protection. Similarly, the Civil Rights Act of 1870 forbade racial discrimination in the courts and banned the imposition of taxes on any specific immigrant group. In addition, the Burlingame Treaty, which had become federal law in 1868, allowed for free immigration from China. In 1872, California, bowing to federal laws, finally removed all racial bans on testimony. In 1880, the legislature struck down all laws providing for separate schools for blacks; a decade later the state Supreme Court upheld the ruling. Chinese children would be excluded from public schools until the 1920s. The federal Chinese Exclusion Act of 1882, however, would not be repealed until 1943. Many of these post-1860s victories had been achieved through activism by California's people of color, especially African Americans and Chinese, via litigation, lobbying, and publicly exposing inequities.

While post-Civil War legislation provided people of color in California with the beginnings of legal relief, their daily reality revealed that de facto and de jure segregation and discrimination would continue to make them vulnerable to violence and exploitation. African Americans, Asian Americans, Mexican Americans, and Native Americans of the nineteenth century conducted their struggles in an environment where politics had long been conditioned by race and ethnicity. They would be compelled to carry their fight into the twentieth century, when succeeding generations would devise new strategies to overcome both old obstacles and new ones.

NOTES


2. See Hubert Howe Bancroft, History of California, vol. 6, 1848–1859 (1888; reprint, Santa Barbara, Calif.: Wallace Hebbard, 1970), 231–57. People of Montezuma quote from Bancroft, “Personal Observations during a Tour through the Line of Missions of Upper California,” in Haas, Conquests and Historical Identities in California, 172. In her 1914 history of the state, California novelist Gertrude Atherton proclaimed that “California’s historic period began very late. When New England was burning witches on the green . . . this vast and lovely tract . . . was peopled by a few Indian tribes, so stupid that they rarely learned one another’s language, so lethargic that they rarely fought. The squaws did what work was done; the bucks basked in the sun for eight months in the year, and during the brief winter sweated out their always negligible energies in the temescals [sweat lodges].” Gertrude Atherton, California (New York: Harper and Brothers, 1914), 15.


6. Taylor, In Search of the Racial Frontier, 18-19; Pitt, Decline of the Californios, 14-15, 309; Monroy, Thrown among Strangers, 174-75. Pitt notes that the term "Anglo" was "unknown in nineteenth-century California." I use the term here aware of its limitations. Strictly speaking it is not interchangeable with the term "white." The European Americans (another imprecise description) who flooded into California after the war with Mexico brought with them a diversity of ethnic, national, and religious heritages. Those of English or "Anglo" descent comprised only some of the white newcomers to California.


9. For discussion of gente de razon and gente sin razon, see Haas, Conquests and Historical Identity in California, 2, 13-44; Hurtado, Indian Survival on the California Frontier, 23. For a discussion of indigenous sociopolitical systems and the impact of the mission system on them, see Haas, Conquests and Historical Identity in California, 16-18, and Sandos, “Between Crucifix and Lance,” 206-207. See also Bruce W. Miller, “Chumash Village Life and Social Organization,” in Chan et al., Peoples of Color in the American West, 221-23.

10. For a discussion of diseases and the death rates of converts, see Rawls and Bean, California: An Interpretive History, 38. See also Hurtado, Indian Survival on the California
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Frontier, 197-98. For a thorough but succinct account of mission life for Indians, see Monroy, Thrown among Strangers, 51-80.


13. Monroy, Thrown among Strangers,” 165-69; Pitt, Decline of the Californios, 15-18; Richard Henry Dana, Jr., Two Years before the Mast, quoted in Monroy, Thrown among Strangers, 166; Alfred Robinson, Life in California, quoted in Pitt, Decline of the Californios, 15.

14. Rawls and Bean, California: An Interpretive History, 69-80. For a brief description of José María Amador, see Monroy, “Creation and Re-creation of Californio Society,” 186. For the Amador quote from his memoirs and a discussion of the designs of American Manifest Destiny in California, see Monroy, Thrown among Strangers, 173-80. See also Hurtado, Indian Survival on the California Frontier, 72-85. For a discussion of occupied California, see Rawls and Bean, California: An Interpretive History, 96-97.

15. Almquist and Heizer, The Other Californians, 96-100. For Article 9 of the Treaty of Guadalupe Hidalgo and Californio land losses, see Monroy, Thrown among Strangers, 204; see 205-18 for a discussion of the “criminalization” of Mexicans. Articles 8, 9, 10, and 11 of the Treaty of Guadalupe Hildalgo are quoted in Haas, Conquests and Historical Identities in California, 56-58.


17. Rawls and Bean, California: An Interpretive History, 97, 99; Heizer and Almquist, The Other Californians, 97, 116-17, also especially 105, for discussion of “degrading labor,” and 115, for discussion on barring nonwhites from voting. For an intriguing discussion of the notion of “whiteness” in California, see Haas, Conquests and Historical Identities, 168-74. For an insightful examination of the political and social implications of the notion of “whiteness” in antebellum America, see Walter Johnson, “The Slave Trader, the White Slave, and the Politics of Racial Determination in the 1850s,” in The Journal of American History 87 (June 2000): 13-38.


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22. San Francisco Californian, May 29, 1848, quoted in Rawls and Bean, California: An Interpretive History, 85.


25. Goode, California’s Black Pioneers, 75; Thurman, Negro in California, 44. For a discussion of the black fight for education in California, see Bragg, “Knowledge Is Power,” 215–21.


27. Almquist and Heizer, The Other Californians, 122–23.


30. Lapp, Blacks in Gold Rush California, 239–54; Heizer and Almquist, The Other Cali-


32. Takaki, Strangers from a Different Shore, 82, 113; Rawls and Bean, An Interpretive History, 126–27; Sandmeyer, Anti–Chinese Movement in California, 40–56; LePore, “Exclusion by Prejudice,” 23–24; Daniels, Asian America, 33–39. Daniels discusses some of the most egregious local ordinances, such as San Francisco’s Cubic Air Ordinance, which required each tenement to have at least five hundred cubic feet of air for each inhabitant, and the Laundry Ordinance, which imposed a fee calculated by the number of delivery horses used by the laundry. The highest fee of $15 was levied against laundries that made no deliveries and thus used no horses—as was the case for most Chinese laundries.


34. Daniels, Asian America, 34; the 1852 law is quoted in David L. Snyder, Negro Civil Rights in California: 1850 (Sacramento: Sacramento Book Collectors Club, 1969), 1. See also Heizer and Almquist, The Other Californians, 47.

35. Goode, California’s Black Pioneers, 77; Almquist and Heizer, The Other Californians, 128–33; Daniels, Asian America, 34–35.

36. Takaki, Strangers from a Different Shore, 114.


40. Goode, California’s Black Pioneers, 74–75; Forbes, Afro-Americans in the Far West, 28; Caesar, “Historical Demographics of Sacramento’s Black Community,” 202; Taylor, In Search of the Racial Frontier, 90–92; Rawls and Bean, California: An Interpretive History, 132.

41. Taylor, In Search of the Racial Frontier, 91; Caesar, “Historical Demographics of Sacramento’s Black Community,” 202, 204.

42. James Carter is quoted in Thurman, Negro in California, 43–44.


