

Text: Land Access and Exclusion

By The Asian American Education Project

Within the Asian American and Pacific Islander community, the issue of land rights impacts different ethnic groups differently. For Native Hawaiians and Pacific Islanders, the issue of land rights centers the displacement of native people from their lands. For Asian Americans who migrated to the United States or who were born in the United States, land rights have historically centered access to land ownership. These differences are important to acknowledge because they not only illustrate the diversity of experiences within the AAPI community, but also affect the lived realities, struggles, and priorities of different AAPI communities.

Tertiary Source:

Access to and ownership of land has been fundamental to the formation of the United States as we know it today. From the colonial era to post-independence expansion, the allure of land ownership both drove immigrants to the United States and encouraged the expansion of the country through the taking of Native American lands. Land ownership and profiting from land became a way to build wealth and power. For example, after the United States declared its independence, voting rights were decided at the state level and many states only allowed white, property-owning men to vote. These requirements stayed in place until the early 1800s when owning property was no longer a requirement. This is just one example of the value of land in U.S. history. Whether through broken treaties, segregation, or exclusionary laws, the United States has historically tried to keep land out of the hands of non-white people.

Asian immigrants to the United States faced land discrimination in two key ways. First, Asian immigrants, like Black people and other people of color, were forced to live in **segregated** neighborhoods. While some communities self-segregated to create strong **ethnic enclaves**, many were forced into segregated neighborhoods either by law or in practice through exclusion, threats, violence, and discrimination by residents who wanted to keep their neighborhoods white. Second, as anti-Asian sentiments grew starting in the late 1800s, many states began to find ways to exclude Asians from the ability to own land. Some states explicitly banned Asians – or certain ethnic groups, such as the Chinese and Japanese – from owning land. Others banned the ownership of land by non-citizens, which specifically targeted Asian immigrants who were not eligible for citizenship through **naturalization** until the 1940s. These laws became known as “alien land laws.”

Glossary:

Segregated:

separated by race

Ethnic Enclave:

providing a space for individuals who share the same ethnic identity to create potentially beneficial relations

Naturalization:

the course of action taken to become a citizen of a country other than where one was born

Alien land laws were a coordinated effort to prevent Asian immigrants, most of whom had arrived in the United States as laborers, from permanently settling in the country. Depriving them of the ability to own land – for homes or for business – was one way to encourage them to return to their native countries. However, Asian immigrants found various ways to work around these laws. In some cases, they were able to have sympathetic white neighbors or friends purchase property for them. More often though, these immigrants started families and bought land under the names of their U.S.-born children. As U.S. citizens, these children were not impacted by the alien land laws and could own land.

Yet, even with this **loophole** to the discriminatory alien land laws, there were restrictions placed on who these immigrants could marry. **Anti-miscegenation** laws made it a crime for people of different races to engage in intimate relationships, especially marriage. The main purpose of these laws was to prevent whites and non-whites from marrying and having children. Additionally, restrictive immigration policies prevented Asian women from immigrating to the United States.

In the Imperial Valley of California, these policies led to the emergence of a unique **Punjabi**-Mexican community. A large number of Punjabi immigrants in California worked on farms, putting their **agricultural** skills from India to use. As a result, they regularly interacted with Mexican men and women who also worked in the California agricultural industry. Starting in the early 1900s, many of these Punjabi men decided to marry the Mexican women working in the Imperial Valley farms, starting families based on the accessibility of the women and their cultural similarities. Records show that over 350 Punjabi-Mexican marriages occurred across California in the early to mid-1900s.

These marriages, which were motivated by historical necessity, were made possible not only by the willingness of each person to accept the other's culture, but also by the ignorance of the wider society. While anti-miscegenation laws prevented Asians from marrying outside their race, to most people, Punjabis and Mexicans were both simply considered "Brown." As a result, their marriages were easily accepted and were not questioned. The community that emerged out of these unions was distinctly Punjabi-Mexican. The Mexican wives learned to cook Indian food alongside traditional Mexican foods. They were involved in the local **gurdwaras**, and many families had strong ties with other Punjabi-Mexican families too.

Loophole: an absence or something vague in a rule or law that allows people to get around it or avoid punishment

Anti-miscegenation: prohibition of marriage between people of different races

Punjabi: an ethnic group from North India and Pakistan

Agricultural: related to farming

Gurdwara: a Sikh place of worship

In 1946, the Luce-Celler Bill was passed, allowing a certain number of Filipinos and Indians to immigrate to the United States. In addition, for the first time, it allowed these immigrants to naturalize as U.S. citizens. Because of this law, the Punjabi-Mexican community was significantly affected. Now that there were more opportunities for Indian men to marry Indian women, they often chose to do so. The newly immigrated Indian women often looked down upon the Mexican women who had married Punjabi men. Despite the gradual disappearance of this community, their existence is a historically significant example of how early Asian immigrants resisted racist land policies and practiced cross-cultural solidarity.

While Asian immigrants in the continental United States faced barriers to accessing and owning land, Native Hawaiians and Pacific Islanders have had to deal with the United States encroaching upon and taking their land for private or government use. In many ways, their experiences are similar to those of the **indigenous** Native American communities, whose lands (upon which we currently reside) were taken away by the U.S. government.

In Hawai'i, American economic and military interests in the islands led to its eventual colonization and statehood after a U.S.-backed coup overthrew the Hawaiian monarch in 1893. In 1848, the king of the Hawaiian Kingdom had enacted land distribution that opened land ownership to non-native Hawaiians, such as the powerful American businessmen on the islands looking to profit from sugar **plantations**. By the end of the century, the majority of land was owned by American sugar plantation owners.

As a result of the plantation economy and U.S. military interests in Hawai'i, a small number of corporations, individuals, and governments owned most of the land on the islands. As of 2021, there are eleven military bases across Hawai'i, covering a total of five percent of the islands' land. These military bases along with extensive tourism have negatively impacted the Hawaiian islands by increasing pollution, killing natural habitats, causing water shortages, and more.

Much of this land was taken by the U.S. government after the overthrow of the monarchy by the new government which was established by American businessmen. Native Hawaiians had no input in this decision. Likewise, the State of Hawai'i (which is an entity of the U.S. government, not to be confused with the Kingdom of Hawai'i) holds a large amount of land, some of which it leases out to other corporations or institutions. One such example is Mauna Kea, a volcano on the Big Island of Hawai'i. It is one of the world's most remote places and a **sacred** site for Native Hawaiians. In 1968, the state leased over eleven

Indigenous: of or relating to the earliest known inhabitants of a place, especially a colonized place

Coup: a sudden decisive exercise of force; the overthrow of an existing government by a small group

Plantation: a large farm or estate where cash crops are cultivated, usually specializing in one crop

Sacred: holy; entitled to reverence and respect

Name _____

Date _____

thousand acres of land on Mauna Kea to the University of Hawai'i for scientific purposes and gave the university permission to **sublease** the land to contractors to build **observatories** on the volcano's peak. Since then, thirteen telescopes have been built on Mauna Kea, considered one of the best places in the world to study astronomy.

In 2014, a sublease was granted to add another, much larger telescope – the Thirty-Meter Telescope (TMT) – to Mauna Kea. The telescope would be one of the world's largest. Scientists were very excited about the project. However, many people, including many Native Hawaiians, were not. They argued that adding yet another, larger telescope to the already crowded mountain would damage it. Additionally, as one of the most sacred sites for Native Hawaiians, Mauna Kea was not meant to be utilized in this way by humans based on indigenous traditions.

The project's construction was heavily opposed by land protectors in Hawai'i. On July 15, 2019, when construction crews were called in to start work, the *kia'i* – or protectors – created a blockade at the only access road to the summit, sitting in peaceful protest against the construction. After two days, the governor of Hawai'i declared a state of emergency, dispatching police to the scene to arrest the protectors. Thirty-eight of the protectors, many elders in their 70s and 80s, were arrested and the images and videos of the arrests led to a massive influx of support from all over the world.

Kia'i continued to camp at the parking lot of the access road for almost nine months, keeping watch for TMT construction crews. The camp had between thirty and three thousand **visitors** on any given day. Protectors and visitors took care of each other at the camp. They cooked together, hosted locals and musicians from neighboring islands, created a "university" centering Native Hawaiian science and practices, and more. The camp also hosted relatives from and flew the flags of other Indigenous movements, including Guam, Northern Marianas Islands, Standing Rock, Cherokee, Navajo, Palestine, Tibet, Taiwan, West Papua, and Aotearoa. The protectors used social media to share their struggles, to build solidarity, and to communicate directly with supporters. Social media was an effective way to share calls to action that would support the Protect Mauna Kea effort. (Many communities of color and **allies** joined the cause.)

In June 2022, as a result of the massive and sustained opposition to the TMT project, a state law was passed to create the Mauna Kea Stewardship and Oversight Authority, to whom authority of the mountain would be transferred.

Sublease: a lease by a tenant to another person or group

Observatory: a building or place equipped for observation of natural phenomena (as in astronomy)

Visitors: supporters of the cause; non-Hawaiians are referred to as residents, guests, or visitors

Allies: people from privileged communities who support communities of color

Administer: to manage or

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Date _____

The eleven-member group would include representatives from the observatories, university, and community, including two seats for Native Hawaiians. The group will co-**administer** the mounting with the University of Hawai'i in 2023 and take over fully in 2028. Native Hawaiians have tried to have their voices heard and included in matters related to Mauna Kea for years, and some land protectors see the bill as an important step toward regaining some control over the sacred site.

The struggle to protect Mauna Kea became a symbol of the historical inequities and land seizures from Native Hawaiians that occurred as a result of U.S. interests, and more broadly came to represent the importance of Indigenous control over their **ancestral** lands. The Protect Mauna Kea campaign is similar to the indigenous land issues on the U.S. mainland, such as the NoDAPL (Dakota Access Pipeline) campaign launched by the Standing Rock Sioux Tribe to fight the construction of an oil pipeline that the tribe says would harm sacred sites and drinking water. Just as water protectors from Standing Rock joined the camp at Mauna Kea in solidarity, Native Hawaiians – several of whom were active in protesting the TMT – traveled to North Dakota in 2016 to show their solidarity and support as well. In fact, people of all backgrounds joined the Sioux in encampments at the construction site, marches, fundraising, and more to sustain their struggle for environmental, racial, and economic justice.

For a nation that was built on land taken from indigenous peoples – through massacres, broken treaties, and forced removal – the issue of land rights is inherently tied to the white supremacy upon which the United States was founded. White supremacy drove the **genocide** and displacement of indigenous people and motivated the banning of Asian immigrant land ownership. As a result, addressing these issues requires solidarity among victims and targets of white supremacy, who can build greater power when they support each other.

supervise the execution, use, or conduct of

Ancestral: relating to members of your family from the past

Genocide: the deliberate killing of a large number of people from a particular nation or ethnic group with the aim of destroying that nation or group

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