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The Specifics of Post-War Canadian Immigration Policy (1945–1957)

Specyfika polityki migracyjnej powojennej Kanady (1945–1957)

• Abstrakt •

Polityka migracyjna odgrywa ważną rolę w różnych obszarach życia społecznego i w polityce międzynarodowej. Badanie kanadyjskich doświadczeń związanych z imigracją jest jednym z ważniejszych elementów zrozumienia różnych aspektów faktycznej masowej migracji. Głównym celem niniejszej pracy jest badanie szczegółowych treści kanadyjskiej polityki imigracyjnej po drugiej wojnie światowej. Badanie oparte jest na analizie regulacji prawnych kanadyjskiej polityki imigracyjnej w latach 1945–1957. Na podstawie badania stwierdzono, że istniało wiele przyczyn zmian polityki imigracyjnej w okresie powojennym oraz że w rzeczywistości kanadyjska polityka imigracyjna w trakcie powojennej dekady była niejednoznaczna, ponieważ jednocześnie wprowadzała liberalne i dyskryminujące przepisy.

Słowa kluczowe: Kanada, polityka imigracyjna, regulacje prawne, uchodźca, imigrant, liberalizacja, dyskryminacja

• Abstract •

Immigration plays a significant role in various areas of the society's life and the international policy. Investigating the Canadian experience of immigration is one of the major elements for understanding different aspects of actual mass relocation. The principal objective of this study is to investigate the specifics of Canadian immigration policy following the Second World War. The research is based on analyzing legislation regulations that established Canadian immigration policy from 1945 to 1957. The findings indicated that there were multilateral causes for the after-war immigration changes. And that in reality, Canadian immigration policy in the post-war decade was quite ambiguous because of enacting liberal and discriminatory legislation at the same time.

Keywords: Canada, immigration policy, legislative regulations, refugee, immigrants, liberalization, discrimination

Introduction

In modern world difficult processes of immigration are caused by living in poverty, ethnic wars, genocide and military actions against the civil population, etc. That is why thousands of refugees and immigrants with different backgrounds are looking for their new home. Immigration has a great influence on various areas of a society's life. Thus, different countries and their governments are faced with numerous challenges caused by waves of immigration. Moreover, they are going through a crisis of multiculturalism and tolerance. Nowadays the immigration crisis provokes an interest in positive experiences of those countries that once went through the crisis of immigration.

Canada is well-known as the country of immigrants. In the second half of the 20th century Canada was one of the countries with successful experience of immigration policy. This state developed its own practices in this field and gave a new life to thousands and millions of immigrants and refugees from different regions. The post-war period of Canadian immigration policy is of special interest because at that time the government of this state had faced a number of various issues and the first decade after the Second World War was a time of developing of many new approaches towards immigration.

A number of immigration issues were already investigated by researchers from different countries. For example, Canadian philosopher Will Kymlicka is one of the best-known researchers of multicultural politics and its connection with the immigration issue. He is the author of a number of fundamental publications that have focused on diverse aspects of Canadian history and policy (Kymlicka, 2006). Another researcher, J. W. Berry explored the process of immigration from the psychological point of view (Berry, 2001). In addition, there is also researcher Jeffery G. Reitz from Canada, who is focused on both immigration and multicultural issues (Reitz, 2014, 2005). Canadian authors Ninette Kelley and Michael Trebilcock have done the research which has shown the general overview of the history of the Canadian immigration policy (Kelley, Trebilcock, 2000). Canadian historian Valerie Knowles has studied main steps of this policy within the period of 1540–2006 and described the realities of newcomers' life in the new homeland (Knowles, 2000, 2007). Another Canadian researcher, George Rawlyk has made the study which is focused specifically on Canadian immigration policy in 1945–1962 (Rawlyk, 1962). In his article most attention has been paid to policy from the position of the Liberal (1945–1957) and the Conservative (1957–1962) governments. Author focused on statistical information and ethnic composition of newcomers during that period. In contrast, very few studies by Ukrainian re-

searchers have examined directly the Canadian immigration policy of the 1940s and 1950s. For instance, some aspects of the Canadian immigration policy have been investigated by Taras Lupul. He has studied the ethnical aspects of immigration policy of Canada (Lupul, 2007, 2010).

So, a number of Canadian and Ukrainian academics have carried out research on various aspects of Canadian immigration policy. But the period of directly post-war decade of the Canadian immigration policy is interesting for investigation (because this period of Canadian history had many challenges and different assessments in various areas).

In this study, we will focus specifically on both liberal and discriminative legislation regulations that established Canadian immigration policy from 1945 to 1957. The main issues guiding this research are as follows: firstly, we will investigate the main causes that gave impulse for the changes in immigration policy. And secondly, we will analyze the immigration regulation acts from this period. During the research we plan to examine the pitfalls of Canadian immigration law by using the general scientific theory and such empirical methods as critical analysis, synthesis of sources and the method of qualitative analysis of text messages. This investigation is based on various Canadian laws and international agreements that had an effect on immigration policy. Among these legislative documents are Acts passed by the Parliament of Canada, Orders-in-Council, Proclamations, Regulations and Treaties.

Main Acts of Canadian Immigration Legislation in the First Half of the 20th Century

After the Second World War the immigration to Canada had certain specifics. For example, there were different groups of newcomers who needed urgent actions from the government.

Among the notable newcomers were different social groups of people. For instance, there were over a million of displaced persons and refugees from the UN European shelters. Some of them were concentration and labor camps survivors. Some of them refused to be repatriated to their homeland under Communist regime, like Polish soldiers from General Anders's Army. Another group of immigrants with legislative indetermination were Jews. Moreover, there were about 48 000 war brides with their children who had married members of Canada's fighting forces during the Second World War and who came to their husbands (Knowles, 2007).

Furthermore, there were nearly 2 500 anti-Nazi male civilians from Germany, Austria and Italia, who were interned from Britain to Canadian prison camps in 1940. This group of people expected the government to provide a solution to their status too. In addition, another social group consisted of Canadian Japanese who were banished from their homes and removed by force to isolated camps during the war (Knowles, 2000). As indicated previously, Canadian government needed a solution for these various group of people.

To analyze the changes in post-war legislation, we would like to move on to analyzing the contradictive immigration regulations and applicable discriminatory legislation during the years 1945–1947. To begin with, we want to examine the wartime regulations that were adopted at the beginning of the 20th century and stayed in force after the end of the Second World War.

Let us start with The War Measures Act (long title: An Act to confer certain powers upon the Governor in Council and to amend the Immigration Act) which was adopted by the Canadian Parliament in August 1914. The document gave ample powers to the government to maintain order and security of the state during “the war, invasion or insurrection” (Smith, 2015). An important issue that emerged from the Act was extended the sphere of influence of the Governor in Council. For example, the official got the right to exert censorship, control and suppression of publications, writings, maps, plans, photographs and communications (*The War Measures Act*, 1914).

Another federal statute was *An Act to Amend the Immigration Act* which was assented by Canadian Parliament in June 1919. The main aim of this Act was the protection of Canada from dangerous ideologies and subversive activities. This document expanded the discriminative regulations of the previous *Immigration Act* (long title: *An Act Respecting Immigration*) which was assented in May 1910 and which stipulated compulsory conditions for newcomers like the minimum amount of money to enter Canada. It varied from race, occupation and other circumstances (*Immigration Act*, 1910). The regulations updated in 1919 became tougher for certain categories of immigrants. Thereby, among these categories were beggars and vagrants, public charges, criminals, advocates of force or violence against organized government, enemy aliens and members of societies opposed to organized government, or advocates of unlawful assault or killing, spies and conspirators (*Immigration Act Amendment*, 1919). Also there were mentioned such restricted groups like “persons mentally defected, – idiots, imbeciles, feeble-minded persons, epileptics, insane persons at any time previously”; “diseased persons with tuberculosis in any form or with a disease which is contagious or infectious, or which may become dangerous to the public health”, “persons with psychopathic inferiority”; “persons with

chronic alcoholism”; “mentally or physically defective” people; “persons physically defective, – immigrants who are dumb, blind, or otherwise physically defective” (*Immigration Act Amendment*, 1919). In addition, other discriminatory regulations of the Act gave to Canadian officers in charge the authority to refuse permission to immigrate to every newcomer because of such subjective reasons like “economic [...] climatic, industrial, social, educational, labour or other conditions”, “because such immigrants are deemed undesirable owing to their peculiar customs, habits, modes of life and methods of holding property”, “probably inability to become readily assimilated” (*Immigration Act Amendment*, 1919).

As a result, An Act to Amend the Immigration Act provided more restrictive regulations to the Canadian immigration policy. The document demonstrated the importance either of origin, race and cultural factors or political loyalty in the immigration selection process.

Let us now consider another Canadian document: *The Chinese Immigration Act* (long title: *An Act Respecting Chinese Immigration*) which also was called the *Chinese Exclusion Act*. It was adopted by Canadian Parliament in 1923 and had stayed in force until 1946. The main purpose of this Act was providing more prohibitive regulations to limit Chinese immigration. It was not the first Canadian act adopted to ban Chinese workers and prospective immigrants. Valerie Knowles (Knowles, 2007) in her examination of this Act presents insightful information that the day on which this piece of legislation replaced the previous one from 1885 – became known to Canadian Chinese as “Humiliation Day”.

Due to this document, only four categories of Chinese immigrants were allowed to come to Canada: diplomatic corps, children born in Canada, merchants as defined by the minister of immigration and colonization, students. In contrast, there were also prohibited groups: idiots, epileptics, diseased persons, criminals, prostitutes and pimps, procurers, beggars and vagrants, persons likely to become public charges, alcohol or drug addicts, mentally or physically defective persons, advocates of force or violence against organized government, members of unlawful organizations, conspirators, illiterates and people deported from any country for any reason. In addition, every Chinese immigrant had to obtain a bill of health (*Chinese Immigration Act*, 1923). Moreover, there were only two Canadian ports approved by the authority for landing (Vancouver and Victoria). *The Chinese Immigration Act* was extremely effective in restricting Chinese immigration. It was estimated that only about 25 Chinese immigrants entered Canada between the period of 1923 and 1946 (Knowles, 2007).

And another act of law significant for understanding the evolution of Canadian immigration policy was Order-in-Council P.C. 695 which was enacted in March

1931. According to it, all classes of immigrants were prohibited, but several groups were allowed permission. In the first category were British subjects from Great Britain or Northern Ireland, the Irish Free State, Newfoundland, the U.S.A., New Zealand, Australia and the Union of South Africa. In the second category were United States citizens entering Canada from the U.S. In the third group were the wives or unmarried children under 18 years of age of any person legally admitted to and resident in Canada who is in a position to care for his dependents. And finally, in the fourth group were agriculturists having sufficient means to farm in Canada (P.C. 1931-695, 1931). As a result, the Canadian government barred access to most of potential newcomers (generally from Europe).

The law regulations that were indicated previously were in force during the Second World War. It is also necessary to mention that post-war Canadian foreign policy was accomplished in the context of international agreements which came into force just after the end of the Second World War. For instance, during the first post-war decade Canada became a member of considerable organizations and had to take new regulations into account. For example, The United Nations (UN, 1945) and United Nations Programmes and Funds like The United Nations Educational, Scientific and Cultural Organization (UNESCO, 1946), The World Health Organization (WHO, 1946), The Office of the United Nations High Commissioner for Refugees (UNHCR, 1951) and the International Organization for Migration (IOM, 1951), etc. These organizations promoted international peace and security, equal opportunities without discrimination and fundamental rights of every human being without distinction of race, political belief, economic and social condition.

New Regulations in Canadian Immigration Policy in the Post-War Decade

In the first years following wartime, Canadian government had an ambiguous policy. For example, the Cabinet of Ministers rejected the ideas of liberalization of the immigration policy. But at the same time, Canada had a commitment to the UN, according to which it should enact an immediate lowering of Canada's immigration barriers. Now, we will focus on changes in immigration legislation which occurred after the Second World War.

Among the first changes in Canadian immigration policy we can name a few events in 1945. For example, Canadian government had already reclassified interned anti-Nazi male civilians from Germany, Austria and Italy who were isolated in the camps during wartime. The new status of these people was declared

as “Interned Refugees (Friendly Aliens) from the UK” and they were invited to become Canadian citizens (Knowles, 2000).

In contrast, at the same time the government passed discriminative Orders-in-Council P.C. 7355, P.C. 7356 and P.C. 7357 in December 1945. These regulations were pointed against Japanese Canadians who were banished from their homes and removed to isolated camps during the war. These Order-in-Councils had an aim to deport 10 347 Japanese Canadians to Japan in spite of the fact that three-quarters of them were Canadian citizens and a half of them were Canadian-born (*Japanese Canadians*, 1945).

The two enacted Orders-in-Council P.C. 2071 in May 1946 and P.C. 371 in January 1947 were the moves to liberalize immigration policy. Both of these documents amended the tight restrictions of Order-in-Council P.C. 1931-695 that was indicated previously. According to P.C. 695, all classes of immigrants were prohibited and only several groups of people had permission to enter Canada. New regulations provided an extension of immigrant categories. For instance, such a group as the agriculturists was granted the right of entry to the country. Among them there were mentioned those who had sufficient means to farm in Canada; those who entered Canada to work on their relatives’ farm if relatives were in a position to establish him or her on a farm; and farm laborers who had entered Canada to engage in assured farm employment. The next category mentioned in regulations contained the first-degree relatives and orphan nephews or nieces less than 18 years of age. Finally, there were people who got a permission to immigrate if they had experience in mining, lumbering or logging and if they were engaged in assured employment in any of these industries (*Canada Year Book*, 1947).

The following Order-in-Council provided a policy of supporting refugees and displaced persons. For instance, a resettlement program for Polish soldiers from the Army of General Anders was adopted in July 1946. Document P.C. 3112 approved the entry of Polish veterans to work as farmers in Canada. Special labour contract confirmed a guarantee of the two-year agricultural employment for the ex-soldiers. In five years of residence Polish veterans would acquire a right to apply for the Canadian citizenship (Satzewich, 1989). Other European nations that came within the purview of P.C. 3112 were Croatian and Serbian refugees. They were cheap labour for unskilled work, such as mining, lumber and construction (*Post War World II and Displaced Persons*, 2011).

The year 1947 was remarkable for the further development of Canadian immigration policy because of several significant events. First of all, Mackenzie King’s government adopted *The Canadian Citizenship Act* (long title: *An Act Respecting Citizenship, Nationality, Naturalization and Status of Aliens*) in January 1947. The

main purpose of this document was to give a clear definition of Canadian citizenship and to provide an underlying community of status for all the people in Canada (*Canada Year Book*, 1955).

The Act established Canadian citizenship as a distinct category and allowed residents of Canada to obtain citizenship regardless of their country of origin. According to the Act, there were different categories of Canadian citizens. For example, there were Natural-Born people who received citizenship by their birth rights and Other than Natural-Born who were granted civic rights by a certificate of Canadian citizenship (*The Canadian Citizenship Act*, 1947).

The next significant event in liberalization of Canadian immigration policy was the program for the immigrants and refugees from Europe. It consisted of two main parts such as the Close Relatives Plan and the Group Movement Plan. Under the first one, special efforts had been made to simplify immigration for the first-degree relatives of Canadians who were classified as the sponsored people. According to the Group Movement Plan, the non-sponsored newcomers had to apply individually and were selected in accordance with the recognized manpower needs of Canadian industry. The second plan was regulated by special Orders-in-Council. Thus, in 1947 three such orders have been passed – P.C. 2180 in June, granted access to 5 000 persons; P.C. 2856 in July to another 5 000 persons and P.C. 3926 in October to 10 000 persons (*Canada Year Book*, 1948–1949).

Another important development of the Canadian immigration policy in 1947 was the admission of displaced persons from the refugee camps in Europe. The refugees and displaced persons were transported to Canada under the care of the International Refugee Organization (*Canada Year Book*, 1948–1949). For example, in 1947 five Canadian immigration teams were sent to the UN-run camps in Austria and Germany for selecting individuals for resettlement. Among displaced persons Estonians, Latvians and Lithuanians were selected as preferred immigrants. In the same year the Canadian government permitted entry of 5 000 non-sponsored displaced persons. In 1948 it started transportation of Baltic refugees to Canada (generally they sailed from Sweden or Germany). Besides Estonians, Latvians and Lithuanians, there were other newcomers. For instance, among 261 refugee passengers of the Corvette Walnut who came from Sweden in December 1948, additionally to Balts there were also Finns, Austrians and Poles (Raska, 2017).

Moreover, in December 1947 Italians were removed from the list of “enemy aliens”. Before the removal both groups of Italians and Canadian Italians were interned at camps since 1940. In 1947 Canadians accepted Italians in Canada. And this fact partially led to a process of increasing Italian immigration (Canadian Immigration Timeline).

And last but not least, a prominent event in 1947 was the King George's VI proclamation of *An Act to Amend the Immigration Act and to Repeal the Chinese Immigration Act* assented to in May. According to this significant document, the discriminative Chinese Immigration Act which had been in force since 1923 was finally abolished (*An Act to Amend the Immigration Act and to Repeal the Chinese Immigration Act*, 1947).

In 1948 Canadian government made a decision on the subject of the Canadian war brides with their children. Initially, the Canadian Wives' Bureau was set up in London to prepare the women for immigration to Canada. Then the government provided the war brides with free sea and rail passage to their destinations in Canada. The passengers were supplied with daily food allowances and with medical care during the transfer. As a result, by the March 1948, the Canadian government had transported 43 454 wives and 20 997 children to Canada (*Prieger-Coulter*, 2006).

Also this year government gave special approval for the admission of 2000 Jewish orphans from the European camps. It started the process of transporting these orphans to Canada (*Canada Year Book*, 1948–1949).

The next regulations in Canadian immigration policy were Orders-in-Council P.C. 4186 passed in September 1948 and P.C. 5593 in December 1948 (*Canada Year Book*, 1957–1958). In these laws the Canadian government cancelled the previous status of the French people as “non-preferred”. New regulations allowed any citizen from France to immigrate to Canada provided they had sufficient financial support before they found a job placement (*Post War World II and Displaced Persons*, 2011).

In 1948 there was a significant event for international legislative as The United Nations General Assembly in Paris proclaimed The Universal Declaration of Human Rights. The main purpose of this document was “the promotion of universal respect for and observance of human rights and fundamental freedoms”. According to the Declaration, every person was born free and has equal rights in any area of life, such as in family, politics, law or educational system. Everyone has freedom of their beliefs, religion, traditions or movement and residence. And no one could be discriminated, tortured or subjected to any violent actions. And all these and other rights could not be depend on distinction of any kind (like race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, etc.) (*UN General Assembly*, 1948). All members of the UN should adhere to the Declaration in both national and international standards and should protect human rights by law. So, Canada was among the countries that should follow the document and it influenced further development of Canadian immigration policy.

In April 1949 all restrictions towards Japanese Canadians were finally cancelled. This group of people had been in camps since 1941, and in 1949 they regained freedom to live anywhere in Canada and received the right to vote as Canadian citizens.

By 1949 Canadian government defined the three main categories of persons who could be admitted to the state as immigrants. The first and most-favored group included British subjects, citizens of Ireland, US citizens and French-born citizens who arrived directly from France. These people could immigrate to Canada if they were with good health and had no criminal record. George Rawlyk points out that to ensure further arrival of newcomers from British Commonwealth countries, the United States, and Northern Europe, the majority of the Canadian immigration offices were established in these countries (Rawlyk, 1962). The second category consisted of close relatives of Canadian citizens or close relatives of those who were legally admitted to Canada. This group included first degree relatives, orphan nephews or nieces less than 21 years of age, and prospective husbands or wives. And the third category of preferred persons consisted of agriculturists, farm laborers, miners and wood workers coming to assured employment in agriculture, mining or forest industries. But according to the regulations, these people had to be citizens of non-Asiatic countries. As a result, the only Orientals who were admitted to Canada were close relatives of Canadian citizens such as wives and unmarried children under 18 years of age (*Canada Year Book*, 1950).

Another step to liberalization of Canadian immigration policy was taken in June 1950, when the cabinet passed Order-in-Council P.C. 2856, which replaced the former regulations. In this law there were named main categories of newcomers, who were allowed to come to Canada. Among them we can name the groups of people who have already had the permission according to the previous regulations such as British subjects, citizens of Ireland, citizens of the USA (P.C. 695-1931) and French residents (P.C. 4186, P.C. 5593, 1948). But these people were allowed to come to Canada only if they had sufficient financial support until they had secured employment (*Order re landing of immigrants in Canada*, 1950). At the same time in this document there were a number of discriminatory items as a suitable immigrant should had regard to the climatic, social, educational, industrial, labour, or other conditions of Canada¹. In addition, newcomers had to be desirable in their peculiar customs, habits, modes of life and needed to become read-

¹ *Order re landing of immigrants in Canada*, P.C. 1950–2856. 1950, *A Nation's Chronicle: The Canada Gazette. Part II* (1947–1997), volume 84, *Table of Statutory Orders and Regulations*, 28 June 1950, Printed and Published by Edmond Cloutier, C.M.G., B.A., L.Ph. – Printer to the King's most Excellent Majesty, Controller of Stationery, Ottawa 1950, p. 765–766.

ily adapted and integrated into the life of the Canadian community. And finally, entrance to Canada was forbidden to “immigrants of any Asiatic race” (*Order re landing of immigrants in Canada*, 1950).

In December 1950, Germans were removed from the category of “enemy aliens”. That was a significant decision because between 1939 and 1945 the Canadian government arrested and interned German Canadians and also denied sanctuary to most refugee applicants from Germany (*Impossible Home: Robert Kroetsch and his German Roots*). New regulations showed the acceptance of Germans into Canada (*Canadian Immigration Timeline*).

In 1951 several international agreements partly enlarged the facilities of Canadian immigration policy for some non-Europeans. Canadian government signed separate treaties with the governments of three countries from the Indian subcontinent: India, Ceylon (nowadays Sri Lanka) and Pakistan.

The first treaty was signed between the governments of India and Canada in January 1951. It permitted entrance to Canada for permanent residence of 150 citizens of India, including both sexes and all ages every year, as we can see from the *Exchange of Letters Between the Governments of India and Canada Regarding Entry to Canada for Permanent Residence of Citizens of India* (1951).

The second agreement was signed between the governments of Ceylon and Canada in April 1951. According to the *Exchange of Notes Between Canada and Ceylon Constituting an Agreement Regarding the Entry to Canada for Permanent Residence of Citizens of Ceylon*, it allowed 50 citizens of Ceylon each year to come to Canada for permanent residence (1951).

The third treaty was signed between the governments of Pakistan and Canada in October 1951. The document gave a similar permission for entrance to Canada as a permanent place of residence of 100 citizens of Pakistan every year, as we can see in the *Exchange of Notes Between Canada and Pakistan Constituting an Agreement Regarding the Entry to Canada for Permanent Residence of Citizens of Pakistan* (1951).

As a result, according to the agreements with the governments of India, Pakistan and Ceylon, Canada agreed to accept limited numbers of immigrants from these states, in excess of a plan for those who might be accepted under the regulations for Asiatic newcomers.

A significant international event took place in July 1955 in Geneva, Switzerland. At that time the Final Act of the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons was adopted by participants of the Conference. The government of Canada was represented on the event by delegates. The main purpose of the Act was the spreading of fundamental rights and freedoms in the spirit of the *Universal Declaration of Human Rights* (1948).

The countries, which adopted the Act, had obligations to guarantee a number of rights to refugees in different areas of life. For instance, in the area of human rights, the document proclaimed that governments should protect refugee's family (children had to be included in the travel document of a parent or another adult refugee); ensure help in the moral, legal and material spheres; assure the freedom of movement; provide equal rights in labour legislation and social security; and facilitate the assimilation and naturalization of refugees. In the area of legislation, the governments had to continue to receive refugees in their territories; should not impose upon refugees' duties, charges or taxes; should issue identity papers to any refugee in their territory. In addition, the contracting states should not penalize refugees that entered illegally if they had come directly from a territory where their life or freedom was threatened (*Final Act of the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons*, 1951). Approving this Act, Canadian government should follow a policy promoted by the document.

In the same year the Canadian government implemented a program for helping European immigrants who were unable to pay for their transportation to Canada. *The Assisted Passage Loan Scheme* was established to facilitate immigration by granting interest-free loans to immigrants whose services were needed in Canada. Loans had to be repaid in monthly payments over two years following landing. The program achieved a large scale success as more than 32 000 immigrants arrived in Canada by October 1955. They received over \$5.2 million in assistance funds and paid back 93.2% of the loans by that time (Stewart).

The next immigration law that was adopted in the post-war decade was the new *Immigration Act* (long title: *An Act Respecting Immigration*). It was adopted in July 1952. The new regulations had no considerable changes compared to prior Immigration Acts (1910, 1919). Only homosexuals and alcoholics were added to the prohibited group (*Immigration Act*, 1952).

According to the Immigration Act of 1952, the Governor in Council got a particular role in determining on authorizing or prohibiting applicants. This person acquired a right to prohibit entrance to newcomers for different reasons. For instance, due to nationality, citizenship, ethnic group, occupation, class or geographical area of origin. And also because of peculiar customs, habits and modes of life. Moreover, the Governor in Council was able to reject a candidate for the reason of unsuitability having regard to the climatic, economic, social, industrial, educational, labour, health or other conditions (*Immigration Act*, 1952).

Orders-in-Council P.C. 859 adopted in June 1953 and P.C. 785 adopted in May 1956 handled some aspects of Canadian immigration policy. In these laws different categories of newcomers were allowed to come to Canada (*Canada Year Book*, 1957).

The first group consisted of people who already had been allowed to come, like British subjects born or naturalized in the UK, citizens of Ireland, France and the USA. And the additional persons such as British subject born or naturalized in Australia, New Zealand, the Union of South Africa and also French people born or naturalized in St. Pierre and Miquelon Islands.

Another group consisted of newcomers from European countries. Among which were citizens by birth or naturalization of Austria, Belgium, Denmark, Finland, Greece, Iceland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden or Switzerland or who were a refugee from a country of Europe. And also there were European citizens who were allowed to come to Canada by prior post-war regulations, like the Federal Republic of Germany and Italy.

The next category of prospective newcomers who were allowed to immigrate to Canada by P.C. 859 and P.C. 785. There were citizens by birth or naturalization of Egypt, Israel, Lebanon, Turkey, or any country of Europe or of a country of North America, Central America or South America. Immigrants from this category had more restrictive conditions. For example, such person needed to be the first and the second degrees relative of a Canadian citizen or the same relative of a person legally admitted to Canada for permanent residence who had applied for and care for any such person.

And the final group consisted of persons who were citizens of other countries. This category had the most stringent conditions for coming to Canada. Thus, such person needed to be the closest relative of a Canadian citizen who applied for and care for any such person. For instance, he or she had to be the wife/ husband or the unmarried child less than 21 years old; the father if he was over 65 years old; or the mother if she was over 60 years old.

Moving on now to compare efficiency of Canadian immigration policy in two quite similar situations/cases. One of these events illustrates the level of Canada's support to refugees from the Middle East. Another one illustrates the support to European refugees.

The first example is about people from the Middle East, who were displaced as a result of the conflicts. Because of Israeli-Arab war in 1948 and the following escalation of the situation there, a large number of Palestinian Arabs (over 900 000) lived in refugee camps in Lebanon, Syria, Jordan and Gaza. In 1955, according to the international duties (*Final Act of the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons*, 1951) and at the request of the United Nations Relief and Rehabilitation Administration (UNRRA), the Canadian government with the support of this international agency started the process of selection of Palestinian refugees for acceptance as newcomers. Due to the Press Release of

Canadian Department of External Affairs from December 1955, “Canadian Government has tentatively decided to admit a limited number of Palestinian refugees as immigrants to Canada”; the immigrants had to be chosen only from English or French speaking refugee applicants who had specified profession or skills which would enable them to find employment in Canada (Malloy, 2009). Prospective immigrants and their families had to also meet certain health and other requirements. In 1956 Canadian immigration team visited Lebanon and Jordan, chose 98 persons from among 575 as “apparently well qualified to become Canadian citizens”. Moreover, later this choice was cut to 39 persons (Knowles, 2007).

The next example started with Hungarian uprising and the Soviet invasion to Hungary in October and November 1956. It caused the great immigration wave of more than 200 000 Hungarians to European non-socialist countries, where they got contemporary resettlement as refugees. In contrast of previous event, Canada’s authority announced the admission program of transportation of a number of Hungarian refugees to Canada. The operations of the resettlement were conducted in 1956–1957. This policy was guided by special regulations such as *Assistance of Provincial Governments in the Resettlement of Hungarian Refugees*, *Emergency Assistance for Hungarian Refugees*, *Air Bridge to Canada* [transport of immigrants to Canada by air including Hungarian Refugees], etc. (Library and Archives Canada). In December 1956 the first refugees came to Canada on the board of ocean liner *Arosa Sun* (O’leary, 1956). In 1957 the government conducted an airlift program named the *Air Bridge to Canada*. As a result, Canada accepted about 37 000 Hungarian refugees (Papp-Zubrits, 1980). In addition, the Canadian government had contributed \$ 676 666 to the UN Appeal for Hungarian Refugees (*Report on Hungarian Refugees*, 1957).

These two examples help us to understand that Canadian immigration policy in the post-war decade had inequality in the number of issues. The ineffective policy in case of Palestinian refugees and significant results in case of Hungarian displaced persons, were the forceful argument that the ethnicity, originality and language were important factors for effectiveness of the policy to refugees from different regions.

Finally, one of the most striking examples of ambiguity of immigration policy in Canada during the post-war decade could be the words of John Whitney Pickersgil, the Minister for Citizenship and Immigration. The minister said in 1954, that “Canadian immigration policies are discriminatory and the government intends to keep them that way. We don’t want immigration to change the character of our population”. In contrast, less than one year later, in a speech in Victoria he claimed that “there is no racial discrimination in Canada’s immigration policy

despite some public feeling to the contrary” (Mosher, 1998). These speeches of the same official showed the complicated circumstances of Canadian immigration policy in that period.

Conclusions

The purpose of the current study was to present the specifics of Canadian immigration policy in the first decade after the Second World War. This study concerned mainly law regulations that established either liberal or discriminative legislation. There were used a number of legislative documents such as Canadian laws and international agreements that influenced immigration policy of this country in the post-war period.

The first aim of the current study was to investigate the main causes that gave impulse for the changes in immigration policy. To achieve this goal we looked at the status of Canadian law and society before and just after the Second World War. We could see that quite a number of the wartime laws and others discriminative regulations stayed in force after the end of the Second World War, despite the fact that most of these regulations already had not been actual. Moreover, Canada became a member of international organizations that promoted international peace and security, equal opportunities without discrimination and fundamental rights of every human being. Thus, the government had to follow the rules of these organizations and need to modify its own legislation. In addition, there were different groups of people like displaced persons, refugees and other categories who needed urgent actions from the government. Among which were concentration and labor camps survivors, Polish soldiers from General Anders’ Army, Jews, war brides, anti-Nazi male civilians, and interned persons like Canadian Japanese, Canadian Germans and Canadian Italians. As a result, we could conclude that the main causes of the changes in Canadian immigration policy were the necessity to reform juridical system according to the international commitments and the interior needs such as made a decision for various group of people.

The second aim of the current study was to analyze the immigration regulation acts from 1945 to 1957. We could see that the Canadian government had an ambiguous policy in that time. That is why immigration law documents in the post-war decade could not be characterized as one entity. On the one hand, the Canadian government made liberal moves such as supporting refugees and displaced persons policy, approving the program for the immigrants and refugees from Europe, reclassifying the “enemy aliens”, made decisions in case of dif-

ferent groups of people and cancelled some discriminative regulations. On the other hand, although Canadian government adopted quite a number of liberal regulations, the complete equality of rights had not been attained. For instance, in different laws Canadian government categorized prospective immigrants into preferable and undesirable. There were persons from European countries and US citizens who got a permission to enter Canada. In contrast, there were a lot of prohibited persons such as non-white people, especially Asians, diseased and physically or mentally defective persons, homosexuals, etc. Moreover, prospective immigrants could be rejected because of such subjective reasons as unsuitability to the climatic, economic, social, educational or other conditions.

Finally, despite the partial liberalization of Canadian immigration policy in the post-war decade, the discriminative legislation still was in force. According to the different regulations, Canadian government provided the policy of “White Canada” and factors like race, ethnicity, originality, language, or traditions were forceful arguments for giving equal rights and for effectiveness of the immigration policy.

References:

- An Act to Amend the Immigration Act and Appeal the Chinese Immigration Act.* (1947). 11 George VI, Chapter 19. Retrieved from: <https://archive.org/stream/actsofparl1947v01cana#page/106/mode/2up>.
- Berry, J.W. (2001). A Psychology of Immigration. *Journal of Social Issues*, 57 (3), 615–631.
- Canada's Human Rights History. (2017). *1945 Japanese Canadians*. Retrieved from: <http://historyofrights.ca/encyclopaedia/main-events/1940s-japanese-canadians/>.
- Canadian-immigration-policy-and-the-arrival-of-ss-walnut.
- Chinese Immigration Act.* (1923). S.C. 13–14 George V, Chapter 38. Retrieved from: <http://www.pier21.ca/research/immigration-history/chinese-immigration-act-1923>.
- Coulter, R.P. *War Brides*. (2006). Retrieved from: <http://www.thecanadianencyclopedia.ca/en/article/war-brides/>.
- Exchange of Letters between the Governments of India and Canada Regarding Entry to Canada for Permanent Residence of Citizens of India. (1951). *Treaty Series, no. 3*. Retrieved from: <http://www.commonlii.org/in/other/treaties/INTSer/1951/3.html>.
- Exchange of Notes between Canada and Ceylon Constituting an Agreement Regarding the Entry to Canada for Permanent Residence of Citizens of Ceylon. (1951). *Treaty Series, no. 28*.
- Exchange of Notes between Canada and Pakistan Constituting an Agreement Regarding the Entry to Canada for Permanent Residence of Citizens of Pakistan. (1951). *Treaty Series, no. 21*.
- Immigration Act Amendment.* (1919). S.C. 9–10 George V, Chapter 25. Retrieved from:

- <http://www.pier21.ca/research/immigration-history/immigration-act-amendment-1919>.
- Immigration Act*. (1910). S.C. 9–10 Edward VII, Chapter 27. Retrieved from: <https://www.pier21.ca/research/immigration-history/immigration-act-1910>.
- Immigration Act*. (1952). S.C. 1 Elizabeth II, Chapter 42. Retrieved from: <http://www.pier21.ca/research/immigration-history/immigration-act-1952>.
- Kelley, N., Trebilcock, M. (2000). *The Making of the Mosaic: a History of Canadian Immigration Policy*. Toronto, Buffalo, London: University of Toronto Press.
- Knowles, V. (2000). *Forging our Legacy: Canadian Citizenship and Immigration, 1900–1977*. Ottawa: Public Works and Government Services Canada. Retrieved from: <http://www.cic.gc.ca/english/resources/publications/legacy/chap-4b.asp>.
- Knowles, V. (2007). *Strangers at Our Gates: Canadian Immigration and Immigration Policy, 1540–2006* (2 ed.). Toronto, High Town, Tonawanda: Dundurn Press.
- Kymlicka, W. (2006) Immigration, Multiculturalism, and the Welfare State. *Ethics and International Affairs*, 20 (3), 281–304.
- Library and Archives Canada. (2017). *Search LAC's collections*. Retrieved from: http://collectionsCanada.gc.ca/pam_archives/.
- Lupul, T.Ya. (2007). Immihratsiia iak faktor etnodemohrafichnykh zmin v analizi suchasnoho vitchyznianoho ta zarubizhnoho mihrantoznavstva. *Visnyk Odes'koho natsional'noho universytetu: Sotsiologhiia i politychni nauky*, 15 (52), 58–73.
- Lupul, T.Ya. (2010). Suchasna immihratsiia iak strukturnyj komponent formuvannia politychnoi natsii v Kanadi. *Politohichni ta sotsiologichni studii: Zb. nauk. prats'*, XI, 494–506.
- Malloy, M. (2009). Forgotten Refugees: The 1956 Palestinian Refugee Movement to Canada. *Canadian Immigration Historical Society Bulletin*, 56, 2–9.
- Mosher, C.J. (1998). *Discrimination and Denial: Systemic Racism in Ontario's Legal and Criminal Justice Systems, 1892–1961*. Toronto, Buffalo, London: University of Toronto Press.
- O'leary, J. (1956). Hungarian refugees welcomed to Canada [Television Broadcast]. Canada: CBC. Retrieved from: <http://www.cbc.ca/archives/entry/hungarian-refugees-welcomed-to-canada-in-1956>.
- Order re landing of immigrants in Canada*, P.C. 1950-2856. (1950). *Canada Gazette. Part II*, 84(12), 1947–1997. Ottawa: Printed and Published by Edmond Cloutier, C.M.G., B.A., L.Ph., 1950.
- Order-in-Council P.C. 1931-695, 1931. (2016). Retrieved from: <https://www.pier21.ca/research/immigration-history/order-in-council-pc-1931-695-1931>.
- Papp-Zubrits, S. (1980) The Forgotten Generation: Canada's Hungarian Refugees of 1956. *Canadian Oral History Association Journal*, 4 (2), 29–34.
- Paris, North Atlantic Council. Note by the Chairman of the Committee of Political Advisers. (1957). *Report on Hungarian Refugees*. NATO Restricted Document C-M(57)65.
- Public Timelines. Canadian Immigration Timeline*. (2017). Retrieved from: <https://www.timetoast.com/timelines/canadian-immigration--9>.
- Raska, J. (2017). Baltic Refugees, Canadian Immigration Policy and the Arrival of SS Walnut.

- Rawlyk, G.A. (1962). Canada's Immigration Policy, 1945–1962. *Dalhousie Review*, 42, 287–300.
- Reitz, J.G. (2005). Tapping Immigrants' Skills: New Directions for Canadian Immigration Policy in the Knowledge Economy. *Law and Business Review of the Americas*, 11 (1), 2–20.
- Reitz, J.G. (2014). Multiculturalism Policies and Popular Multiculturalism in Development of Canadian Immigration. In: *The Multiculturalism Question: Debating Identity in 21st Century* (p. 107–126). Kingston, Montreal: McGill-Queen's University Press.
- Retrieved from: <https://www.pier21.ca/blog/jan-raska/baltic-refugees->
- Satzewich, V. (1989). Unfree Labour and Capitalism: The Incorporation of Polish War Veterans. *Studies in Political Economy*, 28 (1), 89–110.
- Scattering of Seeds – The Creation of Canada. *Impossible Home: Robert Kroetsch and his German Roots*. Retrieved from: <http://www.whitepinepictures.com/seeds/i/9/history2.html>.
- Smith, D. (2016). *War Measures Act. Historica Canada*. Retrieved from: <http://www.the-canadianencyclopedia.ca/en/article/war-measures-act/>.
- Statistics Canada. (1947). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1948). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1948–1949). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1950). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1955). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1957). *Canada Year Book*. Ottawa, ON.
- Statistics Canada. (1957–1958). *Canada Year Book*. Ottawa, ON.
- Stewart, P. (2017). Assisted Passage Movements. Retrieved from: https://www.pier21.ca/wp-content/uploads/files/First_75_Years/research_assisted_passage.pdf.
- The Canadian Citizenship Act*. (1947). S.C. 10 George VI, Chapter 15. Retrieved from: <http://www.pier21.ca/research/immigration-history/canadian-citizenship-act-1947>
- The War Measure Act*. (1914). 5 George V, Chapter 2. Retrieved from: <http://www.cfr.org/canada/canadian-war-measures-act/p24846>.
- UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons. (1951). *Final Act of the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons*. Retrieved from: <http://www.refworld.org/docid/40a8a7394.html>.
- Universal Declaration of Human Rights*, 217 [III] A. (1948). Paris.
- We are Canadians. (2011). *Post War World II and Displaced Persons*. Retrieved from: <https://wearecanadians.wordpress.com/2011/05/06/post-war-world-ii-and-displaced-persons>.