remained deeply coercive. While Engerman offers a valuable account of how antislavery ideals were used to both normalize market dependency and fight against it, his focus remains primarily on labor and overlooks how antislavery rhetoric also operated through gender, sexuality, and moral governance. What his analysis lacks is an account of how this language extended beyond labor to become a broader governing logic—invoked by employers, workers, reformers, and lawmakers alike to rationalize new forms of social control.<sup>16</sup>

Amy Dru Stanley’s work represents a critical intervention in the scholarship on antislavery by shifting attention from slavery’s abolition to the ideological afterlife of freedom. Rather than treating antislavery as a discrete historical movement, Stanley recasts it as a moral language centered on the sanctity of contract, consent, and self-ownership. For her, the end of slavery ushered in not simply a new legal order but a new moral economy, in which individuals,

---

<sup>16</sup> Engerman, *Terms of Labor.*; Stanley, *From Bondage to Contract.*

particularly women and workers, were imagined as autonomous legal subjects capable of binding themselves through contract. This ideal masked enduring forms of subordination, especially where dependency or inequality made genuine consent impossible. Stanley shows how antislavery ideals were reabsorbed into normative hierarchies, especially around gender, sexuality, and the family. Her work demonstrates that postbellum antislavery discourse was not only a response to labor exploitation but also a way of reestablishing social discipline, moralizing dependency, and rationalizing state power. In doing so, she broadens the scope of antislavery scholarship to include the symbolic and regulatory dimensions of freedom, illuminating how the language of emancipation became a tool for both resistance and governance.<sup>17</sup>

Together, Engerman and Stanley reveal that antislavery did not end with the abolition of slavery in 1865, but instead lived on as a contested and deeply productive political language. It was a rhetorical resource that could be wielded across ideological lines, to demand justice or enforce order, depending on who laid claim to its meaning. This thesis builds on these insights by showing how antislavery was retooled in the 1870s to regulate sexuality and immigration, particularly through the Page Act of 1875. The Act's invocation of antislavery was not incidental; it was central to a broader political strategy in which the language of freedom served not to emancipate but to exclude, transforming emancipation into an instrument of state-building and moral governance.

### *Toward a Unified Framework*

---

<sup>17</sup> Stanley, *From Bondage to Contract*.

This thesis weaves together traditionally siloed historiographies—Chinese immigration, sexuality and gender, labor and morality, and antislavery discourse—to offer a more holistic understanding of the coming of the Page Act and its importance to both U.S. immigration and U.S. cultural history. It contends that the Act cannot be understood without acknowledging the entangled histories of East and West, public morality and private vice, racial formation and post-slavery notions of freedom. In doing so, it aims to reposition the Page Act not as a footnote to Chinese exclusion, but as a pivotal moment in the national redefinition of American identity and state power.

### **Sources and Methodology**

This thesis draws on a combination of archival research, primary textual analysis, and existing historiography to explore the ideological origins and implications of the Page Act of 1875. My research took me to several major archives, including the National Archives in Washington, D.C., the Bancroft Library at the University of California, Berkeley, and the Special Collections Library at Stanford University. These institutions offered valuable materials, though they also revealed important silences, particularly around the Page Act itself and the lives of Chinese women it targeted.

At the National Archives, I hoped to uncover records of congressional debates surrounding the passage of the Page Act. However, no formal record of debate exists. Upon inquiry, a legislative archivist explained that for early immigration legislation like the Page Act, much of the political negotiation occurred informally, outside the congressional floor, and was thus never transcribed. This absence left key questions unanswered: Who, beyond Representative Horace Page, championed the legislation? What arguments were offered for and against it? And

did lawmakers understand the Page Act as a foundational shift in immigration policy? Lacking direct legislative records, I turned to related debates on Chinese exclusion to piece together the ideological landscape. Particularly valuable were Senate speeches by Eugene Casserly and James A. Johnson in 1870, housed in the *Chinese in California Collection* at the Bancroft Library. These speeches illuminate how California legislators framed Chinese immigration for an Eastern audience, relying heavily on narratives of racial and sexual deviance. Their rhetorical strategies, especially the portrayal of Chinese immigrants as amoral, shed light on how local racial and moral anxieties were nationalized into federal policy.

A second, even more striking gap in the archives concerned Chinese women and prostitution, the primary subjects of the Page Act. Much like the secondary literature on Chinese exclusion, archival materials at both Bancroft and Stanford overwhelmingly centered on male laborers and the economic tensions between white and Chinese workers. Women appeared only in passing, often through the lens of white reformers or in anti-Chinese tracts that characterized Chinatowns as sites of vice. Chinese women, especially those involved in sex work, remain largely invisible in the archives prior to the late 19th and early 20th centuries, which are outside the temporal focus of this thesis. The limited documentation is, of course, partly due to the clandestine nature of the sex trade and the marginalization of its participants. Many Chinese women involved in prostitution were illiterate, lacked legal personhood, and left few firsthand accounts. As a result, I was often forced to rely on white outsider perspectives, including the reports of Protestant missionaries and local newspaper coverage in sources like *The San Francisco Chronicle*. These sources, though deeply prejudiced, offered insight into both the experiences of “rescued” women and the broader public sentiment surrounding Chinese

prostitution. In particular, they reflect how gender, race, and sexuality were entangled in the production of moral panic.

Initially, my research aimed to construct an understanding of the legal history of sexuality through the lens of Chinese prostitution and the Page Act. However, the archival silences forced a methodological pivot and, ultimately, a conceptual breakthrough. Deprived of a rich legislative or personal record from Chinese women themselves, I began to examine the ideologies and structural forces that made their exclusion possible in the first place. This shift revealed the Page Act as more than a reaction to a perceived sexual threat; it was a mechanism through which the state reasserted control over morality, labor, race, and citizenship in the wake of slavery's abolition.

The centrality of antislavery to this project did not emerge all at once, but through the process of reading and re-reading the language of varied primary sources. While I initially approached missionary writings, newspaper editorials, court records, and legislative speeches for what they said about race, gender, labor, and sexuality, I came to realize that their moral force often depended on something deeper and more historically charged: the vocabulary of slavery and freedom. What bound these sources together was not a single ideological position, but a shared rhetorical grammar—one that invoked bondage, rescue, and moral crisis to make sense of national threats. It was through close attention to how these texts used words like “coolie,” “slave,” “traffic,” “rescue,” and “morality” that the role of antislavery came into focus, not as a static political stance, but as a flexible language. This interpretive practice, reading not just for content, but for how arguments were made and legitimized, revealed the antislavery discourse that holds this thesis together: a discourse that justified the expansion of federal power by cloaking exclusion in the language of freedom.

The challenge of historicizing antislavery rhetoric after formal emancipation also pushed me to consider how deeply regional its articulation remained. In the South, it was often redeployed to enforce racial hierarchy and protect white womanhood; in the East, it fueled moral reform campaigns that linked sexual purity to national virtue; in the West, it was invoked to justify the surveillance and exclusion of Chinese women and laborers. Each region adapted the antislavery idiom to local anxieties, but all did so in service of consolidating state authority and moral order. It became clear to me that the events unfolding in the West, so often treated as exceptional or peripheral, could not be understood in isolation. The Page Act, for example, only makes full sense when read alongside the language of eastern moral reformers and the racial logics emerging from postbellum Reconstruction. A comprehensive understanding of postwar antislavery requires reading across the entire national landscape. Without this, the deep connections between morality, state power, and exclusion remain fragmented. This thesis therefore approaches geography not simply as background, but as a structuring force that reveals the uneven but coordinated ways antislavery was redeployed to shape the moral boundaries of national belonging.

This project now combines methods from social, labor, gender, and political history to offer a more comprehensive interpretation of the Page Act. It draws on scholarship in each of these subfields while attempting to bridge them through a connective analysis of antislavery ideology, which I argue was manipulated to serve the moral and political objectives of the white middle class. Although the thesis necessarily focuses on dominant actors and discourses, it does not suggest that Chinese immigrants were passive. They organized, resisted, and showed aspirations to belong within the American polity. Yet this thesis centers on the discursive and

political road to exclusion, a road paved by those in power and animated by the moral crises they projected onto others.

### **Chapter Map**

This thesis is organized around a regional structure to illuminate how antislavery rhetoric and sexual regulation operated unevenly, but in coordination, across the postbellum United States. Each chapter centers on a distinct geographic zone—East, West, and their convergence—to trace how moral discourses of freedom, labor, and sexuality were mobilized in the making of federal immigration policy.

Chapter one examines the cultural and ideological conditions in the Eastern United States that laid the groundwork for exclusionary immigration policy. It begins by tracing the anxieties of the white middle class, particularly those arising from industrialization and economic transformation, and how these concerns gave rise to increasingly restrictive views on sexuality and gender roles. Both white men and women, especially those involved in moral reform movements, asserted cultural dominance by promoting a moral hierarchy that equated whiteness with virtue. Prostitution came to symbolize both social and moral decay and was increasingly associated with immigrant communities, leading to the racialization of immorality. These dynamics were not limited to the East. Similar forms of sexual policing were evident in the postbellum South, where groups such as the Ku Klux Klan violently enforced racial and sexual boundaries. The chapter then turns to the post-Civil War period to explore how the politics of antislavery evolved following formal emancipation. Drawing on the language of freedom and personhood, laborers and women framed their demands for justice as continuations of the broader antislavery struggle. Finally, the chapter examines the pre-1875 immigration landscape,

highlighting the lack of centralized federal immigration policy. In a moment when the national government was expanding its power, immigration offered an opportunity to consolidate authority and define national values through a new moral framework.

Chapter two shifts the focus to the American West, placing it within the broader context of the Civil War and Reconstruction. The chapter explores the West's dual role as both a symbol of opportunity and a contested region for federal authority. During Reconstruction, the West became a testing ground for national state-building efforts, where critical questions of sovereignty, labor, and identity played out in visible and often volatile ways. The chapter then turns to the emergence of the anti-Chinese movement, led largely by white laborers who viewed Chinese workers as a threat to wages and working conditions in an increasingly competitive capitalist economy. Laborers, especially in California, invoked the rhetoric of semi-slavery to describe Chinese labor, framing themselves as heirs to the antislavery cause. Yet, this was a highly selective use of antislavery language, designed to defend whiteness, not extend freedom. The final section of the chapter investigates the specific targeting of Chinese prostitution, which became one of the primary intersections of sinophobia, sexual politics, and moral panic. The chapter details the rise of the sex trade within Chinese immigrant communities, the role of Protestant missionary women in the "rescue" of prostitutes, and how these phenomena contributed to the portrayal of Chinese people as morally corrupt and culturally incompatible with American life.

Chapter three traces the migration of the "Chinese Question" from the West to the East, ultimately culminating in federal immigration legislation. The chapter begins by examining the arrival of Chinese laborers in Eastern states and the challenge they posed to emerging philosophies of labor solidarity. Although labor unions expressed commitments to class unity,

they ultimately prioritized racial exclusion over shared class interests, revealing a national trend in which race overpowered economic solidarity. The chapter then analyzes how Western politicians attempted to reframe their regional concerns in ways that would resonate with lawmakers in the East. In doing so, they shifted the discourse from economic grievance to moral and cultural threat. Chinese women, viewed as sexually deviant and associated with coerced labor, became central to this reframing. Their perceived immorality served as a compelling justification for exclusionary policy. The chapter culminates with the story of the passage of the Page Act of 1875, offering a close analysis of its legislative history and its broader symbolic and cultural significance. Although enforcement of the Act was uneven, its passage marked a critical moment in the development of federal exclusion policy. It formalized the federal government's authority over immigration by using antislavery to naturalize hierarchies of race, gender, class, and sexuality in national immigration law.

## *Chapter 1*

### **Moral Reconstruction: Sexuality, Slavery, and the Federalization of Virtue**

In the cold of winter in 1873, Anthony Comstock arrived in Washington, D.C., with a bag of obscenities and a dream. Hailing from the depths of New York City's moral underworld, Comstock had already helped seize seven tons of books and five tons of stereotype plates containing sexually explicit material. Now, determined to awaken the moral conscience of the nation, he traveled to the capital armed with illustrations, pamphlets, and physical artifacts designed to shock lawmakers into action. His plan worked. Just months later, Congress passed the Comstock Act, banning the circulation of "obscene literature and articles of immoral use" and granting the federal government sweeping new powers to regulate sexuality.

That such a law passed with little resistance in a nation still fractured by war, economic depression, and racial conflict reveals something fundamental about the postwar American state: it was reconstituting itself not only as a political and military authority, but as a moral one. If the Civil War had saved the Union, moral reformers now sought to save its soul. But the soul they imagined was white, patriarchal, and Protestant. The postwar state, newly empowered by the legacy of emancipation, began to define its legitimacy not only through the enforcement of freedom, but through the regulation of sex, family, and moral character.

This chapter argues that in the wake of slavery's abolition, the North and South did not pursue entirely separate visions of order. Instead, they converged in their embrace of sexualized racism as a tool for managing the disorder of emancipation and migration. In the South, white supremacists cast Black male sexuality as a violent threat to white womanhood, fueling lynching campaigns and moral panics. In the North, immigrants, sex workers, and poor women, especially

women of color, were pathologized as vectors of vice and degeneracy. Whether through the Southern spectacle of racial terror or the Northern bureaucracy of reform, the regulation of sexuality became a national project of racial containment.

Crucially, this project was cloaked in the language of antislavery. Across the political spectrum, reformers appropriated the moral prestige of abolition to pursue new, and often conflicting, forms of social control. Moral crusaders like Comstock described pornography, abortion, and contraception as forms of “white slavery.” Women’s rights advocates described marital rape and seduction as sexual bondage, calling for laws that would protect women’s bodily autonomy.<sup>1</sup> Labor leaders, in turn, invoked the Thirteenth Amendment to denounce exploitative contracts, comparing industrial capitalism to semi-slavery.<sup>2</sup> In each case, antislavery became a flexible political idiom; one that could be used to demand justice, but also to justify exclusion, rescue, and punishment.

As this chapter explores, sexuality became one of the most powerful tools through which the United States attempted to rebuild its fractured identity in the decades following the Civil War. Sexual regulation was never just about vice or virtue, it was about power. And increasingly, it became a way to distinguish who did and did not belong in the American nation. Middle-class white reformers saw sexuality as a reflection of character. Those who practiced restraint were civilized, moral, and fit for self-governance. Those who did not were framed as threats to the moral and racial order of the country.

---

<sup>1</sup> Carroll Smith-Rosenberg, *Disorderly Conduct: Visions of Gender in Victorian America* (New York: A.A. Knopf, 1985).

<sup>2</sup> Stanley L. Engerman, *Terms of Labor: Slavery, Serfdom, and Free Labor* (Stanford: Stanford University Press, 1999).

The Comstock Act was not merely a censorship law. It was a federal endorsement of white, patriarchal morality and a milestone in the evolution of the antislavery state. In theory, the postwar federal government stood for freedom and equality. In practice, it wielded that legacy to police the boundaries of sexual and racial respectability. This shift did not abandon the language of emancipation, it weaponized it. The state that had once protected slavery now protected virtue, and it did so by criminalizing deviance and rewarding conformity.

To understand how this transformation unfolded, we must look not only to the South's spectacular violence but also to the North's reformist fervor. East Coast cities, dense with immigrants, vice economies, and political experimentation, became laboratories of moral nationalism. From these centers, a vision of ideal citizenship took shape: white, self-governing, heterosexual, and sexually restrained. Everyone else became the subject of moral rescue or moral panic—objects to be reformed, surveilled, or removed.

Ultimately, this chapter traces how the federal government's postwar expansion was not only political and economic, but moral. It was a project designed to reassert national identity through the intimate regulation of bodies. In both North and South, sexuality became a stand-in for racial, class, and gender difference. Reformers, missionaries, and bureaucrats reimagined the state as an instrument of salvation by using the rhetoric of antislavery to construct new hierarchies, redraw the boundaries of belonging, and reimpose control in a society that claimed to be free.

### **From Passion to Panic: Sexual Morality and the Making of Middle-Class Respectability**

In the first half of the nineteenth century, the United States was still shaping its national identity. While its political foundation had been laid through revolution and cemented in the

language of liberty and democracy, its cultural and moral identity remained uncertain. Amidst industrialization, urban growth, and changing family structures, the nation faced a period of profound transformation. Amidst this change, the newly forming middle class found itself in search of legitimacy. Without the inherited wealth of the aristocracy or the revolutionary authority of the founding generation, they looked elsewhere to stabilize their position, chiefly through culture, morality, and control of sexuality.

Inspired by Victorian Britain, American middle-class culture became increasingly preoccupied with restraint, refinement, and purity. These values were nowhere more visible than in attitudes toward sex. Sexuality, once viewed in the eighteenth century as a natural part of life, became a dangerous force in need of management. Historian Geoffrey Stone writes, “the Framers were not libertines, but they were men of their age, and their age was not shy about sexual pleasure.”<sup>3</sup> By contrast, the 1830s marked a cultural shift, one in which “people began increasingly to see sex and sexual behavior as things to be watched and controlled far more closely.”<sup>4</sup> This new outlook redefined sex not only as immoral but as physically destructive. Whether influenced by an already growing purity movement or the influencers themselves, doctors became central to the conversation on the dangers of sexuality. Books and pamphlets spread portraying the horrifically detrimental effects of sexual indulgence which ranged from impotence to vertigo, epilepsy, psychosis, and even death.<sup>5</sup> Fear was employed as a tool for ensuring restraint. Of course, this was the most extreme as far as views on sexuality went.

---

<sup>3</sup> Geoffrey R. Stone, *Sex and the Constitution: Sex, Religion, and Law From America's Origins to the Twenty-First Century* (New York: Liveright Publishing Corporation, 2018), 145.

<sup>4</sup> Ronald G. Walters, *Primers for Prudery: Sexual Advice to Victorian America* (Baltimore: The Johns Hopkins University Press, 2000), 11.

<sup>5</sup> *Ibid.*, 33.

However, the ideal was clear: sex should be confined to marriage and used only for procreation. According to Estelle Freedman, “procreation remained the most highly valued goal of sex, while erotic desire evoked ambivalence at best, and fear of disease and social anarchy at worst.”<sup>6</sup>

This fear-based rhetoric served a class purpose. Sexual restraint became a moral badge of respectability, a performance of self-discipline that marked one's place in the social hierarchy. This idea was reinforced by moralists, who connected the instincts of desire to barbarism.<sup>7</sup> Sylvester Graham, a health reformer and clergyman, implored to his audience that, in giving into sexual desire, “we debase our intellectual and moral powers” and “forego the higher dignity of [our] nature.”<sup>8</sup> In trains of logic like this, one can see how sexuality became intertwined with social standing. Those who engaged in sex freely were seen as less refined beings, ones closer to animalia due to an inability to have control over their bodies and instincts. One could not hold self-respect or be a true Christian if their minds could not control their emotions.<sup>9</sup> By foregoing sexual instinct, one proves and embodies their higher status and moral superiority. In this way, according to historian Jeffrey Weeks, the intense focus on sexual purity was a way for the middle class to express its new cultural confidence and distinguish itself from the working class, whose perceived sexual laxity was used to justify their marginalization.<sup>10</sup> Respectable identity depended not just on virtue, but on contrast. Deviants—those who failed or refused to meet moral

---

<sup>6</sup> Estelle B. Freedman, “Sexuality in Nineteenth-Century America: Behavior, Ideology, and Politics,” *Reviews in American History* 10, no. 4 (1982): 202.

<sup>7</sup> Walters, *Primers for Prudery*, 34.

<sup>8</sup> *Ibid.*

<sup>9</sup> Charles E. Rosenberg, “Sexuality, Class, and Role in 19th-Century America,” *American Quarterly* 25, no. 2 (1973): 137.

<sup>10</sup> Neil Larry Shumsky, “Tacit Acceptance: Respectable Americans and Segregated Prostitution, 1870-1910,” *Journal of Social History* 19, no. 4 (19): 672.

expectations—functioned as boundaries. As sociologist Kai Erikson argues, moral boundaries require outsiders to define insiders.<sup>11</sup> The existence of sexual others, who lived outside of the standards, provided a clear figure to look down on and against whom the middle class could reinforce its own respectability.

This system of moral exclusion took shape in response to the broader changes brought by industrialization. As work moved from home to factory and marketplace, family life was reshaped. Male breadwinners now labored outside the home, while women were assigned the role of moral guardians within it.<sup>12</sup> This increased economic and social differentiation between the sexes fostered ideas of innate difference between man and woman, ones that justified this imbalance. While men were thought to be calculating and aggressive, women were expected to be warmly emotional and passive. These thoughts generated a certain code of conduct that mapped on to sexuality as well as everyday life; women's passivity made them asexual while men's aggressive nature excused the often forceful sexuality they had been known for.<sup>13</sup> However, these domestic ideals were class-bound. For many families—particularly immigrant, poor, or single-parent households—survival required the wages of all members. Many women entered domestic service or the industrial workforce. However, the low pay for female labor left many economically vulnerable, and some turned to prostitution to survive.<sup>14</sup> In this context, sexual purity became not a universal expectation, but a class privilege. Only those insulated by a

---

<sup>11</sup> Shumsky, "Tacit Acceptance," 671.

<sup>12</sup> Laura E. Free, *Suffrage Reconstructed: Gender, Race, and Voting Rights in the Civil War Era* (Ithaca: Cornell University Press, 2015), 82

<sup>13</sup> Walters, *Primers for Prudery*, 6.

<sup>14</sup> Ruth Rosen, *The Lost Sisterhood: Prostitution in America, 1900-1918* (Baltimore: Johns Hopkins University Press, 1982), 3.

husband's income could afford to maintain the ideals of chastity, modesty, and withdrawal from the public sphere.

Unlike men, who could easily refer to their inherent aggression and sexuality as an excuse for acts outside of the designated lines of purity, there was no moral grey area for women. One either adhered to their natural, righteous form or did not. Those who strayed, or belonged to a lower class and therefore did not feel compelled to uphold such notions of purity, took on a witch-like quality, as her lack of virtue indicated a stray from God's image and thus a corrupted soul and noxious presence to all those in her path. This binary is reflected in William G. Eliot's moral drama:

But in proportion as she [woman] exerts a good and purifying influence, when well educated and virtuous, her influence becomes pernicious, if her character is perverted. When frivolous or heartless, she turns many from good; when wicked, she is the most successful minister of ruin. The best things perverted, become the worst. Take from the air we breathe, one of its component parts, and a single breath of it causes death. Take from a woman's character her love and practice of virtue, and her presence becomes death to the soul. <sup>15</sup>

In this way, the idea of the seductress became central to sexual discourse, as moralists fought to protect the sanctity and purity of young men. It was these depraved women that would entice them into sin and derail them on their path to righteousness. Henry Ward Beecher wrote of these "Strange Women," warning men of their "wiles of dress ... of speech ... of LOVE," and alerting them of God's claim that "none that go unto her return again, neither take they hold of the paths

---

<sup>15</sup> Walters, *Primers for Prudery*, 70.

of life.”<sup>16</sup> Seductresses, in the form of prostitutes, served as a scapegoat for the boys and men who fell short of their expectation of chastity, a dynamic that reaffirms the power imbalances of class central to the discourse on sexuality.

In this age, prostitution served as a lightning rod for cultural anxiety. It was not merely a moral issue, but a deeply symbolic one. The prostitute came to represent all that was feared in the new industrial order: the breakdown of family, the commodification of intimacy, the chaos of the city, the threat of disease, and the failure of gender roles.<sup>17</sup> The behavioral reality of the era was, according to Freedman, one of “widespread prostitution, illegitimacy, birth control, and abortion.” American women were bearing fewer and fewer children as contraception allowed for sexuality to become a non-procreative act.<sup>18</sup> Meanwhile, cities, growing exponentially in size and population, became sites of moral destitution. Here, individuals lacked the “traditional restraints operative in small towns, settled communities, and the countryside.”<sup>19</sup> Prostitutes were linked in public discourse to other feared figures and forces—immigrants, alcoholics, the diseased, and working women—creating a network of perceived social danger.<sup>20</sup> The cultural panic surrounding her was never just about sex, but about social disintegration.

In addition, the existence of prostitution evidenced the double standards of sexuality. Men were believed to have urgent sexual needs that had to be redirected away from upper-class women, who symbolized purity. Lower-class women, by contrast, were considered appropriate

---

<sup>16</sup> Ibid.

<sup>17</sup> Rosen, *The Lost Sisterhood*, xiii.

<sup>18</sup> Freedman, “Sexuality in Nineteenth-Century America: Behavior, Ideology, and Politics,” 210.

<sup>19</sup> Walters, *Primers for Prudery*, 49.

<sup>20</sup> Rosen, *The Lost Sisterhood*, 6.

sexual outlets.<sup>21</sup> This justification could also be seen in the South, where the forced sexual use of enslaved Black women had been considered a “necessary evil,” a way to satisfy white men’s desires without corrupting white womanhood.<sup>22</sup> In the urban North, poor and immigrant women were framed in a similar light, with their exploitation being tolerated as a way of preserving the sanctity of the home and white middle-class femininity. Women were not oblivious to this reality. After all, if their men were holding such high standards of sexual control, how was it possible that such a prolific prostitution market existed? Despite a wide cultural emphasis on sexual purity, they noted a double standard that restricted the female but excused men to indulge in their desires on account of their sexual nature.<sup>23</sup> However, prostitution simultaneously served as a disciplinary tool for wives. The image of the prostitute, situated just outside the boundaries of respectability, functioned as a threat. She was a reminder of what could happen to women who stepped out of line, failed to secure male protection, or refused the ideals of domestic femininity. Her social role was simultaneously to absorb male desire and to frighten women into conformity. The fear of becoming a “fallen woman” was used to reinforce the passivity, modesty, and dependence expected of respectable white women.<sup>24</sup>

Rather than aiming to eliminate prostitution, most cities opted to regulate it. Red-light districts were established in working-class neighborhoods to physically contain immorality and shield respectable spaces. Police and public health authorities monitored these districts, often

---

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century* (New York: Hill and Wang, 1984), 54.

<sup>24</sup> Rosen, *The Lost Sisterhood*, 6.

forcing women to submit to medical exams to check for venereal disease.<sup>25</sup> These interventions were justified as public health measures, but they functioned as moral zoning laws. They preserved the illusion of bourgeois purity by pushing sexual commerce into visibly poor and racialized spaces. Through this system, middle-class men could satisfy their desires discreetly, while their wives and daughters were kept away from the realities of sexual commerce.<sup>26</sup> Respectable women were thus doubly protected: first from the realities of male behavior, and second from the licentiousness projected onto poor and immigrant men, whose presence in these districts reinforced perceptions of racial and moral inferiority.<sup>27</sup> The regulatory approach served not just to manage vice, but to deepen class distinctions. The spatial and moral segregation of prostitution allowed the middle class to define itself against a backdrop of sin, danger, and disorder. In a time when inherited status was giving way to economic competition, this moral order offered reassurance. It gave cultural legitimacy to those whose wealth was new and whose power was fragile. But this order depended on exclusion, on the idea that others were too weak, too foreign, too immoral to be included.

Ultimately, Victorian sexual ideology was not a reflection of reality but a strategic fiction. The intense rhetoric around purity masked the persistence of desire. The ideal of domesticity ignored the lived experiences of women who worked, suffered, and sometimes sold their bodies. The myth of male restraint hid the systems designed to accommodate male pleasure. And the insistence on moral boundaries exposed their very instability. In the end, sexuality

---

<sup>25</sup> Shumsky, "Tacit Acceptance," 669.

<sup>26</sup> *Ibid.*, 672.

<sup>27</sup> *Ibid.*, 673.

became a language of power; one that marked bodies, organized cities, and helped a rising class defend its place in a world it could not fully control.

### **Reform and Resistance: Antislavery Rhetoric in Labor, Marriage, and the Marketplace**

Between 1790 and 1840, a revivalist zeal swept across the United States as evangelical Protestantism surged in popularity, transforming religion into an emotionally charged and publicly mobilized force.<sup>28</sup> The Second Great Awakening emerged in response to the disintegration of organized religion in the wake of the American Revolution and the secular principles embedded in the nation's founding. At the heart of this religious revival was a push not only for individual salvation but for collective moral reform. Ministers and believers alike sought to construct a truly Christian nation, one redeemed from sin not just through personal piety but through widespread societal transformation.<sup>29</sup> The rise of revivalism was deeply intertwined with the broader upheavals of the nineteenth century. With the growth of commerce, westward expansion, and immigration, Americans felt a loss of control morally, socially, and economically. Revivalist preachers tapped into these anxieties, pulling religion from the private realm into public life. Christians were not merely to follow Christ; rather, they were to combat sin in the streets, the workplace, and the family.<sup>30</sup>

Women found themselves at the forefront of this movement. Although barred from formal positions of power, women dominated church attendance and began to assert moral

---

<sup>28</sup> Clinton, *The Other Civil War: American Women in the Nineteenth Century*, 60.

<sup>29</sup> John Fea, "Religion and Reform in the Early American Republic," Essay in *The Routledge History of Nineteenth-Century America* (London: Taylor & Francis, 2016), 62.

<sup>30</sup> Stone, *Sex and the Constitution*, 135.

authority through reform work. As Catherine Clinton writes, “evangelical revivals afforded women an opportunity to exercise control, to state a preference, to identify.”<sup>31</sup> Cast as morally superior and naturally pure, women leveraged this identity to enter the public sphere. Through the language of sexual morality, women participated in campaigns against prostitution, alcohol, slavery, and labor abuse.<sup>32</sup> Moral reform became the medium through which women challenged traditional gender roles while remaining within the boundaries of Christian domestic ideology.

This reformist impulse soon collided with new debates about labor, slavery, and economic freedom. As capitalism advanced, the ideal of “free labor” became central to American political and moral identity. Northern antislavery advocates framed slavery not just as a moral evil but as an economic threat to the free labor system. As Leon Fink explains, the Free Soil, Free Labor movement, and later the Republican Party, was built around the “right to rise”: the belief that labor should be a path to independence and mobility, not lifelong subordination.<sup>33</sup> Chattel slavery, by this logic, was an obstacle to the American dream. But this ideal of free labor also carried with it an emerging contradiction: many wage workers found themselves in conditions that bore a striking resemblance to slavery.

Critics increasingly used the metaphor of slavery to challenge not only the Southern plantation but also the Northern labor market. As Eric Foner points out, “the man who remained all his life dependent on wages for his livelihood appeared almost as unfree as the southern slave.”<sup>34</sup> Labor radicals questioned whether wage labor could truly be considered free if it

---

<sup>31</sup> Clinton, *The Other Civil War: American Women in the Nineteenth Century*, 43.

<sup>32</sup> Walters, *Primers for Prudery*, 68.

<sup>33</sup> Engerman, *Terms of Labor*, 71.

<sup>34</sup> *Ibid.*

entailed selling one's time, body, and freedom in order to survive.<sup>35</sup> George McNeill later argued that "he who sells his labor sells himself," insisting that labor, unlike its products, could not be detached from the worker's body and essence without reproducing slavery in another form. In this view, labor was not a separable commodity; it was part of the person.<sup>36</sup> To sell labor, then, was to sell the laborer, an idea that lay at the heart of a growing antislavery movement. As Amy Dru Stanley argues, the legitimacy of an economy void of slavery depended on maintaining the moral boundaries of commodity exchange.<sup>37</sup> Yet the commodification of labor, and especially the body, blurred those boundaries. If the body itself became something that could be bought and sold, did freedom still exist?

This critique extended to gender as well. As Jeanne Boydston has shown, the loss of autonomy for men in the industrial economy encouraged a redefinition of gender roles. To secure their dignity, men began to define free labor as labor that supported a household.<sup>38</sup> This bolstered the emerging ideology that paid labor was a male domain, while women belonged in the home. Yet, this ideological boundary between male wage labor and female domesticity was already eroding. As Stanley argues, the marriage contract, much like the wage contract, was premised on consent and exchange.<sup>39</sup> Yet, in practice, it often entailed coercion and inequality. In law, the wife's labor was not her own but rather the property of her husband.<sup>40</sup> While wage contracts

---

<sup>35</sup> Amy Dru Stanley, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (Cambridge: Cambridge University Press, 1998), 90.

<sup>36</sup> *Ibid.*, 89.

<sup>37</sup> *Ibid.*, 96.

<sup>38</sup> Engerman, *Terms of Labor*, 72.

<sup>39</sup> Stanley, *From Bondage to Contract*, 181.

<sup>40</sup> *Ibid.*, 216.

ostensibly affirmed the freedom of the individual laborer, the marriage contract denied women legal self-ownership, binding them in a form of personal servitude.<sup>41</sup> Feminist reformers seized on this contradiction. Elizabeth Cady Stanton declared that the supposedly “free” woman resembled “the slave on the Southern plantation” in that she could “own nothing, sell nothing.”<sup>42</sup> Reformers drew direct parallels between marriage and slavery, arguing that as long as a woman lost control of her name, property, labor, and body, she remained unfree, regardless of legal consent.

Prostitution became a flashpoint for these overlapping debates. Seen as the ultimate betrayal of feminine virtue and the most egregious commodification of the body, prostitution symbolized the collapse of moral order in both economic and sexual terms. Reformers, particularly women, began to reinterpret prostitution not as a personal moral failing, but as a coerced condition born of economic desperation and social abandonment.<sup>43</sup> The analogy to slavery was explicit: prostitution, like chattel slavery, represented a condition in which bodies became marketable commodities.<sup>44</sup> Reformers like those in the New York Female Moral Reform Society described licentiousness as a national crisis and worked to expose and shame male patrons through public naming.<sup>45</sup> Yet, while their critiques touched on the economic and structural forces that trapped women in vice, these reformers largely avoided radical politics. Instead, they embraced an evangelical approach rooted in salvation and moral uplift. Pious

---

<sup>41</sup> Ibid., 184.

<sup>42</sup> Ibid., 206.

<sup>43</sup> Rosen, *The Lost Sisterhood*, 8.

<sup>44</sup> Stanley, *From Bondage to Contract*, 241.

<sup>45</sup> Rosen, *The Lost Sisterhood*, 8.

women dedicated themselves to rescuing prostitutes through spiritual conversion. They visited brothels armed with scripture, reading passages aloud to both sex workers and their clients, hoping to bring about redemption.<sup>46</sup> At the same time, they pushed for seduction laws aimed at criminalizing the men who exploited vulnerable women, seeking not only to save the fallen but to redefine the social conditions that made falling so easy.<sup>47</sup>

The postbellum period only deepened the difficulty in defining freedom. The Civil War, while formally ending slavery, ushered in a new economic order defined by contracts and markets rather than communal obligations. Labor and feminist reformers pointed out that the very forms of contract that supposedly marked freedom were often coercive and questioned whether any contract entered under conditions of desperation could truly be free. In the marketplace, where economic survival was on the line, consent became suspect.<sup>48</sup> The Anti-Peonage Act of 1867 attempted to clarify that involuntary servitude included any labor arrangement made under duress, but ambiguity persisted.<sup>49</sup> Courts struggled to define voluntariness. Was it really free choice if the alternatives were hunger, homelessness, or return to slavery? In *Phoebe v. Jay*, an Illinois court ruled that a Black woman's labor contract was coerced because her only alternative was being returned to slavery.<sup>50</sup> Yet similar economic pressures on white wage workers or prostitutes were often overlooked.

---

<sup>46</sup> Smith-Rosenberg, *Disorderly Conduct*, 113.

<sup>47</sup> *Ibid.*, 118.

<sup>48</sup> Stanley, *From Bondage to Contract*, 89.

<sup>49</sup> Engerman, *Terms of Labor*, 86.

<sup>50</sup> *Ibid.*, 85.

As Stanley shows, debates over wage labor, prostitution, and marriage shared a common concern: what happens to freedom when the body becomes the site of exchange? Freedom had been defined by abolitionists like Frederick Douglass as the ability to "appropriate my own body to my use," yet wage laborers, wives, and prostitutes alike found themselves in relationships that denied them that power.<sup>51</sup> The body, once the proof of self-ownership, became the object of trade. In a society allegedly purged of human bondage, this commodification of bodies raised profound doubts about the moral legitimacy of the market. If the sale of labor meant the sale of self, then the boundary between freedom and slavery was not erased by emancipation, it was merely relocated.

Ultimately, the meaning of slavery, and by extension, freedom, became a contested terrain. Some, like labor activists Horace Greeley and George Henry Evans, argued that true emancipation required reforming not only chattel slavery but the wage system as well.<sup>52</sup> Others, including many abolitionists, rejected this equivalence, insisting that the horrors of chattel slavery were incomparable.<sup>53</sup> But all sides recognized that the boundary between freedom and bondage hinged on bodily autonomy. In a society that claimed to have purged itself of slavery, debates over prostitution, marriage, and wage work continued to test the limits of that claim. Moral purity, sexual control, and economic autonomy became the battlegrounds where Americans redefined what it meant to be free.

---

<sup>51</sup> Stanley, *From Bondage to Contract*, 23.

<sup>52</sup> Engerman, *Terms of Labor*, 100.

<sup>53</sup> Stanley, *From Bondage to Contract*, 20.

## Sexualized Racism and the Southern Redemption of White Patriarchy

Though the mid-nineteenth century was a time of widespread upheaval, nowhere did change provoke more intense backlash than in the post-Civil War South. Having lost the war and seen the abolition of slavery formalized in the Thirteenth Amendment, white Southerners faced a profound crisis. Their economy, built on the labor of enslaved Black people, had collapsed. Even more unsettling to the social order was the expectation, mandated by the federal government, that formerly enslaved people were now to be recognized as citizens and legal equals.<sup>54</sup>

Reconstruction brought Black men into the political sphere, upending long-held assumptions about racial hierarchy and posing a direct challenge to white supremacy.

Among white Southern men, this transformation was experienced as an existential threat. The defeat in war had not only shattered their economic power but also their sense of masculinity and social dominance. For generations, white men had ruled over women, children, and enslaved Black people without question. Now, they were being asked to share power with a population they had dehumanized. Every gain by Black people was perceived as a loss for whites. In this zero-sum framework, white men feared being "wrenched from their rightful supremacy and cruelly subjugated to an innately inferior people."<sup>55</sup> Although Black advancement during Reconstruction was slow and piecemeal, white Southerners viewed it as rapid and alarming. They moved quickly to reassert control by other means.

---

<sup>54</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper Collins Publishers Inc., 2014), 66.

<sup>55</sup> Lisa Cardyn, "Sexualized Racism/Gendered Violence: Outraging the Body Politic in the Reconstruction South," *Michigan Law Review* 100, no. 4 (2002): 691.

In economic terms, Reconstruction marked the collapse of the antebellum slaveholding class and the emergence of a new Southern order.<sup>56</sup> The war devastated the planter elite, many of whom lost their human property, their physical assets, and their investments in Confederate bonds.<sup>57</sup> Planters struggled to adapt to a world where they could no longer command labor without compensation. The expectation that former slaves would continue to labor under similar conditions, but now under wage contracts, led to intense resistance when freedpeople asserted their right to autonomy.<sup>58</sup> This economic transformation brought with it deep cultural tensions. Former slaveholders found it humiliating to negotiate with workers they once owned.<sup>59</sup> They drafted contracts that mimicked slavery, requiring obedience, restricting movement, and even dictating personal behavior. Many refused to accept that freedpeople could leave their employment, negotiate pay, or work only the hours they desired.<sup>60</sup> Beneath these tensions was a deeper ideological conflict. Planters doubted whether Black people would work without coercion and clung to racist myths of Black laziness to justify the violent restoration of labor discipline. As Foner notes, the central obsession of the Southern white elite in the immediate postwar years was not Reconstruction politics but whether "the free Negro would work."<sup>61</sup>

Control over Black labor was not limited to the fields. In the wake of emancipation, sexuality too became a site of intense anxiety and regulation. The intimate terrain of sexual

---

<sup>56</sup> Foner, *Reconstruction*, 171.

<sup>57</sup> *Ibid.*, 129.

<sup>58</sup> *Ibid.*, 131.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*, 135.

<sup>61</sup> *Ibid.*, 132.

relations, particularly those between Black men and white women, became symbolic of the broader social upheaval brought about by freedom.<sup>62</sup> During slavery, white men maintained complete dominance over Black bodies, including sexual control. Enslaved women were routinely subjected to sexual violence, while enslaved men were denied any claim to protect or possess their own families.<sup>63</sup> Freedom, then, did not merely threaten economic structures; it destabilized the highly gendered and racialized order of sexual power.

White Southern men, stripped of legal control over Black labor, redirected their efforts to assert dominance through informal and often violent means. It was under these conditions that the Ku Klux Klan evolved from a social club of Confederate veterans into a violent, highly organized force of racial terror.<sup>64</sup> The Klan sought to enforce racial subordination not just in political and economic terms but in intimate life. As Foner details, the Klan took on the role of enforcing labor discipline and restoring the personal authority that white men had lost with slavery's end.<sup>65</sup> Terror became a mechanism for reclaiming control, and the body, particularly the sexualized Black body, became a battlefield.

Accusations of sexual misconduct became a common justification for lynching and other forms of extralegal violence. White men cast themselves as protectors of white womanhood, asserting that they were responding to an epidemic of sexual threat.<sup>66</sup> In reality, the trope of

---

<sup>62</sup> Martha Hodes, "The Sexualization of Reconstruction Politics: White Women and Black Men in the South after the Civil War," Essay in *American Sexual Politics: Sex, Gender, and Race since the Civil War* (Chicago: The University of Chicago Press, 1990), 72.

<sup>63</sup> Cardyn, "Sexualized Racism/Gendered Violence," 827.

<sup>64</sup> *Ibid.*, 682.

<sup>65</sup> Foner, *Reconstruction*, 428.

<sup>66</sup> Cardyn, "Sexualized Racism/Gendered Violence," 695.

Black male sexual aggression was a racial myth used to disguise the fear that newly freed Black men, now recognized as citizens, might claim the full spectrum of human agency, including sexual desire and romantic autonomy.<sup>67</sup> The alleged threat to white women served as a stand-in for the threat to white male supremacy. Just as the enslaved Black man had been denied the right to familial or romantic control, the freedman asserting his right to love, marry, or pursue relationships across racial lines was seen as the ultimate affront to the white Southern order.

In Southern mythology, the region was often personified as a white woman: pure, virtuous, and in need of protection.<sup>68</sup> The freed Black man, conversely, was imagined as a defiler: unpredictable, animalistic, and driven by uncontrollable impulse. Thus, the rape of a white woman by a Black man became more than an individual crime; it symbolized the feared collapse of Southern civilization. To prevent this symbolic assault, the Klan policed not only public behavior but private desire. Freedmen suspected of engaging in consensual relationships with white women were lynched, burned, and mutilated.<sup>69</sup> These acts were not spontaneous but strategic public spectacles meant to reinscribe racial and sexual boundaries. A sort of extralegal Klan Law had emerged, a parallel system of justice in which white men held the absolute power to regulate the new society and punish those deemed as transgressors. In their eyes, they were keeping up the moral goodness of the South, ensuring that the degradation brought on by the newly freed “semibrutes” stayed within the social boundaries deemed acceptable, ones that kept them in a place of servitude.<sup>70</sup>

---

<sup>67</sup> Hodes, “The Sexualization of Reconstruction Politics,” 72.

<sup>68</sup> Cardyn, “Sexualized Racism/Gendered Violence,” 823.

<sup>69</sup> Freedman, “Sexuality in Nineteenth-Century America,” 479

<sup>70</sup> *Ibid.*, 479

Interestingly, the Klan had many of the same crusades as the moral reform societies of the North. They strongly opposed prostitution and noted that the roots of social ills were men who failed as providers and drank in excess, the same argument advanced by the temperance movement.<sup>71</sup> The difference was the way in which they executed their missions. The Klan opted for violence, committing “outrages” in houses of ill fame and whipping the men who failed to uphold their family and its values.<sup>72</sup> In one case, the Klan tarred and feathered a white South Carolina woman “of low character” who was thought to have “kept a sort of low house.”<sup>73</sup> The moral reformers of the North, on the other hand, created change through the church and established political channels. Though the methods differed, the logic was consistent: sexual misconduct, especially when it threatened the family structure or white patriarchy, warranted punishment. In both regions, regulating sexuality became a stand-in for managing deeper crises—of labor, race, gender, and freedom.

Ultimately, debates over sexuality during Reconstruction were inextricably linked to debates over slavery and its aftermath. The body, particularly the sexual body, remained at the heart of discussions about autonomy and domination. If slavery had once meant the legal ownership of another’s labor and sexuality, then freedom had to mean the right to self-ownership in every form. But that freedom was fiercely contested. The Klan’s efforts to reclaim the right to punish, shame, and control the bodies of others reflected a refusal to accept that emancipation truly severed the ties of ownership. For white Southern men, the ability to define and police the

---

<sup>71</sup> Cardyn, “Sexualized Racism/Gendered Violence,” 771.

<sup>72</sup> *Ibid.*, 765.

<sup>73</sup> *Ibid.*

boundaries of sexuality was central to maintaining their authority and to reasserting a vision of freedom where only some were truly free.

### **The Moral Republic: Federal Power, Immigration, and the Policing of Virtue**

Reconstruction brought back into focus the eternal question looming over the history of the United States: how to balance federal and state power. From the nation's inception, Americans feared the encroachment of centralized authority, a paranoia born from the colonial struggle against the British Crown. This fear guided the creation of a decentralized republic in which regional autonomy reigned, and power was largely concentrated at the state level. Yet moments of crisis repeatedly challenged this model. Just as the failures of the Articles of Confederation prompted the drafting of a more powerful Constitution, so too did the Civil War ignite a rethinking of the nation's structure. The secession of the South made it clear that unchecked state sovereignty could threaten the very existence of the Union.

The federal government emerged from the war newly empowered, with a mandate to redefine the meaning of citizenship, freedom, and justice. President Lincoln, long a proponent of national sovereignty, argued that only a powerful federal state could preserve democratic principles and guard the freedoms promised by the Constitution.<sup>74</sup> The passage of the Thirteenth Amendment not only abolished slavery but also marked a historic assertion of federal supremacy over long-standing state institutions.<sup>75</sup> The state had been the guarantor of slavery; now, the federal government had positioned itself as the guarantor of freedom.

---

<sup>74</sup> Joshua Horwitz and Casey Anderson, "The Civil War and Reconstruction," Essay in *Guns, Democracy, and the Insurrectionist Idea* (Ann Arbor: University of Michigan Press, 2009).

<sup>75</sup> Robert J. Kaczorowski, "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War," *The American Historical Review* 92, no. 1 (1987): 54.

Historian Susan Pearson notes that the use of federal power to abolish slavery inspired reformers to imagine a broader role for the national government: one that could transform society by legislating moral behavior and protecting the vulnerable from sin and exploitation.<sup>76</sup> For moral reformers, the Civil War had demonstrated the redemptive power of the federal state. Having purged the country of slavery, an institution long protected by state sovereignty, the national government had proven its ability to dismantle entrenched systems of injustice. Reformers now hoped that the same state power could be used to craft a moral national character. Rather than allowing states to dictate social norms, the federal government would become the arbiter of who belonged in the American body politic and under what moral terms.<sup>77</sup>

In this spirit, the postwar decades saw a new surge in efforts to shape the ideal American citizen, defined not only by loyalty to the Constitution but by a shared moral code. Anti-vice campaigns became a key expression of this drive. Industrialization and urbanization had brought about rapid changes in American life, destabilizing traditional communities and unleashing what many reformers saw as waves of immorality. Prostitution, obscene literature, contraception, abortion, and public displays of sexuality were framed as threats to the moral foundation of the nation.<sup>78</sup> These concerns reached a new pitch in the 1870s, culminating in the passage of the Comstock Act.

The Young Men's Christian Association (YMCA), founded in 1852, played a key role in the campaign for nationalized morality. Determined to curb the moral dangers facing young men

---

<sup>76</sup> Susan J. Pearson, "A New Birth of Regulation: The State of the State after the Civil War," *Journal of the Civil War Era* 5, no. 3 (2015): 425.

<sup>77</sup> Pearson, "A New Birth of Regulation," 427.

<sup>78</sup> Werbel, *Lust on Trial*, 53.

in the city, especially those posed by pornography and prostitution, the organization positioned itself as a defender of Christian virtue.<sup>79</sup> Its members, prominent evangelical lawyers, bankers, merchants, and industrialists, viewed the family as the basic unit of moral order and feared that moral decay would erode the social capital that upheld both their status and the national character. Historian Sven Beckert notes that their concern with obscenity was not simply prudishness, but a strategy for preserving social order by shielding their children from corrupting influences.<sup>80</sup>

The YMCA's most significant contribution to the anti-vice movement came with its recruitment of Anthony Comstock. Comstock, who had already launched a personal crusade against erotica dealers, quickly proved himself as an asset. His unrelenting pursuit of those he deemed "moral enemies" led to the creation of the Committee for the Suppression of Vice.<sup>81</sup> He lobbied Congress to pass a federal law that would give his work national scope. On March 3, 1873, Congress passed the "Act for the Suppression of Trade In, and Circulation of, Obscene Literature and Articles of Immoral Use." Known as the Comstock Act, the law criminalized the mailing of any material deemed obscene, lewd, or lascivious—including information about birth control or abortion—and authorized the Post Office to seize such items.<sup>82</sup> The Comstock Act was more than just a moralistic crackdown; it was a federal declaration of what kinds of people and behaviors belonged in the nation. In elevating evangelical moral views to the level of national law, it helped define the boundaries of American citizenship not just in legal but in cultural

---

<sup>79</sup> Ibid.

<sup>80</sup> Ibid.

<sup>81</sup> Stone, *Sex and the Constitution*, 158.

<sup>82</sup> Ibid., 159.

terms. The ideal American, as imagined by the Comstock lobby, was chaste, self-disciplined, industrious, and respectful of Christian sexual norms. Those who did not conform, be it immigrants with different customs, women who defied sexual expectations, or laborers who engaged in prostitution out of economic necessity, were cast as moral outsiders.

The move to define the ideal American became all the more important as immigration rates rose exponentially. Before the Civil War, immigration was primarily regulated by state and local authorities through their police powers, which allowed them to exclude or expel undesirable persons, especially foreign paupers, convicts, and free Black people, on the grounds of public health, safety, and morality.<sup>83</sup> States like Massachusetts and New York taxed arriving immigrants and required ship captains to post bonds to discourage reliance on public assistance.<sup>84</sup> These regulations, though unevenly applied, reflected a decentralized vision of sovereignty rooted in local control over communal welfare. Southern states, in particular, used similar laws to restrict the mobility of free Black people and regulate the arrival of Black seamen and emancipated individuals, linking immigration control with racial order.<sup>85</sup>

This system began to shift during the Civil War and Reconstruction. As immigration surged in the mid-nineteenth century, rising from 151,000 in the 1820s to over 2.6 million in the 1850s, the federal government began to see a possible need for intervention.<sup>86</sup> The United States, at this time, had an open-door policy with regard to immigration. Rapid industrialization meant the need for cheap laborers, so the huddled masses were welcomed in. However, people were

---

<sup>83</sup> Kevin Kenny, "Mobility and Sovereignty: The Nineteenth-Century Origins of Immigration Restriction," *Journal of American History* 109, no. 2 (September 2022): 288.

<sup>84</sup> *Ibid.*, 284.

<sup>85</sup> *Ibid.*

<sup>86</sup> Kristen L. Anderson, *Immigration in American History* (New York: Routledge, 2021), 21.

coming in swarms and there was no bureaucracy in place to handle it; as a matter of fact, the federal government didn't even start to count the number of immigrants until 1819.<sup>87</sup> Fears abounded as the country's populace changed before its eyes. The arrival of immigrants from unfamiliar backgrounds who held different social norms forced Americans to reflect on their own collective identity. What did it mean to be American?

In this moment of flux, the project of defining a unified national identity became more urgent. The subtle but meaningful revision from "good character" in the Naturalization Act of 1790 to "good *moral* character" in the 1795 version marked an early federal attempt to frame membership in the nation as a moral issue.<sup>88</sup> By the 1870s, this logic had expanded: morality was no longer a private or localized concern, but a national criterion for inclusion. Who was fit to enter and remain in the country was increasingly determined not only by what they could contribute economically, but by whether they conformed to an emerging standard of American virtue. In this way, Reconstruction-era developments in immigration policy paralleled broader efforts to nationalize identity and morality in the postwar United States.

Thus, the expansion of federal power after the Civil War was not limited to protecting civil rights or reconstructing the South. It was also about forging a national identity rooted in a shared moral vision, an identity that excluded as much as it included. Through laws like the Comstock Act the federal government began to define who counted as a moral citizen, who was fit for self-governance, and who had to be excluded in order to preserve the moral integrity of the nation.

---

<sup>87</sup> Kenneth K. Lee, *Huddled Masses Muddled Laws: Why Contemporary Immigration Policy Fails to Reflect Public Opinion* (Westport: Praeger, 1998), 37.

<sup>88</sup> *An Act to Establish an Uniform Rule of Naturalization; and to Repeal the Act Heretofore Passed on that Subject*, 1st Cong., 3rd sess. (January 29, 1795), in *Statutes at Large*, vol. 1, 414–415.

## Conclusion

The post-Civil War United States recast itself as an antislavery state, a nation newly committed to freedom and moral uplift after the legal end of bondage. Yet as this chapter has shown, the meaning of antislavery in the post-emancipation era was far from stable. To be an antislavery state was not merely to abolish chattel slavery. Rather, it was to claim a moral identity rooted in bodily autonomy, consent, and self-ownership. But that claim quickly became a battleground. As Americans debated the terms of free labor, contract marriage, and sexual morality, it became clear that emancipation had not resolved the question of freedom, it had only relocated it.

The state that had once protected slavery now vowed to protect virtue, but did so by criminalizing sex, policing women's bodies, and defining citizenship in moral terms. Under the banner of antislavery, the federal government moved into the most intimate corners of life, setting boundaries around who was fit for self-governance and who required discipline. The Comstock Act symbolized this shift. Passed in the name of national purity, it revealed the new logic of American governance: the moral had become political, and the political, moral. To govern sexuality was to govern the nation. And in a rapidly diversifying republic, where immigrants, formerly enslaved people, and women demanded inclusion, morality became the line of defense for those anxious to preserve their authority. In this way, the state's antislavery identity did not lead to universal liberation. It became a mechanism for sorting, excluding, and controlling, especially along racial, sexual, and class lines.

What does it mean, then, to be an antislavery state? In this period, it meant casting off the legal ownership of people while deepening the ideological ownership of their behavior. It meant

turning the language of freedom into a tool of regulation. And it meant replacing one system of domination with another. The East, as this chapter has shown, served as the crucible for this transformation. But the moral imperatives forged there did not stay contained. As the nation expanded westward, so too did its newly federalized sense of virtue. The next chapter follows that expansion West, where the antislavery state tested its reach on new terrain. There, Chinese migrants, especially women, would become the next subjects through whom the meanings of freedom, morality, and national identity were violently redrawn.

## Chapter 2

### Enemies of Labor, Enemies of Virtue: The Anti-Chinese Campaign in California

“All the windows are provided with a movable pane, which is open, and through the sash we see the expressionless face of some bedaubed harlot. As we pass she raps upon the glass to attract attention, and in broken English invites us in. Poor thing! It is her trade and unless she is successful, she receives the abuse of those who are her masters, and who take from her all she earns. She has no conception of the virtue of chastity; she has never been taught what virtue is, and does not know the meaning of the vile, indecent expressions with which she addresses us. She is a slave, and unknowingly obeys the Bible injunction, ‘Servants, obey your masters.’”<sup>1</sup>

In this haunting report, a white journalist describes a fleeting encounter with a Chinese prostitute in San Francisco. The woman is framed as an object of pity—mute, passive, and degraded behind glass—but the narrative offers no true recognition of her humanity, nor any critique of the racial and economic forces that placed her there. Her “expressionless face” reflects not only personal trauma but also the moral limitations of the gaze that renders her visible. She is described as a slave, yet the journalist’s invocation of bondage serves more to dramatize her abjection than to call for her liberation. She is pitied, but not protected. She is

---

<sup>1</sup> “*The Horrors of a Great City; Chinadom by Day and Night*,” *San Francisco Chronicle*, December 5, 1869, vol. 10, no. 123.

racialized, commodified, and condemned, not as a victim of a violent system, but as its most visible symptom.

This chapter seeks to complicate that gaze. Chinese women, most forcibly brought to California and sold into sexual labor, were not merely passive victims of their fate, they were also the targets of an evolving political and moral discourse that sought to define the West, and indeed the postwar nation itself. In the decades following the Civil War, as Reconstruction faltered in the South and the boundaries of American freedom were renegotiated in the West, Chinese prostitution emerged as a focal point of white anxiety. The figure of the Chinese prostitute became a symbolic flashpoint, through which white fears about racial disorder, moral decline, and the failures of industrial capitalism were projected and contested.

The arrival of Chinese immigrants in California, particularly after the Gold Rush and during the construction of the transcontinental railroad, catalyzed growing white resentment. Laboring men, especially Irish immigrants and others displaced by industrial capitalism, increasingly saw Chinese workers as both a threat to their wages and to the racial order that underpinned American identity.<sup>2</sup> In a moment when the meaning of freedom was still under construction, these workers invoked the language of abolition to demand Chinese exclusion. They likened contract labor to “semi-slavery,” arguing that free white labor was imperiled by an immigrant workforce they viewed as simultaneously docile, foreign, and disposable.<sup>3</sup> But this anti-slavery rhetoric was deeply selective and self-serving. It was not deployed to extend

---

<sup>2</sup> Mark Kanazawa, “Immigration, Exclusion, and Taxation: Anti-Chinese Legislation in Gold Rush California,” *The Journal of Economic History* 65, no. 3 (September 2005): 782.

<sup>3</sup> Rudi Batzell, “Free Labour, Capitalism and The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s,” *Past & Present*, no. 225 (2014): 181.

freedom to the exploited, but to protect the privileges of whiteness within an emerging racial capitalist economy.

Chinese women, and particularly Chinese prostitutes, became the ultimate scapegoats within this moral and economic calculus. Their public visibility, racial difference, and sexual availability made them ideal targets for exclusion. They were used to reinforce Victorian gender norms, secure working-class white masculinity, and justify growing state intervention into vice and labor. There were prostitutes of every racial and ethnic background in nineteenth-century America, but only the Chinese were subjected to such harsh, racialized scrutiny.<sup>4</sup> The debate was no longer just about protecting jobs or containing labor unrest; it had become a campaign to protect the nation's moral soul from the contaminating presence of the Chinese prostitute. Her body became the site upon which Americans could displace their fears about racial impurity, sexual disorder, and the failures of Reconstruction.

Chapter 1 established the foundational role that sexual purity and anti-slavery ideology played in shaping national politics in the East during the Civil War and Reconstruction. This chapter turns westward, asking two central questions. First, what made California a critical theater for the evolution of postwar sexual and racial politics? And second, why did Chinese women, out of all the groups entangled in the prostitution economy, become the focus of such intense and sustained regulation? By tracing the intersection of racial labor politics, moral panic, and gendered discipline, this chapter argues that the regulation of Chinese prostitution was not peripheral to the Reconstruction project, but integral to it. It was in the alleys of San Francisco and the parlor houses of Chinatown, not just the cotton fields of the South, that Americans defined the limits of freedom and the boundaries of national belonging.

---

<sup>4</sup> Benson Tong, *Unsubmissive Women* (Norman: University of Oklahoma Press, 1994), 111.

## **Reconstruction's Western Frontier: State Power, Race, and the Crisis of National Identity**

The arrival of Chinese immigrants to California occurred not just at a moment of opportunity but at a moment of national crisis. While the Civil War is often narrated as a conflict between North and South, its deeper stakes about labor, freedom, sovereignty, and the future of the republic were never fully resolved by its end. As Reconstruction faltered in the South, the West emerged as a new frontier for these unresolved battles. It became a place where Americans projected not only their economic ambitions, but also their hopes for healing and reinvention and, at the same time, their fears of racial disorder and federal overreach.

To understand the rise of anti-Chinese sentiment in the West, we must begin here: with a nation unsure of what victory meant and what freedom would look like in a rapidly expanding, deeply divided country. As Elliott West argues in *Reconstructing Race*, the Civil War should be viewed not as an isolated conflict, but as part of a broader, longer “Greater Reconstruction” through which the federal state attempted to assert authority over all its territories.<sup>5</sup> Stacey Smith expands this idea, arguing that the West, long treated as peripheral, was actually a crucial testing ground for federal power, racial order, and the limits of citizenship. Even before the war, it was both slave and free: some states outlawed chattel slavery but tolerated Indigenous servitude, debt peonage, and coercive labor regimes that blurred the lines between freedom and unfreedom.<sup>6</sup>

---

<sup>5</sup> Elliot West, “Reconstructing Race,” *Western Historical Quarterly* 34, no. 1 (2003): 6–26.

<sup>6</sup> Stacey L. Smith, “Beyond North and South: Putting the West in the Civil War and Reconstruction,” *Journal of the Civil War Era* 6, no. 4 (2016): 566–91.

By 1870, nearly three-quarters of Western residents were not native to the region. Many had arrived during the postwar migration boom, including Union veterans and Radical Republicans determined to extend Reconstruction principles westward. Others, especially former Confederates, fled to the frontier to escape the devastation of the South and the reach of the federal state.<sup>7</sup> This influx brought new political energy and sharp divisions. The assassination of Lincoln had left Republicans embittered and determined to assert national unity.<sup>8</sup> Meanwhile, many Democrats viewed Reconstruction policies as federal overreach, waging campaigns against them in the West with rhetoric, and sometimes violence, that echoed the resistance in the South.<sup>9</sup> Party tensions often focused on labor and race. The "Negro Question" had supporters and detractors on both sides. Though many Westerners supported the Thirteenth Amendment, labor systems reminiscent of slavery continued in some areas.<sup>10</sup> The practice of peonage, where individuals, often Mexican or Indigenous, entered into servitude to discharge debts, remained common in the Southwest.<sup>11</sup> Western Republicans saw this as a continuation of slavery by another name, sparking fierce debates over what freedom actually meant. As the region continued to rely on forms of coerced labor, the boundary between free and unfree blurred in troubling ways.

California's political culture, neither fully detached nor exceptional, mirrored the postwar nation's anxieties. But more than a reflection, California became an active frontier in the broader

---

<sup>7</sup> Eugene H. Berwanger, *The West and Reconstruction* (Urbana: University of Illinois Press, 1981), 18.

<sup>8</sup> *Ibid.*, 41.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, 28.

<sup>11</sup> *Ibid.*

national project of Reconstruction. It served as a space in which that federal power was tested, negotiated, and contested. As Smith argues, measures like the Thirteenth Amendment, the Homestead Act, and debates over racial suffrage were not isolated reforms but instruments of a sweeping federal campaign to consolidate national authority and define the contours of American citizenship.<sup>12</sup> The end of the Civil War marked not a resolution, but a redirection of national energies toward the unfinished work of state-building. Westward expansion raised urgent questions about how to govern a geographically vast and racially heterogeneous republic. The federal government's efforts to reconstruct the South were paralleled by its attempts to impose control over the Western territories, long marked by legal ambiguity, cultural fragmentation, and uneven allegiances. California, removed from the war's physical frontlines but embedded in its ideological aftermath, became a battleground of its own. Here, questions of sovereignty, labor, and belonging were not peripheral but central to the formation of a postwar national identity. The imagined unity of a nation rooted in the ideals of free labor and liberal citizenship collided with the persistence of coerced labor, racial exclusion, and anti-statist localism. In the postwar West, the contradictions of federal nation-building did not fade; they intensified, exposing the limits and fragilities of Reconstruction's expansive ambitions.

At the same time, national mythology cast the West as a place of redemption. The start of construction on a transcontinental railroad connecting the coasts brought the West into the psyche of eastern Americans. Soon, it became associated with cowboys, rugged individualism, and a traditionalism that provided comfort in a world developing at an exponential rate.<sup>13</sup> The nation, in search of an identity, mapped its hopes, dreams, and nostalgia onto the West.

---

<sup>12</sup> Smith, "Beyond North and South," 570.

<sup>13</sup> Deverell, William. "Convalescence and California: The Civil War Comes West." *Southern California Quarterly* 90D, no. 1 (2008): 18.

According to historian William Deverell, the West was also seen as a place of redemption and healing far removed from the battlegrounds.<sup>14</sup> It provided fresh opportunities as well as a new setting in which one could reimagine themselves away from the battlefield, from economic instability, and from social upheaval. This was especially true for the newly freed slaves who went West, hoping to escape the racial antagonism that had somehow even further cemented itself in the South in the wake of their emancipation.

Thus, as Reconstruction began to stall in the South, North and South alike turned their gaze westward. The region, far from being a neutral or empty space, became a place where the contradictions of the postwar United States—between freedom and coercion, inclusion and exclusion—could no longer be ignored. Political tensions, displaced from earlier battlegrounds, found new outlets. And in this shifting terrain, the unfinished business of the Civil War, its failures, its promises, and its ambiguities, was carried west.

### **The Anti-Chinese Labor Movement: Race, Work, and the Afterlife of Slavery in California's Political Economy**

The American West, as it turned out, was not only a place of reinvention for Americans. Rather, it was imagined as a land of salvation and opportunity across the Pacific as well. Referred to as the “Gold Mountain” in China, the West represented hope for thousands of men in Guangdong province, where 90% of Chinese immigrants to America originated. There, overpopulation, declining agricultural viability, political upheaval from the Taiping Rebellion,

---

<sup>14</sup> Deverell, “Convalescence and California,” 5.

and recurring natural disasters had produced a condition of unrelenting instability.<sup>15</sup> But in addition to this flight from poverty, there were other forces propelling Chinese migration, namely the stories of quick riches being promised from across the ocean. In the spring of 1848, stories of gold in California spread like wildfire through Hong Kong. Soon after, Chinese sojourners returned with visual proof of their success. Their tales were amplified by American and British shipping captains who circulated placards and posters advertising California as a land of fortune.<sup>16</sup>

The majority of Chinese migrants arriving in the United States were classified as either workers or merchants.<sup>17</sup> But for the rural poor, paying the fare upfront was nearly impossible. To overcome this, a credit-ticket system emerged: Chinese merchants would vouch for potential laborers, allowing them to be matched with companies in the United States. The debts incurred were repaid through multi-year labor contracts.<sup>18</sup> These contracts bound Chinese migrants to particular employers for set terms, but, critically, they were not “unfree” in the same way as coolie labor was in the Caribbean and Latin America.<sup>19</sup> Chinese workers were technically free, but their position in the U.S. economy and labor market raised profound questions about the meaning of freedom itself in the age of industrial capitalism.

Those questions became sharp in the California gold fields. Chinese miners, seen as industrious, disciplined, and cost-effective, quickly became targets of white resentment. From

---

<sup>15</sup> Birgit Zinzius, *Chinese America: Stereotype and Reality: History, Present, and Future of the Chinese Americans* (New York: P. Land, 2004), 5.

<sup>16</sup> *Ibid.*, 11

<sup>17</sup> *Ibid.*, 12.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

the earliest years of the Gold Rush, white miners sought to exclude them through violence and policy. A foreign miners' tax of \$20 per month was passed in 1850 to deter Chinese participation, later reduced to \$4 after it proved difficult to enforce.<sup>20</sup> As Sucheng Chan documents, exclusion was framed through an ideology of racial entitlement: the gold was imagined as the rightful property of white Americans, and the presence of foreign diggers, especially Chinese, was treated as an affront to national belonging.<sup>21</sup>

Yet, as industrialization reshaped the mining economy, Chinese labor became indispensable. The shift to hydraulic mining and corporate-owned operations demanded a new workforce that was wage-dependent, replaceable, and efficient.<sup>22</sup> Chinese workers fit the model. Many lived communally, accepted low wages, and focused on sending money either home or to their creditors.<sup>23</sup> They were not simply victims of circumstance but strategic migrants navigating the demands of a changing economy. On the transcontinental railroad alone, over 13,000 Chinese men were hired between 1863 and 1869, performing grueling labor under dangerous conditions, often for half the pay of white workers.<sup>24</sup>

For white laborers, this economic transformation was deeply disorienting. Their campaign against Chinese workers was not solely rooted in racism or job competition, but in a broader fear of an economic shift that was rapidly changing the nature of American life. The rise

---

<sup>20</sup> Kanazawa, "Immigration, Exclusion, and Taxation," 784.

<sup>21</sup> Sucheng Chan, "A People of Exceptional Character: Ethnic Diversity, Nativism, and Racism in the California Gold Rush," *California History* 79, no. 2 (2000): 44–85.

<sup>22</sup> Kanazawa, "Immigration, Exclusion, and Taxation," 782.

<sup>23</sup> Zinzius, *Chinese America*, 13.

<sup>24</sup> The Asian American Education Project, "1.2 - The Contributions of the Chinese Transcontinental Railroad Workers," accessed April 7, 2025, <https://asianamericanedu.org/1.2-Transcontinental-Railroad-lessonplan.html#:~:text=The%20660%20miles%20of%20the,laborers%20to%20support%20the%20construction.>

of industrial capitalism meant that a small class of capitalists, many enriched before the war, now controlled the means of production, displacing older models of self-sufficient labor.<sup>25</sup> The subsistence economy that had once defined Western identity was giving way to wage labor, corporate dominance, and centralized control. This shift had already taken hold in the East, but in the West it posed a particular challenge to ideals of rugged independence and anti-authoritarianism. Western white laborers, celebrated for their self-reliance, now found themselves forced into systems that demanded obedience and efficiency. Many walked off jobs or resisted managerial authority, but their defiance meant little when employers could simply turn to another source of labor, the Chinese, who were perceived as more compliant and cost-effective.<sup>26</sup> As Eric Foner notes, nowhere did capitalism penetrate more rapidly than in the Trans-Mississippi West, where the same forces that had subjugated Indigenous peoples and cleared land for railroad expansion were now reorganizing labor and property relations on an industrial scale.<sup>27</sup>

This transformation, however, was not merely economic; it was racial. Racial capitalism in the West had long relied on systems of dispossession and unfree labor, from Indigenous land seizure to Mexican contract work. These racialized labor systems were not accidents of capitalism, but fundamental to its operation. After the war, Chinese workers filled that structural role, not as slaves, but as racialized laborers whose perceived docility, foreignness, and expendability made them ideal for the needs of industrial capital. The transition from one racial

---

<sup>25</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper Collins Publishers Inc., 2014), 376.

<sup>26</sup> Batzell, "Free Labour, Capitalism and The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s," 176.

<sup>27</sup> Foner, *Reconstruction*, 376.

labor regime to another marked not a rupture, but a continuity in the logic of racial capitalism: a system in which racial difference was produced, managed, and exploited in service of economic growth.

The flip effects racial capitalism could be seen in the example of the Irish, many of whom had fled famine and oppression only to encounter discrimination in America's eastern cities, prompting for some a move West. In the West, the presence of the Chinese provided Irish workers with something they had lacked: a racialized underclass beneath them.<sup>28</sup> As historian R.A. Burchaell notes, "The cultural gulf between Chinese and white society... was so great as to diminish, by comparison, almost to a vanishing point, the differences between the natives of Cork and Boston, Limerick and New York."<sup>29</sup> The Chinese, in effect, allowed Irish immigrants to step into whiteness. Their color enabled them to make common cause with white groups who might have excluded them otherwise. Rather than challenge the racial hierarchy, many Irish laborers embraced it, projecting their own past exclusion onto a new target.

This racial logic was most visibly articulated in the activities of Denis Kearney's Workingmen's Party, established in 1876. Kearney himself was an immigrant, yet that did not stop him from inciting mob violence and calling for the expulsion of Chinese laborers from the United States.<sup>30</sup> At rallies in San Francisco, Kearney fused economic frustration with racial hostility, declaring Chinese labor a threat to both white wages and American democracy.<sup>31</sup> And his was not an isolated voice. Anti-Chinese racism, Burchaell writes, "became the cement for

---

<sup>28</sup> Myles Dungan, *How the Irish Won the West* (Stillorgan: New Island, 2016), 7.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*, 8.

<sup>31</sup> Batzell, "Free Labour, Capitalism and The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s," 181.

labor union organization.”<sup>32</sup> Many white workers, and particularly the Irish, joined together in opposition to Chinese labor not in spite of, but because of, the racial hierarchy it upheld.

For these laborers, the presence of Chinese workers provoked a deeper anxiety about national transformation, about what kind of country the United States was becoming in the wake of slavery’s abolition. As previously discussed, the definition of slavery after emancipation was in a state of constant negotiation. In this case, white laborers argued that the Chinese “coolies” were being exploited, noting aspects of coercion and inequality despite their formally free contracts and apparent consent. The term “coolie,” as used by both policymakers and the press, denoted a racialized laborer whose freedom was largely illusory. An 1860 House report on the coolie trade, contended that many Chinese laborers were misled about the terms of their employment, packed into unsanitary ships under brutal conditions, and forced into multi-year labor contracts enforced by fines, confinement, or physical punishment.<sup>33</sup>

The 1866 article "*Coolies as a Substitute for Negroes*" provides historical context for the suspicion of Chinese laborer freedom. The coolie system was first implemented in British, Dutch, and Spanish colonies in the Caribbean following the abolition of slavery. In places like British Guiana, Trinidad, and Cuba, planters imported thousands of Chinese laborers to work on sugar plantations, seeking a replacement for emancipated African slaves. Though officially classified as contract laborers, these workers lived under conditions described as “scarcely better than slavery,” often subjected to grueling labor, poor living conditions, corporal discipline, and cultural isolation. Plantation owners praised the supposed docility and efficiency of Chinese

---

<sup>32</sup> Dungan, *How the Irish Won the West*, 8.

<sup>33</sup> U.S. House of Representatives, *Coolie Trade (To Accompany Bill H.R. No. 657)*, H. Rep. No. 443, 36th Cong., 1st sess., April 16, 1860, Committee on Commerce. Phillip P. Choy Collection, M2521, Box 93, Folder 2, Stanford University Special Collections.

workers, but critics highlighted the coercive mechanisms that kept them bound to their employers, including debt, surveillance, and denial of legal recourse.<sup>34</sup>

It's important to make clear that the Chinese immigrant laborers in the U.S. were not equivalent to the "coolies" of the Caribbean. While they accepted lower wages and lived in worse conditions than American laborers, this was the result of their sojourner mentality, not coercion. The mistreatment they faced was more so due to the racism and violence expressed by Westerners than their contract labor status. Yet, to white American laborers, the two were indistinguishable. For them, the arrival of Chinese workers in the U.S. signaled the potential resurgence of a racialized, semi-coerced labor caste within a republic that had supposedly rejected human bondage. It was not competition that provoked hostility from these individuals, but rather the fact that the existence of Chinese labor allowed for the empowerment of new corporate elites and the erosion of conditions for the working class. The Workingmen saw themselves as the new abolitionists, fighting against the exploitation of labor that threatened to create a system akin to the Southern slavery that had just been demolished.<sup>35</sup> In the *Los Angeles Evening Express*, they expressed that they "do not want the worker to have the muscle and the employer to have the brains," as "such a system is semi-slavery or serfdom."<sup>36</sup> In their efforts, the Workingmen proposed that limits be imposed to maintain equality and preserve democracy in the face of capitalism, as the non-stop quest for accumulation and competition could bring the

---

<sup>34</sup> *DeBow's Review*, "Coolies as a Substitute for Negroes," vol. 2, no. 2 (August 1866), Phillip P. Choy Collection, M2521, Box 29, Folder 8, Stanford University Special Collections.

<sup>35</sup> Batzell, "Free Labour, Capitalism and The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s," 181.

<sup>36</sup> *Los Angeles Evening Express*, "A Peaceful Solution," January 4, 1878, vol. 14, no. 86, accessed via Newspapers.com.

country back to its slave-holding past. The first step, in their eyes, was to restrict Chinese labor migration.

The use of antislavery rhetoric was an incredibly powerful tool here, especially given the fact that the U.S. was in the midst of Reconstruction. In a nation still reeling from the trauma of the Civil War, appeals to freedom and equality resonated. Laborers reframed the narrative of slavery, using it as a tool for white workers to protect their interests. Even if chattel slavery was not being reintroduced, likening a system to slavery would immediately bring people's attention to an issue, especially given how recently and with what vigor slavery had been abolished. As previously stated, the U.S. was in search of an identity after the Civil War. Though many facets were still in negotiation, one thing had been made decisively clear: the U.S. would be rooted in the nation of freedom for all. They hoped to bring Republicans, who had dismantled slavery, into their cause by presenting Chinese labor as a betrayal of Reconstruction's promise. In their view, protecting the white working class from exploitation was a natural extension of emancipation itself. But this appeal ran up against the political and economic realities of the postwar nation. The Republican Party, increasingly tied to railroad and manufacturing interests, had little reason to antagonize the industrialists who profited from Chinese labor.<sup>37</sup> At the same time, the Democrats, badly damaged by their association with slavery and secession, saw in the anti-Chinese campaign a chance to reinvent themselves. Seizing on the laborers' momentum, they rebranded Chinese exclusion as a national imperative. What had begun as a grassroots labor issue became a central plank in a newly racialized vision of national recovery and cohesion.

Ultimately, the anti-Chinese labor movement revealed the deep contradictions at the heart of postwar America. It exposed how the language of freedom, especially anti-slavery, could be

---

<sup>37</sup> Foner, *Reconstruction*, 376.

repurposed not to expand rights, but to justify exclusion. The invocation of semi-slavery, the demand for racial and economic purity, and the belief that democracy requires exclusion would soon find a more powerful audience in Washington. In the struggle over Chinese labor, the nation rehearsed its next great conflict: not over slavery itself, but rather over freedom's limits.

### **Frontier Bodies: Prostitution, Morality, and the Gendered Landscape of the Gold Rush West**

In mid-nineteenth century California, prostitution emerged not merely as a byproduct of frontier life but as a structural feature of the Gold Rush economy and society. The discovery of gold in 1848 triggered a massive influx of predominantly young, single men who flooded into mining towns and urban centers like San Francisco, transforming the racial gender dynamics of the region almost overnight. The vast male-to-female ratio left few options for heterosexual companionship. In such a gendered vacuum, prostitution was not only prevalent, it was nearly unavoidable.<sup>38</sup> The economy of desire thrived in this male-dominated landscape, as women who migrated west were quickly funneled into highly gendered and morally scrutinized roles.

For the minority of American women who ventured westward, the choices were limited. Many of the women found themselves in states of desperation, especially given that “honest work” was both scarce and poorly paid.<sup>39</sup> Prostitution in California was thus deeply entangled with the broader conditions of economic precarity, gendered labor exclusion, and the capitalist development of the West. As Julia Laite has shown, the sale of sex on the mining frontier cannot

---

<sup>38</sup> Albert L. Hurtado, *Intimate Frontiers: Sex, Gender, and Culture in Old California* (Albuquerque: University of New Mexico Press, 1999), 76

<sup>39</sup> Michael Rutter, *Upstairs Girls: Prostitution in the American West* (Farcountry Press, 2005), 7.

be dismissed as simple vice or moral failure.<sup>40</sup> Rather, it must also be understood as a gendered response to industrial capitalism and as a form of survival within a society that commodified women's labor and bodies while limiting their access to legitimate economic opportunities. Amy Dru Stanley's concept of the female body as a commodity underscores the paradox at the heart of this system: that the market could offer women a kind of freedom—mobility, income, even agency—but only through the very structures that exploited their reproductive and sexual labor.<sup>41</sup>

For white observers and reformers, the widespread visibility of sex work threatened the moral and racial order they believed necessary to stabilize California's emerging civic life. Victorian ideals of the time held white women as bearers of virtue and agents of civilizing influence meant to tame the chaotic masculinity of the frontier.<sup>42</sup> Thus, moralists took great issue with the widespread presence of prostitutes and their possible corrupting influence on otherwise virtuous women. Reformers warned that "California was a dangerous country for single women to go to unless their principles were firm as the rocks of their native hills."<sup>43</sup> The stigma surrounding sex work created an ironclad boundary between the "decent" and the "fallen."<sup>44</sup> Social code demanded that good women ignore prostitutes entirely, "as if the latter's sin, like leprosy, could rub off and infect" them or their children.<sup>45</sup> This rigid separation reinforced

---

<sup>40</sup> Julia Ann Laite, "Historical Perspectives on Industrial Development, Mining, and Prostitution," *The Historical Journal* 52, no. 3 (2009): 739–61.

<sup>41</sup> Stanley, Amy Dru, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (Cambridge: Cambridge University Press, 1998)

<sup>42</sup> Hurtado, *Intimate Frontiers*, 84.

<sup>43</sup> *Ibid.*

<sup>44</sup> Rutter, *Upstairs Girls*, ix.

<sup>45</sup> *Ibid.*

hierarchies of morality and class among white women, and helped to regulate their behavior under the guise of virtue.

In the eyes of many, the frontier had become a space of lawlessness, sexual excess, and moral decay, requiring the intervention of state and federal authorities to impose discipline and respectability. As Laite notes, prostitution was frequently used as a kind of litmus test for the "modernity" or "disorder" of a mining town; a visible red-light district marked not only vice but the absence of proper governance.<sup>46</sup> Thus, campaigns for the regulation of prostitution were not just about protecting women. Rather, they were about asserting control over unruly populations, disciplining male labor, and creating a moral geography suitable for white settlement and capitalist development.

Yet despite the image of the frontier as uniquely chaotic, the anxieties surrounding prostitution in the West were not so different from those brewing in the urban centers of the East. Industrial cities like New York, Boston, and Chicago were also undergoing rapid growth, mass male migration, and the influx of impoverished women seeking work. In both contexts, women turned to prostitution as a survival strategy in the face of exclusion from "respectable" forms of labor. Reformers in both East and West spoke in the same idiom of moral rescue, disease control, and the threat of female sexuality unmoored from domestic life. The frontier may have seemed exceptional in its rawness and exposure, but it was in fact an extension of the same gendered and classed structures of industrial capitalism that defined the eastern cities. What distinguished the West, perhaps, was the ideological burden placed upon it. It was a space not only to be settled, but purified, where white women were imagined as instruments of civilizational uplift, and prostitutes as pollutants to be removed.

---

<sup>46</sup> Laite, "Historical Perspectives on Industrial Development, Mining, and Prostitution," 750.

Prostitution, then, became a site through which broader social tensions played out: between order and chaos, respectability and degradation, female virtue and economic necessity. The perceived need for moral regulation and state intervention in places like San Francisco thus mirrored similar movements in the East, but the stakes in the West were elevated by the belief that the frontier represented the future of the nation. In that sense, the regulation of sexuality became central not just to local governance, but to the national project of empire, expansion, and racial order.

### **Chinese Prostitution: The Racial-Sexual Economy of Coercion and Commodification**

By the 1850s, Chinese prostitution had become one of the most visible and contested arenas through which white San Franciscans projected their anxieties about race, sexuality, and social disorder. In public, the city, like all in the Victorian age, decried vice; in private, it profited from and fetishized the sexual labor of trafficked Chinese women. These women were not free agents in a transactional marketplace. Rather, they were captives of a system built on racialized sexual slavery sustained by deception, coercion, and commodification. Chinese women were trafficked, brutalized, and sold into a market that fused racial difference with sexual desire, transforming female bodies into objects of both punishment and consumption.

The stark gender imbalance within the Chinese migrant population was both a cause and consequence of this system. Chinese immigration during the mid-nineteenth century was overwhelmingly male; a California census in 1852 counted just 19 Chinese women to 2,954 men, a ratio of 1 to 155.<sup>47</sup> This disparity was largely because Chinese men traveled to the United

---

<sup>47</sup> Tong, *Unsubmissive Women*, 3.

States with a sojourner mentality. The journey was meant to be temporary and a way to make quick money to bring back home. So, having dependents like wives and children with them would only slow down their return.<sup>48</sup> However, it was also rooted in Confucian norms, which taught that women should remain in the home, tending to household duties.<sup>49</sup> Husband-wife responsibilities were second to those of younger to elder and child to parent.<sup>50</sup> Respectable wives, it was believed, should focus on their obligations to their in-laws and have no desire to venture abroad.<sup>51</sup> As a result, few Chinese women migrated voluntarily. However, it's important to acknowledge that some did join their husbands and attempted to create stable, domestic lives within emerging Chinatowns. These women sought to form families, raise children, and integrate into community life, often within the narrow bounds allowed by racial and legal constraints. However, these cases received little attention in the white American imagination. Instead, Chinese womanhood as a whole became associated with vice, sexual deviance, and moral corruption. In practice and perception, even wives and daughters were treated with suspicion, scrutinized by immigration officials, and ultimately conflated with prostitutes

One of the most notorious figures in this system was Ah Toy, a former prostitute who rose to become a powerful madam in the Bay Area's underground sex economy. Ah Toy built her empire by tricking or purchasing young girls, many not yet in their teens, from desperate

---

<sup>48</sup> George Anthony Peffer, *If They Don't Bring Their Women Here: Chinese Female Immigration Before Exclusion* (Urbana: University of Illinois Press, 1999), 5.

<sup>49</sup> Judy Yung, *Unbound Feet: A Social History of Chinese Women in San Francisco* (Berkeley: University of California Press), 20.

<sup>50</sup> Peffer, *If They Don't Bring Their Women Here*, 5.

<sup>51</sup> Yung, *Unbound Feet*, 20.

families in China.<sup>52</sup> She acquired them as cheaply as possible, encouraged ship crews to “break the girls in” during the voyage through rape and coercion, and upon arrival, staged their “conditioning” in a space known as the Queen’s Room. Girls were drugged, stripped naked, inspected, and either sent to predetermined brothels or auctioned to the highest bidder.<sup>53</sup> Once sold, they were forced to sign contracts they could not read, agreeing to years of service in exchange for a payment they never received. The documents served only to grant a legal illusion of consent, shielding their captors from prosecution while erasing the coercion at the heart of the transaction.<sup>54</sup>

Women like Ah Toy were soon beat out by highbinder societies, or criminal tongs, transnational trafficking networks which quickly rose to dominate vice in cities like San Francisco and Sacramento. The tongs took advantage of the destitution of families in China who were finding it difficult to subsist. Many resorted to drowning their daughters, who were more dispensable than sons, because of their inability to look after them.<sup>55</sup> The tongs provided an alternative: families could sell their daughters and rest assured that they would be safe and secure. Some daughters agreed to be taken by the tongs in an effort to complete their filial duty and aid in the survival of their families. Others were lured into the trade. The tongs reassured families that their young girls would not be thrown into a dishonorable profession, but rather serve as domestic servants or brides for sojourners in America.<sup>56</sup> It was only after their arrival in

---

<sup>52</sup> Rutter, *Upstairs Girls*, 46.

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*

<sup>55</sup> Tong, *Unsubmissive Women*, 39.

<sup>56</sup> *Ibid.*, 40.

the U.S. that the women learned their fate. Others were simply kidnapped and thrown on ships, never to see their homeland again.<sup>57</sup>

A report from 1854 records the arrival of 673 Chinese women in California, most destined for “houses of ill-fame.” Upon landing, women were subjected to public inspection and auction. Though the practice was later moved indoors, it remained no less degrading: women were stripped, examined like livestock, and bid on.<sup>58</sup> Once sold, the women were placed under the control of a madam or tong affiliate, who “owned” them for the duration of a so-called contract. These contracts were legally dubious and deliberately unfulfillable. Time could be arbitrarily extended for any perceived infraction, including pregnancy, menstruation, illness, or attempted escape.<sup>59</sup> The tong system ensured that women could never buy their freedom. Attempting to flee was met with brutal retaliation: women who escaped were hunted down by hired highbinders, armed enforcers, and forcibly returned to their owners. Upon recapture, the woman was beaten, shackled, and billed for both the cost of her pursuit and the income she was said to have lost while absent.<sup>60</sup> Tongs also punished disobedience with whippings, hair-pulling, sleep deprivation, and starvation, and some women were locked in dark rooms for days as psychological punishment.<sup>61</sup>

One young woman recounted her harrowing experience in a letter: “My father sold me when I was about seven years old; my mother cried. I was afraid and ran under the bed to hide...

---

<sup>57</sup> Lucie Cheng Hirata, “Free, Indentured, Enslaved: Chinese Prostitutes in Nineteenth-Century America,” *Signs* 5, no. 1 (1979): 9.

<sup>58</sup> Tong, *Unsubmissive Women*, 70.

<sup>59</sup> Rutter, *Upstairs Girls*, 46.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

I was sold four times. I came to California about five years ago. My last mistress was very cruel to me; she used to whip me, pull my hair, and pinch the inside of my cheeks.”<sup>62</sup>

The lives of Chinese prostitutes in San Francisco varied widely depending on their assigned market value, but all options were ultimately governed by exploitation and disposability. A small number of women were sold to wealthy Chinese men, where they were pampered, well-dressed, and occasionally redeemed through concubinage or marriage, though even this status hinged on the whims of their owners.<sup>63</sup> Others were placed in parlor houses, lavishly decorated rooms on the upper floors of Chinatown establishments that catered to a select clientele. In these settings, women were perfumed, adorned in silks, and marketed as exotic commodities to both Chinese and white men. White patrons were particularly drawn to the orientalist fantasy surrounding Chinese women, lured by the "exotic atmosphere, relatively cheap rates," and the grotesque rumor that Chinese women had "vaginas that ran east-west instead of north-south."<sup>64</sup> Publicly, white society condemned these women as a threat to morality; privately, their bodies were fetishized and consumed. Chinese clients sometimes paid for the company of parlor house women to attend the theater or dinner, and on rare occasions women were "redeemed" by wealthy suitors. But for most, this illusion of luxury was fleeting. As Judy Yung put it, these women might be "loaded with jewels one day and stripped and sold to the highest bidder the next, if it were the desire of her master."<sup>65</sup>

---

<sup>62</sup> Judy Yung, Gordon H. Chang, and Him Mark Lai, *Chinese American Voices: From the Gold Rush to the Present* (Berkeley: University of California Press, 2006), 15.

<sup>63</sup> Yung, *Unbound Feet*, 28.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, 29.

At the bottom of the hierarchy were the women consigned to cribs. These were cramped, windowless shacks, often no larger than 12 by 14 feet, facing filthy alleys in Chinatown. Here, women hawked their bodies to poor laborers, sailors, teenage boys, and drunkards for as little as twenty-five cents. They were forced to accept every man who approached, regardless of their condition or behavior. Beatings, disease, and exhaustion were routine, and most women succumbed to venereal illness, after which they were either discarded on the street or locked in isolation to die alone. Whether adorned in silk or confined in filth, all were rendered disposable: bought, sold, and consumed by a society that eroticized racial difference and cloaked coercion in the language of contract.

This system did not operate in a vacuum. It was embedded within a broader racial and sexual economy that structured the lives of all women under American settler colonialism. White and Chinese women inhabited vastly different realms of sexual labor. White prostitutes worked in better conditions, with more autonomy and legal protection. Chinese and Black women, by contrast, were confined to the margins, excluded from protections and governed by violence.<sup>66</sup> As Alexy Simmons documents, racial segregation in the sex trade was absolute. Chinese and Euro-American prostitutes never occupied the same establishments, and their respective clientele, wages, and treatment reflected a deeply racialized sexual economy. Whereas Euro-American women could leave the profession at will, most Chinese women were indentured, owned, and entirely at the mercy of their handlers.<sup>67</sup>

Maintaining this racial and economic order required not just private coercion, but public complicity. The tongs operated through extensive networks of bribery and protection that

---

<sup>66</sup> Alexy Simmons, "Red Light Ladies in the American West: Entrepreneurs and Companions," *Australian Journal of Historical Archaeology* 7 (1989): 63.

<sup>67</sup> *Ibid.*

included city officials, immigration agents, and police, all of whom were financially invested in keeping brothels open and unregulated. Law enforcement selectively applied anti-prostitution laws, protecting white-run brothels while targeting Chinese women for punishment.<sup>68</sup> Despite city ordinances passed in 1854 and 1860 to suppress “houses of ill-fame,” these laws were enforced almost exclusively against Chinese women, who were arrested, fined, and jailed not for trafficking, but for being trafficked.<sup>69</sup> In fact, it was a jailable offense for a non-white woman to solicit a white man in public, a statute that functioned as a racial boundary marker, criminalizing not only Chinese women’s labor but also their visibility.<sup>70</sup> In 1860, California abandoned even the pretense of color-blind regulation with the passage of the *Act for the Suppression of Chinese Houses of Ill Fame*, which explicitly racialized vice control by naming Chinese prostitution as a social evil.<sup>71</sup> This selective policing mirrored the sexual hypocrisy of white society. Middle-class white reformers decried the moral threat of Chinese prostitution while white men quietly patronized these same brothels, drawn in part by exoticizing myths of racialized sexuality.

What Chinese prostitution ultimately revealed was the deep contradiction at the heart of American anti-slavery ideology: that the same society which denounced the horrors of chattel slavery actively reproduced its structures through racialized sexual violence. In post-emancipation California, Chinese women were not merely exploited; they were systematically targeted, circulated, and violated in ways that reconfigured slavery through the language of contract, civilization, and public order. Sexual domination became a tool of racial governance,

---

<sup>68</sup> Rutter, *Upstairs Girls*, 48.

<sup>69</sup> Tong, *Unsubmissive Women*, 111.

<sup>70</sup> Rutter, *Upstairs Girls*, 38.

<sup>71</sup> Tong, *Unsubmissive Women*, 111.

turning Chinese women's bodies into sites of both violence and fantasy. Reformers, police, and state officials invoked the language of uplift, civilization, and public decency to justify intervention. However, what they policed was not the existence of exploitation, but the visibility of Chinese women's sexuality, its refusal to remain hidden or subordinated to white control. Sexuality here was not incidental, but foundational: a means through which racial difference was made legible, enforced, and violently managed. In this racial-sexual order, Chinese women were not only laborers or victims, they were symbols, inscribed with ideas of depravity, hypersexuality, and subhumanity. Their exploitation was not a deviation from American ideals but an extension of them, a way to domesticate the legacy of slavery by relocating its violence onto bodies that could be excluded from the protections of freedom.

### **“Rescue” and Racial Redemption: Missionary Women and the Reproduction of Moral Hierarchy**

As previously discussed, the language of antislavery became a powerful weapon in the post-emancipation United States. It could be used to demand justice, but only by those with enough power or visibility to wield it. Chinese railroad workers demonstrated this in 1867 when they organized a massive labor strike in which they demanded fair wages, shorter workdays, and humane conditions. The strike leaders went so far as to invoke the newly ratified Thirteenth Amendment, linking their struggle to the national abolition of slavery and asserting their place within its emancipatory promise.<sup>72</sup> But Chinese women, many of whom were illiterate, trafficked, and entirely excluded from public life, had no comparable means of political

---

<sup>72</sup> PBS, "The Chinese Workers' Strike," *American Experience*. Accessed April 9, 2025. <https://www.pbs.org/wgbh/americanexperience/features/tcrr-chinese-workers-strike/>.

expression. Lacking the power to speak in the idiom of rights, they became subjects of reform rather than agents of resistance. Missionaries, primarily white, middle-class women, stepped in to speak on their behalf. While often motivated by genuine concern, these reformers repurposed antislavery rhetoric to cast Chinese women as fallen victims in need of rescue, embedding their advocacy in a framework of moral uplift and sexual panic. In doing so, they wielded the language of freedom not as a call to structural change, but as a justification for intervention, surveillance, and control.

The San Jose Woman's Board of Missions (SJ-WBM), founded in 1874, offers a vivid case study in how middle-class Protestant women sought to extend their moral authority into the racialized underworlds of urban California. These women were part of a broader transnational evangelical movement that blurred the lines between "foreign" and "domestic" mission work. They believed that the United States had a divine role in global redemption and that Christianizing Chinese Americans at home could pave the way for the Christianization of China abroad. As Voss notes, Christianizing Chinese Americans and Christianizing Chinese in China were viewed as "two sides of the same coin."<sup>73</sup>

At the center of the SJ-WBM's early mission was the figure of the Chinese prostitute, whom missionaries saw not only as a victim of sexual slavery but as a potent symbol of moral crisis in the American West. These women were imagined as "refugees from a slavery worse than death," and missionary records frequently described the effort to free them as akin to an abolitionist struggle.<sup>74</sup> The missionaries' writings were suffused with images of darkness,

---

<sup>73</sup> Barbara L. Voss, "Every Element of Womanhood with Which to Make Life a Curse or Blessing: Missionary Women's Accounts of Chinese American Women's Lives in Nineteenth-Century Pre-exclusion California," *Journal of Asian American Studies* 21, no. 1 (2018): 110.

<sup>74</sup> Peggy Pascoe, *Relations of Rescue: The Search for Female Moral Authority in the American West, 1874-1939* (New York: Oxford University Press, 1990), 14.

disease, and degradation, casting the Chinese brothel as a site of heathen excess and barbaric cruelty. They invoked the spiritual metaphor of “light,” a trope that permeated Protestant theology, to contrast their own presence against the supposed “thick darkness of heathen superstition” that cloaked Chinatown homes.<sup>75</sup> The possibility of “freeing Chinese women from their condition of slavery” was a frequent discussion topic at SJ-WBM meetings.<sup>76</sup> In this framing, Chinese prostitution was not simply a social problem; it was a civilizational crisis, one that required Protestant women’s intervention.

Yet this intervention was structured by the norms of Victorian gender ideology. Protestant women, raised in a culture that prized sexual restraint as the foundation of female virtue, viewed unregulated sexuality as a threat to the moral fabric of society. As historian Peggy Pascoe notes, missionary women “zeroed in on groups whose behavior seemed to them to raise the spectre of unrestrained sexuality,” and Chinese prostitution, hypervisible and racialized, presented a perfect target.<sup>77</sup> For these reformers, saving Chinese women required more than ending their physical enslavement; it meant reshaping their entire being by teaching them sewing, scripture, piety, and submission to Anglo-American domestic norms. Mission homes, such as the Chinese Mission Home in San Francisco, were imagined not only as shelters but as moral sanctuaries where “the natural virtues of womanhood, purity and piety, could emerge.”<sup>78</sup>

Missionary writings routinely emphasized a shared feminine condition. Mary S. Carey of the SJ-WBM wrote in 1878 that “the poor Chinese women... possess in common with ourselves

---

<sup>75</sup> Voss, “Every Element of Womanhood With Which to Make Life a Curse or Blessing,” 116

<sup>76</sup> *Ibid.*, 120.

<sup>77</sup> Pascoe, *Relations of Rescue*, 6.

<sup>78</sup> *Ibid.*, 76.

every element of womanhood with which to make life a curse or blessing.”<sup>79</sup> Such language projected a universal womanhood that, in theory, crossed boundaries of race and class. Yet this ideal of sisterhood was deeply asymmetrical. The SJ-WBM’s secretary noted that Chinese women “are as often the victims of a man’s revenge and cruelty as their more favored American sisters.”<sup>80</sup> Here, they inadvertently reassert a hierarchy in which American women were implicitly more advanced and more protected. While missionary women did not support Chinese exclusion laws and even criticized the racism of other white San Franciscans, their solution to the “problem” of Chinese prostitution rested on conversion, assimilation, and the enforcement of Protestant norms. As Pascoe notes, “the inculcation of Protestant morality, a visible expression of female piety, seemed to them a more effective solution than legal exclusion.”<sup>81</sup> This approach had clear ideological limits. Missionaries ignored or dismissed evidence that some Chinese women had entered prostitution knowingly, preferring to cast them all as victims “decoyed from their native land by false promises and misrepresentations.”<sup>82</sup> This framing erased women’s agency and replaced it with a redemptive narrative in which the act of Christian conversion was imagined to be so transformative that it absolved all prior “immorality.”<sup>83</sup> In effect, moral regulation was sanctified as liberation.

The image of the “Chinese slave girl” used by missionary women often mirrored the racist caricatures deployed by exclusion advocates, but with a different purpose. Where

---

<sup>79</sup> Voss, “Every Element of Womanhood with Which to Make Life a Curse or Blessing,” 114

<sup>80</sup> Ibid.

<sup>81</sup> Pascoe, *Relations of Rescue*, 16.

<sup>82</sup> Ibid., 53.

<sup>83</sup> Ibid., 50.

politicians used the image to justify restriction and erasure, Protestant women used it to justify rescue and reform.<sup>84</sup> Yet both relied on the same logic: that Chinese women were fundamentally degraded and in need of white intervention. Even the idea of “freedom” was racialized: available only through submission to white, Protestant standards of behavior and domesticity. Despite this, missionary women faced resistance from within their own communities. Some Presbyterian pastors treated their work with “distant reserve” or open hostility, and prominent San Franciscans often refused to fund their projects.<sup>85</sup> One woman, approached for a donation, declared, “I will give nothing for such depraved women. I would not be sorry if all the Chinese women were placed in a pile and burned.”<sup>86</sup> Nevertheless, by the end of its second year, the California branch had enlisted 1,200 women in local auxiliaries, a testament to the broad appeal of this gendered moral crusade.<sup>87</sup>

Thus, in their efforts to “rescue” Chinese women, missionaries used anti-slavery rhetoric as a transformative force—but one that operated within the moral universe of Victorian domesticity. Freedom, as they imagined it, was not autonomy or self-determination, but conformity: to Christian virtue, to white domestic roles, to disciplined womanhood. By wielding the language of antislavery, missionary women carved out space for female moral authority in a world structured by male power. But in doing so, they also reinscribed Chinese women into a hierarchy of racial and cultural subordination. Thus, the antislavery language they employed was not only a critique of Chinese patriarchy but a tool for cultural reprogramming, enabling white

---

<sup>84</sup> Voss, “Every Element of Womanhood with Which to Make Life a Curse or Blessing,” 55.

<sup>85</sup> Pascoe, *Relations of Rescue*, 16.

<sup>86</sup> Julia Flynn Siler, *The White Devil’s Daughters: The Women Who Fought Slavery in San Francisco’s Chinatown* (New York: Alfred A. Knopf, 2019), 38.

<sup>87</sup> Pascoe, *Relations of Rescue*, 16.

women to assert their superiority even as they forged real relationships of care and mutual dependency.

### **Conclusion**

The Civil War may have ended slavery in name, but the decades that followed revealed just how malleable the language of freedom could become. In California, where labor unrest, rapid industrialization, and demographic transformation collided, Chinese immigrants, both men and women, became the material for a new kind of moral and political project. Chinese workers were not simply scapegoated as competitors; they were constructed as the antithesis of American freedom itself. White laborers, fearful of losing their status in an economy reshaped by corporate power, rebranded their own anxieties through the idiom of emancipation. They likened Chinese labor to slavery not to extend solidarity, but to fortify whiteness as the default category of liberty. In their hands, the Thirteenth Amendment became less a universal promise than a weapon of exclusion.

For Chinese women, the situation was even more brutal. Sold, trafficked, and commodified within a racialized sexual economy, they became both hypervisible and utterly voiceless. Their suffering was not hidden; it was spectacularly public: on display in newspapers, courtrooms, and reform campaigns. And yet that visibility did not translate into protection. Instead, it served to rationalize ever more invasive forms of control. White Californians did not ignore the suffering of Chinese prostitutes; they instrumentalized it. Prostitution became a stage upon which white politicians, police, and reformers could perform their anxieties about morality,

racial purity, and national decline. Chinese women's bodies bore the burden of those performances.

The missionary movement brought yet another layer of complexity to this regime. White women, invoking the moral legacy of abolition, cast themselves as redeemers of Chinese femininity. But theirs was a redemption that required submission. In the missionary vision, freedom meant conformity to the Protestant domestic norms of sexual restraint, Christian virtue, and racial deference. Their homes may have offered sanctuary from physical violence, but they also operated as instruments of cultural erasure and discipline. By reframing racialized sexual labor as a moral crisis and Christianization as salvation, these women reproduced the very hierarchies they claimed to transcend.

What unfolded in California was not merely an outgrowth of local prejudice, but a crucial part of the broader national struggle over the meaning of freedom in Reconstruction-era America. In both the labor movement and the missionary campaign, the language of antislavery was stripped of its emancipatory core and redeployed to reinforce white control. Far from dismantling exploitation, these movements reorganized it—shifting its targets, revising its justifications, but preserving its essential logic. Chinese exclusion, moral regulation, and the surveillance of sexuality all emerged not in contradiction to the nation's postwar ideals, but as their perverse fulfillment.

In this way, California became not just a frontier of economic opportunity, but a frontier of ideological contention. It was where the unfinished business of Reconstruction—its failures, hypocrisies, and racial limits—was violently worked out on the bodies of the Chinese. The anti-Chinese campaign did not reject the nation's founding ideals; it appropriated them, weaponized them, and redeployed them to police the boundaries of citizenship, labor, and virtue. What

emerged was not a nation redeemed, but a nation redefined; still bound by race, still ruled by capital, and still haunted by the very system it claimed to have abolished.

### Chapter 3

#### Sanctifying the Nation: The Page Act and the Moral Logic of Exclusion

Have you entered into any contract or agreement with any person or persons whomsoever, for a term of service within the United States for lewd or immoral purposes?

Do you wish of your own free and voluntary will to go to the United States?

Do you go to the United States for the purposes of prostitution?

Are you married or single?

What are you going to the United States for?

What is to be your occupation there?

Have you lived in a house of prostitution in Hong Kong, Macao, or China?

Have you engaged in prostitution in either of the above places?

Are you a virtuous woman?

Do you intend to live a virtuous life in the United States?

Do you know that you are at liberty now to go to the United States, or remain at home in your own country, and that you cannot be forced to go away from your home?<sup>1</sup>

These were just a few of the questions asked, repeatedly and intrusively, of every Chinese woman attempting to immigrate to the United States after 1875. Designed to reveal not just a woman's history, but her very nature, the questions assumed guilt, demanded self-incrimination, and measured worthiness through a narrow and racialized lens of sexual virtue. Though framed as protective, these interrogations functioned primarily to exclude. Underlying them was the presumption that Chinese women were inherently immoral, and therefore unfit for entry. This structure of suspicion and exclusion emerged directly from the Page Act of 1875, the first federal

---

<sup>1</sup> Eithne Luibheid, *Entry Denied: Controlling Sexuality at the Border*, (Minneapolis: University of Minnesota Press, 2002), 45.

immigration law, and it offers a window into how race, sexuality, and national identity were fused at the origins of American immigration policy.

This chapter examines how the Page Act emerged from a broader shift in the politics of Chinese exclusion, as what began as a regional issue in California was redefined and elevated into a national political debate. It argues that the Page Act was not simply a response to prostitution or labor exploitation, but a product of ideological convergence as distinct regional discourses on race, morality, and unfreedom merged into a coherent national framework. On the West Coast, anti-Chinese sentiment had long been shaped by nativist violence, labor unrest, and local regulatory efforts. In the East, the Chinese Question entered a political culture still saturated with the moral legacy of antislavery and the ideological contradictions of Reconstruction. What linked these regions was a shared anxiety over national belonging, increasingly expressed through a language of sexual morality and racial purity.

By the early 1870s, both coasts had begun to deploy the moral vocabulary of antislavery to frame Chinese immigration as a threat to American freedom. But that vocabulary proved malleable. While labor radicals used it to denounce the capitalists who employed the supposedly unfree Chinese, exclusionists repurposed it to target Chinese bodies, particularly women's, as symbols of vice and coercion. In the legislative arena, figures like Congressman Horace Page seized on this moral language to transform Chinese exclusion into a cause of national virtue. By casting Chinese women as sexually corrupt and Chinese laborers as semi-enslaved, Page offered a vision of antislavery that justified surveillance, restriction, and moral policing, not emancipation.

This chapter follows the development of that rhetoric and the policy it enabled. It explores how concerns over labor, race, and sexuality were rearticulated as moral imperatives,

how antislavery ideals were reinterpreted to serve exclusion, and how federal power expanded through the regulation of migration and morality. In doing so, it shows how the Page Act set the foundation for a new immigration regime; one rooted not only in national sovereignty, but in the discretionary authority to define virtue, citizenship, and belonging.

### **California's Road to Federal Exclusion**

Long before the federal government enacted any restrictions on immigration, California led a relentless campaign to drive Chinese immigrants out of the state. From the 1850s through the 1870s, the state passed a wide array of laws and ordinances targeting the Chinese community, testing the limits of state power in an attempt to make Chinese life and labor unviable. These laws reflected a sustained and deeply racialized hostility, one that persisted even as California's legislative efforts were repeatedly overturned by the courts.

The earliest of these efforts came in 1855 with the passage of "An Act to Discourage the Immigration to This State of Persons Who Cannot Be Citizens," which imposed a \$50 tax on passengers arriving by ship who were ineligible for naturalization. Since federal law at the time restricted naturalization to "free white persons," this tax functionally targeted Chinese immigrants. It was struck down in 1857 under the precedent of the *Passenger Cases*, which reaffirmed that only the federal government could regulate immigration and foreign commerce. But California legislators persisted. In 1858, they passed a more explicit law "to prevent the

further immigration of Chinese or Mongolians to this state.” It was ruled unconstitutional by 1862.<sup>2</sup>

California’s exclusionary ambitions extended far beyond entry regulations. For those who had made it in, the state government attempted to make life unprofitable. In 1860, the state imposed a fishing tax specifically on Chinese workers, which was again struck down for violating the Commerce Clause of the Constitution. In 1862, the legislature passed the so-called Anti-Coolie Act, along with a Police Tax that charged Chinese laborers \$2.50 a month unless they worked in rice, sugar, tea, or coffee production—industries considered suitable for their racialized labor. Like earlier laws, these too were invalidated by federal courts.<sup>3</sup>

If economic forces could not push out the Chinese, the state hoped that making Chinese life socially precarious and legally unprotected would. In the infamous 1854 case of *People v. Hall*, the California Supreme Court ruled that Chinese witnesses could not testify against white defendants.<sup>4</sup> This decision not only legalized impunity for acts of violence against Chinese people, it also sent a clear signal that Chinese lives were outside the protections of the law. The ruling institutionalized a racial caste system, making crimes against Chinese residents functionally unprosecutable.

Local governments also joined the effort. San Francisco barred Chinese children from attending public schools and banned Chinese patients from city hospitals. Between 1870 and 1875, a wave of city ordinances targeted everyday Chinese life: banning gongs in public ceremonies, restricting the use of shoulder poles for carrying produce, and outlawing fireworks

---

<sup>2</sup> Reece Jones, *White Borders: The History of Race and Immigration in the United States from Chinese Exclusion to the Border Wall* (Boston: Beacon Press, 2021), 30.

<sup>3</sup> Ibid.

<sup>4</sup> McClain, Charles J. “The Chinese Struggle for Civil Rights in Nineteenth Century America: The First Phase, 1850-1870.” *California Law Review* 72, no. 4 (1984): 529–68. <https://doi.org/10.2307/3480446>.

during Chinese holidays. Other measures aimed to reduce Chinatown's density, such as the Cubic Air Ordinance, which required 500 cubic feet of air per resident in boarding houses. These were selectively enforced to criminalize Chinese tenants. A laundry ordinance taxed any business using horse-drawn carts, further burdening the Chinese-dominated laundry industry.<sup>5</sup> These measures were deliberately crafted to make life unlivable and force voluntary departure.

The exclusionary efforts reached a turning point in *Chy Lung v. Freeman* (1875), a case that arose after California authorities denied entry to 22 unaccompanied Chinese women who arrived aboard the *SS Japan*. Under a California statute, state immigration commissioners were granted broad discretionary power to search for contraband and exclude individuals they deemed undesirable. This included those who were blind, deaf, mentally unfit, or considered likely to become public charges. Also among those targeted were women judged to be "lewd and debauched," a designation that relied on little more than racialized assumptions and unsubstantiated suspicion.<sup>6</sup> Chy Lung and the other women were detained, with the commissioner asserting that their presence posed a moral and financial threat to the state. Ah Lung, the local businessowner who had arranged for the women to come, immediately hired a lawyer to file petitions for a writ of habeus corpus.<sup>7</sup>

The case made it all the way to the U.S. Supreme Court, which issued a landmark ruling that would define the future of immigration law. The Court found that California had overstepped its authority by assuming a power, immigration regulation, that was constitutionally reserved for the federal government. By giving state officials unchecked discretion to exclude

---

<sup>5</sup> Jones, *White Borders*, 33.

<sup>6</sup> *Ibid.*, 25.

<sup>7</sup> *Ibid.*, 26.

noncitizens based on subjective criteria, the statute violated the right to liberty protected under the Constitution. More broadly, the ruling reaffirmed the federal government's exclusive control over foreign affairs and immigration, striking down the premise that individual states could unilaterally decide who was fit to enter the country.<sup>8</sup>

*Chy Lung v. Freeman* not only invalidated California's ordinance but exposed the dangers of localized immigration control rooted in racial and sexual suspicion. The decision made clear that the patchwork of exclusionary laws passed by states like California, ranging from taxes and licensing rules to outright bans, could not withstand constitutional scrutiny. After *Chy Lung*, it became undeniable that restriction of Chinese immigration would require federal legislation. Though the ruling was a legal victory against discriminatory state practices, it also created the opening for national policymakers to pursue exclusion at the federal level, this time under the banner of constitutionality and national interest.

### **From Labor Threat to Moral Menace: The Recasting of the Chinese Question**

The years leading up to the first federal exclusion law marked a slow but significant transformation of the Chinese Question from a regional grievance into a national political wedge. While both major parties would eventually embrace anti-Chinese policies, this convergence did not happen immediately. Instead, it unfolded unevenly and strategically, only becoming fully visible during the presidential campaigns of 1880. The groundwork was laid during the incubation period of 1867–1875, when national lawmakers began to recognize the Chinese Question's potential to break the political deadlock that had paralyzed national politics after the

---

<sup>8</sup> National Archives, *Case File: Chy Lung v. Freeman*, Case No. 7211, U.S. Supreme Court Records and Briefs, Record Group 267, National Archives and Records Administration, Washington, D.C.

Civil War. Initially, the battle pitted Western anti-Chinese interests against a diverse coalition of Eastern industrialists, missionaries, and free-trade advocates. These included railway barons and manufacturers who hoped to preserve good relations with China and expand commercial markets abroad. But over time, the electoral calculus shifted. Politicians began to see that carrying Western states and appealing to laborers across the country required a more unified stance.<sup>9</sup> As economic anxieties intensified and class conflict deepened, Eastern laborers, once more focused on fighting monopolies and wage oppression, showed increasing openness to Chinese exclusion.<sup>10</sup> Politicians seized this opportunity to construct a new platform that defined national belonging in opposition to Chinese labor. To do so, they reframed labor conflict not as a class struggle, but as a contest between Americans and foreigners, transforming immigrant laborers, and Chinese workers in particular, into symbols of not only economic degradation, but, more notably, moral threat. The Page Act emerged as the legislative product of this period of experimentation, during which anti-Chinese sentiment was carefully repackaged for a national audience and debated in economic, moral, and legal terms.

The legislative incubation period of the Chinese Question was marked by trial and error. Beginning in 1867, California representatives repeatedly introduced sweeping federal bills aimed at Chinese exclusion, but these early efforts failed to gain traction. Part of the reason was strategic miscalculation: the bills were too broad and too unprecedented. Unlike today, there was no federal immigration apparatus to manage or enforce such laws. Immigration control, where it existed, had historically been left to individual states, and it had not operated along explicitly

---

<sup>9</sup> Estelle T. Lau, *Paper Families: Identity, Immigration Administration, and Chinese Exclusion* (Durham: Duke University Press, 2006), 13.

<sup>10</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*, 130.

racial lines. Instead, state-level policies focused on excluding the diseased, indigent, or criminal.<sup>11</sup>

There were also significant diplomatic barriers that complicated California's efforts to push for national exclusion. Any federal attempt to restrict Chinese immigration would have violated the recently ratified Burlingame Treaty of 1868, which had granted China most-favored-nation status and upheld open emigration as a symbol of mutual respect and international friendship. The treaty had emerged from a highly publicized diplomatic mission led by Anson Burlingame—formerly the U.S. minister to China and, by then, China's envoy to the United States—who arrived in Washington with several Chinese officials. Their visit was celebrated as the beginning of a new chapter in Sino-American relations, one grounded in goodwill, diplomatic equality, and commercial opportunity.<sup>12</sup> The treaty not only raised China's international standing but also promised its citizens full freedom to emigrate to the United States. It gained bipartisan support and was unanimously ratified by Congress, reflecting a national political consensus that favored open relations.<sup>13</sup> At the time, Chinese exclusion was hardly on the minds of D.C. lawmakers, who viewed the treaty as a positive diplomatic milestone. Media coverage of the immigration clause was minimal, further revealing how little concern Eastern political elites expressed about Chinese migration, especially when compared to the fierce opposition already erupting in the West.<sup>14</sup> For California politicians advocating exclusion, this presented a major obstacle: Chinese immigration could not be framed solely as a local or labor

---

<sup>11</sup> Luibheid, *Entry Denied*, 1.

<sup>12</sup> Gyory, *Closing the Gate*, 26.

<sup>13</sup> *Ibid.*, 27.

<sup>14</sup> *Ibid.*, 28.

problem without confronting the diplomatic and economic costs of breaking a treaty that had only recently been hailed as a milestone of international cooperation.

Finally, Chinese exclusion was a politically volatile issue in the shadow of the Civil War. Chinese laborers arrived on the East Coast in 1869 after the completion of the Transcontinental Railroad, officially bringing the Chinese Question East. Though Eastern laborers were initially sympathetic to them, they began to shift their stance after Chinese laborers were used to break strikes, most notably in Massachusetts in 1870. Soon, Eastern laborers had many of the same qualms about the Chinese violation of free labor ideals and, in turn, their empowerment of capitalist employers as those in the West.<sup>15</sup> Though public support was on the rise for Chinese exclusion, politicians, particularly Republicans, remained wary. Though they had the votes in Congress to act, many feared alienating manufacturers, shattering postwar national unity, and undermining their image as the party of emancipation. As a result, Republican leaders avoided fully embracing exclusion, even as they allowed debate over it to circulate in congressional halls.<sup>16</sup> Still, anti-Chinese politicians, particularly from California, remained persistent.

Though convincing Congress to enact a formal policy of complete Chinese exclusion would take years, California politicians quickly discovered that it was far easier to convince lawmakers that the Chinese were fundamentally unfit for American life. Before the Gold Rush, few Americans had encountered Chinese people, rendering them completely foreign in the national imagination. Their unfamiliar language, customs, religious practices, and supposed

---

<sup>15</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*, 130.

<sup>16</sup> *Ibid.*, 56.

willingness to work long hours for low wages made them objects of deep suspicion.<sup>17</sup> This cultural and racial difference was not only socially unsettling, but it also quickly became politically useful.

That sense of civilizational incompatibility surfaced prominently during the 1870 congressional debates over naturalization. While the debates were initially aimed at preventing voter fraud by unnaturalized European immigrants, Senator Thomas Fitch, a Republican from Nevada, pivoted the conversation toward the Chinese. He proposed an amendment to bar all natives of China and Japan from becoming U.S. citizens, claiming that while European immigrants “belonged to races stirred by the spirit of freedom and republicanism,” Asians came from societies that were incompatible with Western political institutions.<sup>18</sup> This rhetorical move exposed a growing rift within the Republican Party. Some Radical Republicans, committed to the ideals of Reconstruction and universal rights, argued that denying the Chinese naturalization would simply replicate the racial caste system that slavery had produced. Others, increasingly disillusioned by the failures of Reconstruction, insisted that republicanism was not bound to racial inclusivity, especially not for those who had “no sympathy with republican institutions and American civilization.”<sup>19</sup> In the end, Congress chose to extend naturalization only to “aliens of African nativity and persons of African descent,” excluding the Chinese without directly naming them.<sup>20</sup> The amendment passed even without California senators present, signaling that racial

---

<sup>17</sup> Peter Schrag, *Not Fit for Our Society: Nativism and Immigration*, (Berkeley: University of California Press, 2010), 36.

<sup>18</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*, 144.

<sup>19</sup> *Ibid.*, 146.

<sup>20</sup> *Ibid.*, 150.

suspicion of the Chinese was growing nationally and bipartisanly, not just in the West.<sup>21</sup> This exclusion by omission also demonstrated that while Congress was not yet ready to act definitively on the Chinese Question, it was increasingly uncomfortable with Chinese presence.

Recognizing the political potential of this discomfort, California representatives began to reshape the terms of the debate. In 1870, Congressman James A. Johnson and Senator Eugene Casserly, both Democrats from California, delivered speeches that would mark a pivotal shift in exclusionist rhetoric. As Johnson had roots in the Northeast and Casserly had practiced law in New York, both used their familiarity with Eastern politics to tailor their case for a broader, national audience.<sup>22</sup> Their strategy was not limited to labor competition or economic dislocation. Rather, they fused anti-Chinese sentiment with the moral anxieties of the Reconstruction era, emphasizing race, sexuality, and national virtue. This shift in rhetoric was not exclusive to Johnson and Casserly. George Anthony Peffer has noted that, on the national stage, Western politicians strategically avoided labor-based arguments, recognizing their limitations and instead turning to moral rhetoric as a more effective path toward exclusion.

The pleas against the Chinese in Congress hinged on an effective racialization of the community, not only casting them as different from whites, but as biologically and culturally inferior. Echoing tropes once used to justify slavery, Johnson and Casserly presented the Chinese as a class of people inherently predisposed to servility and vice. Historian Najia Aarim-Heriot has described this process as the “negroization” of the Chinese, a rhetorical maneuver that mapped the language of Black inferiority onto Chinese immigrants, portraying them as docile,

---

<sup>21</sup> Ibid.

<sup>22</sup> United States Congress, “JOHNSON, James Augustus,” accessed February 18, 2025, <https://bioguide.congress.gov/search/bio/J000145>.; United States Congress, “CASSERLY, Eugene,” accessed February 18, 2025, <https://bioguide.congress.gov/search/bio/c000236>.

degraded, and incapable of self-rule.<sup>23</sup> While the labor movement had long criticized Chinese workers as “coolies” willing to undercut wages, Johnson and Casserly shifted the emphasis away from economic behavior and toward cultural pathology. The Chinese, they claimed, were not merely exploited but rather complicit in their own subjugation, a condition seen as both racialized and immutable.

This perceived willingness to submit to servile labor fed into broader white anxieties about racial hierarchy and national purity. Johnson’s fear of racial mixing was explicit: “The white man is superior to the Chinaman; our country would be better off peopled entirely with our own kind than if mixed with an inferior and degraded race.”<sup>24</sup> Grounded in the emerging language of Social Darwinism, this sentiment reflected a growing belief that interracial contact, especially through sex and marriage, would biologically degrade the white race. In 1859, Charles Darwin’s *On the Origin of Species* had introduced the idea that all life evolved through natural selection. In the United States, this theory was quickly adapted to social hierarchies, with thinkers like William Graham Sumner arguing that society was structured by “natural” inequalities between races. According to this view, if “superior” and “inferior” races interbred, the result would be racial decline.<sup>25</sup> A book written by Dr. Arthur B. Stout during the height of anti-Chinese agitation titled *Chinese Immigration and the Physiological Causes of the Decay of a Nation*, warned: “By intermarrying with Europeans, we are but reproducing our own Caucasian

---

<sup>23</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*, 10.

<sup>24</sup> James A. Johnson, *Chinese Immigration: Speech of Hon. James A. Johnson, of California, in the House of Representatives, January 25, 1870* (Washington, D.C.: s.n., 1870), 8 pp., American Antiquarian Society, Gale Document Number: GALE|CY0110452569.

<sup>25</sup> Rutledge M. Dennis, “Social Darwinism, Scientific Racism, and the Metaphysics of Race,” *The Journal of Negro Education* 64, no. 3 (1995): 244.

type; by commingling with the Eastern Asiatics, we are creating degenerate hybrids.”<sup>26</sup> In his appeal, Johnson makes clear the bounds of Americanness on the basis of race, inciting a white supremacist ideology that Social Darwinism supported. His fear of the creation of a degraded mixed white-Chinese race was born out of the perceived crisis of Chinese men forming erotic ties with white women.<sup>27</sup> It was believed that these white women would adopt the vices of the Chinese, prompting police in the West to surveil Chinatowns and punish any evidence of this commingling.<sup>28</sup> On one level, this reflects the general fear of racial degeneracy. However, more deeply, it represents the need to protect the white women, the moral guardians of the nation. As explained in Chapter 1, this same fear of miscegenation prompted a violent campaign against Black male sexuality. The anxiety of the tainting of white blood and white morality, specifically by those of inferior races taking advantage of white women, tended to prompt preventative action.

The fusion of race and morality became even more pronounced as lawmakers expanded their attacks on the Chinese community toward cultural and moral terrain. Rather than portraying Chinese immigrants as victims of trafficking or economic desperation, figures like Johnson and Casserly cast them as agents of moral decay: carriers of disease, corrupters of white youth, and threats to the nation’s moral fabric. This rhetoric was not limited to women. Chinese men, too, were framed as inherently debased, their cultural habits and social practices viewed as

---

<sup>26</sup> Arthur B. Stout, *Chinese Immigration and the Physiological Causes of the Decay of a Nation*, 1862, *Chinese in California* collection, call number F870.C5 S86, The Bancroft Library, University of California, Berkeley.

<sup>27</sup> Cheng, Brianna. “‘The Great Demoralization’: Race, Intimacy, and Empire in the American West’s Anti-Chinese Movement, c. 1848–1892.” *American Nineteenth Century History* 24, no. 2 (May 4, 2023): 152. <https://doi.org/10.1080/14664658.2023.2249673>.

<sup>28</sup> Cheng, “‘The Great Demoralization,’” 151.

fundamentally incompatible with American virtue. Johnson made this racialized morality explicit when he declared, “He is not only a thief by nature, in theory and practice, but is more debased and degraded in his nasty, loathsome habits than any other of God’s creatures. The lowest character in California would feel disgraced and ruined forever if caught associating with Chinamen.”<sup>29</sup> Here, morality was not treated as a universal standard but as a racialized quality, something innate to whiteness and absent in Chinese identity. This logic positioned Chinese immigrants not simply as economic competitors, but as existential threats to the moral order, justifying exclusion on grounds far broader than labor alone.

Though Johnson generalizes Chinese immorality, nowhere was it more clearly definable than in the case of Chinese prostitution, a phenomenon that had likely already reached the ears of Eastern politicians. Casserly describes the prostitutes as “wretched creatures, who are constantly bought and sold, staked and lost at the gaming table,” effectively stripping them of any human complexity.<sup>30</sup> Unlike white or European prostitutes, who reformers often viewed as fallen women deserving of rescue, Chinese women were thought to be inherently immoral.<sup>31</sup> Their bodies were imagined not only as sexually promiscuous but biologically diseased. San Francisco doctors like Hugh Toland claimed that Chinese prostitutes were infecting white boys with venereal diseases, painting their presence as a direct threat to the health and survival of the white race. He states that “they have no difficulty there for the prices are so low that they can go wherever they please” and that “the women do not care how old the boys are, whether five years

---

<sup>29</sup> Johnson, *Chinese Immigration*.

<sup>30</sup> Eugene Casserly, *The Chinese Evil Contracts for Servile Labor; Chinese Immigration the Great Danger: Speech of Eugene Casserly, of California, Delivered in the Senate of the United States, July 8, 1870*, in *Chinese in California Collection*, vol. 1, Bancroft Library, University of California, Berkeley, call number F870.C5 C51.

<sup>31</sup> Cheng, “The Great Demoralization,” 158.

old or more, so long as they have money.”<sup>32</sup> This rhetoric transformed Chinese prostitution from a social problem into a national emergency. In Johnson and Casserly’s framing, it was not just about vice, it was about the contamination of white racial and moral purity. Chinese women were cast as threats to the republic’s future not because they were exploited, but because they supposedly seduced, infected, and degraded the very people—white men and boys—meant to sustain the American empire.

Religion, too, was marshaled to exclude. Casserly grounded his appeal in the language of Christian civilization, warning that Chinese “paganism” was incompatible with the moral underpinnings of the American republic. In his view, “our civilization and freedom are based upon a general plan of morals ... never found apart from some form of Christianity.”<sup>33</sup> In this framework, to accept Chinese immigrants was to risk undermining the Christian values upon which American democracy rested. This appealed greatly to the evangelical political movement that had swept the country, as described in Chapter 1. In emphasizing Chinese paganism, Casserly could prove Chinese incompatibility. At their best, they wouldn’t fit into American life. At their worst, they could overpower the very social, cultural, and religious foundations the nation rested upon. Johnson, near the end of his speech, expressed his fear that “the white man might be overpowered” as they already have been in labor.<sup>34</sup> By raising alarmist bells about the fate of the country, both senators tried to express the urgency of the issue at hand.

These rhetorical strategies drawing on sexuality, race, and morality helped transform the Chinese Question into a question of American belonging. In the wake of the Civil War, when the boundaries of freedom, citizenship, and morality were being redefined, the Chinese became the

---

<sup>32</sup> Luibheid, *Entry Denied*, 35.

<sup>33</sup> Casserly, *The Chinese Evil - Contracts for Servile Labor - Chinese Immigration the Great Danger*.

<sup>34</sup> *Ibid.*

ideal foil against which to reassert white national identity. Politicians could claim they were defending labor, virtue, and national integrity all while reconfiguring the legacy of antislavery into a rationale for exclusion. The irony is stark: the same moral language once used to emancipate the enslaved was now used to justify the removal of Chinese immigrants from the nation's moral, legal, and reproductive future.

By 1873, as the country entered a deep industrial depression and labor unrest intensified, these arguments gained new traction as Americans looked for someone to blame.<sup>35</sup> At this moment, the Chinese Question, already racialized and moralized, became a useful political smoke screen. Politicians could redirect popular frustration away from capital and toward a foreign enemy, cloaking nativism in the respectable language of public virtue. What had begun as a regional labor issue had become a moral crusade and a referendum on national identity itself, preparing the ground for the first national immigration restrictions just a few years later.

### **The Page Act's Creation and Implementation**

On December 7, 1874, the exclusion movement gained its most powerful endorsement yet when President Ulysses S. Grant addressed Congress, echoing arguments long put forth by anti-Chinese legislators. "The great proportion of the Chinese immigrants who come to our shores do not come voluntarily," Grant declared, "but come under contracts with headmen, who own them almost absolutely."<sup>36</sup> He went further, condemning the immigration of Chinese women who were "brought for shameful purposes, to the disgrace of the communities where

---

<sup>35</sup> Gyory, *Closing the Gate*, 61.

<sup>36</sup> Gyory, *Closing the Gate*, 71.

they settled and to the great demoralization of the youth of those localities.”<sup>37</sup> These remarks signaled a critical shift. By validating claims about coerced labor and prostitution, Grant gave federal voice to a discourse that had long been localized in California. Grant’s speech offered Congressman Horace F. Page, a Democrat from California, the opportunity to frame exclusion as a federal responsibility grounded in national values.

Having already introduced multiple anti-Chinese bills to no avail, Page immediately acted.<sup>38</sup> One day after Grant’s speech, he submitted a resolution to the House Committee on Foreign Affairs to determine whether new legislation was needed to prevent the immigration of Chinese contract laborers and prostitutes. The resulting report recommended that Congress aim to protect American morality by establishing a system of interrogation for Chinese women attempting to immigrate to the United States.<sup>39</sup> In a speech to Congress on February 10, 1875, Page introduced his bill.<sup>40</sup> This time, the framing was strategic. Rather than directly confronting the Burlingame Treaty’s protection of Chinese migration, Page focused on protecting the American moral order. He warned that 90% of Chinese women in the U.S. were prostitutes, citing missionary testimony and public health concerns.<sup>41</sup> But his framing was not sympathetic, it was moralizing. “I hope, sir,” Page declared, “that it [the evidence he had presented in support of restricting female immigration from China] will have the effect to place a dividing line between

---

<sup>37</sup> Ibid.

<sup>38</sup> Peffer, *If They Don’t Bring Their Women Here*, 34.

<sup>39</sup> Ibid., 35.

<sup>40</sup> Ibid., 36.

<sup>41</sup> Ibid.

vice and virtue; that it will send the brazen harlot who openly flaunts her wickedness in the faces of our wives and daughters back to her native country.”<sup>42</sup>

Yet behind this moral rhetoric lay a broader political strategy. In a letter to the Committee on Foreign Affairs in 1874, Page explicitly revealed his ultimate objective: “to altogether prevent Chinese immigration to the United States.”<sup>43</sup> The Page Act was thus not a final solution but a calculated first step crafted to be legally and diplomatically acceptable while laying the groundwork for a larger program of racial exclusion. By cloaking this ambition in the language of antislavery and moral virtue, Page gave exclusion the appearance of moral urgency and benevolent intent, while directing it toward the elimination of an entire population from the national body.

Page’s bill, titled “An Act Supplementary to the Acts in Relation to Immigration” to make clear it did not overreach the Burlingame Treaty, was passed with no opposition.<sup>44</sup> Eventually regarded as the Page Act, the bill outlawed the importation of women for “lewd and immoral purposes” rendering all such contracts void and punishable by up to five years in prison and a \$5,000 fine. It also outlawed the importation of labor deemed involuntary, making it illegal to prearrange or secure labor contracts with immigrants deemed “coolies.” This not only gave federal authorities broad discretionary power, but also reinforced racialized notions of Chinese

---

<sup>42</sup> Lubheid, *Entry Denied*, 103.

<sup>43</sup> Horace F. Page to the Chairman of the Committee on Foreign Affairs, December 9, 1874, National Archives, Legislative Archives, Records of the U.S. House of Representatives, 43rd Congress, 1st Session, Committee on Foreign Affairs: Chinese Immigration, HR 43A–F11.3, Box F11.1–F11.9.

<sup>44</sup> Peffer, *If They Don’t Bring Their Women Here*, 37.

personhood as being inherently unfree.<sup>45</sup> The Page Act did not seek to liberate enslaved immigrants, it sought to rid the nation of perceived moral contamination. Women were not understood as victims in need of rescue, but as bearers of sexual vice whose presence jeopardized white domestic order.

By invoking slavery and moral disorder simultaneously, Page redefined national commitments to freedom to serve the ends of exclusion. The Page Act reframed the postwar legacy of antislavery not as a demand for inclusion, but as a justification for border control. Slavery became a metaphor that allowed lawmakers to claim continuity with the moral ideals of the Civil War while redirecting them toward a new, racialized policing of national virtue. This maneuver also helped neutralize a competing use of antislavery language—one coming from labor radicals, who increasingly used the metaphor of slavery to criticize wage labor and capitalist exploitation. Their framing was unruly and economically destabilizing in the eyes of politicians. Page’s use of antislavery, by contrast, was orderly, moralized, and compatible with elite interests. By aligning slavery with female sexuality rather than labor, Page displaced class struggle and rechanneled antislavery rhetoric into the regulation of migration and gender. In his framing, Chinese prostitutes, not capitalist employers, represented the threat to American freedom. By taking control of the argument and aligning it with an explicit form of slavery in which women had no control over their personhood, Page reclaimed and domesticated the issue of antislavery, turning it instead into “an insidious ideology supporting the status quo.”<sup>46</sup> What

---

<sup>45</sup> U.S. Congress. *An Act Supplementary to the Acts in Relation to Immigration (Page Act of 1875)*. 43rd Cong., 2nd sess., March 3, 1875. Accessed April 16, 2025. <https://loveman.sdsu.edu/docs/1875Immigration%20Act.pdf>.

<sup>46</sup> Gunther Peck, *Race Traffic: Antislavery and the Origins of White Victimhood*, (The Omohundro institute of Early American History & Culture: 2024), 10.

had once been a radical critique of coercion was now deployed to reinforce racial hierarchies and state power.

The Page Act was, in many ways, a compromise. It was a calculated first step that tested the boundaries of federal immigration authority while avoiding a full diplomatic rupture with China. But what made it politically viable was the language in which it was justified. By grounding the law in a discourse of national morality and invoking the legacy of antislavery, lawmakers rebranded exclusion as continuity. Chinese prostitution was cast not simply as a foreign danger, but as a betrayal of American values. This allowed the state to regulate immigration and, in tandem, sexuality at the border, without appearing to break with its foundational commitments. In this way, antislavery was not discarded but strategically transformed: from a language of liberation into a tool for exclusion, from a demand for justice into a defense of white, middle-class virtue.

The Page Act was radical for its time because it served as an early testing ground for how immigration would be bureaucratically managed and morally policed, laying the foundation for a broader system of exclusion in the years to come. However, the law's implementation was uneven and deeply revealing. While it banned the importation of both involuntary contract laborers and women for "immoral purposes," only the latter provision was actively enforced. Chinese men were rarely scrutinized.<sup>47</sup> In an 1877 congressional hearing, Colonel Bee, the American consul for the Chinese, admitted that if too many Chinese men arrived, port officials would simply "let any thousand land," without attempting to verify which had been approved. He also revealed that inspectors asked only whether male passengers had signed a contract,

---

<sup>47</sup> Luibheid, *Entry Denied*, 34.

relying entirely on verbal self-reporting.<sup>48</sup> The official indifference to male labor migration contrasted sharply with the zeal reserved for Chinese women, who were subjected to intense inspection.

That discrepancy reveals the political priorities underlying the law. Though ostensibly about labor, the Page Act's real force lay in how it facilitated a new regulatory regime centered on the governance of sexuality. Though American port authorities held some responsibility for enforcing the Page Act, most of the process to determine the legality of an immigrant took place before the trip through the American Consul in Hong Kong, the primary port from which those seeking passage to the U.S. would depart.<sup>49</sup> The head of the consul for the years of 1875-1877, the time in which the system for exclusion was created, was David H. Bailey, the fervently anti-Chinese authority that had written the brief that informed Grant's declaration against Chinese immorality.<sup>50</sup> Needless to say, he was excited to take on the role of limiting Chinese emigration from his post in Hong Kong and quickly created an extensive system of questioning and approval that women had to go through for a chance to make it to the U.S.

Prior to emigration, women would have to submit a declaration of their intent in emigrating and of their personal morality along with their formal application and a fee.<sup>51</sup> This was then sent to the Tung Wah Hospital Committee, a group of the most prominent businessmen in Hong Kong. The committee had previously petitioned the Chinese government to prosecute the suppliers of emigrant prostitutes and were thus interested in assisting with the creation of an

---

<sup>48</sup> Luibheid, *Entry Denied*, 46.

<sup>49</sup> George Anthony Peffer, *If They Don't Bring Their Women Here: Chinese Female Immigration Before Exclusion*, (Urbana: University of Illinois Press, 1999), 44.

<sup>50</sup> Peffer, *If They Don't Bring Their Women Here*, 45.

<sup>51</sup> Luibheid, *Entry Denied*, 41.

onerous process of immigration approval, which would give them the information necessary to identify and investigate criminal suppliers.<sup>52</sup> A list of the female applicants were also sent to the British colonial government for investigation.<sup>53</sup> The day before the ship sailed, the women were subject to a questioning before the consul, which inquired about their freedom, their marital status, and their virtue. Over time, the questions became more biographical in nature, including specific questions like “number of stories to the house” they lived in and the “name, country, and occupation of [their] father.”<sup>54</sup> On the day of sailing, these questions were asked again by the Harbor Master and then again on the ship.<sup>55</sup> If they passed this rigorous questioning, the women were given a certificate of good moral character, which they would show upon arrival, and have their photograph sent to the ship's destinations' port authorities. Even after the thorough inquiry, Consul Bailey would send letters ahead of the ships to San Francisco customs urging that they undergo their own investigation of the passengers because the Chinese were “exceedingly deceptive.”<sup>56</sup>

In practice, the Page Law targeted women in positions of social vulnerability, as evident by the fact that the questioning largely focused on class.<sup>57</sup> Inspectors intended to ensure that all Chinese women who did enter came from “respectable” families and were joining husbands who could support them.<sup>58</sup> Given that most women seeking to emigrate were in positions of poverty,

---

<sup>52</sup> Peffer, *If They Don't Bring Their Women Here*, 46.

<sup>53</sup> Luibheid, *Entry Denied*, 41.

<sup>54</sup> *Ibid.*, 42.

<sup>55</sup> *Ibid.*

<sup>56</sup> Peffer, *If They Don't Bring Their Women Here*, 47.

<sup>57</sup> Luibheid, *Entry Denied*, 44.

<sup>58</sup> *Ibid.*

it was nearly impossible to distinguish ‘real’ wives from prostitutes, the aim of the law. Also, the notion of Chinese deceptiveness meant that, even if women answered suitably, their testimonies weren’t deemed as reliable, causing them to be labeled and treated as prostitutes.<sup>59</sup> The decision process also relied largely on the appearance of the woman and whether she seemed like she was virtuous. Inspectors had different physical marks they would look for as indication; some saw bound feet as proof of respectability, others argued that prostitutes had a feeble-mindedness that could clearly be discerned by looking at the face.<sup>60</sup> Clothing was also inspected as a possible clue to one’s inner character.<sup>61</sup> However, given the existing conflation of Chinese women with prostitution, upon sight, officials deemed most women to be involved in the sex trade. In effect, the law succeeded in excluding not just prostitutes, but all Chinese women.

Although the Page Act claimed to regulate prostitution, it operated as a sweeping barrier to family migration. In doing so, it preserved Chinese bachelor societies and ensured that Chinese communities in the U.S. would remain hypermasculine and socially marginalized. By 1880, the U.S. census recorded a Chinese population of 100,686 men and only 4,779 women, a gender imbalance that helped reinforce perceptions of Chinatown as morally dangerous and racially unassimilable.<sup>62</sup> Importantly, this expansive discretionary regime was not an accident. The Page Act was not merely an appendage to labor exclusion, it was a foundational tool through which the federal government gained authority over borders, sexuality, and personhood. It addressed the concerns of a broad coalition united not in any coherent policy platform but in

---

<sup>59</sup> Ibid., 45.

<sup>60</sup> Ibid., 49.

<sup>61</sup> Ibid., 50.

<sup>62</sup> Ibid., 105.

their shared opposition to Chinese women. Its implementation gave immigration officials extraordinary latitude to determine who was fit for admission based solely on perceived moral character. This structure created what Luibhéid calls a “formidable barrier,” even though records of how many women were turned away remain incomplete.<sup>63</sup>

### Conclusion

The Page Act of 1875 marked a turning point in American immigration law, not only because it was the first federal restriction on immigration, but because of how it redefined the basis of exclusion. What began as a regional labor and racial conflict in California evolved into a national moral crisis—carefully repackaged for Eastern audiences through a powerful fusion of antislavery rhetoric, sexualized racism, and Victorian moral panic. The Act’s passage revealed how political actors on both coasts, drawing from their own regional traditions, converged in their use of antislavery language to justify the expansion of federal power. Western exclusionists used moral panic around Chinese prostitution to frame exclusion as a defense of white womanhood and racial purity. Meanwhile, Eastern labor reformers, once hesitant to vilify the Chinese, shifted toward exclusion as they grappled with the ideological contradictions of free labor, wage dependency, and contract servitude. In the Page Act, these regional threads met.

Ostensibly designed to prevent the importation of prostitutes and involuntary laborers, the Page Act did not protect victims of coercion. Rather, it redefined them as threats to the nation’s moral and reproductive future. Chinese women were treated not as individuals deserving rescue, but as agents of vice whose very presence corrupted white domestic order. Immigration officials

---

<sup>63</sup> Ibid.

enforced the law through deeply classed and racialized criteria, assessing women's morality by their appearance, their family background, and their perceived sexual respectability. In practice, nearly all Chinese women were turned away, reinforcing the bachelor society stereotype and making it virtually impossible for Chinese immigrants to form families or claim long-term belonging in the U.S.

The Page Act's significance lies not just in who it excluded, but in how it justified exclusion. By invoking antislavery to defend national morality, lawmakers transformed a radical discourse of liberation into a tool of state control. Page positioned Chinese women, not capitalists or employers, as the embodiment of unfreedom, thereby transforming the antislavery ideal into a more orderly, moralized, and state-sanctioned tool of exclusion. In doing so, they preserved the symbolic power of antislavery while stripping it of its emancipatory potential.

Structurally, the Page Act established a model of discretionary enforcement that would define federal immigration policy for decades. It gave immigration officials the authority to exclude individuals based on suspicion, morality, and perceived sexual deviance. This new power enabled the state not only to manage immigration, but to shape the nation's moral character by drawing borders around behavior, identity, and reproduction. The Page Act thus laid the groundwork for a bureaucratic apparatus rooted in surveillance and moral classification. What began as an effort to exclude Chinese prostitutes became a far-reaching system for policing sexuality, defining national virtue, and consolidating federal control.

Ultimately, the Page Act's legacy is not just legal, it is ideological. It institutionalized a vision of American identity grounded in white, middle-class, heteropatriarchal morality and legitimated the use of antislavery rhetoric in the service of exclusion. By placing sexuality at the heart of immigration law, it created an open-ended mandate for regulating the boundaries of the

nation. In doing so, the Page Act became a foundational moment in the construction of modern immigration governance where race, gender, morality, and national identity would be policed not just at the border, but in the very definition of who could belong.

## Conclusion

The implementation of the Page Act in 1875 did more than signal the beginning of federal immigration control. It inaugurated a regime of surveillance and exclusion that used assumptions about race, gender, and especially sexuality to determine who could enter the United States and who must be kept out. As shown in Chapter 3, this law marked Chinese women as threats to the moral and racial fabric of the nation, defining them not as laborers or family members, but as likely prostitutes. The Page Act effectively nationalized female sexuality and, in doing so, institutionalized the idea that the border was not only a geographic threshold but a symbolic gate through which only morally legible and sexually normative subjects could pass.

This thesis has argued that immigration law, from its very inception, functioned not merely as a response to economic pressures or security threats, but as a key site for shaping national identity. It was a tool for constructing the racial, gendered, and sexual norms of American nationhood. In particular, the Page Act emerged from overlapping regional anxieties—Western labor fears, Eastern moral reform campaigns, and Southern traditions of racial control—all of which found new coherence when expressed in the moral language of antislavery. The Page Act was the blueprint for a broader regime in which white heteropatriarchy, cloaked in the language of antislavery, became the measure of inclusion.

What made this formation especially powerful, and palatable, was its invocation of antislavery. In 1875, framing immigration restriction as a fight against human trafficking aligned it with the most sanctified cause of the postwar era. The nation had just fought a bloody civil war over slavery, and the Page Act allowed reformers and lawmakers to claim continuity with that moral mission. But what that framing masked was a dramatic reorientation of state power.

Antislavery became not just a cause but a vehicle: an elastic, legitimizing idiom that enabled the expansion of discretionary state authority to police the movement of people across international borders. It was also not an accident that the first federal immigration law focused on female sexuality, with women's bodies as metonyms of national virtues and vices. Antislavery had generated a movement that literally tore the nation in half. Now, the Page Act, expressed as a narrative of sexual degradation and submission, repurposed antislavery discourse, creating a powerful rhetorical shield for regulating and preserving the nation's morals.

The Page Act's significance, then, lies not only in its symbolic weight, but in its open-ended policy legacies. It established the template for using women's sexual respectability as a gateway to citizenship and for granting immigration officials the discretionary power to determine who was virtuous, who was dangerous, and who was deportable. While confined to the bodies of Chinese women, the Page Act legitimized the use of sexuality in policing entire classes of migrants. The Page Act was more than a rehearsal for the Chinese exclusion of 1882, but a kind of policy architecture for building and justifying exclusionary immigration policy that linked racialized and sexualized fears in the language of reactionary antislavery. This model was most vividly exemplified in the Mann Act of 1910, also known as the White-Slave Traffic Act, which criminalized the transport of women across both state and international borders for "immoral purposes." The law was framed as an attack on forced prostitution, but its language was so vague that it quickly became a tool for policing consensual relationships, particularly interracial ones. It offered the federal government a limitless investigative mandate, empowering surveillance across state lines and laying the groundwork for the creation of the FBI.<sup>1</sup> The Mann

---

<sup>1</sup> Mark Thomas Connelly, *The Response to Prostitution in the Progressive Era* (Chapel Hill: University of North Carolina Press, 1980), 110–115.

Act did not simply police immigrant prostitutes; it punished sexual deviance, especially when that deviance intersected with race, poverty, or non-marital intimacy.

Inspecting women's bodies became foundational to both immigration policy and carceral authority in the half century after the Civil War. As Brianna Nofil argues in her book *The Migrant's Jail*, the inspection and incarceration of Chinese immigrants in local jails after 1882 created its own momentum and logic for immigrant incarceration more generally, providing both state and federal authorities with an open-ended discretionary mechanism for policing morality, citizenship, and mobility simultaneously.<sup>2</sup> The power to label someone as "immoral" gave immigration officers, police, and judges extraordinary latitude to determine who could be rescued, who could be detained, and who could be expelled. Sexualized antislavery was a key component of that expansion. The framing of immigration law as a humanitarian project protecting women from slavery created a highly elastic rationale for increasing federal power over the movement of people and the inspection and incarceration of migrant bodies. What appeared to be a humanitarian intervention was, in fact, a profound recalibration of the state's reach into the intimate lives of its subjects.

This recalibration of state power extended well beyond the Chinese exclusion regime. The Immigration Act of 1910 authorized the deportation of women labeled as prostitutes even years after their entry, while public charge laws disproportionately targeted single, pregnant, or economically dependent women as moral and financial risks.<sup>3</sup> As Lisa Sun-Hee Park notes, pregnancy was often deemed a public charge offense for low-income or unmarried migrant women. While poverty laws were formally applied to both men and women, they

---

<sup>2</sup> Brianna Nofil, *The Migrant's Jail: An American History of Mass Incarceration* (Princeton: Princeton University Press, 2024).

<sup>3</sup> Caroline Bretell, *Gender and Migration* (Cambridge: Polity Press, 2016), 40.

disproportionately targeted women, as early twentieth-century social norms linked immorality with indigence and increasingly framed poverty relief as a means of regulating women's morality and their "proper" role within the family.<sup>4</sup> Meanwhile, immigration law demanded that women be tethered to a husband, father, or employer; those who migrated independently were treated with suspicion. Women at Ellis Island were often detained until a male relative arrived to claim them, while men faced no comparable scrutiny.<sup>5</sup> This gendered surveillance embedded patriarchal dependency into the very structure of immigration law, transforming eligibility into a function of sexual and familial conformity.

Scholars such as Joane Nagel and Eithne Luibhéid have shown that the nation-state is not only a racial project, but also a profoundly sexual and gendered one. Citizenship has historically been constructed around ideals of heterosexuality, reproductive domesticity, and patriarchal authority. As Nagel argues, nationalism depends not only on ideas of racial purity but also on the regulation of women's sexuality. Women are cast as symbolic borders of the nation: their respectability is equated with national honor, their deviance with national shame. Figures like the lesbian or the prostitute—women who defy reproductive and domestic norms—therefore emerge as threats to the symbolic order of the nation.<sup>6</sup> Their exclusion from legal recognition and migration, as well as their erasure from the normative national imaginary, underscores how immigration law became a powerful mechanism for enforcing patriarchal and heteronormative order. As Luibhéid argues, sexuality was not a peripheral concern but a constitutive mechanism

---

<sup>4</sup> Lisa Sun-Hee Park, "Migrations," in *Keywords for Gender and Sexuality Studies*, ed. Abdurrahman Abourahme and Bruce Burgett (New York: New York University Press, 2021).

<sup>5</sup> Bretell, *Gender and Migration*, 40.

<sup>6</sup> Joane Nagel, "Masculinity and Nationalism: Gender and Sexuality in the Making of Nations," *Ethnic and Racial Studies* 21, no. 2 (January 1, 1998): 242–69.

of state-making. It was a means by which the state defined its moral boundaries and reproduced its vision of national belonging.<sup>7</sup> Immigration control, in this light, did not merely respond to foreign threats. It actively shaped the nation's sexual, racial, and familial order.

Could this history of sexuality and immigration have unfolded without antislavery as its legitimating frame? Perhaps. But in 1875, it could not have taken root without it. The cultural and political dominance of antislavery discourse in the postwar years made it the perfect rhetorical vessel for a new project of racial and sexual governance. What is most surprising is not that the Page Act used antislavery to justify exclusion, but that this framing remained so resilient. It was carried forward in the Mann Act, the McCarran-Walter Act of 1948, and even the logic of national security and public charge provisions during the Cold War.<sup>8</sup> Sexualized antislavery, in this context, continued to grant the FBI power to police a wide range of morally uncertain subjects.

Thus, the Page Act was not an archaic or isolated measure. It crafted a hinge between older federal efforts to police the mobility of runaway slaves in the 1851 Fugitive Slave Act and the federal exclusion and policing of undesirable immigrants after the Civil War.<sup>9</sup> The Page Act harnessed moral panic into federal authority. It transformed the emancipatory promise of antislavery into a system of discretionary policing, one that lives on in immigration enforcement today. Federal immigration control grew not just as a reflection of national values, but as an

---

<sup>7</sup> Luibheid, *Entry Denied*.

<sup>8</sup> Bretell, *Gender and Migration*.

<sup>9</sup> Kevin Kenny, *The Problem of Immigration in a Slaveholding Republic: Policing Mobility in the Nineteenth-Century United States* (New York: Oxford University Press, 2023).

emancipatory narrative in which the surveillance of female bodies, and the enduring fiction of moral rescue became tightly fused.

## Bibliography

### Primary

"A Peaceful Solution." *Los Angeles Evening Express*, January 4, 1878, vol. 14, no. 86. Accessed via Newspapers.com.

*An Act to Establish a Uniform Rule of Naturalization; and to Repeal the Act Heretofore Passed on that Subject*, 1st Cong., 3rd sess. (January 29, 1795), in *Statutes at Large*, vol. 1, 414–415.

Casserly, Eugene. *The Chinese Evil Contracts for Servile Labor; Chinese Immigration the Great Danger: Speech of Eugene Casserly, of California, Delivered in the Senate of the United States, July 8, 1870*. In *Chinese in California Collection*, vol. 1. Bancroft Library, University of California, Berkeley. Call number F870.C5 C51.

*DeBow's Review*. "Coolies as a Substitute for Negroes." Vol. 2, no. 2 (August 1866). Phillip P. Choy Collection. M2521. Box 29, Folder 8. Stanford University Special Collections.

Johnson, James A. *Chinese Immigration: Speech of Hon. James A. Johnson, of California, in the House of Representatives, January 25, 1870*. [Washington, D.C.?]: s.n., 1870. American Antiquarian Society. Gale Document Number: GALE|CY0110452569.

National Archives. *Case File: Chy Lung v. Freeman*. Case No. 7211. U.S. Supreme Court Records and Briefs. Record Group 267. National Archives and Records Administration, Washington, D.C.

Page, Horace F. *Letter to the Chairman of the Committee on Foreign Affairs, December 9, 1874*. National Archives, Legislative Archives, Records of the U.S. House of Representatives, 43rd Congress, 1st Session. Committee on Foreign Affairs: Chinese Immigration, HR 43A–F11.3, Box F11.1–F11.9.

"The Horrors of a Great City; Chinadom by Day and Night." *San Francisco Chronicle*. December 5, 1869, vol. 10, no. 123.

Stout, Arthur B. *Chinese Immigration and the Physiological Causes of the Decay of a Nation*. 1862. *Chinese in California* collection. Call number F870.C5 S86. The Bancroft Library, University of California, Berkeley.

U.S. Congress. *An Act Supplementary to the Acts in Relation to Immigration (Page Act of 1875)*. 43rd Cong., 2nd sess., March 3, 1875. Accessed April 16, 2025.  
<https://loveman.sdsu.edu/docs/1875Immigration%20Act.pdf>.

U.S. House of Representatives. *Coolie Trade (To Accompany Bill H.R. No. 657)*. H. Rep. No. 443, 36th Cong., 1st sess., April 16, 1860. Committee on Commerce. Phillip P. Choy Collection, M2521, Box 93, Folder 2. Stanford University Special Collections.

## Secondary

- Aarim-Heriot, Najia. *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-82*. Urbana: University of Illinois Press, 2003.
- Abrams, Kerry. "Polygamy, Prostitution, and the Federalization of Immigration Law." *Columbia Law Review* 105, no. 3 (2005): 641-716.
- Anderson, Kristen L. *Immigration in American History*. New York: Routledge, 2021.
- Asher, Robert and Charles Stephenson, eds. *Labor Divided: Race and Ethnicity in the United States Labor Struggles, 1835-1960*. Albany: State University of New York Press, 1990.
- Batzell, Rudi. "Free Labour, Capitalism And The Anti-Slavery Origins Of Chinese Exclusion In California In The 1870s." *Past & Present*, no. 225 (2014): 143-186.
- Berwanger, Eugene H. *The West and Reconstruction*. Urbana: University of Illinois Press, 1981.
- Bottoms, Michael D. *An Aristocracy of Color: Race and Reconstruction in California and the West, 1850-1890*. Norman: University of Oklahoma Press, 2013.
- Bretell, Caroline. *Gender and Migration*. Cambridge: Polity Press, 2016.
- Cardyn, Lisa. "Sexualized Racism/Gendered Violence: Outraging the Body Politic in the Reconstruction South." *Michigan Law Review* 100, no. 4 (2002): 675-867.
- Cassery, Eugene. *The Chinese Evil - Contracts for Servile Labor - Chinese Immigration the Great Danger*. Speech. Washington, 1870. From Bancroft Library, *The Chinese in California, 1850-1925*.
- Chan, Sucheng. "A People of Exceptional Character: Ethnic Diversity, Nativism, and Racism in the California Gold Rush." *California History* 79, no. 2 (2000): 44-85.
- Cheng, Brianna. "'The Great Demoralization': Race, Intimacy, and Empire in the American West's Anti-Chinese Movement, c. 1848-1892." *American Nineteenth Century History* 24, no. 2 (May 4, 2023): 145-174.
- Clinton, Catherine. *The Other Civil War: American Women in the Nineteenth Century*. New York: Hill and Wang, 1984.
- Connelly, Mark Thomas. *The Response to Prostitution in the Progressive Era*. Chapel Hill: University of North Carolina Press, 1980.
- De León, Arnoldo. *Racial Frontiers: Africans, Chinese, and Mexicans in Western America, 1848-1890*. Albuquerque: University of New Mexico Press, 2002.

- Dennis, Rutledge M., "Social Darwinism, Scientific Racism, and the Metaphysics of Race." *The Journal of Negro Education* 64, no. 3 (1995): 244.
- Deverell, William. "Convalescence and California: The Civil War Comes West." *Southern California Quarterly* 90D, no. 1 (2008): 1-26.
- Dungan, Myles. *How the Irish Won the West*. Stillorgan: New Island, 2016.
- Engerman, Stanley L. *Terms of Labor: Slavery, Serfdom, and Free Labor*. Stanford: Stanford University Press, 1999.
- Fea, John. "Religion and Reform in the Early American Republic." Essay in *The Routledge History of Nineteenth-Century America*. London: Taylor & Francis, 2016.
- Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York: Harper Collins Publishers Inc., 2014.
- Foner, Phillip S. and Herbert Shapiro. *Northern Labor and Antislavery: A Documentary History*. Westport: Greenwood Press, 1994.
- Free, Laura E. *Suffrage Reconstructed: Gender, Race, and Voting Rights in the Civil War Era*. Ithaca: Cornell University Press, 2015.
- Freedman, Estelle B. "Sexuality in Nineteenth-Century America: Behavior, Ideology, and Politics." *Reviews in American History* 10, no. 4 (1982): 196-215.
- Gyory, Andrew. *Closing the Gate: Race, Politics, and the Chinese Exclusion Act*. Chapel Hill: University of North Carolina Press, 1998.
- Hirata, Lucie Cheng. "Free, Indentured, Enslaved: Chinese Prostitutes in Nineteenth-Century America." *Signs* 5, no. 1 (1979): 3-29.
- Matsubara, Hiroyuki. "Stratified Whiteness and Sexualized Chinese Immigrants in San Francisco: The Report of the California Special Committee on Chinese Immigration in 1876." *American Studies International* 41, no. 3 (2003): 32-59.
- Hodes, Martha. "The Sexualization of Reconstruction Politics: White Women and Black Men in the South after the Civil War." Essay in *American Sexual Politics: Sex, Gender, and Race since the Civil War*. Chicago: The University of Chicago Press, 1990.
- Horwitz, Joshua and Casey Anderson, "The Civil War and Reconstruction." Essay in *Guns, Democracy, and the Insurrectionist Idea*. Ann Arbor: University of Michigan Press, 2009.
- Hurtado, Albert L. *Intimate Frontiers: Sex, Gender, and Culture in Old California*. Albuquerque: University of New Mexico Press, 1999.

- Jones, Jacqueline. *A Social History of the Laboring Classes: From Colonial Times to Present*. Malden: Blackwell Publishers, 1999.
- Jones, Reece. *White Borders: The History of Race and Immigration in the United States from Chinese Exclusion to the Border Wall*. Boston: Beacon Press, 2021.
- Kaczorowski, Robert J. "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War." *The American Historical Review* 92, no. 1 (1987): 45-68.
- Kanazawa, Mark. "Immigration, Exclusion, and Taxation: Anti-Chinese Legislation in Gold Rush California." *The Journal of Economic History* 65, no. 3 (September 2005): 779-805.
- Kenny, Kevin. "Mobility and Sovereignty: The Nineteenth-Century Origins of Immigration Restriction." *Journal of American History* 109, no. 2 (September 2022): 284-297.
- Kenny, Kevin. *The Problem of Immigration in a Slaveholding Republic: Policing Mobility in the Nineteenth-Century United States*. New York: Oxford University Press, 2023.
- Kish Sklar, Kathryn. *Women's Rights Emerges Within the Antislavery Movement, 1830-1870: A Brief History With Documents*. Boston: Bedford/St. Martin's, 2019.
- Laite, Julia Ann. "Historical Perspectives on Industrial Development, Mining, and Prostitution." *The Historical Journal* 52, no. 3 (2009): 739-61.
- Lau, Estelle T. *Paper Families: Identity, Immigration Administration, and Chinese Exclusion*. Durham: Duke University Press, 2006.
- Lee, Catherine. "'Where the Danger Lies': Race, Gender, and Chinese and Japanese Exclusion in the United States, 1870-1924." *Sociological Forum* 25, no. 2 (2010): 248-71.
- Lee, Kenneth K. *Huddled Masses Muddled Laws: Why Contemporary Immigration Policy Fails to Reflect Public Opinion*. Westport: Praeger, 1998.
- Luibheid, Eithne. *Entry Denied: Controlling Sexuality at the Border*. Minneapolis: University of Minnesota Press, 2002.
- Mao, Kate Jialin. "On the Mere Presumption: The Page Act of 1875 and the Ramifications of Racialized Immigration Policy on Chinese American Women." August 30, 2024.
- McClain, Charles J. "The Chinese Struggle for Civil Rights in Nineteenth Century America: The First Phase, 1850-1870." *California Law Review* 72, no. 4 (1984): 529-68.
- Moos, Dan. *Outside America: Race, Ethnicity, and the Role of the American West in National Belonging*. Hanover: Dartmouth College Press, 2005.

- Nagel, Joane. "Masculinity and Nationalism: Gender and Sexuality in the Making of Nations." *Ethnic and Racial Studies* 21, no. 2 (January 1, 1998): 242–69.
- Nofil, Brianna. *The Migrant's Jail: An American History of Mass Incarceration*. Princeton: Princeton University Press, 2024.
- Park, Lisa Sun-Hee. "Migrations." In *Keywords for Gender and Sexuality Studies*, edited by Abdurrahman Abourahme and Bruce Burgett, 155–158. New York: New York University Press, 2021.
- Pascoe, Peggy. *Relations of Rescue: the Search for Female Moral Authority in the American West, 1874-1939*. New York: Oxford University Press, 1990.
- PBS. "The Chinese Workers' Strike." *American Experience*. Accessed April 9, 2025. <https://www.pbs.org/wgbh/americanexperience/features/tcrr-chinese-workers-strike/>.
- Pearson, Susan J. "A New Birth of Regulation: The State of the State after the Civil War." *Journal of the Civil War Era* 5, no. 3 (2015): 422-439.
- Peck, Gunther. *Race Traffic: Antislavery and the Origins of White Victimhood*. The Omohundro Institute of Early American History & Culture: 2024.
- Peffer, George Anthony. *If They Don't Bring Their Women Here: Chinese Female Immigration Before Exclusion*. Urbana: University of Illinois Press, 1999.
- Roediger, David R. and Elizabeth D. Esch. *The Production of Difference: Race and the Management of Labor in U.S. History*. New York: Oxford University Press, 2012.
- Rosen, Ruth. *The Lost Sisterhood: Prostitution in America, 1900-1918*. Baltimore: Johns Hopkins University Press, 1982.
- Rosenberg, Charles E. "Sexuality, Class, and Role in 19th-Century America." *American Quarterly* 25, no. 2 (1973): 131-153.
- Rutter, Michael. *Upstairs Girls: Prostitution in the American West*. Farcountry Press, 2005.
- Saxton, Alexander. *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California*. Berkeley: University of California Press, 1971.
- Schneirov, Richard. "Thoughts on Periodizing the Gilded Age: Capital Accumulation, Society, and Politics, 1873-1898." *The Journal of the Gilded Age and Progressive Era* 5, no. 3 (2006): 189-224
- Schrag, Peter. *Not Fit for Our Society: Nativism and Immigration*. Berkeley: University of California Press, 2010.

- Shumsky, Neil Larry. "Tacit Acceptance: Respectable Americans and Segregated Prostitution, 1870-1910." *Journal of Social History* 19, no. 4 (19): 665-679.
- Siler, Julia Flynn. *The White Devil's Daughters: The Women Who Fought Slavery in San Francisco's Chinatown*. New York: Alfred A. Knopf, 2019.
- Simmons, Alexy. "Red Light Ladies in the American West: Entrepreneurs and Companions." *Australian Journal of Historical Archaeology* 7 (1989): 63-69.
- Smith, Stacey L. "Beyond North and South: Putting the West in the Civil War and Reconstruction," *Journal of the Civil War Era* 6, no. 4 (2016): 566-91.
- Smith-Rosenberg, Carroll. *Disorderly Conduct: Visions of Gender in Victorian America*. New York: A.A. Knopf, 1985.
- Stanley, Amy Dru. *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation*. Cambridge: Cambridge University Press, 1998.
- Stone, Geoffrey R. *Sex And the Constitution: Sex, Religion, and Law From America's Origins to the Twenty-First Century*. New York: Liveright Publishing Corporation, 2018.
- The Asian American Education Project. "1.2 - The Contributions of the Chinese Transcontinental Railroad Workers." accessed April 7, 2025, <https://asianamericanedu.org/1.2-Transcontinental-Railroad-lesson-plan.html#:~:text=The%20660%20miles%20of%20the,laborers%20to%20support%20the%20construction.>
- Tong, Benson. *Unsubmissive Women*. Norman: University of Oklahoma Press, 1994.
- United States Congress. "CASSERLY, Eugene." accessed February 18, 2025, <https://bioguide.congress.gov/search/bio/c000236>.
- United States Congress. "JOHNSON, James Augustus." accessed February 18, 2025, <https://bioguide.congress.gov/search/bio/J000145>.
- Voss, Barbara L. "Every Element of Womanhood With Which to Make Life a Curse or Blessing: Missionary Women's Accounts of Chinese American Women's Lives in Nineteenth-Century Pre-exclusion California." *Journal of Asian American Studies* 21, no. 1 (2018): 105-134.
- Walters, Ronald G. *Primers for Prudery: Sexual Advice to Victorian America*. Baltimore: The Johns Hopkins University Press, 2000..
- Werbel, Amy. *Lust on Trial: Censorship and the Rise of American Obscenity in the Age of Anthony Comstock*. New York: Columbia University Press, 2018.

- West, Elliott. "Reconstructing Race." *Western Historical Quarterly* 34, no. 1 (2003): 6–26.
- Yung, Judy. *Unbound Feet: A Social History of Chinese Women in San Francisco*. Berkeley: University of California Press.
- Yung, Judy, Chang, Gordon, and Lai, Him Mark, eds. *Chinese American Voices: From the Gold Rush to the Present*. Berkeley: University of California Press, 2006.
- Zinzius, Birgit. *Chinese America: Stereotype and Reality: History, Present, and Future of the Chinese Americans*. New York: P. Land, 2004.
- Zolberg, Aristide R. *A Nation By Design: Immigration Policy in the Fashioning of America*. Cambridge: Harvard University Press, 2006.