

# A CONTRIBUTION TO INTERNATIONAL ILL-WILL

(The Immigration Act and The Chinese Immigration Act and certain Orders-in-Council.)

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IF we lay aside for the moment those excuses for irrational and even for inhuman behaviour which are usually placed beyond criticism by the potent words "History" and "Politics", the capitalist system is not the only one of our arrangements which would remain naked and defenceless. Nothing is essentially reasonable merely because its historical origins are known, and no arrangement is desirable merely because there would be strong or even violent opposition to changing it suddenly. If we could clear our minds of prejudice, it would inevitably strike us as grotesque that, in exercising its powers to control immigration into Canada, the Parliament of Canada should have hit on the idea of dividing the human race into two categories, so that each category could be subjected to appropriate regulations.

Should anyone doubt this statement, it is not difficult to verify it by an experiment. He need only ask an intelligent but badly informed man or woman—and these victims are as plentiful as the guinea pigs used in the laboratory—to guess what the two categories are. State the problem clearly. It consists in finding a significant criterion by which, metaphorically speaking, mankind can be divided into sheep and goats, for convenience in framing regulations which shall ensure the admissibility into Canada of the best sheep and the exclusion from Canada of almost all the goats. Then allow three guesses!

"Perhaps the test is religious. Canada is a Christian country. The human race may be divided into Christian and non-Christian. Is that the right answer?" "No. Guess again!"

"A language test might be reasonable. Perhaps you distinguish those who speak one of your official languages, English and French, from those who speak neither. Is something of this sort the criterion you use?" "No. You may guess once more".

"Perhaps you draw a colour line, and exclude the coloured races. Is White and Coloured the correct answer?" "No. None of your guesses are right. Would you like to try again?"

“Old and Young, perhaps? Or Rich and Poor? Or Individualist and Socialist? Or British subjects and Aliens?” “No. The true answer is that we distinguish between persons of Chinese origin or descent in male line, and persons not of Chinese origin or descent in the male line.”

The danger of this sort of experiment is that your intelligent victim may reverse the rôles, and ask you in what respect Chinese are not as other men, what qualities are common to Chinese which other men do not share, why Canada should find it convenient to place the Chinese in a class by themselves. These questions might be embarrassing, for the Chinese are not a degraded people with a low civilization and an ignoble history, nor has the impression which they have made on those who have known them best been an unfavorable one. You will find yourself groping for the old excuses based on the reasons which have actually led during the last forty years to a policy of exclusion, and the political pressure in which these reasons have expressed themselves. But your questioner is, by hypothesis, intelligent. He presses you to say on what rational grounds this policy of dealing with the Chinese as a race apart is continued. “What, for instance, would the position of the Chinese be if the Chinese Immigration Act were repealed, and they were dealt with under the Immigration Act and the regulations made in accordance with it;—if they were treated, that is, as other human beings?”

You have one more chance of evading the issue and, in consideration for the fair name of Canada, you decide to take it. You point out that the Immigration Act does not prohibit the entry of men or women of any race, provided that they comply with conditions which are not unreasonable, while the Chinese Immigration Act does (with few exceptions) prohibit the entry into Canada of anyone of Chinese origin or descent, no matter what his personal merits, and no matter what his nationality or where his domicile may be. Large groups of people are, no doubt, excluded from Canada under the terms of the Immigration Act; but the grounds of exclusion, while not altogether uncontentious, are reasonably intelligible. Those who are kept out include physical and mental defectives; criminals, even if they are physically and mentally beyond reproach; illiterates no matter how healthy, sane and moral they may be; and persons of revolutionary tendencies even if they are healthy, sane, moral and well-educated. These categories would not perhaps comprise more than a small proportion of the persons of Chinese origin or descent who might wish to migrate to Canada. Hence, you may say, the need for a special Chinese Immigration Act, if Chinese are to be excluded.

But your intelligent questioner has heard you say something about regulations made in accordance with the Immigration Act. "Do these regulations," he asks, "provide a means of restricting immigration which might cover the case of the Chinese? Are men and women of other races actually admitted fairly freely to Canada?"

You decide to be candid. It is true that there is an Order-in-Council (P. C. 2115, dated 16th September, 1930) which totally prohibits the landing in Canada of any immigrant of Asiatic race. It does not apply to Japan, because a series of agreements have been made with that country, of which the most recent is that of 1928. There is no great difference between the severity of the rules restricting Asiatic immigration in general and the severity of the Chinese Immigration Act.

"Is there any difference at all? Does the Chinese Immigration Act exclude anyone who would not be excluded in any case by P. C. 2115?" "Yes. The Chinese Immigration Act still has some effect. The Chinese Immigration Act applied to all "entrants" into Canada, while the Immigration Act, and the regulations made in accordance with it, deal only with "immigrants", that is, with entrants who intend to acquire Canadian domicile. But for the Chinese Immigration Act, Chinese students might come to Canadian universities, Chinese tourists might visit Canada, and perhaps Chinese merchants might make a temporary sojourn here. Then P. C. 2115 makes an exception, which has no counterpart in the Chinese Immigration Act, for the wife or unmarried children under eighteen years of age of any Canadian citizen legally admitted to and resident in Canada."

"Is it solely for the sake of these special cases, which in the aggregate can hardly be said to constitute a menace to Canada, that the Chinese Immigration Act is retained?"

"The Order excluding Asiatics has not always been quite so severe as it has been made by P. C. 2115, which was made on 16th September, 1930, ostensibly because of the unemployment prevalent in Canada. Previously they had been admitted in a few cases under P. C. 182, dated 31st January, 1923. Agricultural labourers, female domestic servants, and farmers with capital were the favoured categories. Each Asiatic immigrant must possess \$250 in his own right. From British Columbian ports skilled and unskilled labour of whatever race was barred by P. C. 1202, dated 9th January, 1919. Asiatics are not likely to enter by Atlantic ports. Finally, under P. C. 23 of 7th January, 1914, all immigrants must come to Canada by a continuous journey from their country of origin, on a ticket purchased in that country or prepaid

in Canada. Thus even before the Order of 1930, it was not easy for Asiatics to enter Canada, unless of course, they were Japanese, for P. C. 182 like P. C. 2115 does not apply to Japan. Even if they had enjoyed the status of Asiatics in general, Chinese would not have entered at all freely."

"What would happen if Chinese were given the same privileges as Japanese?"

"Japanese are admitted only if they have passports with a visé from the Canadian Minister in Japan. Numbers are limited to 150 a year. They must fall within a very limited number of categories: domestic servants for employers of their own race; farm labourers for Japanese; the wife and children of a Japanese resident in Canada. If a similar concession were extended to Chinese, the numbers would no doubt be lower, because the figure of 150 is presumably chosen with relation to the number of Japanese resident in Canada and their reasonable requirements in the matter of servants, labourers and wives".

"What is the point of precluding Chinese with Canadian domicile or even citizenship from bringing their wives and children to Canada? What interest have Canadians in keeping the Chinese in Canada *soli et casti*? Are they in some way unfitted for family life or remiss in family obligations"?

"Far from it; they have a high reputation for filial piety and for care of their children. But the object of the exclusion of wives and children is probably to limit the numbers in the next generation of Chinese in Canada to the children of Chinese women already in Canada. The effect of this limitation will be that the numbers of Chinese in British Columbia will fall rapidly in the next twenty years, until a small and manageable Chinese community remains. It may be inhumane to exclude the wives and children, but we do it for the benefit of the next generation of Canadians".

"Presumably, that is a very important consideration in a young country? Does it influence your social policy as well? Do you, for instance, make careful provision to prevent the propagation of the feeble-minded, and to provide for the careful education of defectives"?

"We are not, one must admit, altogether logical in these matters. No doubt it may be quite as undesirable for our posterity to have for fellow citizens feeble-minded Caucasians or idiot negroes as sane Chinese. But the question of cost enters into the matter. It costs very little to exclude Chinese women. While we have agreed not to mention politics, the same sort of consideration which makes it good politics to exclude Chinese makes it bad politics to prevent

the propagation of the unfit. Too many voters would be affected, and as likely as not they are good members of the .....

"You must not say of which party! Academic freedom is all very well, but it should not be abused. But have you counted the costs quite fairly? Might it not be a positive financial gain to limit the numbers of the feeble-minded, especially in those classes in which their families cannot support them? And might there not be some advantage in treating Chinese citizens with courtesy and consideration? Are you sure that it has cost Canada nothing to treat the Chinese as a race apart? Are you sure that it will cost nothing in the future? Why, for instance, do you treat the Japanese differently?"

"Perhaps we are inconsistent. If we neglect politics and history, we must appear insincere in excluding Chinese on grounds which we might apply to Japanese as well, and in excluding the wives of Chinese on grounds which might equally well lead us to control the feeble-minded. We treat the Japanese differently for a reason which is historical and political. The Japanese provided themselves with powerful armaments, and became valuable as allies and dangerous as enemies. They were faithful allies in a time of great danger. China has not amounted to much in a military sense. Besides, by treating the Japanese with courtesy, we have secured their goodwill. They resent very bitterly the American exclusion law of 1924."

"Are the Chinese incapable of resentment? Or is their goodwill not worth having? If it is worth having, the price seems very low. You do not surely hope to get it for less?"

"I suppose that Chinese are both sensitive and capable of resentment, and their goodwill is well worth having. We hope that we do treat them well enough to secure their goodwill. There is a certain relativity in these matters. We may not treat them well, but many other nations treat them worse. The Chinese have enough to think about in freeing their country from invasion, in securing their power at home, and in negotiating about extra-territoriality, without bothering about the wives of their emigrants. We have quite seriously discussed sending a Minister to China, as we have sent one to Japan, if anything more is needed to show our friendliness".

"But your Chinese Immigration Act is definitely insulting. Even if you will not treat the Chinese as well as you treat the Japanese, why not repeal the Chinese Immigration Act? The main effect would, you say, be to admit students and perhaps merchants or tourists".

"Politically, it is out of the question. Canada is not governed by a dictator. You cannot in reason expect members of parliament to take a step which may make bitter enemies and which is not likely to win them a single vote. Most Canadians of Chinese race live in British Columbia, and if they live there they cannot vote even in Dominion elections unless they served in the war, and, so far as I know, none of them did. On the other hand, there would be bitter opposition to anything which *looked like* opening the door to Chinese immigration".

"How do you account for so curious a state of mind? It seems almost comic that strong political feeling should be aroused by a proposal to make family life accessible to a few thousand Chinese in Canada. It is not as if Canadian women wanted to marry them themselves;—that would be a rational motive".

"We are not dealing with rational motives. It is a matter of strong racial prejudices re-inforcing an economic fear. If we meet people alien in race, in civilization, in religion and in thought, we feel a genuine curiosity about them, and we are as likely as not to take a real liking to them. But if we feel that a foreign mode of life is likely to be thrust upon us, it is another matter. For instance, in a university, a few foreigners, a few Japanese, a few Indians, a few negroes, a few Chinese are usually welcome. They are objects of interest. Universities on the Pacific Coast sometimes congratulate themselves on affording unusual opportunities for international contacts. Increase the size of any one group, and it is another matter. It begins to have a life of its own, distinctive or exclusive interests which make it conscious of itself and which make others acutely conscious of it. Foreign individuals are often popular, foreign groups rarely are. Immigrant groups are no exception to this rule. Immigrants are most welcome if they can lose their identity as soon as possible. Loss of identity is in the main a psychological process. It takes place through social relations, in business, in sport, in society, in schools and universities. Ironically enough, identity disappears in institutions in which we attempt to develop personality, and not merely in gaols and asylums. A tenacious culture may be a psychological obstacle, particularly if it is backed by pride of race, religion or language. This psychological obstacle is probably not very important in the case of Asiatic immigrants. The important obstacle in their case is that of racial physical characteristics, which while not in themselves a barrier, persist and label their bearer as foreign. The label remains even when it is fundamentally a false label, much as a trade reputation may remain after the article has deteriorated".

"You have explained, though you have not justified, race prejudice. Can you explain and justify economic fears?"

"Immigrants are both customers and competitors. If immigration is properly balanced and suited to the conditions of the country, these two aspects off-set each other. With increased numbers we develop not unemployment but greater specialization and thus greater *per capita* wealth. But if, as is likely, immigration is not properly balanced and suited to the condition of the country, the process of balancing has to take place. This process is usually painful, and may be accompanied by unemployment. It closely resembles the readjustment which must follow a period during which new inventions are applied to save labour in industrial processes. It may thus be dangerous as well as painful, though in the long run it will probably lead to greater *per capita* wealth. In practice a panic element enters into the question, and the degree of unemployment attributable to immigration is likely to be exaggerated, and the degree of additional *per capita* income attributable to immigration is likely to be underrated. Much of the dislike of Asiatic immigration is to be traced directly or indirectly to this source. Non-Asiatics think that wages would be higher and employment better if there were no Asiatics in Canada and if none had ever been admitted. Probably this belief is true at some times and false at others. It has never been scientifically tested. It has at times been very intensely and emotionally held. Shiploads of men arrived ready to work for lower wages than those which prevailed in Canada. It was assumed that these were only a small proportion of the men who were ready to migrate as opportunity offered. Subconsciously we are all Malthusians at heart. The situation seemed a nightmare; Malthusianism with its geometrical ratio reinforced by immigration, and with its tempo accelerated by the high birthrate of an immigrant group, in a land of plenty! The one element of safety appeared to be that the Chinese brought very few women with them. A further economic apprehension arose. The Chinese remitted money to China to support their families there. It was thought that these remittances constituted a drain on British Columbia, and that the province would be much better off if it received settlers who would spend their earnings in the province. All the economics of protectionism supported this view".

"No doubt these considerations explain the acts of the past and the sentiment which exists to-day. But do they justify that sentiment? Can Canadians not change their minds as circumstances alter?"

"That is an educational problem. We have made many experiments in education, some of which have been curious, but we have not succeeded in training people to discard prejudices the moment these lose any valid claim to be justifiable beliefs. Our people call their prejudices principles, and boast naively of the tenacity with which they cling to them".

"Does this mean that the racial prejudices and the economic fears remain to-day in undiminished intensity"?

"No. They are altering perceptibly, though gradually. Any abrupt action might make them flare up again. Let us look at them one by one. The Canadian-born Chinese and Japanese, while they are still subjected to some disabilities both economic and political, are so obviously not a danger to the community that there is probably now more sentiment for than against their equal treatment. If they do not throw away their advantages by impatience, they are quite likely to be treated like other men and women within the next ten years. The widespread understanding, or to speak more frankly the popular exaggeration, of the importance of conciliating the goodwill of foreign countries in which we wish to find markets has led to a total cessation of racial slights of a petty character. In labour circles doctrinal emphasis on the class war precludes racial enmities, except in countries in which the foreign race is identified with the hostile class. It is not as capitalists that the Chinese and Japanese in British Columbia are conspicuous".

"In the second place, even apart from the recent Orders-in-Council, the restrictions imposed on immigration in general have removed any danger of its being a menace—even a temporary menace—to the wage level. For many years the entry of 'skilled and unskilled' labour through British Columbian ports has been forbidden, and Asiatic labour is unlikely to enter by way of Halifax or Montreal. It is true that agricultural labour and domestic service are not counted either as skilled or as unskilled, but followers of these two careers in British Columbia are not politically influential, and politically speaking, no one cares how low labourers' and servants' wages fall".

"The fact that the Chinese send remittances to their families in China would, if knowledge of foreign trade were more widespread, be accepted as one of the ways in which China pays for her imports, and among other imports for the goods which China buys from Canada. But enthusiasm for foreign trade has hitherto been identified with a search for markets, and not with a study of how those markets acquire the purchasing power which makes



them markets. Consequently, an argument that Chinese, like men of other races, should be allowed to bring their wives and children to live with them might be reinforced by the suggestion that if they did so, they would spend more of their earnings in Canada".

"If this view of popular opinion is correct, what would happen if the Chinese Immigration Act were repealed to-morrow"?

"The men who repealed it might or might not lose some votes at the next election. Apart from that, the fortunes of Canada would not be greatly affected. An influx of Chinese immigration would be impossible under our existing Immigration Act and regulations. The arrival of a few students would probably be welcomed and so, if it took place, would the arrival of a few merchants and a few tourists. But the best time to repeal the Chinese Immigration Act would be just after a general election, and not immediately before one".

"And what would happen if Chinese were accorded concessions similar to those which have been accorded to Japanese?"

"To make such concessions would be far bolder. Probably it would be bolder action than we have any right to expect from the politicians of a democracy. They are what their electorates make them, and courage to resist their electorate or to challenge its prejudices is not a quality likely to be developed by a struggle for existence which takes the form of elections. However, for the sake of argument, let us suppose that our politicians display the necessary courage. The material consequences of their bold step would be slight, but its moral benefit would be great. Perhaps a thousand Chinese would enter Canada in the next ten years, and these would not numerically take the place of those who are likely to die during the same period. There would be a change in attitude towards Canada of Chinese living in Canada. To the next generation we should pass on a larger racial minority, but a more contented one. A great obstacle to good relations with China would be removed. The appointment of a Canadian Minister to China has been discussed. It would be an empty gesture, and an undignified gesture, while the Chinese Immigration Act remains on our statute book. It would, on the other hand, be a very impressive act if the new Minister were empowered to negotiate an agreement with China on the lines of the most recent agreement with Japan, providing for the entry of limited numbers of specified classes subject to the issue of passports by the Chinese Government and to their receiving the visé of the Canadian Minister".

"If I understand you correctly, you think that Canada would be well-advised to treat Chinese and Japanese alike. You think

that the insulting Chinese Immigration Act might be repealed by a parliament fresh from elections at which its members had given no more specific undertakings to the voters than to do all in their power to promote good-will between nations as a step in restoring prosperity; but you think that to repeal the Chinese Immigration Act on the eve of an election might be politically foolish. When we come to extending to China the privileges which Japan enjoys, you think that no democratic Government could be expected to do this, although it would be a wise and far-sighted act. Do not these opinions of yours imply contempt for Canada's political organization"?

"Most opinions on social and economic questions do that. As I pointed out at the beginning of our discussion, opinions apply rational tests to policy. Governments which did this would not survive. It is a greater evil to be without rational policies than to be without Governments, which means that our political system might be defended even rationally as the least of the evils among which we must take our choice. One might distrust our Government as a device for securing wise policies, and yet admire it as a most ingenious device for avoiding anarchy."

"To take such a position is to transfer your distrust from the Government to the people whom you represent as being incapable of tolerating a reasonable Government".

"Contempt and admiration are both out of the question. The Canadian people are no worse than other peoples. Of course, if we are prepared to behave rationally we should be rich, prosperous and peaceable. Our whole life would be revolutionized, for good or evil. Canada would rapidly become a Utopia. But the consequences from the standpoint of our immigration law would be curious. We should then be thoroughly justified in a policy of rigid exclusion. We should have, of course, one Immigration Act and not two. We should not distinguish Chinese and non-Chinese. But if we were ourselves capable of a social and economic organization which was completely reasonable while the rest of the world remained as it is, we might very appropriately divide the human race into two categories: Canadians and non-Canadians, which would correspond closely to the categories sane and insane. We should apply the principles of the Chinese Immigration Act to all races and all nationalities. We should prohibit all immigration for the same reason for which to-day we should prohibit interbreeding with monkeys, were such a thing possible. For if we were capable of reasonable government, that is if we were capable of pursuing consistent policies directed to conscious objectives, we

should be a race apart, as different from the rest of mankind as man in his most sanguine moments believes that he differs from the ape”.

“To return to the actual world, do you or do you not think that Canada has an important decision to make in regard to her treatment of the Chinese? Do you or do you not think that something should be done”?

If you have let the argument drift as far as this, you are more or less cornered and you naturally try to escape by a reasonable compromise. Do not be surprised if you find yourself saying something like this:

“Yes. Quite seriously I think that the case for repealing the Chinese Immigration Act is overwhelming. The Act is insulting. It could not be justified for a moment in discussion, except by arguments which would justify wars or persecutions. Sooner or later we shall be forced to repeal it in order to retain the goodwill of China. To act now, without coercion, at a time when China is weak and is beset with perils, would be to act gracefully and with dignity. To make it impossible for other nations to say to us, ‘How can you advocate disarmament when you take advantage of the weakness of one country (China) and make concessions to the strength of another (Japan)?’ is well worth, in my opinion, the sacrifice involved in stirring up public discussion”.

“And this is as far as you would go”?

“Yes, for the moment at any rate. I can see no valid objection to extending to China the same privileges which we extend to Japan. From the standpoint of Canada I can see great advantages, for we should avoid creating an embittered minority of Canadians of Chinese race. But perhaps these advantages are not worth the controversy through which alone they could be secured. In a few years they may come naturally enough, and might even be quite acceptable, as part of a general understanding with China in which they were conceded not as an element in bargaining but as a gesture of goodwill”.