

**Keynote Speech by Senator Vivienne Poy**  
**The Chinese Head Tax Redress Controversy**  
**Koffler Institute for Pharmaceutical Management**  
**University of Toronto**  
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Prof. Fong, thank you for inviting me to speak to your class today. Asian-Canadian Studies within the Department of Canadian Studies, has finally happened, thanks to the hard work and persistence of academics, such as Prof. Sylvia Bashevkin of the Canadian Studies Program, and President Frank Cunningham of Innis College. This pilot class on Asian communities in Canada is very important because it gives us the opportunity to view Canadian history in a new light, and also to discuss the current reality for Asian Canadians.

Today, I would like to discuss Chinese Head Tax Redress with you because it is a current issue, and when you read about it in the newspapers, it is important that you have a clear understanding of the historical background, both in Canada and in China, as well as the current controversy in Chinese Canadian communities.

I will speak on some historical facts of the Head Tax, the current redress issue, and raise some questions for everyone to discuss. So, even though Professor Fong has given me 1 ½ hours, I will only be speaking for about half of that time, so that many of you will be able to partake in the discussion. Please keep in mind that, if I don't have all the facts, I would be more than happy to be corrected and to listen to your opinions.

Before I begin, I would like to thank Emeritus Prof. David Lai of the University of Victoria for all his help in providing data, the proceedings of the National Conference of Chinese Canadians in Winnipeg, in March, 1991, as well as some of the pictures for this presentation. Professor Lai is recognized as an expert on Chinatowns and the Chinese communities in Canada, and his help has been invaluable.

First, I would like to put the issue in its historical context.

Up until the latter part of the twentieth century, Canada was a racist country, similar to other Western countries.

- Here are some of the caricatures that show how Asians were thought of by society: This one says “And he went for the heathen Chinese”.
- The next one shows a Chinese man being arrested. So Chinese were viewed as criminals and heathens by the white of people in Canada.

Today, it is difficult to imagine such intolerant views existed in Canadian society, but they were common throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries. It was only towards the last part of the 20<sup>th</sup> century that there was a shift towards the kind of multicultural, tolerant society that we have come to associate closely with Canadian values today.

The first influx of Chinese into Canada was during the gold rush along the Fraser Valley in British Columbia that began in 1858. They first came north from California with the news that gold had been found, and subsequently, more came from south China. There were prospectors from all over the world in British Columbia, and at that time, everyone was welcomed.

Why, you may ask, did the Chinese come to Canada (U.S., Australia, New Zealand), and why were they all from the same region of south China? Well, it was for economic reasons.

In the middle of the 19<sup>th</sup> Century, there was a large increase in the population in Guangdong province, and there wasn't enough land to feed the population. For that reason, the majority of those who went abroad were poor peasants.

Why were these migrants all from the coastal region of south China? That was because this region had contact with foreign countries. And, because of the abolition of the slave trade (at different times in different countries, and in Britain in 1833), labour was needed by Western countries in their colonies. So here is the push and pull factor in human migration.

For many poor Chinese peasants, going overseas meant economic survival, and despite discrimination, it was still the preferred option for them rather than remaining in China. Places like British Columbia (or California) became known as Gold Mountain. Despite the fact that many didn't end up mining for gold, they were able to find jobs that paid much higher than what they could make in the villages back home.

Going overseas was greatly desired by the men in the villages, and it became a tradition and chain migration started. The chain migration was only that of the men and adolescent boys, and not the women. Very often, villagers would pull together their money to sponsor young men to go abroad, and after the head tax was introduced in countries like Canada, the sponsorships continued. So those who managed to make money overseas could then send for their male family members, or male members of their villages. And, these men who went to make a living overseas came to be known as Gold Mountain guests, and they were very much sought after as marriage partners back in the villages in China.

I am going to read you a small passage from *The Excluded Wife* by Yuen-Fong Woon.

*If you have a daughter, don't marry her to a baker  
Or she will not get half a year's sleep out of three.  
If you have a daughter, don't marry her to a farmer  
Or her legs will be covered in cow dung and her hair  
Will be full of dust.  
If you have a daughter, you should marry her to a Gold Mountain guest.  
Whenever his boat turns around, she will have dollars by the hundreds.*

The men would go back to China to get married, and then leave their wives, and would return to Canada or other oversea destinations where they normally lived and made a living. There would be conjugal visits once in a while. The wives remained in China with the mother-in-law, and raised the children. When the boys reached adolescence, they would be sent overseas to join their fathers, uncles and grandfathers.

So, in a very large part of the coastal areas of southern Guangdong province, the families of these Gold Mountain guests, known as “overseas Chinese families”, not only had high status among their peers, because of their conspicuous spending habits, and their “foreign” looking houses, they were also comprised of mainly women and children. This area became a major headache for the government of the People’s Republic of China right through the 1950s because of the total lack of man-power in this region, as well as the contradiction of the status of these households. The communist Chinese government vacillated between treating them as landlords’ families and as workers’ families.

The reason I have spent some time in pointing this out is because this particular Chinese tradition of leaving the women behind in China is not mentioned in any of the Chinese Head Tax Redress documents that I have seen.

Do you remember I said earlier that everyone was welcomed in B.C. at the beginning of the gold rush?

In 1861, a Victoria newspaper, *British Colonist* wrote:

*"We have plenty of room for many thousands of Chinamen. And notwithstanding they may not bring their wives with them to settle permanently in the country, nor build school houses, churches, or acquire our language, but continue to live and work among themselves, yet there can be no shadow of a doubt but their industry enables them to add very largely to our own revenues...."*

Also, in 1861, an Act to enable Aliens to Hold Real Estate was passed, which gave aliens the same rights of ownership enjoyed by British subjects. The Aliens Act was also passed in the same year, which provided that “Aliens resident for three years within the

Colony who shall take the Oaths of Residence and Allegiance shall have all the rights of British subjects.”

However, by the mid 1860s, racist incidents started to happen. Many were incited by Californians, eg. Leonard McClure, who started the *Victoria Gazette*. By 1869, the United States had completed its transcontinental railroad, and many of their newly unemployed workers made their way to Canada, many of whom were Chinese with great experience in railway building, and they were sought after by Andrew Onderdonk, who had most of the contracts to build various sections of the railway in British Columbia.

In 1879, the second wave of Chinese immigration to Canada began with the building of the Canadian Pacific Railway in British Columbia. The CPR, which was essential to Canada’s growth as a nation, was built on the backs, and with the lives, of Chinese labour.

These labourers, most of whom were from south China, were brought in by contractors for the building of the railroad, and this was done despite the objection of British Columbian politicians and labour groups.

A total of 17,000 Chinese labourers were brought in to build the railroad. The reason why they were essential was because they were reliable, hard working, and willing to work at half the wages of white workers, and were also willing to take on the most difficult and dangerous jobs. It is estimated that at least 4 Chinese died for every mile of track laid, due to exposure, explosions, scurvy, or malnutrition.

The Prime Minister of the time, Sir John A. MacDonald, acknowledged that without the Chinese, the railroad could never have been built within a reasonable period. He said in the House of Commons on May 12, 1882:

*...if you wish to have the railway finished within any reasonable time, there must be no such step against Chinese labour. At present it is simply a question of alternatives – either you must have this labour or you cannot have the railway.*

In 1885, when the railroad was completed, the Dominion government adopted the attitude of the British Columbia politicians of viewing the Chinese as a problem because they were no longer needed.

I will read a poem by F. R. Scott (1899-1985):

*All the Spikes but the Last  
Where are the coolies in your poem, Ned?  
Where are the thousands from China who swung*

*Their picks with bare hands at forty below?  
Between the first and the million other spikes  
They drove, and the dressed-up act of  
Donald Smith, who has sung their story?  
Did they fare so well in the land they helped to  
Unite? Did they get one of the 25,000,000 CPR shares?  
Is all Canada has to say to them written in the  
Chinese immigration act?*

Oriental immigration came to be viewed as a problem in Canada, and a Royal Commission was set up in 1884 to report on the Chinese and the Japanese residents, and what could be done to curtail future immigration. Now, the Japanese case was quite different because Japan was becoming a military power in the Pacific region, and since it is a different topic, now is not the time to speak on it. However, in respect to the Chinese, the Royal Commission concluded that a Head Tax should be established and set at \$50. This amount was determined by the maximum amount a Chinese labourer was able to save per year after his living expenses were paid, which was estimated to be \$48. It is important to point out, that the Chinese was the only group singled out by racial origin to have legislation passed against their entry.

No doubt most of you here today are aware of why the Head Tax was imposed. The main reason was that the British Columbia politicians were concerned by the rapid growth of the Chinese population in comparison to the rest of the population in the province, and they were dreadfully afraid of losing the support of the working class who feared competition from Chinese labour.

I will read you a quote by Sir Matthew Begbie, Chief Justice of British Columbia, from the Royal Commission Report of 1885:

*Industry, economy, sobriety, and law-abidingness are exactly the four prominent qualities of Chinamen as asserted both by their advocates and their adversaries....if Chinamen would only be less industrious and economical, if they would but occasionally get drunk, they would no longer be formidable competitors with the white men which they prove to be in the labour market; there would be no cry for suppression.*

Historical facts tell us that the Head Tax did not discourage Chinese immigration, and so the amount was increased in subsequent immigration acts, which specifically addressed Chinese immigration, to \$100 in 1900, and to \$500 in 1903.

This is a sample of what the head tax certificate looked like. All Chinese had to have copies of this certificate available to prove that they had paid the head tax to enter

Canada. The certificate needed to be stamped if any Chinese who left Canada wished to return after visiting China.

Remember what I said before about the economic reasons why so many Chinese came to Canada. So it is not surprising that between 1885 and 1903, 39,925 Chinese paid the Head Tax to immigrate to Canada. Initially, right after the 1903 increase to \$500, the numbers of Chinese entering Canada plummeted to about 8 from 5,000. However, the numbers soon rebounded.

From January 1904, after the tax was increased to \$500, until the passage of the Chinese Exclusion Act of 1923, 42,444 Chinese paid the Head Tax to come to Canada (between 1886 to 1924, a total of 82,369 paid the Head Tax to enter Canada. The Chinese Exclusion Act in the U.S. was passed in 1882). This graph illustrates the increase in the numbers entering Canada, after the increase in the Head Tax, reaching a high point just before 1914 at 7,000. What these figures tell us is that the Chinese clearly wanted to come to Canada, and that no amount of Head Tax would discourage them.

It was undeniable that the Head Tax was a profitable venture for the Government of Canada, as well as the province of British Columbia, because they collected 18 million dollars from Chinese immigrants between 1885 and 1923. (From 1885, 1/4 was paid to the B.C. government, and the amount was increased in 1904 to 1/2.)

Here is another important point to note. It is the fact that the Chinese kept coming into Canada despite the imposition of the Head Tax, even at \$500 per person. This fact is also missing in the documents for the Redress arguments.

A lot has been said about the Canadian government separating families, but if you look at the pattern of Chinese immigration overseas, not just Canada, you will see that, until after the Second World War, the immigrants were mostly adult males. This is another point that was not mentioned in the Redress documents. There were a few Chinese women in Canada, some were wives and children of merchants, teachers or diplomats, and some were their servants. Female immigrants were very few and far between. Other women came in by whatever means, while some entered illegally.

So, it was a tradition that the women were left behind in China, not by their own choice, but because of Chinese culture and tradition. Even after the Second World War, if it had not been for the civil war in China, and the establishment of the People's Republic of China, I would not be surprised if many of the women and children would still be in China today.

It is true that, until after the Second World War, many Chinese immigrants viewed their stay in Canada as transitional, a way to make money to bring back to China, and that most of them had the intention of returning anyway.

In reading the transcript of the Chinese Canadian Congress meeting in Winnipeg in 1991, the point was raised about the 1904 Treaty between the United Kingdom and China on the *Employment of Chinese Labour in British Colonies and Protectorates*, which gave the Chinese the right to immigrate to Canada because it was a British Colony. However, one point was left out by the person who made the presentation, and that was, that since 1867, Canada has been a separate country, and was no longer a colony. And in the case of those from the Indian sub-continent, referred to as South Asians, despite the fact that they were British subjects, they also had legislation passed against their entry by the “Continuous Journey” amendment in January 1908, which only allowed those traveling by continuous passage from their country of origin to enter Canada. (All Asians were now also required to have \$200 on each person) Since there was no such thing as a direct ticket from India to Canada, this legislation just about excluded them from entering Canada, even though they were not mentioned specifically by name in the legislation.

In 1914, the Komagata Maru incident vividly illustrated the racism against all Asians in Canada at the time. The Komagata Maru was a ship hired by a Sikh leader bringing 376 East Indian immigrants to Vancouver by non-stop voyage. When it arrived, Canadian immigration officials refused to allow the men to disembark, and so the ship languished in the harbour for two months, after which it was escorted back to sea.

It is important to note that, until the second half of the 20<sup>th</sup> century, Canada was supposed to be a white country, preferably British, and that was why only those of British or northern European descent were welcomed. Discrimination was extended to anyone regarded as unassimilable, such as southern Europeans, and religious groups, such as the Hutterites and the Doukhobors.

In order to prevent those of non-British origins from entering, Canadian politicians did all they could to bar their entry. One of the ways was through negotiations with foreign governments. The Canadian government did attempt to abolish the Head Tax in exchange for self-regulation by the Chinese government on the emigration of its citizens, similar to the Hayashi – Lamieux agreement with Japan.

In 1908, Mackenzie King went to Beijing to discuss the issue with Liang Tun-yen, the acting president of the Ministry of Foreign Affairs. However, the officials at Foreign Affairs suggested that King return to Canada, and bring forward any matter for discussion with the Chinese Consul-General who was being appointed, and in turn, he would refer the Canadian position to the Chinese Foreign Ministry for instruction. So, the opportunity

for an agreement was missed because of the evasive and indecisive attitude of the Manchu government.

In June, 1914, the Chinese Consul General in Ottawa suggested that the Chinese government was willing to restrict the number of emigrants to 1,000 per year, but the Canadian government felt that the number was too large, and no agreement was reached. So, I do put the blame partially on the Chinese government at the time.

On July 1, 1923, on what Chinese Canadians refer to as “Humiliation Day”, the Canadian Government passed the Immigration Act which effectively excluded all Chinese immigration to Canada until after the Second World War. The Head Tax was removed because it was no longer necessary. From that point on, those who wanted to send for their family members, which were usually male members, were no longer able to do so, until the repeal of the Act in 1947.

You’ll note from this slide, that while many Chinese came to Canada, many also returned to China, particularly during the 1920s. This shows the transitional nature of Chinese entry into Canada. This is a fact that is very seldom mentioned.

Now, we will fast forward to present day, to the Head Tax Redress Campaign and the controversy around it.

In 1984, an elderly Chinese-Canadian man went to the office of MP Margaret Mitchell (NDP) of Victoria, and asked if he could expect to be compensated for the Head Tax he paid. That was, to my knowledge, the beginning of the Head Tax Redress Campaign.

Shortly after this, the redress issue received a major moral boost, because in 1988, Prime Minister Brian Mulroney formally acknowledged the wrongs done by the Canadian government to the Japanese Canadians, and authorized the provision of C\$21,000.00 to each of the individual survivors of wartime detention.

Like everything else in Canada, events seem to follow those in the U.S. In 1980, the U.S. Congress conducted hearings into the internment of Japanese Americans. A year before the Canadian agreement by the Mulroney government, the U.S. government offered an acknowledgement and individual compensation package to the Japanese American internees. (unlike Canada, there was no confiscation of properties in the U.S.)

Please note that the language used in the official document by the Mulroney government to Japanese Canadian community, the words used were “acknowledge”, “pledge” and “recognize”. The government acknowledges the treatment of the Japanese

Canadians, and the government pledges to ensure it won't happen again, as well as it recognizes the commitment and loyalty of the Japanese Canadians to Canada.

It is important to note that nowhere was the word “apologize” ever used. I point this out because the Chinese communities all want an “apology”, even if they cannot agree on anything else. One of the things I learnt in Ottawa is that the federal government is very reluctant to use the word “apology”, because legally speaking, it means liability, and the government can be sued for monetary compensation, even at some future time. And because there are so many groups out there asking for redress, the government feels that there would be no end to it.

The Japanese redress movement was successful and a comparison has often been drawn to that of the Chinese Head Tax Redress Campaign. I want to point out two major differences:

- the Chinese who paid the Head Tax to come to Canada were Chinese nationals and not Canadians. The Head Tax was to prevent the Chinese from entering the country. The Japanese who were interned were Canadians or residents of Canada.
- Unlike the Japanese Canadians, the Chinese were not interned during the Second World War, and to my knowledge, they never had their belongings and properties confiscated and sold at any period in Canadian history.

So, comparing the two is like comparing apples and oranges.

Significantly, unlike the Japanese, the Chinese fought alongside Canadians during WWII. Many of these veterans reject the idea of compensation, despite discrimination, because they have always seen themselves as Canadian patriots.

A good example is decorated veteran like Roy Mah, who led the first Chinese Canadian contingent to fight the Japanese Army in the Malaysia-Singapore battle during the Second world War. For that reason, there is a Chinese Canadian Military Museum in Vancouver.

In a speech given to the National Congress of Italian Canadians and the Canadian Italian Business Professional Association on November 4, 1990, Prime Minister Brian Mulroney mentioned that he would apologize to the Italian Canadian community for the internment of 700 Italian Canadians during the Second World War, in the House of Commons during that same session of Parliament. This event was seen as a boost to the Chinese Head Tax Redress campaign. However, by the end of the parliamentary session (June 14, 1993), Prime Minister Mulroney still had not apologized. And to my knowledge, no apology was ever made.

On May 22, 1992, the British Columbia government approved a motion (not unanimous) calling on the federal government to provide reasonable redress for the injustice of the Chinese Head Tax. This is a complete reversal of the earlier B.C. policy of urging the Dominion government (as it was known at the time) to stop Chinese immigration, as well as passing various provincial legislation before 1885 to tax these Chinese immigrants. These legislation did not become law because they were deemed unconstitutional by Ottawa, since immigration was not within the jurisdiction of the provincial government. (The Dominion government needed Chinese labour to build the railway in order to unite the country.) After the railway was completed and the Head Tax instituted in 1885, the B.C. government was given part of the proceeds, which became very profitable for the province. Between 1885 and 1903, a quarter of the Head Tax certificate fees and penalties went to the B.C. government, and from 1903 until Chinese exclusion in 1923, half was paid to the B.C. government. So, the question is, is the B.C. government willing to compensate the Head Tax payers? I am not aware of any decision on their part.

I should like to mention, at this time, some of the other groups who are seeking redress from the federal government:

- the Italian Canadians (internment, WWII)
- the Ukrainian Canadians (WWI internment, forced labour, almost 9,000 were registered as ‘enemy aliens’; Bill C-331 Inky Mark – public commemoration and restitution to be devoted to education and promotion of tolerance)
- the German Canadians (internment during both World Wars)
- the Canadian Jewish Congress (turned away the *St. Louis* – 900 Jewish refugees from Nazi Germany)
- the Doukobors (for 6 years, the B.C. government kidnapped their children and confined them in the New Denver Institution)
- the National Association of Canadians of Origins in India (Continuous Journey; Komagata Maru)
- the African Canadian communities (slavery legal until 1833; Africville and the Black Loyalists - the African Canadian Coalition Against Racism formed in 2001 is a coalition of a number of black Canadian organizations).

Redress petitions were sent by various groups to the then Secretary of State for Multiculturalism, Sheila Finestone, (by the Chinese Canadian National Congress, the National Congress of Chinese Canadians, the German Canadian Congress, the Canadian Jewish Congress, the National Association of Canadians of Origins in India, the National Congress of Italian Canadians, the Ukrainian Canadian Congress, and the Canadian Ukrainian Civil Liberties Association.), and on December 14, 1994, Minister Finestone made the following statement:

*“we wish we could rewrite history. We wish we could relive the past. We cannot... We believe our only choice lies in using limited government resources to create a more equitable society now and a better future for generations to come. Therefore, the government will not grant financial compensation for the requests made.”*

I came to know Sheila Finestone when she was appointed to the Senate about three years ago. One day, I asked her why she made that announcement in 1994, and she said the Cabinet refused to pay compensation, and her hands were tied.

In 1995, the Canadian Race Relations Foundation was established with a grant of \$24 million, as a fulfillment of the commitment under the Japanese redress in 1988, as well as the commitment of the government in 1994. Going through their website, I can see that many groups have had grants for initiatives and specific projects against racism, but up to this year, the Chinese Canadians have not received any significant funding from the Foundation for any educational projects on the Head Tax or the Chinese Exclusion Act of 1923. I thought the Foundation is exactly what many in the community have been asking for, and since it is available, members of the community should make use of it.

Interestingly enough, in 1995, a head tax of \$975.00 per person was imposed on all immigrants by Citizenship and Immigration Canada, on top of \$500.00 per adult and \$100.00 per child as a processing fee. These amounts have been raised to \$550 and \$150 respectively. There are other fees as well for different kinds of sponsorships. Many people have complained and charged that the government is being unfair to immigrants. Have you ever wondered whether the descendants of our immigrants today will take the federal government to court in the future for discrimination?

In 2001, the Chinese Canadian National Council (CCNC) launched a class action suit against the federal government, *Shack Jang Mack, et al. v. A.G. of Canada (Ont.)* “Mack vs. Canada”, acting for the survivors and relatives of those who paid the Head Tax to enter Canada. The claim was for financial compensation, with compound interest, of the tax paid, as well as for general damages for pain and suffering.

This lawsuit failed, mainly on the grounds that the Charter of Rights and Freedoms (1982) could not be applied retroactively. The Chinese Canadian National Council appealed. It was denied by the Court of Appeal for Ontario on September 12, 2002, and by the Supreme Court of Canada on April 24, 2003.

In May of this year, the Chinese Canadian National Council launched a New Redress Website and Canadians for Redress Campaign. It has won the support of, among others, the NDP leader, Jack Layton, June Callwood, Mathew Coon Come of the Assembly of First Nations, the Canadian Race Relations Foundation, the Metro Toronto

Chinese, as well as the Southeast Asian Legal Clinics. A Unity Declaration was drafted to get signatures to lobby the government.

The Chinese Canadian Redress Alliance (CCRC) also came into being for the purpose of making a submission to the *United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance*. The membership of the CCRC is listed as a network of Chinese-Canadian and Chinese-Quebec organizations, but there are no specifics.

Before I discuss the submission, I should point out the different points of view within the Chinese communities across the country, and we also need to keep in mind that the Head Tax payers and their descendants represent a very small minority within these communities. The following are their responses:

- Some did not want to claim any damages at all, because their ancestors were given the opportunity to have a better life in Canada, and despite having to pay the Head Tax to enter Canada, the descendants are thankful for what they have now.
- Others who said that there are so many descendants from each head tax payer that it didn't make any sense to pay all of them. One descendant of a Head Tax payer said, at the National Congress of Chinese Canadians in Winnipeg in 1991, that the amount a descendant ends up getting may not even buy a hamburger! Don't forget some of these families have been in Canada for 4 generations.
- There are those who want an apology from the federal government, and funds set aside for educational purposes and the promotion of racial harmony (Race-Relations Foundation - 1995).
- There are also those who want individual compensation for the head tax paid, plus interest to date.

There are many other combination of views. As you can see, there is no consensus. The only point most agreed on was for an apology or acknowledgement from the government.

Many believe Canadians should learn about the contribution of the Chinese to the building of Canada as a nation, both past and present. Also, education means that future generations, hopefully, will not make the same mistakes as the politicians in the past.

To simplify matters, aside from individual views, I will speak a little on the major difference among community organizations. On one side are the Chinese Benevolent Association of Vancouver and the National Congress of Chinese Canadians who want compensation on a community-wide basis for the purpose of education. On the other

hand, the Chinese Canadian National Council and the B.C. Coalition of Head-Tax Payers, Spouses and Descendants, are suing for individual compensation.

Let us now look outside of Canada for a moment. On February 12, 2002, Prime Minister Helen Clark of New Zealand issued a formal apology to the Chinese New Zealanders, and announced the beginning of a process of reconciliation with the ethnic Chinese who had to pay poll tax until 1944. Funds and resources will be provided for the purpose of restoring and maintaining the Chinese heritage, culture and language. I am not sure what this entailed, but I think it is important to learn from the Chinese New Zealanders.

On December 10, 2002, M.P. Inky Mark (Conservative, and former Alliance member) introduced Bill C-333, which basically asks for: 1. an apology; 2. restitution to be devoted to educational materials on Chinese Canadian history, and the promotion of racial harmony. (This being the view of the National Congress of Chinese Canadians). Now that the present session of parliament is prorogued, the Bill will have to be re-introduced in the next session of parliament.

Now we go back to the Chinese Canadian Redress Alliance Submission to the United Nations. It is important to clarify that the CCRA is almost one and the same as the CCNC, which is claiming individual compensations. Since the Submission is in reference to contemporary forms of racism, I find it disturbing with some of the inaccuracies.

For example: Part II, # iii, of the Submission, “Because of years of racist, anti-Chinese immigration legislation, today the Chinese Canadian community exhibits many characteristics of first-generation immigrants despite its history of having been in Canada for nearly 150 years.”

The Submission recommends that “*the Canadian Government immediately enter into negotiations with the Chinese Canadian community, individual head tax payers and their families, and their representatives on the form of redress they have the right to receive for the human rights violations they have suffered.*”

The Submission is called *On The Human Rights Violations Of Chinese Canadian And Chinese Quebec Communities Through The Chinese Immigration Acts And Chinese Exclusion Act, By The Canadian Government And Its Continuing Violation Of International Law By Its Failure To Give Redress*. I have copies here if you wish to have it, including the *Unity Declaration*, and if more are needed, Prof. Eric Fong can have them copied for you.

From the knowledge that I have, the above position is not well supported by the Chinese Canadian communities. The reason why I say communities, in the plural, is that

there isn't one community but many, with very different cultural backgrounds and different points of view. The word "community" was only accurate until the beginning of the 1950s.

Additionally, the demonstration, led by the CCNC, which took place on Parliament Hill in September, 2002 was not well supported. I overheard Secretary of State for Multiculturalism, Jean Augustine, saying, that she was told there would a huge crowd in front of Parliament Hill, but there were only a few people there.

From the surveys of the Head Tax payers done in the 1990s by the University of Victoria and Simon Fraser University (Vancouver), there was no consensus on this issue. Prof. Lai told me that the CCNC said they had their own survey, but he never received any after repeated requests. As long as there is such extensive division in the Chinese communities, the federal government will not feel obliged to negotiate seriously.

For all of you who really want to learn about the insider story of the Japanese Canadian redress, you should read *Bitter Sweet Passage* by Maryka Omatsu, who is a judge in Ontario, and who was intimately involved with the negotiations. I agree with her that, if it had not been for the settlement in the U.S., and the economic clout of Japan, it would not have happened in Canada.

No matter what any government says, history can repeat itself, so we must always be vigilant. We need to understand the past in order that we know how to deal with the present, and plan for the future. When we look at a situation, we must see the whole landscape instead of viewing it with blinkers. Thank you.

**I now propose the following questions for discussion:**

1. Do Chinese nationals have the right to compensation when another government tried to prevent them from entering the country?
2. How would present day governments handle similar issues?
3. Did the Chinese culture and tradition of keeping women and children in China, while the men went overseas to work, not play a role in separating families as well?
4. If conditions had been better in China, would we be here discussing the Head Tax?
5. Are we responsible for the sins of past generations? As tax payers, are we responsible for what the politicians did generations ago? Should we set a precedence that future generations should pay for our sins?
6. What happened to the Chinese in the past in Canada was against human rights, but the concept of human rights was not even part of our vocabulary until after the Second World War. The claim by the different groups for redress is based on the Charter of Rights and Freedoms passed in 1982. Is it possible to claim retroactive rights?
7. In order that past mistakes are not repeated, future generations must know the truth about Canadian history. Would education not be the key to solving the problem? Since education is a provincial responsibility, is it not up to all of us to make sure that accurate history is taught in our schools and in our homes?
8. Is the new Human Rights Museum (Winnipeg) an effective venue for educating Canadians about past wrongs?
9. Should there be a Chinese Canadian National Museum like the one the Japanese Canadians have in Burnaby, B.C., or the Abbotsford Sikh Museum, also in B.C.? Or something like the interpretive centre at Spirit Lake Camp (Oct. 24, 2003) for the internment of civilians of Ukranian origin during the First World War (near Amos, north-central Quebec). And if so, where do you think it should be located?