

Canadian Immigration Policy in the Twentieth Century

Its Impact on South Asian Women

BY HELEN RALSTON

Ce document explore les circonstances historiques, politiques et sociales qui ont déterminé les critères d'admission des femmes du Sud asiatique au Canada pendant le 20e siècle. L'auteure examine aussi l'interrelation entre le sexe, la race et la classe dans le processus de sélection, à un moment donné, du peuplement du Canada.

Gender, race and class in South Asian immigration in the early twentieth-century

It appears that British pomp and pageantry in celebration of the Empire's might and global expansion initiated the massive flow of South Asian immigrants to Canada.¹ Punjabi Indian troops, who were based in the British Crown Colony of Hong Kong and other East Asian colonial outposts, travelled through Canada from Victoria on the west coast to Halifax on the east on their way to form part of colonial troops assembled in London, first, for Queen Victoria's diamond jubilee in 1897, then for the coronation of Edward VII in 1902 (Misrow 1-2; Buchignani *et al.* 5-6). These visits prompted the later migration of Indian men from Britain's colonies in the "Far East" across the Pacific to British North America. From 1903 to 1904, about 40 men and four women migrated to Victoria and Vancouver. In the following years, immigration increased rapidly, so that by the end of the 1907-1908 fiscal year there were 5,179 settlers from the Indian subcontinent in Canada—virtually all of them in British Columbia. The immigrants were almost exclusively Punjabi Sikhs and all but 15 were men (Huttenback 175).

The perceived racial threat of massive Asian immigration provoked a riot in Vancouver in 1907 and prompted a series of legislative measures to restrict their entry to Canada. In 1908, the federal government approved an Order-in-Council² that required an immigrant to come to Canada by "continuous passage" from the country of national origin or citizenship and with a through ticket purchased in that country. There was a further stipulation that Asian immigrants from countries without "special arrangements" possess at least \$25 on arrival in Canada—with the understanding that this amount would be increased should it prove inadequate to deter such immigrants. The continuous passage stipulation was aimed specifically at Indians. It remained in effect until 1951. It effectively halted further South Asian immigration. In

particular, it banned the migration of wives of South Asian men already settled in Canada. Between 1908 and 1912 only twenty men and six women entered Canada.

The Immigration Act of 1910 reaffirmed the "continuous journey" stipulation; it overtly used racial terminology for the first time and explicitly restricted Indian immigration.³ White settlers of British Columbia vehemently opposed any suggestion that South Asian men should be allowed to bring in their wives, for thus a permanently settled community would be established (Johnston). Nor did they desire that South Asians "would ever fuse with the white population.... We do not want a mixed breed, half Oriental, half Occidental, in this country," wrote the editor of *The Daily Province* in 1912. It was in the context of this social and political stance that the editor of the *Vancouver Sun* wrote one year later:

The point of view of the Hindu (in wanting Canada to admit wives and families) is readily understood and appreciated. But there is the point of view of the white settler in this country who wants to keep the country a white country with white standards of living and morality.... They are not a desirable people from any standpoint for the Dominion to have.... The white population will never be able to absorb them. They are not an assimilable people.... We must not permit the men of that race to come in large numbers, *and we must not permit their women to come in at all* [my emphasis].

Such a policy of exclusion is simply a measure of self-defence.... We have no right to imperil the comfort and happiness of the generations that are to succeed us.

The remarks of those editors highlight the interconnectedness of gender, race and class ideologies among ruling—and voting—male white settlers of Canada at that time.

Nevertheless, there was ongoing political action to counter the gender discriminatory immigration regulations. Isolated exceptional admissions of wives and children

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were for the most part class discriminatory in favour of business and professional men, who posed no threat to white working class men (Buchignani *et al.* 36-50.; Raj 70-72).

After Britain's victory in World War I, through the help of its dominions and colonies, the British Imperial Conferences of 1917 and 1918 affirmed that South Asians already domiciled in other countries of the British Empire should be allowed to bring in wives and children. The Canadian government grudgingly approved this recommendation and a law was passed in 1920 to allow a man to bring in his wife and minor children (Smillie 228; Johnston). However, the Canadian government failed to create in India the structures for bringing wives and children into Canada. It was only in mid-1924 that a practical procedure for the registration of wives in India was put into place.

The continuous passage restriction together with gender discrimination resulted in a very unbalanced age-sex composition of the Indian population. In the 1951 Census, there were only 2,148 South Asians residing in Canada, 90 per cent of them in British Columbia. Men outnumbered women in a ratio of two to one.

Gender, race and class in South Asian immigration since the Second World War⁴

The pressure for relaxation of Canadian immigration policies became even greater after Indian independence in 1947. In 1951, a special quota agreement was passed between the Canadian government and Asiatic members of the British Commonwealth.⁵ As a result, the total South Asian population rose. The majority of immigrants, both adults and children, was male. Of the total number of 3,425 South Asian immigrants for 1951 to 1961, inclusive, only one-third was female. The quota agreement remained in effect until new Immigration Regulations were introduced in 1962.

Economic necessity overruled racist ideology to replace an immigration policy based on national origins with one to meet the need for particular skills.

The most important provision of the 1962 Regulations was the redefinition of categories of persons admissible to Canada as immigrants.⁶ The new regulations stressed education, training and skills as the main qualities for admission, regardless of race, colour, national origin or country of residence. Economic necessity overruled racist ideology to replace an immigration policy based on national origins with one which would be universally applied to meet Canada's need for particular skills. In other words, class, rather than race, was the key criterion for selection. However, the occupa-

tional characteristics underpinning these notions of skill were *gender* discriminatory in that they more readily applied to men than to women.

The 1967 Immigration Regulations confirmed a universal, racially non-discriminatory immigration policy.⁷ Despite their apparent non-discriminatory character, the 1967 Regulations were still *gender*-biased in their implicit assumption that immigrants were, for the most part, male workers who entered the country with or without family.⁸ The characteristics of the male adult, who was designated as head of the household, were used to determine eligibility of a married couple for entrance to Canada (Giles 129). Gender bias was compounded with *marital status bias*. While a single woman could apply to enter Canada as an independent immigrant, it was only in 1974 that a woman was allowed to be the principal applicant of a married couple (Boyd 19).

Gender discrimination has persisted since 1974 in that most South Asian married women who have the educational and skills qualifications to be considered as independent immigrants nevertheless entered Canada in the dependent wife or family reunification category. The terms "head of family," "independent applicant" and "principal applicant" were replaced by "labour-destined" member of the family. In the majority of cases, however, the man in the household is identified as labour-destined, not only by the state but also by the immigrant family itself (Boyd 19; Ralston 1996: 55, 1997: 20-23). Family gender relations and patriarchal definitions of family headship in the source country have socially constructed this cultural definition of gender roles and thus determined the legal status of immigrant wives when they enter Canada.

The *Immigration Act* of 1976 was the first major revision since 1952. The 1978 Immigration Regulations revised the point system to place more emphasis on practical training and experience than on formal education. They also introduced the elements "designated occupation" and "designated area" to meet specific skill shortages and to provide a means of steering immigrants away from the major metropolitan areas, respectively (Estable 28; Hawkins 69, 77). These provisions had a direct impact on the lives of contemporary immigrant South Asian women—some of whom I have interviewed over the past decade.⁹

Conclusion

Historical analysis and contemporary research demonstrate the interconnectedness of gender, race and class in state policies and practices regarding the immigration of South Asian women to Canada. From early post-Confederation years up until the 1960s, racially exclusionary and discriminatory immigration policies were based on principles which were ideological distortions of rational arguments (Richmond 98-99). Racist ideology and classist

ideology combined to exclude and discriminate against Indian male labour, which was perceived as a threat to the white male working class labour in British Columbia. Family and sexist ideologies interacted with racist ideology to preclude South Asian women from accompanying or joining their immigrant husbands and thereby fulfilling their ideologically constructed role of social reproduction. The intersections of sexist and racist ideologies were particularly evident in the special case of Anglo-Indians (the descendants of one Indian parent and one British parent). State policies decreed in 1924 that an Anglo-Indian with a British father and an Indian mother could migrate; however, an Anglo-Indian with a British mother and an Indian father could not. The same patriarchal discriminatory policy was applied to British immigrants with South Asian spouses (Buchignani *et al.* 72).

There seems to have been little recognition by policy makers or by researchers that immigration policies, regulations and practices have been consistently gender discriminatory, even when other discriminatory criteria, such as race, ethnic and national origin, have been removed. With the explicit elimination of overt race and ethnic origin discrimination in 1967, gender discrimination persisted. Sexist and family ideological rhetoric continued to justify Canada's implementation of the family class aspect of the 1992 Immigration Plan, which ignored Indian family patterns by limiting a family application to the presumed ideal Canadian nuclear family of husband, wife and dependent unmarried children of 19 years or less—despite the empirical reality of various types of Canadian family.

Moreover, patriarchal ideology in Canadian immigration policy and in South Asian familial relations has continuously constructed married immigrant women as wives of immigrant men. The womanhood and productive role of immigrant wives have been absent from rhetoric and reality. Sexist ideology has constructed all women, by implication, and South Asian immigrant women in particular, as breeders of the next generation. Their gender role is defined as social reproduction not economic production. In point of fact, few married South Asian women with high qualifications enter as the principal applicant, even though Canadian immigration law, regulations and practice now permit them to be the principal applicant of a family.

On January 6, 1999, Lucienne Robillard, Minister of Citizenship and Immigration, announced new directions for Canadian immigration and refugee protection legislation and policy (Citizenship and Immigration Canada). The new policy aims, among other priorities, to strengthen and support family reunification. In particular, it proposes,

to broaden the dependent child to better reflect contemporary social realities of longer child dependency ... (by) increasing the current age limit for a

dependent child from less than 19 years to under age 22, and (by) maintaining a provision to include older children still in full-time studies and financially dependent on their parents.... (CIC 23)

The extension of the age of dependent children is especially important for South Asian families with daughters, who, unlike the daughters of English- or French-Canadian parents, more commonly remain in the parents' household until marriage.

The proposed new *Act* would,

shift away from the current occupation-based model; it would seek to choose skilled workers with sound and transferable skill sets; [it would] emphasize education and experience, while retaining language, age, a job offer and personal suitability as selection criteria; [it would] emphasize flexibility, adaptability, motivation and knowledge of Canada, under "personal suitability".... In addition, *further research would be undertaken to determine how a new selection system might take into account the potential for the social economic contribution of spouses* [my emphasis]. (CIC 30)

To my mind, this last clause is of particular significance for married South Asian women, who, as I have already noted, almost invariably enter Canada as the dependent spouse. Such a provision, by "counting" and valuing women's educational, occupational and English language skills, as well as their personal flexibility and adaptability, might promote greater gender equality within the family and within Canadian society upon settlement.

As the twenty-first century unfolds, Canadian women of South Asian origin, together with researchers, non-government agency workers, as well as government agents, will undoubtedly monitor the impact of a revised Canadian immigration policy on South Asian women.

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¹Source for all immigration flow data: Canada, Division of Immigration, *Immigration Statistics 1896 to 1961, Immigrants Admitted to Canada by Ethnic Origin; Immigrants by Last Permanent Residence, 1962-1995; Immigrants by Place of Birth, 1980-1998*; Annual Reports, Sessional Papers. Fiscal years, 1904-1905 to 1907-1908; calendar years, 1908 to 1991. Sex ratios were calculated from these data. For detailed tables, see Ralston, 1996.

²PC 27 of January 8, 1908, PAC, RG 2, 1.

³Statutes of Canada, Edward VII 1910, Chapter 27, Article 38 (a), (c).

⁴Source for South Asian Immigrants, By Last Permanent Residence, by Gender and Age Categories, 1962-1993: Canada, Division of Immigration, *Immigration Statistics*. Source for Census data, *South Asians in Canada, by Sex, 1951-1991*: Statistics Canada, *Census of Canada* (Ottawa). For detailed tables, see Ralston (1996), Appendices.

⁵Its terms were that, commencing 1951, there was to be an annual admission of 150 citizens of India; in addition, the wife, husband, or unmarried child under age 21 of a Canadian citizen of Indian origin was to be admitted. In 1957, the quota for Indian nationals was raised to 300 immigrants per year. The Department of Citizenship and Immigration came into force on 18 January 1950. "The regulation regarding Asian immigration was widened by Order-in-Council PC 6229 of 28 December 1950, which amended Order-in-Council PC 2115 of 16 September 1930, to provide for the admission of husbands of Asian racial origin in addition to the wives of Canadian citizens legally admitted and residents in Canada, and at the same time raised the age limit for unmarried children from 18 to 21 years of age" (*Annual Report of Immigration Branch of Department of Citizenship and Immigration, 1951*). The information about agreements with respect to admission of India, Pakistan and Ceylon nationals is contained in this Report and that of the following year, 1952. These agreements with the respective governments were incorporated in the *Immigration Act* which came into effect 1 June 1953. See also, Green; Hawkins (1972).

⁶Statutory Orders and Regulations 62-36, *Canada Gazette Part II* 96 (3) (February 14, 1962), *Immigration Act* Immigration Regulations, Part I, P.C. 1962 to 1986: 126-139. See, especially, Section 31.

⁷Statutory Orders and Regulations/67-434, *Canada Gazette Part II*, 101 (17) (September 13, 1967); *Immigration Act* Immigration Regulations, Part I, amended, P.C. 1967 to 1616, 1350-1362. See, especially, Sections 31 and 32; Schedules A and B.

⁸Significantly, in January 1966, the Department of Manpower and Immigration was created by bringing together the Immigration Branch of the former Department of Citizenship and Immigration and a number of components formerly with the Department of Labour.

⁹I conducted interviews with 126 Atlantic Canada first-generation immigrant women aged 15 years and over—

one-tenth of the estimated total population of South Asian women of that age in the Atlantic region at the time. Interviews with 100 British Columbia women took place between November 1993 and December 1994. The samples were drawn in proportion to the census distribution of South Asians in the respective regions.

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ILONA WENEK-ZIEMBA

Asylbewerber Aus Polen (2)*

I too have my Berlin

my Berlin it's the nightmares from the drawings of Kathe Kolwitz

it's a holy picture upside-down

a telephone booth in flames the clanging of chains and Breakfast On The Street

my Berlin it's escaping

with a Polish passport in my pocket

at the sound of police car sirens

it's the naked bodies of thin girls and the roar of tam-tams in Victoriapark

it's craters in the sidewalks by the coloured wall and a profaned Pope in an art gallery

Kreuzberg the memento of pink hair

that lies to the East

of me

* *The title translates to English as "Refugee Claimant from Poland."*

Notes:

"Kathe Kolwitz" - German expressionist painter

"Breakfast On The Street" - anarchist demonstration I witnessed in West Berlin

"Victoriapark" - green area in Kreuzberg

"Kreuzberg" - a very special part of former West Berlin, populated mostly by anarchists, punks, German army defectors, and immigrants

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