

# The Nation

~February 9, 1927~

## American Wives

THE Immigration Act of 1924 denied admission to the United States to wives of American citizens if these wives are of a race ineligible to citizenship. Hindus, Chinese, and Japanese are ineligible. Hence the curious and cruel fact that while an Oriental merchant with his wife may enter America, the wedded wife of an American-born citizen is held at the coast for deportation. Our legislation, which admits the children of citizens, of whatever color, has on occasion even led immigration officials to admit a nursing baby while barring its mother! Simple humanity would seem to dictate a change in this law. Surely we need have no such panic at the thought of intermarriage as to bar the wives of the handful of Americans who marry Oriental women.

Indeed, the present situation works in some ways to promote interracial marriage. In Hawaii and on the mainland there are 13,318 native-born male Chinese, present or prospective American citizens. What are they to do? Return to a land they have never seen, of whose language many of them know not a word? Remain unmarried? (The number of Chinese women in this country is inadequate to provide them with wives.) Or intermarry? The natural course would seem to be to permit any American citizen who marries abroad to return with wife—or husband—whatever the race, color, or creed. For a country of 120,000,000 to gag at such a minor measure of humanity is utterly to lack a sense of proportion. The Supreme Court, in the case of *Chung Fook vs. White*, indeed, virtually suggested Congressional action:

The words of the statute being clear [the Court said], if it unjustly discriminates against the native-born citizen, or is cruel and inhuman in its results, as forcefully contended, the remedy lies with Congress and not with the courts. Their duty is simply to enforce the law as it is written, unless clearly unconstitutional.

There are other anomalies in the law which ought to be remedied—and can be remedied without affecting the principles of selection upon which the present network of legislation is based. (With those principles, as our readers are aware, we are not in sympathy; but we do not raise such questions today.) American wives who married foreign citizens prior to the passage of the Cable Act became *ipso facto* foreigners and can return to America today only under the foreign quota. Frances Parkinson Keyes calls our attention to the fact that the only member of the Daughters of the American Revolution in Jerusalem is barred from this country except under a six-months' permit as a visitor—because she had committed the indiscretion of marrying a German!

We have already noted in these columns the petty cruelty imposed upon a score of American women who married Hindus before the Supreme Court decided that Hindus were ineligible to citizenship. They thought they had married American citizens and were still citizens themselves; overnight a court decision cast doubt upon their position, and the State Department proceeded to attempt to cancel their citizenship, impugning, in some States, their right even to hold property. In these cases the lower courts have thus far refused to accept the State Department's interpretation of the law; but the proper course would be for Congress to remedy the situation by appropriate legislation. Senator Reed of Pennsylvania has introduced such a bill; we have not often agreed with him in the past but this time we heartily congratulate him upon his effort to right a wrong, and hope that his measure will pass.