

SAVING FACE WITHOUT WORDS: A CONFUCIAN PERSPECTIVE ON THE CHINESE LABOR STRIKE OF 1867

By

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ABSTRACT:

The Chinese came to the United States in the 1850s, built the Transcontinental Railroad and then were sent home; we have no written records from the workers, and there is very little understanding of how they lived or how they negotiated their employment conditions. In 1854 the California Supreme Court's decision in *People v. Hall* deprived all Chinese citizens of all civil rights and recourse in court. The legal and cultural conditions in California were outright hostile to the Chinese workers, and yet, the Chinese were able to negotiate and improve their conditions despite any formal avenues to do so. This essay builds on suggestions made in lectures by Professor Gordon Chang and Professor Sue Fawn Chung that the Chinese workers used the teachings of Confucius in a coordinated collective action during the Chinese Labor Strike of 1867. My research looks at the behaviors of the strikers, including their use of Confucian values like "face saving." The Confucian model of protest may be well-suited for asserting rights, when stripped of legal protections, because the peaceful, respectful approach "saves face" for the other party. There is very little historical record about the strike, in part, because there was no violence with employers or embarrassment to the bosses. That the strike came and went without violence has dampened its impact in the historical record, but the strike is even more meritorious of study for the very same reason that it is so unknown: what do we learn from behaviors of the strikers that might explain why this strike was peaceful, in sharp contrast to the others of the era that were violent? We use the Italics and the teachings of Confucius to help fill in the gaps in areas where the Chinese workers themselves left us no written record.

KEYWORDS

Chinese Labor Strike of 1867, Transcontinental Railroad, Confucius, Collective Action

1. INTRODUCTION

In June 1867, several thousand Chinese workers joined in a significant collective action to stop work on the Transcontinental Railroad to protest conditions and demand higher wages. The workers went on strike for a week, then returned to work, and it is unknown if the workers' conditions were met. Notably, the strike was characterized by its peaceful, non-violent nature. Unfortunately, there are no first-person recountings from any of the 12,000 Chinese workers on the railroad. Chinese immigration in the United States became illegal in 1882 with the Chinese Exclusion Act, and the remaining Chinese immigrants were unwelcome, and many left. Consequently, after the railroad was completed, the memory of the Chinese left with them.

As an historical event, the Chinese Labor Strike of 1867 was one of the most significant collective labor actions of the 1800s, but it is still widely unknown to historians. Professor Gordon Chang has identified this as a significant gap in how Americans study history, noting that “Many of the American public are completely ignorant about Chinese railroad workers. Chinese Americans, by and large, do not know very much about them. So there’s much to be done in bringing this information, this knowledge, to the general public” [1]. To remedy this, the Chinese Railroad Workers in North America project researchers have created a curriculum for K-12 that describes the event [2].

This essay looks at how the Chinese workers behaved and carried out their actions during the Strike of 1867. I build on suggestions made in lectures by Professor Gordon Chang [3] and Professor Sue Fawn Chung [4] that the Chinese workers may have turned to the teachings of Confucius to confront their employers and negotiate better conditions, even while stripped of legal protections. The behaviors of the Chinese workers during this strike reflected values from the teachings of Confucius, allowing us to understand the strike from a fresh perspective. In the absence of a first-person recounting, evaluating the behaviors and approach provides something more profound, albeit less tangible than written words or any first-hand accounting—a view into the workers’ beliefs.

2. CHINESE IMMIGRATION TO THE UNITED STATES

The Chinese workers immigrated en masse to the United States in the 1850s to escape economic problems in China and found a life in the United States that stripped them of all legal identity and legal rights. More than 12,000 Chinese workers helped build the Transcontinental Railroad, completed in 1869 [2]. Shortly after that, the Chinese workers—and any Chinese citizens—were prohibited from immigrating to the United States in 1882. The Chinese Exclusion Act of 1882 set the stage for an extended anti-Chinese policy that saw very little migration of Chinese to the United States from 1882 until 1943 [5].

The scholars who research the Transcontinental Railroad in the 1800s lament the lack of written records upon which to rely, and historians looking to advance the knowledge of this era “have a long road ahead considering the time and effort it will take to document, protect, and preserve the archaeological sites” that are the primary source of historical record [6]. There are no written words by any Chinese worker who participated in the strike and, astonishingly, no written recounting of any kind by the Chinese railroad workers [6]. So, in the absence of a first-person recounting, I will investigate something more profound, albeit less tangible than the written word—the behaviors and beliefs—of the Chinese workers.

The peaceful disposition of the Chinese during the strike, especially in the face of tremendous oppression, is meritorious for research for multiple interdisciplinary purposes: collective action, avoidance of violent conflict, and negotiation theory, to name a few. This is why the suggestions by Professor Chang and Professor Chung—that the workers’ behavior may have been Confucian—is worthy of further inquiry. A further look shows that Confucius influenced the

striking behavior of the workers. The protesters began with the Summer Solstice; they carried out the protest with dignity and peace; the railroad bosses were allowed to “save face” and claim victory, even if we do not know who won or lost.

I will use the *Analects* and Confucius teachings to help fill in the gaps in areas, using the Confucian behaviors, which help paint a picture of a complex people using sophisticated negotiation techniques to obtain their goal. Through the lens of Confucius, there emerges a pattern of behavior that’s a model of peaceful protest; in particular, one that is coordinated and effective in a scenario, like the Chinese workers were, unable to avail themselves of any Constitutional protections, or even right to redress in court.

3. SAVING FACE AND THE SUMMER SOLSTICE

By the summer of 1867, the Chinese workers reached a point where they felt a need to change their conditions and improve pay, so they staged a large-scale, peaceful strike at one of the most complicated parts of the construction effort in the Sierra Nevada mountains. Professor Sue Fawn Chung says the conduct of the workers demonstrated Confucian behavior because “the Chinese felt that they had helped [railroad boss] James Strobridge ‘save face’ (an old Chinese concept) by delaying the raise, and, in a traditional Confucian manner, accepting a compromise figure” [7]. Professor Gordon Chang believes that the timing of the strike was aligned with Confucian values, because “the strike began just days after the summer solstice, the longest day of the year and the peak time for male energy, as the sun represented this male energy and the moon female energy” [8]. The Confucian teachings in the *Analects* validates these theories.

There are three Confucian principles in the *Analects* that describe how one might lose face; all three are evident in the Chinese workers’ behavior: avoidance of improper behavior, avoiding the perception of lack of trustworthiness, and neglect of responsibility. The Chinese actions were demonstrably Confucian, but the actions during the Strike may also represent one of the first significant stands globally by Chinese workers abroad that showed a new form of Confucian-influenced collective action. Although there is no way to prove that Chinese workers used Confucianism definitively or explicitly—the Chinese left few records behind—these strikers’ actions, the timing, and the peaceful protest were unmistakably based on Confucianism. Chinese workers organized the strike to occur during the same day as the summer solstice, an auspicious day in Confucian teaching for collective action.

Why were the Chinese workers so crucial to the construction of the Transcontinental Railroad in the first place? The labor shortage was the primary impediment to railroad construction through the Sierra Nevada mountains. Workers were needed for the dangerous railroad construction work, so several recruiting efforts began to enlarge the workforce. Employers were looking for a source of cheap laborers and found it in China. Ten years after the project began, more than 12,000 Chinese workers labored on the railroad, and tensions rose in the Chinese work camps [9]. This rise was manifold, primarily because the Chinese often experienced prejudice and were paid significantly less than their European counterparts for the same work.

In 1867, that tension erupted: the Chinese workers initiated a coordinated strike on the Transcontinental Railroad. At first, the strike was not reported in newspapers, but it eventually garnered much attention throughout California [9]. It was a period of increasing labor organization, with the National Labor Union being founded only the previous year, so the uproar around the state makes sense. The strike concluded quickly and quietly, and traditional accounts of the strike describe a capitulation of the workers. However, according to modern research, a different account has emerged as to how the strike ended. This new research turns the concession of the Chinese into one of delayed achievement of the worker's demand.

Although this is not the first example of collective action in the United States, it was the largest protest of that time [3]. Additionally, this is one of the first examples of Chinese immigrants using collective action in the U.S. [3]. For these reasons, I will use the strike as a case study to argue for the significant Confucian influence on the collective action of the Chinese workers in June of 1867. To understand why collective action was relevant and why the Chinese protested en masse, I will begin with a basic overview of the Transcontinental Railroad project before discussing the specifics of Chinese immigration and the growing labor organization of that ever-increasing immigrant population. Ultimately, I will demonstrate that Confucian principles shaped the actions of Chinese workers, leading to a surprising success of labor organizations disguised as a failed strike.

4. STRIPPED OF IDENTITY—*PEOPLE VS. HALL*

By the 1850's it became clear in the United States that locomotive travel was necessary enough to invest in a railroad line across the country, connecting oceans on both coasts through the tracks. In 1857, Congress passed a bill to fund this project. Franklin Pierce, then President of the United States of America, emphasized that the purpose of the railroad was to connect the United States from the East Coast to the West coast: "The condition of China at this time renders it probable that some important changes will occur in that vast Empire which will lead to a more unrestricted intercourse with it" [10]. Those "important changes" would be aided by the railroad, and the primary domestic focus of that project would be the connection of East to West and the economic possibilities therein.

For all its labor needs, the U.S. was not a welcoming place of multiculturalism in the 19th century for the immigrant laborer. All Chinese workers in California were involuntarily stripped of their identity through legal means, and lawmakers were openly hostile to any nonwhite presence. In his 1851 inaugural speech as the first U.S. civil governor of California, Peter Burnett argued for a "war of extermination" against Indigenous peoples in the state [11]. According to an 1854 decision by the California's Supreme Court, *People v. Hall*, Chinese workers were classified as "Indigenous peoples," giving them, by law, the same race and lack of rights as Native Americans—and putting them at risk of the same "war of extermination" that Burnett had threatened. In reaching this conclusion on classification, the Court upheld a California statute that "no black or mulatto person, or Indian, shall be allowed to give evidence in favor of, or against a white man" [12]. As written, the section applied to black, mulatto, or

Indian but seemingly did not appear to apply to Chinese witnesses. The California Supreme Court sidestepped this by declaring that the term “Indian” would apply to the Chinese:

We are of the opinion that the words white ‘Negro,’ ‘mulatto,’ ‘Indian,’ and ‘black person,’ wherever they occur in our Constitution and laws, must be taken in their generic sense, and that, even admitting the Indian of this continent is not of the Mongolian type, that the words ‘black person,’ in the 14th section, must be taken as contradistinguished from white, and necessary excludes all races other than the Caucasian [12].

Caught in the law’s narrowness, the Court was forced to declare that the Chinese must be “of the Mongolian type” because that was the catch-all term. The Supreme Court must have known that Indigenous peoples were not Mongolian because the Court acknowledged that “the Indian of this continent is not of the Mongolian type,” as Chinese immigrants were classified [12]. Nevertheless, despite this admission of factual impossibility, the Court still classified the Chinese as Indigenous, making them without legal rights. This legal framing of their racial identity sets the stage for the Chinese to use Confucian values to assert their rights.

5. CONFUCIAN BEHAVIOR

The Chinese were the first sizable group of Asians to arrive in the United States [13]. Beginning with large migration in the 1850s, most of them were from Guangdong province, which had been devastated by a series of natural disasters and geopolitical rifts [8]. The Chinese migrated worldwide, including California’s burgeoning labor market, where their presence as a new race introduced a new racial problem. The narratives of the powerful, people in business, and politicians alike declared value in the Chinese as laborers but only as laborers, not as citizens contributing to culture. Because of their precarious status as migrant workers—with no recourse to civil rights and because of their perceived passivity—employers like Charles Crocker of the Central Pacific railroad were so drawn to the Chinese workers in the first place [8].

There was much prejudice, discrimination, and racism throughout the time. Governor Bigler famously declared, “The Chinese must go!” in response to the growing anti-Chinese sentiment [8]. Norman Asing’s retort to this, saying:

when your nation was a wilderness, and the nation from which you sprung barbarous, we exercised most of the arts and virtues of civilized life; that we are possessed of a language and a literature, and that men skilled in science and the arts are numerous among us; that the productions of our manufactories, our sail, and workshops, form no small commerce of the world . . . we are not the degraded race you would make us [14].

These sentiments were not restricted to government officials—nor was it restricted to the Chinese. The 1850s was a time of racism for Indians and African Americans. Among the immigrant population, the Chinese stereotype was known to be particularly peaceful. Author Mark Twain provided a commentary on the Chinese behaviors, and his description covers several Confucian values, even if Twain did not identify them as such:

[The Chinese people] are a harmless race when white men either let them alone or treat them no worse than dogs; in fact they are almost entirely harmless anyhow, for they seldom think of resenting the vilest insults or the cruelest injuries. They are quiet, peaceable, tractable, free from drunkenness, and they are as industrious as the day is long. A disorderly Chinaman is rare, and a lazy one does not exist [15].

Twain's description resonates with several Confucian values: industriousness, peacefulness, respect for elders, and quietness. These all have Confucian roots, and they are all virtues that the Chinese railroad workers modeled while working and, later, while protesting. Though many Americans viewed them with suspicion or outright racism, the Chinese workers set an example of calm, collected protest despite their status as second-class citizens.

6. THE LEAD-UP TO THE STRIKE

At a difficult part of the construction in the Sierra Nevada mountains, the Chinese workers decided to strike, ostensibly because their wages were lower than their white counterparts and because the working conditions were so dangerous. A few days before the strike, a horrific explosion arose from the instability of nitroglycerin [16]. There has not yet been any clear historical correlation between this explosion and the strike, but the event must have raised the stakes, and undoubtedly raised tension. Indeed, the Sierra Nevada route was the first time that nitroglycerin was used in a full-scale construction project [16]. Because of the many problems with using nitroglycerin safely, all other branches of the railroad had banned its use [16]. The explosion in June was a gruesome scene involving body parts and animal parts, and little could be done to save the workers [17]. In this context, although wages were essential to the Chinese workers as a matter of fairness and equity, a more serious problem occurred because workers had recently experienced this terrifying event.

As reported by the railroad bosses, the strike's outcome was that the Chinese gave up after a week and returned to work. Charles Crocker declared that the week after the strike was over, "the Chinese are working harder than ever since the strike" [8]. The historical record is sparse on this event, so there remains some mystery as to the strike's exact resolution. Is it the case that the Chinese workers returned to work without any concessions achieved? It seems unlikely, given all the planning and care taken during the strike. An analysis that accounts for Confucius' influence suggests they did achieve change, but they did so on their own terms, and by saving face. The application of the Chinese Confucius style is apparent, as we will see, by the peaceful resistance, the lack of anger or emotion, and the giving of the "win" to bosses while getting the requested pay raise privately a month later, which allowed the Americans to save face.

7. THE VALUE OF SAVING FACE IN COLLECTIVE ACTION

In Confucianism, "face" refers to a person's public image or reputation. Face can be lost or gained depending on how others perceive the reputation. Confucius believed it was essential to maintain one's face and think of saving face in quantifiable terms. Confucius taught that

reputation is more important than possessions because “The noble man is concerned about the kind of reputation he will have after he passes away” (15:20) [18]. Confucius also felt that saving face was at least as necessary as wealth, but both take a backstage to injustice. Confucius said, “Wealth and honors that one possesses in the midst of injustice are like floating clouds” (7:16) [18]. Face-saving as a Confucian concept expresses itself in collective action because a collective action arises because of an injustice, necessarily spawning a negotiation, wherein all other parties can be weighed with the saving face.

Confucius cautioned of three specific things that will cause the loss of face. He wrote about improper behavior (8:4) [18], a lack of trustworthiness (9:25) [18], and neglect of responsibility (12:21) [18]. Confucius described the behavior of a “noble man” to describe the baseline expectation. The “noble man”—or *junzi*—is the ideal that the Confucian student aspires to be. The *junzi* is the most morally worthy individual who acts only out of goodness and duty; he does not look for personal gain or benefits. When one acts in accordance with a gentleman’s way, he will not lose face. As described in the *Analects*,

Ceng zi said, ‘The Way prized by the noble man has three aspects:’ In his behavior and deportment he avoids brashness and arrogance. When paying attention to his facial expressions he is guided by honesty. When speaking, he avoids vulgarity and slander (8:4) [18].

Taking on a collective action does not innately contradict Confucius’s behaviors as good behavior. Any action is characterized by composure, lack of brashness, arrogance, or insolence, and qualities that are hard to measure except in relative terms.

Confucius tells us when trust occurs and when it is betrayed, using illustrations of good friendships and harmful friendships as examples. This principle is very aligned with collective action because Confucius argues that if there is a violation of trust, it must be called out: “To be silent when there is something to be said; this is deception” (16:7) [18]. Collective action is a form of speaking up, and according to Confucian principles, avoiding it would be a form of deception. Furthermore, a “noble” employer must establish that “he was courteous; in serving superiors he was respectful; in providing for the people he was kind; in employing the people he was fair” (5:16) [18]. So, workers must speak up, especially when faced with an ignoble employer, to uphold Confucian values. The lesson here is that all members of society must conduct themselves with the same behavioral expectations, and if they do not, one must say something.

Confucius teaches the neglect of responsibility principle by the example of a son who does not respect and honor his parents and is, therefore, “unfilial.” This lesson is one of hierarchy and teaches the importance of listening to elders and behaving according to their moral standards. Confucius elaborates several ways in which a son can bring disgrace through neglect of duty: by not acting “filial,” one is not supporting parents properly when they are old; or by not carrying out the parents’ wishes; or by a son making his parents unhappy; or the case of a son that fails to perpetuate family virtues. For Confucius, the “filial” relationship between a son and a parent must be genuine, not just check-the-box, explaining “what is important is the expression you

show in your face. You should not understand 'filial' to mean merely the young doing physical tasks for their parents (2:7) [18]. The concept of "face" is directly brought into the filial concept. Here it means that a son's actions are dutiful and meaningful.

Turning back to the initial discussion of the Confucian ideal of filiality and its compatibility with striking, we see a tension between the two masters. On the one hand, the Chinese workers served their employers as a master. On the other hand, the men worked almost exclusively to send money back home and had a kind of uncomfortable master with their parents. That master would then take precedence over a lesser master, the employer. Although Confucius teaches that "There are few who have developed themselves finally and fraternally who enjoy offending superiors (1:2) [18]. So, the duty to strike for higher wages must be on balance with honoring hierarchy as a filial son while addressing deception by speaking up. There is tension here, but it can be navigated.

Confucianism does not just arise solely from Confucius' teachings but also from his disciples. There have been many different interpretations of filial piety, leadership, and obedience. While some philosophers viewed these concepts as rigid and controlled by strict rules and laws, others saw them as flexible and based on natural human goodness. One such philosopher who advocated for a more egalitarian view was Mengzi, who argued that filiality was rooted in human nature and did not require external enforcement. In contrast, philosophers like Xunzi believed that human nature was inherently evil and controlled through strict rules and laws.

The mass migration of Chinese workers has been exported across the globe as a way of life that includes how you act, what you say, and what your relationships are like [19]. Confucius' teachings established a centuries-long tradition of treating others with respect and reverence. The best way to gain respect was to show respect and indeed, be inculcated with respect for hierarchy and that "Lords should act as lords." In contrast, subjects should act only as subjects and thus should not usurp the privileges and power of the lord" [19]. Thus, everyone has their place in life and should behave accordingly.

Proper behavior may not always align with the emerging need for workers to protest or form collective action. During Qing, several Confucian disciples decided to update Confucius' teachings specifically to address the needs of workers [20]. Certain areas needed improvement, for example, the ability to engage in a labor strike while not violating the "betrayal of trust." In the Qing Dynasty, the role of obedience was critical. The Manchus began to try and control the Chinese and to suppress rebellions. Because they were constantly under the thumb of the Manchus, the Chinese were more likely to be involved in uprisings and protests, while at the same time with an acute need to do it peacefully. This is the perfect setting for a Confucian style. Many of these protests were against the iron fist that the Manchus used, and the workers felt that they deserved better treatment. In this environment, it was a matter of survival to learn how to protest in a way that's respectful and saves face.

One example of oppression and protest by the Manchus in China was the ban on interracial marriage [20]. This meant that the Manchus were trying to keep the Chinese people from mixing with other cultures and keeping them from relationships with people outside of their race. This caused much tension between the two groups and led to many protests from the Chinese people [20]. Much in the same way, the U.S. government had stripped the Chinese workers of all legal rights, making the Chinese experience with the Manchus useful, even in California. As the oppressor changed, it stands to reason those certain areas needed improvement, for example, a redefinition of what it means to engage in a labor strike while not violating the “betrayal of trust.” This incompatibility with prior social norms was updated to emphasize family duty over duty to other masters, keeping the concept of duty but focusing on family instead of employers [21].

This Confucian culture now placed less emphasis on trust and more emphasis on family, emphasizing the Confucian teaching that it was the eldest son’s responsibility to take care of his parents (recall, the “filial son”). So, it was difficult for Chinese men to leave their families and work abroad, even if doing so was also meant to benefit their families economically. Their departure may not be the betrayal of trust it once was, but if they chose to leave, they faced new situations they did not understand and a challenging, challenging foreign cultural context. The concept of family, in many cases, had to be abandoned. The choice was not easy, but it was higher wages—which would allow for better lives for their families back home—which served as a motive for many. Overall, the ability to travel presented the filial son with new opportunities to serve the family with a promise of wealth. It presented a way to abandon the family when that promise didn’t materialize.

Despite the promise of earnings abroad, under traditional Chinese law, emigration was forbidden, and this not only made it difficult for people to leave China but also meant that they were not able to return to their families if they left [22]. In 1859, the provincial government of Guangdong, the home of most Chinese railroad workers, began to officially sanction foreign recruitment of Chinese laborers because so many had departed [22]. The *Treaty of Beijing* was signed in 1860 between China and Britain, which included a section known as the “coolie trade” that formally allowed for the legal transport of Chinese laborers to other countries. Returning home was not an improvement. The Taiping Rebellion was a civil war in China from 1851 to 1864. It was fought between the ruling Qing Dynasty and the rebel Taiping Heavenly Kingdom and caused widespread damage and death and economic disruption [22].

8. CONFUCIANISM AS A TOOL TO FACE OPPRESSION

All of these things come together to help paint a picture of a people attentive to family, oppressed by their government, hard-working, peaceful, obedient, and mindful of hierarchy. These are Confucian values that came out particularly strong which Chinese workers modeled during their strike. The Confucian teachings are ideal for a citizenry that’s stripped of all independent civil rights and no ability to exercise a voice in law or court, or even a voice. By maintaining a peaceful protest and by containing the strike to one week of stopped work, the Chinese workers

attended to all three of the Confucian principles: the “betrayal of trust” was limited to a one-week event; the workers did not show “neglect of duty,” at least not entirely, as they stayed on-site and intended to resume their work at some point; there are no reports of violence or outbreaks, demonstrating control and no “improper behavior” to speak of. Thus, the strikers managed to abide by the ideals of Confucianism even while temporarily disrupting hierarchy.

Still, the strikers faced much risk, mainly because of their precarious and marginalized situation as non-citizens. The law of California had aligned with the governor’s view that Chinese workers were indistinguishable, legally, from Indians. In that context, the Chinese workers had no rights. So, the options available for businesses to quell the strike were unchecked by government regulation, intervention, or even human rights standards. After all, as Chinese immigrants were legal “Indians,” a racial category of people unable to testify in court, there would likely be little consequence for any illegal actions perpetrated against them. After all, any court cases for those crimes would rely solely on white testimony, crushing any chance of a fair trial.

Knowing there would be little reprisal, it is unsurprising that, when the strike began, the railroad boss, Charles Crocker, callously cut off the supply of food for the Chinese, assuring that the strike would be short-lived. After one week, Crocker delivered another ultimatum, saying he would not budge on the wages offered to return to work. They would “just” pay a fine, but if they continued, then the penalties would grow more severe. Crocker also wrote about the Chinese workers’ peacefulness:

If there had been that number of white laborers... it would have been impossible to control them . . . but this strike of the Chinese was just like Sunday all along the work. These men stayed in their camps. That is, they would come out and walk around, but not a word was said. No violence was perpetrated along the whole line [17].

The railroad bosses began to realize the economic value of the Chinese to their bottom line. James Strobridge, who began his career in opposition to the Chinese, had come around to support their actions [8].

All reports were that the workers protested peacefully, in a way that helped bosses like Strobridge justify their defense of the Chinese values. Indeed, the behavior of the Chinese modeled the way that Confucius would have preferred, even as they were facing malnutrition and discrimination. After a little over a week, most men eventually were forced back to work without much apparent anger, outrage, or social disturbance. They had insisted that they were not disposable and were entitled to a livable wage, but they did it quietly and with little existent in the historical record of their thoughts on the strike. Due to this lack of record, it is impossible to know whether the Chinese workers explicitly followed the Confucian guidelines for collective action taught in China, but their behavior was undoubtedly Confucian influenced.

Further supporting this influence is when the events occurred. The timing of the strike was the week of June 21st, purposely linked with the summer solstice, which was an important festival

in ancient China. Professor Gordon Chang points out, “The strike began just days after the summer solstice, the longest day of the year and the peak time for male energy, as the sun represented this male energy and the moon female energy” [8]. Although there are no written records to establish the facts as accurate, it is unlikely a coincidence that the strike occurred during the summer solstice.

During the summer solstice, the choice to strike would also maximize the workers’ “harmony” during the conflict. Scholars Zhaohui Fang and Thomas McConochie’s research shows that the summer solstice is deeply associated with harmony, a Confucian value that expresses itself during the summer solstice [23]. The source for this is the *Liji*, the Book of Rites—not the Analects—because the *Liji* is, in some ways, a rulebook for Confucian teaching. The Book of Rites, also known as the *Liji*, is a collection of texts describing the social forms, administration, and ceremonial rites of the Zhou dynasty. The Book of Rites is an important source for understanding the customs and ceremonies of the Zhou dynasty. The *Liji* covers moral principles in royal regulations, rituals, ritual objects and sacrifices, education, music, the behavior of scholars, and the “doctrine of the mean.” The three books together are known as the ‘Triple Rites’ of the Book of Rites, and they are central texts in Chinese Confucianism.

The word “harmony” appears more than 100 times in the *Liji* [23]. The summer solstice is particularly meaningful for achieving harmony: “*Liji* relates the significance of ‘superior men’ choosing (more literally ‘harmonizing with’) appropriate foods during the auspicious time of the summer solstice” [23]. So, according to Confucian practices, the summer solstice is a time to focus on our behavior and try to improve ourselves, especially concerning labor. The summer solstice has a long history of celebration in China, where “It has been a long tradition for officials to rest on a day of solstice in accordance with the government regulation” [26]. It is no wonder that the proceedings were peaceful and restful because this is the nature of the summer solstice in Confucian philosophy, representing the value of rest, recovery, and rebuilding of strength.

The Chinese workers gave an example of social protest that stands in sharp contrast to the behavior of strikes by non-Chinese workers. For example, in 1863, the New York City Draft Riots produced violent protest over four days from citizens that protested the draft by burning down a building on Third Avenue; panic and violence ensued and soldiers were called to City Hall [26]. A few years later, the Great Strike of 1877 was a violent event across the Transcontinental Railroad over many weeks and left 40 people dead and 100 injured [27]. The Great Strike of 1877 occurred ten years after the Chinese Labor Strike of 1867, and they illustrate two totally different ways of striking. In contrast to the Chinese Labor Strike of 1867 organized by the Chinese workers, the broader railroad mayhem with the Great Strike of 1877 was characterized by panic, violence, and was utterly disorganized [27]. Perhaps because of its violence, the Great Railroad Strike is so well known as the first mass strike in United States history [27].

The Chinese workers’ critical, unrecognized contribution is their development of labor organizing tactics influenced by Confucius, tactics that are particularly embodied in the Chinese

Labor Strike of 1867. There are many similar labor disputes in American history, but these striking Chinese workers were pioneers of using collective action derived from Confucius' principles in the emerging labor rights movement. The Chinese workers demonstrated effective large-scale collective bargaining by non-citizens, creating a tool to demand citizens' rights.

One obvious problem is that collective action is, definitionally, not harmonious. Disharmony exists when a group collectively stops work to ask for something (increased wages, better conditions, etc.) and is told no. While the point is not novel to Confucianism itself, addressing the problem of harmonious relations—in worker stress—is prescient for future generations. This mindset shows how Chinese workers carried out their efforts abroad; these are now part of the core Chinese concept of collective action. This development revealed itself across the globe when Confucianism was brought to America by the Chinese workers and demonstrated in their behavior during the construction of the Transcontinental Railroad.

9. THE PROBLEM OF HISTORICAL RESEARCH: HOW DO WE KNOW WHAT HAPPENED?

When there are incomplete facts in a historical event, historians look at all sources available for information, but there are always some missing from history. So, we ideally use first-hand accounts to know what likely occurred [28]. Those facts through testimony are unavailable in the case of the worker's strike because of language barriers, which was further exacerbated because workers were primarily writing in letters, sent abroad, and lost to history. Without those records, the Confucian philosophy can be applied explanatorily, but the relationship between the strike and philosophy cannot be established as absolute fact.

The Strike of 1867 provides insight into the treatment of Chinese workers in America during this period. For example, it shows how Chinese workers were stripped of identity agency, received less pay than white workers, and were forced to work in the harshest conditions. We have no idea of knowing for sure if we can judge the strike as a secret success or a public failure, but we know that the story is incomplete. Ultimately, this should not detract us from recognizing the broader significance of their resistance. The Chinese workers refused to submit to the dehumanizing conditions of migrant labor. They insisted that they were not disposable and entitled to a livable wage. According to modern research conducted by Professor Sue-Fawn Chung, the strike ended without fanfare. However, the Chinese workers collected their increased pay a month later [24]. If this is the case, then the Chinese workers' capitulation, described by Crocker, may be "saving face" for Mr. Crocker. Looking at the record in this way offers a Confucian solution for a situation otherwise obscured by a lack in the historical record.

When historians do not know what happened, there is an inexorable draw to declare winners and losers. As Kai Chen explains in reviewing another historical context, "the theme of victory connotes much more than propaganda. The victory, instead of being historically recorded, is intentionally invented" [25]. When history does not have complete information, there may be a

universal human desire to declare a win or loss even if you don't know what happened. As Chen says to "depict or imagine some scenes that nobody knows whether it really happens or not." [25]. In this sense, an analysis of behavioral patterns can be a tiebreaker where the record is unclear.

10. CONCLUSION

The Chinese Labor Strike of 1867 demonstrates a case of collective action without resorting to violence, and the workers did so in a way that preserved their dignity and that of their employers. In this light, the Confucian philosophy can help us understand the Strike of 1867 and the Chinese workers' place in American society at large. The Chinese railroad workers came to the United States interested in working, but they found themselves in a land that stripped them of any legal rights. However, this did not stop the Chinese from taking a stand, and when they did, it occurred in a peaceful way that was unknown to American culture at the time. Perhaps because the strike came and went without bloodshed or public controversy, it has not yet been studied by scholars of collective action. The workers' behaviors during the strike followed a pattern that Confucius set. This helped save face for all sides. Ultimately, the Confucian philosophy can help us understand the Strike of 1867 to see the development of a well-organized peaceful collective action.

REFERENCES

- [1] Sandoval, Cat. "What Does It Take to Rectify the History of Chinese Railroad Workers?" *Newsy*, 24 May 2019, <https://www.newsy.com/stories/forgotten-chinese-railroad-pioneers-remembered-years-later/>.
- [2] Asian American Education Project. "Episode 1, Lesson 2: The Contributions of the Chinese Transcontinental Railroad Workers." *The Contributions of the Chinese Transcontinental Railroad Workers*, Stanford Chinese Railroad Workers in North America, 5 Mar. 2019, <https://archive.advancingjustice-la.org/what-we-do/curriculum-lesson-plans/asian-americans-k-12-education-curriculum/episode-1-lesson-2>.
- [3] CHSSSC, Chinese Historical Society of Southern California, "Chinese Workers and the Transcontinental Railroad: A Discussion with Gordon Chang," September 2020. Video. <https://www.youtube.com/watch?v=nosPiH549M4>
- [4] Chung, Sue-Fawn, and Jessica Williams. "Working on the Railroads: Chinese Labor Contractors." California Historical Society. Online Book Talk, Online Book Talk, <https://www.youtube.com/watch?v=PI2WDfkTa3g>.
- [5] "Chinese Exclusion Act (1882)." *Archives.gov*, National Archives and Records Administration, <https://www.archives.gov/milestone-documents/chinese-exclusion-act>.
- [6] Dixon, Kelly J., "Landscapes of Change," in Chang, Gordon H. *The Chinese and the Iron Road Building the Transcontinental Railroad*. Edited by Gordon Chang. Stanford University Press, 2019.
- [7] Chung, Sue Fawn, *Chinese in the Woods: Logging and Lumbering in the American West*. University of Illinois Press, 2015, p. 244.

- [8] Chang, Gordon H. *Ghosts of Gold Mountain: The Epic Story of the Chinese Who Built the Transcontinental Railroad*. Houghton Mifflin Harcourt, 2019. pp 152; 16; 144; 145;
- [9] Chang, Gordon H. *The Chinese and the Iron Road Building the Transcontinental Railroad*. Stanford University Press, 2019. p. 349;
- [10] Pierce, Franklin, State of the Union 1853, December 5, 1853. Speech. <https://www.gutenberg.org/files/11125/11125-h/11125-h.htm>
- [11] Burnett, Peter. "State of the State Address." Jan 6, 1851. State of the State Address, Sacramento, California, https://governors.library.ca.gov/addresses/s_01-Burnett2.html.
- [12] California Supreme Court. *The People v Hall*. 1 Oct. 1854. <https://casetext.com/case/people-v-hall-2243>
- [13] Chang, Gordon H, et al. "Chinese Railroad Workers in North America." *Chinese Railroad Workers in North America*, Stanford University, 11 Apr. 2019, <https://web.stanford.edu/group/chineserailroad/cgi-bin/website/>.
- [14] Asing, Norman. "To His Excellency Governor Bigler (1852)". *Chinese American Voices: From the Gold Rush to the Present*, edited by Judy Yung, Gordon Chang and Him Mark Lai, Berkeley: University of California Press, 2006, pp. 9-12.
- [15] Twain, Mark. *"roughing It."* London: G. Routledge and Sons, 1872. Pp 282;
- [16] Tutorow, Norman E., et al. "Chapter 6: Building the Central Pacific Rail Road of California." *The Governor: The Life and Legacy of Leland Stanford; a California Colossus*, The Arthur H. Clark Company, Spokane, Wash, 2004, pp. 214–303.
- [17] "The Chinese Workers' Strike." The American Experience, Public Broadcasting Service, www.pbs.org/wgbh/americanexperience/features/tcr-chinese-workers-strike/
- [18] Confucius. Translated by A Charles Muller, *The Analects of Confucius*, Department of Education, Musashino University, Resources for East Asian Language and Thought, 1 Dec. 2021, <http://www.acmuller.net/con-dao/analects.html>.
- [19] Brown, Miranda, and Schirokauer, Conrad. *A Brief History of Chinese Civilization*. United States, Cengage Learning, 2012, p. 44; 33.
- [20] Hevia, James L. "Cheating the 'Heathen Barbarians' : Confucianism and the Opium Trade." *Journal of World History*, vol. 12, 2001, pp.115-147.
- [21] Barnes, Gina. "The Chinese in the British Empire, 1800-1949." *History Workshop Journal*, vol. 58, 2004, pp.1-15.
- [22] Mei, June. "Socioeconomic Origins of Emigration: Guangdong to California, 1850-1882." *Modern China*, vol. 5, no. 4, 1979, pp. 463–501.
- [23] Fang, Z. and McConochie, T. "Exploring the term "harmony" and its practical significance in Confucian classics with examples drawn from the Liji." *Philosophy Compass*, vol. 15, 2020, pp.1-12 e12705.
- [24] Ryan, Patrick (interviewer), and Sue-Fawn Chung (interviewee). "Telephone Interview with Sue Fawn Chung to Discuss Research about the Strike." 5 Dec. 2021.

[25] Chen, Kai. "Inventing the Victory: The Comparison Between The Greek Tragedy Persians And The Chinese Film the Battle At Lake Changjin." *International Journal of Humanities, Art and Social Studies (IJHAS)* , Vo. 1, no. No. 9, Apr. 2022, <https://vingcs.com/journals/hass/paper/vol024.pdf>.

[26] Man, Albon P. "Labor Competition and the New York Draft Riots of 1863." *The Journal of Negro History*, vol. 36, no. 4, 1951, pp. 375–405.

[27] Piper, Jessica. "The Great Railroad Strike of 1877: A Catalyst for the American Labor Movement." *The History Teacher*, vol. 47, no. 1, 2013, pp. 93–110.

[28] Yang, Lien-sheng. "Schedules of Work and Rest in Imperial China." *Harvard Journal of Asiatic Studies*, vol. 18, no. 3/4, Harvard-Yenching Institute, 1955, pp. 301–25