

**PATH DEPENDENT: CANADA AND GREAT BRITAIN'S IMMIGRATION POLICIES
1945 – PRESENT**

by

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Abstract

After the end of the Second World War both Great Britain and Canada's immigration policies underwent significant reforms. Great Britain's transition from country of empire and emigration to independent, immigration nation was met with great resistance on the part of both British society and its government. Racially restrictive legislation aimed at limiting the number of New Commonwealth immigrants was introduced, an action that immediately clashed with Britain's system of inclusive Commonwealth citizenship. Canada on the other hand implemented liberalizing, non-discriminatory reforms that offered all individuals irrespective of race the opportunity to immigrate, as long as they possessed the human capital required to succeed in Canadian society.

This thesis uses the concept of path dependence to explain why, despite strong historical and cultural connections, Canada and Great Britain introduced disparate post-war immigration policies. Historical analysis reveals how both countries' legislation mirrored socially embedded attitudes and norms, and illustrates the difficulty countries face in an effort to break away from historically accepted and propagated systems and conditions. Britain's policies were influenced by the historical institution of "Empire," while Canada's were motivated by its dependence on immigration for economic prosperity and national unity.

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Abbreviations

BNA	British Nationality Act
CUCK	Citizens of the United Kingdom and Commonwealth
CIA	Commonwealth Immigration Act
EC	European Community
EEA	European Economic Area
EU	European Union
NASS	National Asylum Support System
TCN	Third Country Nationals

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Chapter One: Introduction

After the end of the Second World War, Great Britain and Canada introduced significant reforms to their systems of immigration. Post-1945, large scale migration from India, Pakistan, Africa and the Caribbean dramatically changed the racial and cultural makeup of the historically homogenous British population, while the continual influx of immigrants to Canada from the Asian, African and South American continents transformed the country's predominantly European ethnic mix. Yet while the increased diversity of Canada's population is resultant of its post-war liberalized, non-discriminatory immigration legislation, Britain introduced restrictive and ethnically biased reforms in an attempt to stop the multiculturalization of British society.

Canada and Britain's disparate policy structures are at first surprising due to the intertwined histories of these two nations. Canada has been both a colony of and close ally to Britain; it did not fully separate from its former ruler until 1982 with the signing of Canada's *Constitution Act*. Both countries are members of the Commonwealth of Nations and share the same Head of State and Monarch. Canada's governmental and legal systems are modeled after Great Britain's and from its conquest of New France in 1759 until Canada's immigration reform of 1967, Great Britain was one of Canada's largest immigrant sources. At present, people of British ancestry make up Canada's largest ethnic group. (Statistics Canada, 2008)

This thesis applies the concept of path dependence to explain the discrepancies in immigration policies that exist between these two countries, despite their strong historical and cultural connections. Though seemingly homogenous in their composition, Great Britain and Canada have vastly divergent histories, most clearly evidenced by the popular and political stances that evolved in the post-war period. Canada's present day immigration policy is born

more from the absence of the oppressive weight of a long imperial history only grudgingly relinquished and never forgotten.

This thesis proposes that Canada and Great Britain are two excellent case studies in exploring how historical institutions like “Empire”, or lack thereof, influence present-day social attitudes and political practices including citizenship, national identity, border control and migrant integration schemes. Both countries’ post-war policies reflect socially embedded structures and prejudices and illustrate the difficulty countries have in terms of successfully breaking away from historically accepted norms and conditions. That Canada’s post-war immigration policies have been trumpeted by Western European nations as a model for a positive, functional migration system is due to a myriad of pre-war historical factors: it is a country founded and populated by immigrants, its confederation was dependent on a compromise between two distinct cultural migrant groups and its economy was created by, and has since relied on migrant labour capable of promoting specific, successful industries. In short, a positive focus on immigration has dominated Canada’s historical path from its colonial beginnings to present day independence.

In contrast to this case is Great Britain, a country whose immigration and citizenship policies are steeped in a racially charged, hierarchical imperial history. The subsisting attitude of Empire has created a social and political inflexibility towards the idea of immigration as it threatens the country’s historically propagated “splendid isolation” based identity. The thesis explores the argument that Great Britain’s dysfunctional transition from an imperial, emigration-focused country to an independent, immigration nation serves not only as an excellent example of how history dominates current, existing systems, but also offers answers as to why this dysfunction exists in other present-day closed immigration countries; ironically, many of these,

including Great Britain, aim to emulate the Canadian immigration process. (DeVoretz & Laryea, 2005) This thesis asserts that this emulation will not succeed unless substantial effort is put in place to not only reform policies, but also historically engrained governing norms. Use of historical evidence from both Canada and Great Britain brings clarity to this perspective.

Chapter One provides an examination of the path dependence theory and how it is embedded in popular immigration scholarship. Chapter Two consists of a historical analysis of the post-war immigration policy in Great Britain and Canada. Chapter Three explores how emigration, empire and European unity have driven Great Britain's post-war immigration policies. Chapter Four examines the importance of economy and bi-culturalism for Canada's immigration legacy. Chapter Five reflects on how historical attitudes towards immigration have influenced integration strategies and attitudes towards multiculturalism in both Canada and Great Britain.

Chapter Two: Path Dependence and Popular Immigration Scholarship

If particular political outcomes can be traced back to specific, historically reinforced events or decisions, the concept of path dependence may explain why Canada and Great Britain operate different immigration policies. Path dependence characterizes specific historical sequences, in which contingent events set into motion institutional patterns, or event chains that have deterministic properties. (Mahoney, 2000) Large outcomes may result from “small” events; once particular courses of action are introduced, they are virtually impossible to reverse. This idea purports that these critical moments are what shape the basic contours of social life, outline public policy and punctuate political development. (Ikenberry, 1994) As Margaret Levi writes, “path dependence means that once a country or region has started down a track, the costs of reversal are very high.” (Levi, 1997, p. 28) There will be other choice points but the entrenchment of certain institutional arrangements obstructs what should be an easy reversal of the initial choice. This proposal stands in contrast to other modes of argument within the social sciences that attribute “large” outcomes to “large” causes, champion the irrelevance of timing and sequence and endorse the capacity of rational actors to design and implement optimal solutions to the problems that confront them. (Pierson, 2000)

The continuity of path dependence, wherein movement taken in one direction is dependent on preceding steps taken in that particular direction, is dependent on the idea of increasing returns. Paul Pierson describes this as the “relative benefits of the current activity compared with the other possible options over time,” that often result in a positive feedback loop. (2000, p. 252) Unfortunately, a side effect of these increasing returns is the simultaneous increase of power asymmetries (governmental, institutional, individual, etc.) and an increased opacity in political power relations. For example, a positive feedback process over a substantial

period of time will transform a relationship defined by balanced conflict and open dialogue, into one dominated by one set of actors, or two sets of actors who operate on one set of ideas. It transforms a dynamic political situation, in which multiple parties work to impose its preferences on others, “into one in which power relations become so uneven, that political conflict becomes unnecessary” and changing paths almost impossible. (Pierson, 2000, p. 253) This holds true even in the face of decreasing returns; path dependence argues that most political systems will find it easier and cheaper, both ideologically and financially, to stay the given course, than face the challenges and costs of exiting. Those that do make the effort may not be successful in fully breaking away from the previous path and instead find themselves straddling two disparate courses of action.

Great Britain and Canada, Path Dependent?

Both Canada and Great Britain are countries defined by individual mythologies that dominate their cultural, social and political processes; mythologies that, according to path dependence, were cemented by the simple process of taking steps in one particular direction. For example, for almost half a millennium, Great Britain was a country defined by emigration and empire, a path reinforced by an almost continuous outflow of British citizens, sent to spread the “British stock” and subjugate, govern or rule the peoples of its colonies. The increased returns the country enjoyed during this period of its history (unparalleled access to natural resources and international dominance and prestige) proved almost insurmountable, both politically and psychologically, and impossible to forget; its transition from a country of emigration to one of immigration, and its loss of colonial power could only be fully realized on paper. As Joanna Fomina writes, “in a symbolic sense, the Empire never truly disappeared...illusions of Empire, imperial attitudes and nostalgia remained part of the national image.” (2009, p. 10) Evidence

for this inability to fully break away from its imperial past and accept its new status as an independent, immigration-based country, are the efforts that were put in place to ensure Britain's continued level of involvement within, and control over, its former colonies, while at the same time limiting access to its borders. All former empire and commonwealth citizens were given citizenship of the United Kingdom, yet at "no time were 'coloured' British subjects considered to be welcome in the home country." (Schain, 2008, p. 125) There has been little effort to change paths, with both the Conservative and Labour political parties supporting legislation that limited the growth in numbers of 'coloured' migrants. For example, it was the Conservative party of Great Britain that introduced the restrictive and racially charged *Commonwealth Immigration Act* of 1962 (a piece of legislation that will be discussed further in Chapter Two.) While the Labour party strongly opposed the act during its debate in parliament, going so far as to promise its repeal, after being voted back into power in 1964 the party introduced more demanding immigration control for new migrants and abolished entry vouchers for unskilled migrant workers. Attempting to follow two paths resulted in an underdeveloped and ethnically-biased definition of citizenship (one that did not correlate to most British citizens) and a racially-restrictive immigration policy.

In contrast, Canada, from its inception to the present day has always been a country of immigration. In the language of path dependence, Canada's history has become a self-reinforcing sequence characterized by the formation and long-term reproduction of one particular institutional pattern: immigration. Valerie Knowles writes that the "people who have come to Canada have, by their efforts and talents, fashioned [the] country's institutions, political and economic character, and cultural diversity...they have made Canada what it is." (2006, p. 11) While Britain's immigration policy has primarily focused on keeping Britain "British" in an

effort to propagate a national character that was built during the time period of empire, “Canadian immigration policy has been and currently is primarily about nation-building, with immigration serving as the foundation of the country.” (Sweetman, 2001, p. 1)

Path Dependence and Immigration Scholarship

According to Martin Schain, there are four areas of scholarship that must be addressed when studying a nation’s creation and implementation of immigration policy; in this particular case, the analysis of the historically based discrepancies that exist between Britain and Canada, is bolstered by a discussion of the following questions. Why do individuals immigrate to these countries and who is immigrating? How closely does each country’s government focus on border control? Who are considered citizens and what are the (legal and social) requirements of citizenship? What are Canada and Britain’s incorporation regimes and how well do they work? The answers to these questions are dependent on each country’s historical immigration path which influences present day social reaction and political legislation towards immigration and government legislation.

Why Immigrate? Immigration Theory

There are numerous theoretical models that attempt to explain why international migration occurs. Neoclassical macro-economic theory proposes that international migration begins due to disparate levels of supply and demand for labour between the sending and receiving countries. Countries with a large endowment of labour relative to capital have a low equilibrium market wage, while countries with a limited endowment of labour relative to capital are characterized by a high market wage; equilibrium can only be reached through workers moving from the low-wage country to the high wage country. This approach is often called the push-pull theory, wherein migrants are both “pushed” out of their countries (due to poor living

standards, political upheaval, limited economic opportunities) and “pulled” towards receiving states (through high labour demands, the promise of political freedoms, and diverse economic opportunities.) Central to this argument is the concept of “human capital”: individuals decide to “invest” in migration because this investment has the potential to bring future gains in earnings. An individual will migrate if the amount of money he or she will earn in the destination country is more than the costs incurred during the migration process, a calculation that is dependent on a pre-existing negative wage differential between the sending and receiving countries; once this balance is regulated migration between the two countries will stop. Due to labour markets’ high degree of control over the international movement of workers, governments wishing to limit migration are required to manage labour markets.

Yet this theory is flawed as it defines constraining factors such as government restrictions on emigration or immigration as “distortions of the rational market that should be, if possible, removed.” (Castles & Miller, 2003, p. 24) Whether immigration control policies are a truly effective means of border control is debatable, yet as Schain points out, “it does seem evident that socioeconomic conditions – particularly those that would tend to “pull” immigrants into wealthier countries in need of immigration, should be very much influenced by public policy.” (2008, p. 14) If migrants find a country to be an attractive destination, it is because their government or the receiving government, or both has implemented specific policies to make it that way. Political incentives, or in many other cases, political obstacles must be addressed, not as a flaw in the system, but as a part of it. This approach, known as the migration systems theory, examines the linkages between the sending and receiving countries in terms of “state to state relations and comparisons, mass culture connections, non-discriminatory immigration systems, and family and social networks.” (Castles & Miller, 2003, p. 27) These include but

are not limited to histories of colonization, political influence, trade, investment or cultural ties. Analyzing the ways in which these macro and micro structures interact is a more inclusive approach to answering the question why immigrants choose one country over another, and why larger numbers move in one period of time, compared to lesser numbers during another. For example, Great Britain has employed a closed immigration policy since the mid 1940's, yet the number and kind of immigrants (workers and family members) and their country of origin (a former colony or the old USSR) has changed from year to year. Using the migration systems theory, one could argue that Britain's large-scale immigration from the Indian sub-continent and the Caribbean began because of its former colonial presence in those areas, whereas the influx of Eastern European was a result of the expansion of the European Union (EU) and Britain's decision to immediately open its borders to new members in 2004. An increase in individual migrant workers was a direct result of an increase in demand, within Britain, for low-skilled and low-paid labour (as was the case for the country post World War II) whereas family reunification has been made easier through the creation of migrant networks; these are social links formed on the basis of a common country or area of origin, that provide social and economic infrastructure, work opportunities and bureaucratic and legal support to new immigrants.

One conclusion that may be drawn from this argument is that once migration begins it is very hard to stop. "When governments try to stop flows, they may find that the movement has become self-sustaining. What may have started off as a temporary labour flow has been turned into family reunions and undocumented migration." (Castles, 2003, 31) The long term effect of this process is the permanent settlement of new and distinct cultural and ethnic groups within the receiving country. Host societies can react to these communities in a number of ways, ranging from the full acceptance of a multicultural society and its support for ethnic "communities" (as

was enshrined in Canada's 2002 *Immigration and Refugee Protection Act* to the complete rejection of cultural diversity and the creation of divisive and undesirable ethnic "minorities."

The problems of racism and discrimination affect many immigrant receiving countries, with both exclusionary practices and embedded historically and culturally intolerant consciousness playing important roles in the creation of minority groupings.

In an attempt to appease host populations opposed to immigration, governments try to turn off the "migration tap" by altering immigration policy by increasing costs and restricting the perceived benefits of migrant mobility. Yet with the aforementioned factors of migrant networks and family reunification limiting the affect these alterations may have on the flow of migrants, governments focus on border control, and its affect on immigration and national identity.

Border Control

A country's ability to control its borders has direct effects on how its citizens view immigration, national identity and autonomy. While the theory of state sovereignty being linked to border control has existed since the sixteenth century, Schain argues that it was the end of the nineteenth century that saw the beginning of national identity affirmation through militaristic and administrative border control, with the victor countries at the end of World War II cementing the mythological link between a country's competencies in terms of frontier security and its individual strength. (2008, p. 6) These "winners" (Great Britain, America and the USSR) had won because they had not allowed their borders to be permanently overrun by axis powers. Their names, their governments, their "identities" had not been usurped; America had remained American, Russia, Russian and Britain, British. Running contrary to this idea of a strong frontier equating a strong country were the newly emerging international agreements promoting cross-border interaction and cooperation and the supranational court decisions determining individual

and collective rights; across the Western world transnational processes aimed at preventing future large scale military incursions and encouraging interstate discussion ran contrary to the importance of heavily guarded borders. (Two examples of these processes are the 1948 *Universal Declaration of Human Rights*, and the creation of the *United Nations High Commission for Refugees* in 1950.) Yet the idea of an existing correlation between concrete borders and national identity did not disappear. Instead, the struggle to maintain the national frontier (and therefore identity) shifted away from the non-existent enemy army, to the very relevant enemy immigrant. Saskia Sassen writes that governments were forced to walk a line between their citizens' support for a nationalization of border control and immigration policy, and the demands of transnational regimes that supposedly limited government control over domestic policies. (1998, p. 68)

However Schain argues that too much emphasis was placed on international accords and their "power" over national governments and their legislation; one common misconception is that membership within the European Union has diminished a nation's control over its frontiers, in particular with regards to immigration control. (2008, p. 7) As a member of the European Union, the government of the United Kingdom has no less control over its own borders than that of Canada. For example, while the incorporation of the *Schengen Agreement* into the *Amsterdam Treaty* saw the transfer of member sovereignty to the Union with regards to the migration of EU nationals, Britain opted out of this accord; only small steps have been taken toward the development of common immigration policies to deal with Third Country Nationals (TCN), and depending on the country within the Union, there are different frontiers for tourists, workers, settlers and future citizens. In terms of immigration matters of high-salience, harmonization within the Union has tended to reinforce the capacities of states to control and exclude

immigrants and leaves the option for a more expansive or exclusionary immigration policy within the hands of the member states themselves. (Givens & Luedke, 2004) Coordination does not necessarily mean liberalization or indeed, weakness. It can lend legitimacy to a country's efforts towards a more closed border, specifically if other members of the transnational organization are pursuing similar policies.

Canada, while not a member of any organization that functions on the same level as that of the EU, has also signed agreements "imbedded in a network of global institutions...whose rules can be used by its political actors to alter domestic policies." (Schain, 2008, p. 7) If anything, Canada has less control over its borders than Britain, due to the fact that it does not have the support of twenty-six other countries also fighting the concession of sovereignty to a supranational organization or international agreement. As will be discussed next, a policy of an open or closed border affects the ways in new migrants are incorporated into the receiving societies.

Citizenship and Integration

The question of immigration is rarely raised without the adjacent issues of citizenship, naturalization and national identity. These processes do not exist inside a political and social vacuum; just as a state can "transform" an immigrant into a citizen, an immigrant can change the way in which the state conceptualizes the definition of citizenship and the policies concerning integration and naturalization. (Schain, 2008) Naturalization "formally incorporates non-citizens into the national political community by recognizing in them certain political rights and responsibilities." (Anderson & Black, 2008, p. 46) The acquisition of citizenship is often seen as the "next step" in terms of integration and serves as an official acknowledgement of an individual's place within a country; it denotes a level of acceptance within society and

guarantees specific economic, social and political rights. The degree of difficulty by which citizenship is attained is often a direct reflection of the receiving society and its own self-perception, or identity. Immigration policy is usually premised on a meaningful concept of citizenship, which divides the world into those who belong and those who do not, and in which legal status overlaps with identity. (Joppke, 1998) As such, in order to receive citizenship, immigrants must legally prove that they can or do belong in their adopted countries. This may entail living in the country for prolonged periods of time, writing tests that prove their knowledge of national history and culture or showing evidence of having “adopted” specific values and norms propagated by domestic governments as being unique to their nation and citizens. In the case of first generation immigrants, citizenship may automatically be given to those individuals born on the soil of the country. This tradition, known as *jus solis* makes the transfer of citizenship much easier compared to the tradition of *jus sanguinis* wherein citizenship claims are “based on familial heritage from parents who are ethnic nationals.” (Schain, 2008, p. 11)

Problems arise when an individual’s right to enter and reside in, as well as become a member of a country do not correspond with the proscribed characteristics of the national identity. An individual may be granted citizenship, either by naturalization or territorial birthright, while at the same time denied membership in the national community because socially, or more controversially, visually, they do not belong. For example, post-1945 British citizenship rights were based on an imperial citizenship, wherein any individual of any former colony or territory was granted citizenship by birth; this created large problems from incoming migrants from the “New Commonwealth” whose religion, race, skin colour and language deviated wildly from the socially accepted definitions of what was considered “British.” With the citizens

of numerous countries lumped together and given “UK Citizenship”, this legal category of “citizen” was essentially without one national community, of which membership could not be accurately defined. With the tradition of empire transferring citizenship to those who had never lived in Britain and had no familial ties to the Metropole resulted in an absence of a meaningful concept of citizenship; “the key objectives of future British immigration policy converged on race: keep out the coloured subjects of empire towards whom there were no ties of belonging.” (Joppke, 1998) The beginning of the 1980’s saw a realignment of Britain’s political and national communities; citizenship rights are now based on the tradition of *jus sanguinis*, with direct citizenship awarded only to those born of one or more British parents.

As both a traditional country of immigration and former British colony, Canada lacks a national identity constructed on the empirical mentality of “us versus them.” In fact, Christopher G. Anderson argues that what constitutes the basis of the Canadian identity is the ability to create an “us” from the incoming “them;” at present, the current naturalization rate of eligible individuals is approximately 84 percent; its numbers far exceed that of Great Britain which currently stands at 56 percent. (2008) As a country of immigration Canada has committed itself to the integration of non-citizens into the national community, so the question is not whether but how this is to be accomplished. There is a responsibility on the parts of both the immigrant and the receiving society; foreign-born residents are expected to apply for citizenship once eligible, in order to demonstrate their commitment to the country, while by law, all naturalized Canadian citizens must be treated equally to their Canadian-born counterparts: “all citizens, no matter how they became citizens, have the same status.” (C-18, 2002)

Theodore Lowi describes the different immigrant incorporation regimes of host societies as “public philosophies.” (1969) They provide objectives for future state policy concerning new

migrants. However, while often clear on proscribed outcomes, the links between philosophies and actual public policy can be tenuous and often times contradictory. Integrationist and multiculturalist policies can and have been applied in ways that are quite different from their intended goal, in so far as they can serve as dividing factors within the host population, between immigrants and nationals, or “new” citizens and “old” citizens: the former feel as though they belong but perceive that the dominant “older” population do not fully accept that belonging. These problems are only exacerbated when a government supports an inclusive integration policy and exclusive immigration strategy, as will be evidenced in the case of Great Britain. In contrast, Canada has gone so far as to identify the importance of the mandate of multiculturalism within its latest immigration legislation, the *2002 Immigration and Refugee Protection Act*.

Chapter Three: A Historical Analysis of Post-War Immigration Policy in Great Britain and Canada.

The purpose of this chapter is to provide the necessary historical background in order to examine the impact both countries' immigration legislation and regulatory regimes have had on concepts of citizenship (both legal and psychological), constructions of national identity and each government's sponsored integration regimes. It will analyze the major changes in British and Canadian law on immigration between 1945 and present day while comparing Britain's switch from country of emigration to (highly restricted) immigration, and its enduring imperial legacy to that of Canada, a country defined by and economically invested in, immigration.

Britain

In accordance with Ministerial directions, such administrative action as is possible to discourage immigration of coloured people into this country from the colonies has been taken over the last few years. – Home Secretary, David Maxwell-Fyfe, 1954

The numerous post-war changes and amendments made to Britain's policies, including an overhaul of citizenship qualifications in 1981, were in response to the considerable influx of immigrants, particularly from former African and Asian colonies. This period of legislative reform highlights the country's awkward and reluctant transition from a country of empire and emigration to a country of immigration and showcases the fundamental contradiction between what was an outwardly inclusive concept of citizenship and its racially exclusive constructed national identity. While the late 1940's gave Clement Atlee's Conservative government its first opportunity to address the popular prejudices against colonial immigration, many politicians (Conservative, Labour and Liberal Democrat) reacted towards the new immigrants with hostility, assuming that this would be the general reaction of the populace. Yet as Rosemary Sales argues, the post-war response of the elites did not follow popular sentiment; it sustained what was a

historically accepted bias against citizens of former colonies, a bias that has continued despite subsequent changes to Britain's immigration legislation.

1945-1962

Despite its status as a victor country, the war had left Great Britain in both the economic and political doldrums. The demand for post-war, reconstructive labour skyrocketed while the threat of decolonisation further weakened its place amongst the new international powerhouses, in particular the United States and the USSR. With respect to immigration policy, the newly elected Conservatives made efforts to maintain Britain's (fledgling) superpower status through the reconstruction of relations with the post-empire, Commonwealth nations, while at the same time attracting foreign labourers who would help the country rebuild its much damaged infrastructure. The *British Nationality Act of 1948* (BNA) gave rights of entry and "citizenship" to all individuals living in United Kingdom and in former colonies (now members of the Commonwealth.) The Act created the expansive citizenship category of Citizen of the United Kingdom and Commonwealth (CUKC). As Martin Schain writes it "defined an open subjectship, linked to a relatively open citizenship, with almost no restrictions for those subjects of the colonies who wished to enter and reside in the United Kingdom." (Schain, 2008) The act established broad citizenship rights for both "subjects" and "citizens", yet did not clearly differentiate between the two. Further, the refusal to devise a concept of national citizenship created the core dilemma for all immigration laws and policies that followed: there was no clear criterion of "belonging." At the same time the campaign also encouraged the emigration of British citizens to the Commonwealth, despite the country's high demand for workers. It was believed that a continual outflow of "British stock" was integral to sustaining links between Britain and its former empire.

This nostalgia for empire came into conflict with the socially accepted belief that the construction of “coloured” communities within Britain carried long-term social consequences: at best they were difficult to assimilate and at worst, capable of derailing a functioning society. The British government’s 1949 *Population Commission Report* stated that immigrants were welcome in Britain, “‘without reserve’ as long as they were of “good human stock and not prevented by their religion or race from intermarrying with the host population and becoming merged with it;” those who qualified under this report included 200,000 Poles and other displaced Eastern Europeans. (Sales, 2007) Although colonial immigration was a small percentage of total immigration, “neither in the Parliamentary debates over the Bill, nor at any other stage of deliberations, ‘was the possibility discussed that substantial numbers of CUKCS could exercise their right to reside in the United Kingdom. (Hampshire, 2005, p. 19)

In this aim, ‘un-wanted’ New Commonwealth citizens could benefit from their status as CUKCS, so long as they did not assert their rights of citizenship and remained in their birth countries.

The earliest measurement of the public mood demonstrated hostility to new Commonwealth immigration, and both Labour and Conservative governments gave serious consideration for the possibility of restricting it. (Hansen, 1999, p. 68)

In fact most British politicians, including cabinet members who developed the Act, never conceived that CUKCS would exercise what was their statutory right to enter Great Britain. Yet in 1948, the *Empire Windrush* landed in Essex carrying 492 Jamaicans, seeking entry into, and the opportunity to work in, Britain. Although fully within their rights as citizens to do this, their arrival was condemned by Prime Minister Clement Atlee as an “incursion.” Despite relatively low levels of “coloured” immigration throughout the 1950’s, race riots in Birmingham, Nottingham and the London suburb of Notting Hill saw the election of numerous pro-

immigration control Members of Parliament in the election of 1959. It was the threat of government issued immigration controls that encouraged many CUKCS to migrate in the late 1950s for fear they would not have the same chance in the future; between the years 1959 and 1960 the number of “Commonwealth immigrants” nearly doubled. (Sales, 2007, p. 140) This helped tip the balance of public opinion against immigration and led to reforms of immigration policy in 1962.

1962-1971

The Conservative backed 1962 *Commonwealth Immigration Act* (CIA) formally removed the equality of citizenship established in the 1948 BNA by legally defining differences in belonging between British and Commonwealth citizens. While all individuals retained citizenship of the United Kingdom, only those born on British soil, or issued a passport from an overseas British embassy could retain the right of free entry into Great Britain. As such, the notion of imperial citizenship remained but the rights accorded to it could only be exercised by a percentage of holders, namely those defined under the 1949 *Commission Report*. British politician William Deedes was involved in the drafting of the CIA and wrote that although the act’s restrictions “were applied to coloured and white citizens...everybody recognized that immigration from Canada, Australia and New Zealand formed no part of the problem.” (Cited in Sales, 2007, 140) Commonwealth citizens wishing to work in Britain were required to attain a work voucher in one of three categories: category A, for those with a job in Britain, category B, for skilled workers or category C, for unskilled workers looking for employment. Caps were placed on all three groupings and numbers allotted for B and C were routinely scaled back, until C was completely closed in 1965. (Schain, 2008, p. 132)

Problems arose in 1965 and 1967 with the arrival of a group of Asians from Kenya, all of whom had been granted UK citizenship after Kenyan independence in 1963. They were fleeing the abusive “Kenyanisation” policies implemented by the new state. Holding passports issued by Her Majesty’s Government in the United Kingdom and not by a former Colonial government, these citizens had the unconditional right of entry. In response to the arrival of approximately 150,000 new British citizens, the British government was quick to institute legislation that restricted their rights. (Hampshire, 2005)

Some politicians were more vocal in their objection to continuing Commonwealth immigration at all: On 20 April 1968, J. Enoch Powell, the Conservative Member of Parliament of Wolverhampton (South-West) argued that the influx of immigrants from former colonies had left native Englishmen “strangers in their own land.” He predicted the eruption of violence should immigration continue when he stated, “as I look ahead, I am filled with foreboding...Like the Roman, I seem to see the River Tiber foaming with much blood.” (Powell, Cited by Whipple, 2009, p.717) This speech elicited much acclaim and criticism; Powell himself was celebrated and vilified, attacked by the Labour party for legitimizing racist discrimination and removed from his post within the Shadow Cabinet while celebrated in the streets. London dockers organized a strike in his honour while Gallop and National opinion polls calculated between 67 and 74 percent of the population agreed with him. (Whipple, 2009, p. 718)

The new Labour government had at first stood in opposition to increasingly racialized immigration policy; yet in the wake of the continued arrival of New Commonwealth citizens and their unpopular stance among “white” Britons, it passed the *1968 Commonwealth Immigrant Act*. This Act introduced a racialised division between Commonwealth citizens, coded within the concept of “partiality.” (Sales, 2007, p. 142) Partials were defined as:

- a) Those entitled to citizenship through birth, adoption, naturalisation or registration, or with a parent or grandparent entitled to citizenship, or;
- b) Citizens of Britain and its colonies who had settled in Britain and resided there for five years.

The new law saw the Kenyan Asians, who had been denied work permits on the basis of their British nationality (due to the politics of “Kenyanisation), refused entry into a country for which they held valid passports, due to their ancestry. A quota (1,500 heads of households plus dependents per year) limited the number of entries of these citizens of “non-belonging.”

(Hampshire, 2005, p. 37) Home Secretary James Callaghan championed these restrictions when arguing: “We should...legislate so as to deprive citizens of the United Kingdom and Colonies who did not belong in this country...of their automatic rights to enter.” (Hampshire, 2005)

Shamit Sagger argues that the ideals of the Commonwealth had not disappeared, simply changed. As desperate as Britain was to retain those former colonial ties, “virtually all leading politicians now subscribed to the view that the denial of entry rights to British nationals was a necessary and desirable thing to do.” (Sagger, 1992, 110)

1971-1981

A Conservative victory in the 1970 election saw legislation put into place to end primary migration from the New Commonwealth, while allowing residents of those countries to retain British citizenship. The party had campaigned on the promise to reform immigration law “to give the Home Secretary complete control, subject to the machinery for appeal, over the entry of individuals into Britain.” (Hampshire, 2005, p. 39) Its manifesto was to the point: “There will be no further large scale permanent immigration.” (PRO, Cited by Hampshire, 2005, p. 39)

Keeping its promise, the Conservative's *1971 Immigration Act* gave the Home Secretary power, subject to petition, over the entry of immigrants into the UK. Acting Secretary Reginald Maudling noted to the Cabinet that the Act would appease community relations in Britain through its prevention of New Commonwealth migration. Further, it extended the distinction between partials and non-partial, placing "the latter on virtually the same footing as aliens." (Paul, 1997, 181) Workers arriving from the New Commonwealth were required to hold a valid work permit, (with only skilled workers issued certificates) and held no right of settlement. Their legal status of "contract labourer" was contingent on full-time employment.

The Act came into effect in January of 1973, at the same time that Britain joined the European Community (EC.) This move marked the country's shift towards an "Europeanised" labour recruitment system, one that favoured workers from the Common Market over those from the Commonwealth. Sales argues that this practice was also evidenced by the government's decision to grant free access of the British labour market to the new accession countries in 2004. (Sales, 2007, p. 143)

1981-1993

In 1978 Margaret Thatcher, leader of Conservative party, gave a speech in which she claimed that the British people were becoming afraid of being "swamped" by those of an "alien culture." (Sales, 2007, p. 143) Her party's election to government in 1979 brought the issues of citizenship, race and immigration to the top of parliament's legislative agenda. Long standing Conservative concern was echoed by responses to national polls that expressed a public sentiment that preferred less settlement from India, Pakistan and the West Indies. (Lynch, 1999, p. 461) Two years later, the *British Nationality Act of 1981* saw a complete redefinition of British citizenship. The Act "extended the link between citizenship and ethnicity that had been

established with partiality and closed off the rights of British citizens abroad who were not of British “stock.” (Sales, 2007, p. 143) After 1983, there would only be Citizens of the United Kingdom and Others. The CUKC category was abolished; those who had held right to abode under the 1971 legislation (including most partials) were granted citizenship. Those who had UK nationality and held a non-resident CUKC passport were defined as British Dependent Territory Citizens and British Overseas Citizens. Members of the former group were made up of citizens of Hong Kong and thirteen other colonies or dependencies, whereas the latter “gave truly meaningless protection to essentially stateless persons, who had been denied citizenship by other members of the Commonwealth (as exemplified by the Asian Kenyans.” (Schain, 2008, p. 135) Home Secretary William Whitelaw was quoted: “the Act now gives us a clear idea of who belongs here and so remedies a problem which has been the source of difficulties over a long period.” (Hussain, 2001, p. 29)

Finally, the Act modified rules of *jus solis*, the broad privilege of automatic citizenship to any child born in the United Kingdom (formally the United Kingdom and Empire), to children born of a British mother or father, or of non-British legal residents (formally known as a Partials) permanently settled within the United Kingdom. Schain writes that,

Ultimately policy makers, who were driven primarily by considerations of immigration and immigration restriction, were moved to expand instruments of ancestral connection, *jus sanguinis*, in order to differentiate among claims for the right of entry from the declining British Empire. (Schain, 2008)

Thus these amendments to British citizenship law helped cement a racial idea of what constituted the British nation and its citizens.

In a response to growing refugee and asylum numbers, the *1988 Immigration Act* introduced visa controls for six Commonwealth nations: Sri Lanka, India, Pakistan, Bangladesh, Nigeria and Ghana. (Solomos, 2003, p. 67) Further, it took away the right of unconditional

family reunion from long-settled Commonwealth men, and restricted new settlers' rights of residence and immediate access to health and social benefits. (Sales, 2007)

1993 – Present

Until the early 1990's, Britain did not have a domestic asylum or refugee policy, despite having signed the Geneva Convention in 1954. Up until 1993, refugees arriving in the country had done so through independent channels and organized programmes, with their status as "refugee" already established. Upon landing, these individuals had access to housing and social programmes, and were legally entitled to family reunification. However, in a bid to curb the growing number of refugees and asylum seekers, John Major's Conservative government introduced the *Asylum and Immigration Appeals Act* which ended the right to permanent accommodation and set social benefits for refugees at two thirds of income support (while at the same time incorporating the Geneva Convention into immigration rules.) The *1996 Asylum and Immigration Act* saw this government build on these restrictions, in so far as it removed benefits from individuals making in-country claims and those appealing deportation. As much as British citizens may have opposed the growth in asylum seekers, they opposed the latter's drain on social services more. (Sales, 2007, p. 148) Refugees were placed under the responsibility of local authorities, who were in charge of providing vouchers upon evidence of "destitution." (Knowles, 2006, p. 146) In 1997, Tony Blair's newly elected Labour party circulated *White Paper Fairer, Faster and Firmer* which urged a simple and more efficient method of processing asylum claims, stricter border control (for both refugees and immigrants) and reducing incentives for economic migration. By abolishing welfare benefits for asylum seekers, the government believed it could weed out non-genuine claimants and strengthen the position of genuine refugees. The Home Office claimed that "those genuinely fleeing persecution would not be

overly concerned about whether or not support was provided in cash, nor about the location in which they were supported. (Sales, 2005, p. 148) New powers were given to police officers in their search, arrest and detention of failed asylum seekers and a new centralized agency, the National Asylum Support System (NASS) was created to provide country-wide, coherent support for new arrivals.

In October of 2001, Labour Home Secretary David Blunkett heralded the White Paper *Secure Borders, Safe Haven* as the first step towards a fundamental reform to Britain's asylum and immigration policy. The paper called for a more "managed" migration process, focused on labour migration directly linked to the nation's economic interest, entry restrictions, internal controls operated by service provider and a reform of the meaning of national citizenship. Further to this, in April 2006 a points-based system was introduced as a means of regulating immigration from non-European Economic Area (EEA) source countries. The system is comprised of five tiers, each with its own set of requirements: high-skilled migrants; skilled migrants with guaranteed employment; temporary, low-skilled workers (although the government anticipates the demand of this tier can be met by migrants from EEA countries); students; and youth workers and mobility programmes.

Finally, in April 2009 the Labour party along with a strong Conservative backing, introduced a points-based module for citizenship; naturalization is now dependent on language proficiency, economic contributions, a clear criminal record and passing a "Life in the UK" test. Believing these new regulations mirror the expectations of British citizens, Border and Immigration Minister Phil Woolas was quoted, "people must earn their right to stay in the UK permanently, by working hard, obeying the law and speaking English...being British is a privilege." (Home Office UK Border Agency, 2009)

Canada

Historically, Canada looked to the countries of Western Europe, in particular Great Britain, in terms of immigrant source countries. For almost twenty years following the Second World War, Canadian immigration policy favoured immigrants from the United Kingdom, the United States and Europe over those from Asian and African countries. Yet the mid-1960's brought substantial change to Canadian legislation. Policies moved away from their "national and racial origins and instead emphasized education and occupational skills as selection criteria for new immigrants." (Li, 2003, p. 22) According to Biles et. al., it was these changes in legislation that represent Canada's most fundamental step in its path as a immigrant nation, regardless of the consequences that an open immigration policy engendered. (2008)

1947-1967

As previously stated, Canadian politicians, particularly those in the ruling Conservative party, continued to favour a restrictive immigration policy post-1945. However, policymakers soon realized that, when faced with a growing economic boom and rising demand for skilled workers, the limited entry principles of the *1911 Immigration Act* would have to be expanded. A growing number of Canadians, representing both economic and social interests, advocated for the removal of immigration barriers. A more generous policy meant a larger population, larger markets, more economies of scale, and increased national security (as long as immigrants moved to the uninhabited parts of Canada). (Knowles, 2006, p. 156)

The Liberal government's 1953 *Immigration Act*, a piece of legislation that took the first steps towards the formulation of a broader, more economically inclusive immigration policy, while still being restrictive in terms of the admissible source countries. (DeVoretz & Laryea, 2005, p. 574) While the Act did open Canada's border to larger numbers of Southern and

Eastern Europeans (specifically those displaced after the war), and allocated a small percentage of total immigration to migrants from “non-preferred” regions (7 percent), it still favoured specific countries and regions identified under the notation of “absorptive capacity.” Its criteria focused on language, customs and social mores, and not economic standing; prospective migrants could be refused admission on the basis of their inability to become readily assimilated due to their cultural habits or modes of life. (Hawkins, 1991, p. 38) The socially propagated belief was that migrants from the preferred areas of Great Britain, the United States and Western Europe were believed to be easily integrated into Canadian society and were therefore granted more liberal sponsorship rights; between 1953 and 1967, approximately 42 percent of all movers arrived from these areas. (DeVoretz & Laryea, 2005, p. 576)

Yet in 1963, Conservative Immigration Minister Ellen Fairclough, worried over the annual exodus of Canadian professionals to the United States, introduced a reformed policy that abolished racial discrimination as a feature of Canada’s immigration legislation. On 1 February, she tabled new legislation that ensured any unsponsored immigrants,

Who could satisfy the Department of Citizenship and Immigration that they had the requisite education, skill, or other qualifications were to be considered suitable for admission, irrespective of race, colour or national origin, provided they were able to support themselves until they found employment or were coming to take a specific job. (Knowles, 2006, p. 187)

While the provision stipulating that migrant sponsorship was reserved for the preferred sending countries was not abolished until 1967, migrant numbers from Asia, Africa and South and Central America now accounted for 30 percents of the 1962-1967 immigrant flow. (DeVoretz & Laryea, 2005, p. 576)

1967-2001

The Conservative government's abolition of the "White Canada" immigration policy in 1962 resulted in the adoption of a points based system devised to select non-sponsored immigrants. All future migrants would be chosen on the basis of their suitability to Canada and their ability to meet Canadian labour market needs and could not be discriminated against due to religion, race or country of origin. Regardless of the country of origin, the method of assessment would be applied equally: the primary applicant in the independent or economic category now required a minimum of fifty points from established economic characteristics. These included age, education, language, occupational demand, skill level, arranged employment and province of final destination in Canada. (DeVoretz & Laryea, 2005) The establishment of this "open policy" system greatly accelerated the arrival of high skilled immigrants from developing countries and substantially changed the makeup of the country's foreign-born population.

In 1975, in a bid to monitor the macroeconomic gains of increased immigration, as well as track the public opinion of increased and unrestricted immigration, the Liberal government under Pierre Elliott Trudeau drafted *The Green Paper*. This piece of legislation proposed future immigrant target levels and outlined specific labour market criteria relating to immigration in a bid to keep immigrant numbers up in the face of economic recession. After a thirty-five week period of public hearings staged in twenty-one cities across Canada, gauging citizens' views on the progression of immigration legislation, the majority response was that "Canada could not afford to adopt an open-door policy...but would operate a non-discriminatory, rationally directed policy to best serve the interests of all Canadians." (Knowles, 2006, p. 208) The government ignored that five percent of all respondents had advocated for the restriction of all non-white immigration and the fourteen percent who supported a fully open, unrestricted policy.

Parliamentarians made an additional sixty-four recommendations concerning the shape of Canadian immigration policy, of which most were accepted by the Prime Minister and incorporated into the *1976 Immigration Act*.

This act was the foundation for Canadian policy until 2001, laying down the fundamental objectives for immigration in Canada. Section 3, Part 1 of the Act promoted Canada's demographic, economic, cultural and social goals, and family reunion. It also fulfilled Canada's international obligations in relation to the United Nations Convention and the 1967 Protocol relating to refugees. The act emphasized non-discrimination in immigration policy and cooperation between all levels of government and the voluntary sector in the settlement of immigrants in Canadian society. It established a yearly immigrant quota to be debated and tabled in the House of Commons and created three main avenues of immigrant entry: family reunification (family class); refugee class (convention refugees or designated class); or as an economic mover (assisted relative, entrepreneur, self-employed, investor, or independent.) (DeVoretz & Laryea, 2005, p. 578) Further, the Act strengthened procedural protections for new immigrants subject to inquiry, including an impartial interview conducted by independent, specially trained adjudicators, as well as tempering administrative discretion.

As a complement to the new act, the *Immigration Regulations of 1978* revised the Points System, giving greater emphasis on practical experience and training over formal education. It also created new provisions allowing for public sponsorship of refugees and the creation of a process to better handle future refugee movements. (Knowles, 2006, p. 210) Post-1985, new entry classes were designated for self-employed individuals, giving entrepreneurs and investors with potential to create jobs and to self-finance greater opportunities to move to Canada.

2001 - Present

Between the years 1976 and 2001, the issue of immigration was a topic of heated debate within Canadian society. Proponents championed the economic benefits of trained, educated migrants, eager to integrate into society. (Li, 2003) Detractors bemoaned the exploitation of the system by non-genuine refugees, the backlog of immigration applications and the statistical evidence that revealed the country's much higher per capita immigration level than other large Western nations. (Stoffman, 2002) The effort to reform and streamline immigration policy forced politicians to take into account both arguments, as well as the changing character of the Canadian labour market, all potential, future demographic changes, and the new security and safety issues facing the country. The end result was Bill C-11, introduced in February 2001 by Liberal Immigration Minister Elinor Caplan. An amended version came into law in 2002, as the *Immigration and Refugee Protection Act* which summarized the economic, social and cultural goals for Canada's immigration program. These include the universal right to pursue economic, cultural, and social benefits, while respecting the country's multicultural and bilingual character; reuniting families; supporting both residents and new immigrants' obligations in terms of social integration; the recognition of foreign credentials; promoting tourism, trade, cultural, scientific and educational pursuits; fulfilling international legal obligations regarding refugees; providing a safe haven for those fearing prosecution; maintaining the integrity and equal refugee determination process; and helping refugees reunite with their families. (Department of Justice Canada, 2010)

Conclusion

Immigration policy is not formed inside of a vacuum. The changes discussed in this chapter were contingent on political, economic and social actors, all of whom were influenced by

historical systems, institutions and governing norms. Whether a society defines itself as inclusive or exclusive is dependent on these factors. How they drove Canada and Great Britain's post-war immigration policies will be discussed in the following three chapters.

Chapter Four: British Emigration, Empire and European Unity

Since 1945 Great Britain's immigration policies have been driven by the enduring narrative of Empire. Unlike Canada, whose immigration legislation has always corresponded to a citizenship based on nationhood, with rights and obligations reserved for its holders, Britain's immigration legislation, regulation and administration have been shaped by the lingering significance of this global institution. (Karatani, 2003)

For many years all inhabitants of the British Empire enjoyed formal membership within the same club. While the Empire had no official status of "citizen," as defined by the political and practical relationship between constituent polities and individuals, it instead employed a system of "subjecthood" wherein all individuals, whether in England or India, owed allegiance to the English crown and were outwardly regarded as equals. (Gorman, 2002) However, historian David Cannadine writes that, "the British Empire was at least as much about the replication of sameness and of the similarities originating from home as it was about the insistence on difference and dissimilarities originating from overseas." (Cannadine, 2001, p. xix) This unofficial status of "citizen" attempted to create the outward appearance of stability, cohesion and equality, while at the same time propagating a discriminatory social hierarchy. This was evidenced by the rights, benefits and political duties awarded to the (white) subjects living in the United Kingdom, less so to the subjects of the white settlement colonies (Canada, Australia, New Zealand) and rarely to the "coloured" subjects of the Caribbean, African and Indian sub-continent colonies. Schain writes, "policies aimed at limiting entry from the colonies (and eventually New Commonwealth) were applied as far back as the nineteenth century, and were clearly related to the more explicit legislation developed in the 1960s." (2008, p. 124) As such, it is no coincidence that the imperial hierarchy was mirrored in the 1962 *Commonwealth*

Immigration Act, wherein rights of entry were upheld for individuals already living in the UK and the “Old Commonwealth” but not for those arriving from the “New Commonwealth.”

Reiko Karatani argues that it was the imperial British government’s refusal to legally define citizenship and to draft a comprehensive bill outlining citizenship rights that were the major sources behind Britain’s post-war restrictive migration policy and problematic construction of “Britishness.” (2003, p. 1) This refusal was compounded by governmental policies, aimed at keeping out Asian and Black settlers that were implemented without any public announcement or debate. Instead they were introduced through administrative measures, government circulars, intergovernmental measures or confidential letters from the Home Office. This lack of public political debate continued post-war, despite the country’s shift from imperial power to commonwealth member; this transition, while outwardly modernizing, did not change the old imperial power structure that controlled Britain’s boundaries. It was the same political elites defining who belonged and who could exercise political, social and cultural rights on the island territory. (Fomina, 2009, p. 7) That Britain’s new immigration policies exacerbated social stigmas relating to issues of both race and class is not surprising; wealth had historically defined an individual’s status within Britain and controlled their access to the country’s borders. For example, during the eighteenth century, exit from a colony (and therefore entrance to Great Britain) was contingent on migrants obtaining affidavits of support, bond or cash deposits and passport endorsement from the colonial government authority. (Schain, 2008, p. 125) Further, many potential migrants were simply not informed that they, as British subjects, had unrestricted entry to Great Britain. While a limited number of higher class or professional status migrants, predominantly privileged and wealthy immigrants from India encountered less stringent controls, all “coloured” immigrants were susceptible to popular discrimination and further racialization as

they were seen as a member of one of two groups: the Anthropological Society of London ran studies wherein wealthier, more educated migrants of colour were looked upon as “whiter” than their less wealthy and less educated counterparts. (Schain, 2008, p. 125)

Yet the most important cause of Britain’s immigration and citizenship ills was its inability to divorce itself from the global institution of Empire, and its policies, attitudes and practices post-1945. Had the British government been able to stand back and accept decolonialization, the complex, controversial and discriminatory changes to Britain’s immigration and citizenship legislation, introduced between 1948 and 1988, would have been unnecessary. Instead, the prejudicial and restrictive imperial attitudes towards immigration continued.

Imperial Attitudes and their Affect on Post-War Immigration

The discrimination and exclusion inherent in imperial subjectship legislation were, as Daniel Gorman argues, a means of pursuing consensus and of cementing imperial unity. Colonial imperialists believed that a thriving Empire and a functional subjecthood could best be achieved through the building of homogeneous, non-inclusive societies, with each country designated a place in the previously discussed hierarchical structure. (Gorman, 2002) It is important to note that the British perspective on homogeneity was predicated in part on the presence of marginalized minorities at home, and the subjugation of “coloured” subjects in the colonies. The consequence of this was that non-whites, or even sometimes non-Britons, were denied entry to Britain because of the challenges they supposedly presented to the structural and cultural unity of the country. It is therefore ironic that “on one hand, imperialists envisioned an imperial citizenship built upon a “wider patriotism that emphasized imperial connections (such as military service)” and the unity of an equal “subjecthood,” while on the other hand they promoted the

virtues of a racially exclusive programme of nation-building. (Gorman, 2002) This dichotomy of principles continued after the end of the Second World War. Britain was not eager to release its hold on its empire, and focused on developing a new common identity as former colonies gained independence; James Hampshire writes that “the Attlee government took steps towards changing an empire sustained by territory into a commonwealth based on influence,” while conservative politicians trumpeted strong relations, and the “traditional freedom to move between Britain and the Commonwealth.” (2005, p. 23) Yet at the same time it was subtly understood that these new sentiments were concerned with the movement between the Old (white) Commonwealth and the United Kingdom. These were after all the same men who drafted the 1962 CIA and introduced the concept of a “non-belonging” citizen. Indeed, it can be argued that “‘Commonwealth’ was used to moderate on the government’s troubled ideas of race and immigration; it stood between segregation and integration, between hierarchy and equality and between cultural superiority and cultural relativism.” (Simonelli, 2009) This split is evidenced by the British government’s efforts to limit colonial immigration while at the same time recognizing that restrictive legislation weakened the new Commonwealth identity (the only remaining vestige of Empire) and undermined British influence in the New Commonwealth countries.

It is not surprising then, that the first steps taken towards reforming British immigration policy were contradictory in nature. Although the government did not take away citizenship from those it believed did not belong, it did develop a mandate wherein “(a biased) immigration law, rather than citizenship law, was used to define who “belonged”, and consequently what it meant to “belong,” in Britain. (Karatani, 2003, p. 145) Although racial motivations were disavowed, British politicians in favour of sustaining Commonwealth citizenship could not hide

their discriminatory mandate: pledging commitment to Commonwealth citizenship left colonial CUKCS essentially demoted as citizens, subject to stricter immigration controls and required to produce a valid work voucher upon entry. Labour MP Patrick Gordon-Walker summed up the governments racist intentions when he accused Home Secretary Rab Butler as “an advocate now of a Bill which [sic] contains bare-faced, open race discrimination.” (Parliamentary Debates, 1949; Cited by Hampshire, 2005, 26)

It is systematic of its imperial past that in 1962 Britain chose the semblance of Commonwealth unity (at least on the outside) over immigration and citizenship laws to reflect its social goals and preferences. The contradiction of both imperial and commonwealth citizenship is highlighted in the argument of a 1948 cabinet meeting in which it was argued that the “‘ties of kinship,’ ‘ties of blood,’ a shared history and the intermingling of people bound the older countries of the Commonwealth, but not the Asiatic countries; however, support must be given to the claim that an Asiatic country should not be regarded as “foreign.” (Hampshire, 2005, p. 27)

The Conservative’s *British Nationality Act* can be seen as emphatic effort to reaffirm the supposed unity of empire: the introduction of a non-national commonwealth citizenship was meant to take over where the non-national imperial subjectship left off, consciously held against the unwanted nationalisms of the periphery. The *Commonwealth Immigration Act* of 1962 furthered this effort through the legalization of the racial hierarchy of the empire by restricting entry to New Commonwealth (former colonial) migrants.

Focus on Emigration

Up until the end of the Second World War Great Britain was a country of net emigration. The story of the British Empire “from the settlements in North America and the Caribbean, to the development of the Dominions of Australia and Canada, was about migration from the “mother

country” to the new territories.” (Mole, 2001, p. 90) Between 1870-1913 net emigration of British citizens amounted to 131,000 or 3.4 per thousand per annum of the UK population with the total net loss averaging 5.6 million persons. (Hatton & Price, 2005, p. 114) While this mass migration was supplemented by the expulsion of British convicts to the dominions in Oceania and the trafficking of slaves in the Americas, movers were predominantly young, single males joining friends or relatives in specific destination countries. Most went to English speaking nations with strong historic or imperial ties to Britain: Canada, New Zealand and Australia were thought to be more British in terms of their ideas, traditions and institutions and had strong commercial and intellectual links to the Metropole. (Buckner, 2008, p. 2) Very few travelled to non-white colonies or non-empire countries (other than the United States). Those who did travel to non-white colonies were predominantly “officials, settlers and others responsible for the planning, occupation and governing of towns and cities.” (Christopher, 1992, p. 95)

Beginning at the start of the nineteenth, and well into the mid-twentieth century, emigration to the empire (and then commonwealth) was encouraged by government-backed incentives: financially assisted passage, migratory allowances and the prospect of high wages were available to those willing to travel and settle outside of the United Kingdom. G. F. Plant, Secretary of the UK Government’s Overseas Settlement Committee from 1919-1937 defined these inducements as part of the policy of “Empire Migration,” a strategy concerned with the “effective distribution of the white population of the British Commonwealth from the point of view of the Commonwealth as a whole and each of its parts.” (Mole, 2001, p. 90) This echoed the earlier sentiments of the Imperial Conference of 1911 which recorded the view that “of all the problems which lie behind Imperial statesmanship, none is more important than migration. Its successful organisation lies at the root of Empire development.” (Pope, 2008, p. 168)

These efforts at maintaining a large British population within the empire directly reflect not only the importance the British government placed on maintaining and promoting Britain's external interests and influence, but the importance of empire to the British idea of nationhood; for hundreds of years the idea of "Great Britain" was contingent on its empire being populated and controlled by departing residents, who, no matter where they travelled, would ever be British. (Sales, 2007, p. 138) That the Foreign Office continued to champion the importance of emigration post-war, in the face of both colonial independence and a growing labour crisis is reflective of just how important "emigration" was to both the literal and mythological workings of British society. As will be discussed next, the effects of this historical "path" of emigration were felt throughout the policy changes of 1948-1981.

Emigration and its Affect on Immigration Policy

Between the years 1946 and 1998, British emigration totalled 10.5 million persons, compared to 9.0 million totalled for immigration. (Hatton & Price, 2005, p. 116) Although fewer people immigrated to Britain than those whom emigrated, it is the composition of these two groups that has proved controversial. The post-war arrival and successive flow of New Commonwealth immigrants was a major new element in British migration history; the immigration of "black" residents of former colonies did not fit in with the imperial, commonwealth system that restricted the entry of "coloured" migrants through strict controls enforced by the British-backed colonial governments. Historically, Britons had dealt with these "foreigners" from a distance: as indentured workers, slaves, subjects to rule and people to govern. Now, the "foreigners" were arriving at the border, looking for opportunities available to them as British citizens, and therefore equals. It is therefore no surprise that the government attempted to stop immigration to Britain through the introduction of a new commonwealth

program that closely mirrored the policies of its imperial predecessor. The major difference being, the restrictions on “coloured” migration now had to be upheld at the point of entry in Great Britain and not at the exit ports of commonwealth countries.

Further, the migratory patterns of imperial British emigrants, wherein the majority of travellers moved to old imperial Dominions, with only a small percentage moving to the colonies are reflected in Britain’s post-war immigration policies. The countries which saw large number of British migrants cross their borders pre-war were less likely to be affected by the restrictive policies of the 1960s and 1970s. The white, British immigrants entering Canada, Australia and New Zealand did not carry the same racial weight as the new immigrants entering Britain. William Deedes, a British politician involved with the passing of the 1962 CIA wrote, that although “the restrictions [of the Act] were applied to coloured and white citizens...everybody recognized that immigration from Canada, Australia and New Zealand formed no part of the problem.” (Cited in Sales, 2007, 140) This preference towards the citizens of the more “British” countries of the commonwealth continued with the 1968 CIA and *1971 Immigration Act* which ruled that “Britishness,” citizenship and right of abode were linked to notions of kith and kin; “a large proportion of citizens of the white settler states had British parents or grandparents, while this was unlikely for citizens of the New Commonwealth.” (Sales, 2007, p. 142)

European Unity and Immigration Policy

As previously addressed in Chapter 1, the creation of the European Union, a supranational institution, has challenged bounded notions of state sovereignty, state control over social progresses and state legitimacy over political membership and participation. Following this, there is a commonly held belief that immigration, as a European concept “has also, paradigmatically, been a challenge to the sovereignty nation state along exactly these lines.”

(Favell, 1998, p. 1) Yet no member state has had to give up significant autonomy over their borders for the sake of institutional unity. In the post-war period, post-colonial and other immigration brought new kinds of ethnic diversity to the outwardly “culturally settled” European nation states and with it social conflict and social change; each country had, and still has the ability to create, implement and police its own immigration systems, policies and practices in an attempt to deal with this conflict and change. (Favell, 1998)

Further to this however, is the argument that although the attempt to construct a single EU immigration policy has not supplanted individual state autonomy over issues of immigration, “uniform visa regulations, the capacity to gather and share information on individuals and the freedom of movement of EU nationals” represent a non-intrusive EU policy that deals with immigration. Steve Garner argues that the creation of these systems has increased the “racialization of immigration in Europe by rendering the conditions of entry and settlement more difficult for those people not racialized as “white,” (2007, p. 62) For example, each member state has its own work permit and labour migration scheme; for many years third country nationals working legally in one member state did not have the right of free movement between countries, nor did they have the right to apply for EU citizenship, “making the main thrust of Schengen the hindering of non-white labour (as the majority of those in this position were Asian, African and Middle-Eastern nationals) into and across the zone.” Further, with the introduction of the ten Eastern and Central European member states in 2004, the European labour market was open to more “white European workers.” Recognition of these “white Europeans” came in the 2005 UK Home Office *White Paper* which prioritized the “phasing out of low-skilled migration schemes, in light of the new labour available from the European Union.” (Garner, 2007, p. 66) Presently, the third tier of the new points-based British immigration, which was aimed at

providing a limited number of low-skilled work permits, has been suspended. (Five Tier Points Based System, 2010)

The effect of this policy is that as more EU nationals prepared to do lower-skilled work (even as a short-term option for educated Eastern Europeans) arrive, the chances of non-EU nationals obtaining low-skilled work visas diminishes correspondingly. This policy has severely limited options for non-EU nationals, leaving only the possibilities of acquiring a visa for performing professional work, being recruited through agencies supplying hotel and catering or cleaning staff, hoping for success in the asylum-seeking category, or entering Europe illegally. (Garner, 2007, p. 66)

Katarzyna Marciniak writes that these outcomes help perpetuate unsympathetic attitudes towards migrant workers and asylum seekers while reinforcing the norm that EU member states and their citizens are a part of 'proper,' legitimate' Europe, with most others (often third country nationals) seen as emerging from the space deemed 'outside' of civilization." (Marciniak, 2006)

Chapter Five: Canadian Immigration, Economy and Commonwealth

Due to Great Britain's policy of imperial emigration, Canada's legacy is one of "immigrant nation," in which immigration has been a key component of its social, political and most importantly, economic development. (Li, 2003, p. 14) Unlike Great Britain's process of Empire Migration, Canada's immigration policy has not focused solely on population increase and societal expansion but has addressed issues of labour shortage, economic development and economic growth: since its confederation in 1867, economic goals have formed the central orientation of Canada's immigration policy. Canada's burgeoning fur trade of the early 18th century brought continuous immigration from Europe and stimulated the growth of industry in both the English and French colonies (while the eventual bridging of these two thriving immigrant societies, their two languages and their cultural tradition was the integral element of Canada's nascence.)

It is therefore not surprising that in 1967, the Canadian government implemented further legislation focusing on economic immigration. From its birth, immigrants have been integral to not only the answer to Canadian labour market shortages, but also to the actual creation of the country's labour market. Migrants were responsible for the settlement of the West, which allowed for the strong Eastern manufacturing sector to sell its wares to the developing Western resource sector. The success of this project was in part due to the completion of three transcontinental railway projects also completed by migrant workers, and resulted in the establishment of a national economy. Canada's early attraction to outsiders was significantly different from the path taken by Britain. As a scarcely populated and predominantly rural land mass Canadians did not share the fears of "overcrowding" held by their British counterparts.

Instead of ripping the country apart, or dividing society, immigration was the important element in the development strategy of tying Canada together. (Green & Green, 1999)

Canada's post-war immigration policies owe much to the policies that focused on the nation's immigrant "absorptive capacity," in terms of continuing economic growth and never over saturating the labour market, and not in terms of a threatened national identity. Its history as a mixed immigrant society (French and English) along with its founding policies of continuous, economically-focused immigration, ensured that its pre-war racially restrictive attitudes towards migrants (ones that mirrored those held by the British government) never truly stuck. While it is important to discuss how for many years Canada's policies were affected by its close relationship with Great Britain, it was the founding principles of economic immigration and biculturalism that were responsible for the groundbreaking reforms of 1962 and 1967.

Canada and Commonwealth: Effects on Immigration

Despite Britain's influence over its dominions, Canada's first *Immigration Act* did not openly address links between national identity and immigration. It instead focused on the country's,

Inability to retain its own natural population. Despite efforts, the Canadian government was unable to stem this outmigration from Britain and Europe. An estimated one-quarter of those who did cross the Atlantic to Canada subsequently moved on to the United States. (Weinfeld, 1995, p. 186)

However, the Act did assign broad authority to the federal cabinet, allowing for all subsequent government reform to allow regulations to pass without a formal debate before parliament. This delegation of power allowed for the future uncontested implementation of "restrictions aimed at guarding the nation against the "invasion" of "non-preferred" groups," a process that mirrored the confidential measures put in place by the UK Home Office in order to limit the entry of Asians and Africans. (Triadafilopoulos, 2004, p. 385) At the turn of the century Canada's

immigration policy moved away from laissez-faire to greater control, its goals in terms of potential immigrant ethnicities became almost synonymous with those of Britain's imperial immigration program and system of Empire Migration: Canada would retain its identity as a "white man's country" by attracting preferred immigrants (Britons or Americans). These migrants would be counted on to provide much needed labour to Canada's growing economic sectors. In his refusal to support the arrival of non-British migrants, Liberal politician and Minister of Interior Frank Oliver noted that,

[T]here is nothing we more earnestly resent than the idea of settling up the country with people who will be a drag on our civilization and progress. We did not [come] to this country simply to produce wheat. We came to build up a nation, a civilization, a social system that we could enjoy, be proud of and transmit to our children. (Triadafilopoulos, 2004, p. 396)

The prejudice of his words were echoed by other "Nativists"; many church and labour leaders, progressive intellectuals, academics, physicians and members of the media believed that the importation of "inferior races" undermined Canada's Anglo-Saxon, "moral fibre." Yet despite these beliefs (or perhaps because of them) there was little objection to the recruitment of Chinese "navvies" to build the Canadian Pacific Railway, or Southern and Eastern Europeans to perform the most dangerous work in Canada's mining and forestry industries.

These policies and attitudes were a by-product of what Prime Minister Sir John A. MacDonalad called Canada's position as a "subordinate kingdom" within Britain's empire. (Cited in Triadafilopoulos, 2004, 392) At this point in Canada's history, it was a nation populated and ruled by individuals who, for the most part, had either been born in Great Britain, or were (at most) two generations removed from that country. (Buckner, 2008) Like their British counterparts, many Anglo-Canadians had never dealt with "foreigners" up close, let alone considered the fact that they themselves fell under the same category of "immigrant." The

implication was that the true Canadian was British ethnically, and depending on the context “defined themselves as either British or Canadian without much distinction.” (Buckner, 2008, p.

2) As Phillip Buckner writes, “only gradually in the period after the 1940’s did most English Canadians abandon the ethnic definition of Canada as a ‘British’ nation.” (2008, p. 3)

This can be directly attributed to the passing of the *Canadian Citizenship Act* of 1946 which saw for the first time an emphasis on the creation of a uniquely Canadian civic nationalism and national identity. During the 1950’s, there was a push to de-emphasize the distinct ethnic origins and histories of Canada’s two largest cultural groups; Canadian historiographer and ardent liberal nationalist Maurice Careless saw the construct of an inclusive Canadian identity as the inevitable and natural progression of Canada shaking off its colonial status. In his book *Canada: A Story of Challenge*, a work that was distributed to schools and universities across the country, he emphasizes a nation of shared, immigrant heritage and the importance of eroding ethnic loyalties held by older generations. (Careless, 1964) The liberalization of Canada’s immigration and citizenship policies in the 1960’s was due to the efforts of Careless and other nationalists who helped re-shape Canada’s mythology from subject of empire to multicultural sovereign state.

Furthering this process was the Canadian government’s commitment to the new global norms governing race, ethnicity and human rights, processes that had soon placed the country’s long standing discriminatory immigration policies in an unfavourable light. (Triadafilopoulos, 2010, p. 169)

Changing Paths: Liberalizing Immigration

It is impossible to discount the importance of Canada’s confederation when discussing the country’s shift from imperial dominion and “white” country, to liberal immigrant nation with

a national identity rooted in multiculturalism. Unlike other dominions of the empire, Canada has never been a racially or culturally homogenous society. The *Confederation Act* founded Canada as both a bicultural nation with bilingual features, made up of the English and French nations and populated by English and French peoples. Canada was not only born an immigrant nation, but one formed through the equal relationship between two disparate and often incompatible groups. One hundred years of legislation outlining the preferred character and compatibility of potential migrants could not erase the fact that Canada was weathering (and prospering from) the tumultuous marriage of two very different cultures and histories.

From a path dependent perspective, it can be argued that Canada's racially restrictive immigration policies and fiercely protected "White Canada" program was an attempt to deviate from the direction of its first path as a multicultural, immigrant nation. It instead co-opted policies administered by the British government, an institution that continued to play a dominant role in Canadian politics (despite its independence) until the *1946 Citizenship Act*.

It is no coincidence then that it was at this point of departure that Canada's government began to take steps towards implementing more liberal policies concerning immigration and issues of race. In 1947, the Canadian Immigration Committee issued the *Chinese Immigration Act*, and in an effort to open channels between Canada's commonwealth partners in South Asia, the government sponsored a system of quotas allowing for limited migration from India, Pakistan, and Ceylon. At the 1961 Commonwealth Conference in London, Canada's Prime Minister, John Diefenbaker, came out strongly against the principle of racial discrimination, while his government pledged support for the UN General Assembly's anti-racist resolutions concerning decolonialization in Africa. Yet, as Triadafilos Triadafilopoulos writes, "Canada was courting trouble by taking a leading role against racism internationally while maintaining

discriminatory controls against most “non-whites” in its immigration policies.” (2010, p. 179)

While officials in the department of Immigration and Citizenship insisted that immigration must not have the effect of altering the fundamental character of the population, the question of the true “Canadian” identity was raised: if the country spoke to matters of international racial justice, should these policies not also be recognized in domestic legislation? For Ellen Fairclough, Minister of Citizenship and Immigration, the answer was simply, yes. Due to both Canada’s historical reliance on economic migration and its government’s increasingly “liberal” values, its “British” immigration policies rooted in racial, ethnic or color discrimination did not fit the country’s burgeoning multicultural identity (constructed from both its French and English colonies, and the myriad of both post and pre war economic migrants.) (Fairclough, 1961) The subsequent reform of Regulation 20, a rule often referred to as the “heart” of Canada’s immigration policy due to its overtly racial discrimination, ensured that Canada’s “heart” was no longer kept beating through racially restrictive policies, aimed at keeping the nation “British” and “white.” Instead, by opening its borders to qualified migrants from non-traditional source countries with diverse ethnic backgrounds, Canada’s government continued a trend that had existed since confederation: prioritizing any immigrants’ potential to aid economic growth, over their ethnic origins. (Li, 2003, p. 12)

The Importance of Economy in Canadian Immigration Policy

As previously mentioned, it is impossible to discount the importance of immigration to Canada in terms of economic benefit. During the years of restrictive immigration policy, powerful economic actors (predominantly involved in heavy industry) campaigned for an unrestrained approach to immigration admissions. (Trebilcock, 1998) While “expansionists” represented a small minority of the population, they were a wealthy and powerful group whose

efforts generated a distinct political cleavage. Their campaign for open immigration ensured that formal immigration at the “front gate” remained racially charged, while the government continued to provide access to officially non-preferred migrants through a widening “back door” policy. (Triadafilopoulos, 2004, p. 399) Employers and labour agencies (many of which specialized in specific nationalities) actively recruited foreign labourers, the majority of whose entrance most nativists sought to restrict; the prioritization of economic expansion saw the inflow of Poles, Russians, Chinese, Indians, Italians, Ukrainians under the tacit approval of the Canadian government. (Triadafilopoulos, 2004, p. 400)

The major waves of immigration to Canada have corresponded with the country’s economic needs, with labour requirements trumping the governmental restrictions on “undesirable races.” If this had not been the case the settlement of territories of Western Canada, the construction of the Canadian Pacific Railway, and the agricultural development of the prairies would never have happened. (Reitz, 2002, p. 3) Peter Li writes that, “despite the persistence of anti-Orientalism and other forms of racial discrimination, many Chinese remained in Canada and helped build the nascent industries of mining, lumbering and manufacturing in British Columbia” while African, Eastern and Southern Europeans contributed to the economic and social development of the prairies and eastern Canada. (2003, p. 18) Many Canadians who had emigrated from “non-admissible” countries, and who worked in the above mentioned industries, formed advocacy groups; they challenged the government’s “international commitment to anti-discrimination, civil rights and liberal democratic principles” while at the same time championing their part in Canada’s continued economic growth. (Triadafilopoulos, 2010, p. 181)

It is not surprising that post-war, Canada's government chose to reform immigration policy in favour of a racially open, economic-based system. Many "unwanted" migrants and their children who had been living in Canada for years, had become Canadian citizens and whose traditions, cultures and norms had become engrained into the social and cultural fabric of Canadian society. Without realizing it, these individuals of undesirable traits had become the norm; what good would it do to try and propagate a policy that was trying to keep Canada's character something it could no longer be? It was these citizens who prompted the reforms of the 1960's, reforms that saw the extension of a historical immigration policy that favoured labour market requirements. The difference is that the reforms introduced educational and occupational qualifications that applied to all immigrants who would be welcomed (no matter what their country of birth) through the front door. That the government expected a positive economic impact from the implementation of this reform is clear. However, it also received positive social, political and cultural returns: it helped cement Canada's national identity as an internationally heralded, liberal, non-discriminatory immigrant nation and propagate the national mythology that reads:

Since the arrival of the British and French in the seventeenth century, Canada as a nation has been influenced by the continuous arrival of new immigrants, with the cultures and languages that they brought with them serving as the social, political and economic fabric of Canada's multicultural society. (Li, 2003, p. 10)

Chapter Six: Integration and Multiculturalism in Great Britain and Canada

Despite the vast incongruence between Canada's and Great Britain's post-war immigration policies, both countries have implemented proactive immigrant integration policies that promote societal diversity and heterogeneous community frameworks. That a paradox exists between Britain's multicultural social trajectories and its "island mentality" (a feeling of an already overcrowded society "flooded" by the "tidal wave" of immigration) is clear: government regulations ensure that diversity is celebrated, while the source of said diversity, immigration, is feared. (Fomina, 2009) On the other hand, Canada's "two-way street" approach towards integration, wherein both immigrants and members of Canadian society are held responsible for newcomers' social, political and cultural integration does not stand in contradiction to the country's immigration laws; the policies compliment Canada's social cohesiveness established through nation-building efforts that promote a "unity through diversity" approach; the policies have become a part of the country's normative order. (Li, 2003) (Anderson & Black, 2008)

This chapter discusses how both Canada's and Great Britain's integration schemes pay tribute to the path dependence concept and historical institutionalism. First, multiculturalism in Britain was inherited from the "race relations" approach and infrastructure of the 1960's Labour government. It was the increased patterns of post-war immigration and the political debate over deconolialization (both by-products of British imperialism) that saw the introduction of a way of both acknowledging and managing relations between "culturally distinct communities." (Brighton, 2007) Multiculturalism was not seen so much as a celebration of a country built on multiple yet equal cultural identities (as championed in Canada) but on the perpetuation of a nation, home to separate, but "equivalent groups."

Integration in Great Britain

“Integration is perhaps a loose word. I do not regard it as meaning the loss, by immigrants, of their own characteristics and culture. I define integration, therefore, not as a flattening process of assimilation but an equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance.” – Roy Jenkins, Home Secretary

In 1965, the United Kingdom implemented its first *Race Relations Act*. The Act made it a civil offence to refuse service to any person on the grounds of race, colour, ethnic or national origins. It was extended in both 1968 and 1976, with preventions put in place to block any discrimination based on race, while at the same time promoting ethnic pluralism, multiculturalism and the creation of structures to combat racial prejudice. That these acts focused on “race” and the relations between distinct and definable “races,” underpins the imperial concept of “Britishness” as being racially coded. If the British identity is widely presumed to be white, a multi-ethnic reality must result in a divided society: non-whites may be British by birth or naturalization, but racially they are defined as “other.”

In the same year the first act was introduced, Labour published the White Paper *Immigration from the Commonwealth* which, while calling for new measures that would encourage immigrant integration, encouraged stricter immigration controls, “including a cut in the number of work vouchers, and a reduction in the rights of dependants.” (Sales, 2007, p. 141) The Paper also addressed what the government interpreted as the British public’s tolerance for new immigrants; a tolerance that would be challenged by the arrival of too many new migrants. As noted by both Sales and Brighton, the language of this Paper legitimized the opinion that immigrants were not only inherently problematic to British society, but also irreversibly different. (2007; 2007) Ideas of “mutual tolerance,” as spoken by Roy Jenkins, reflect a society of mutually exclusive groups, where the newer of the two (colonial immigrants) must be tolerated by the older (white “British” citizens.) Rather than efface the social project of new

versus old and enact legislation that would remove all racial connotations from the term “British,” increase civic integration and promote “shared values,” it was easier to manage the relationship between the two (“British” and “Other”) through legally binding “race relations” acts. At the same time as this decision, the ruling Labour party decided to continue the Commonwealth citizenship and deny New Commonwealth citizens the right of entry, rather than overhaul the system and create a single citizenship for British citizens; the government was refusing to reform the definition of “Britishness” both inside and outside its borders. Joanna Fomina believes it was a mixture of post-war guilt, paternalism and a sense of responsibility for the disadvantaged and inferior former co-nationals that were the reasons behind Britain’s conflicted multiculturalist policies. (2009, p. 33) On the one hand, effort made towards accepting immigrants into British society reflected the imperial model of British subjecthood, while on the other, the classification of immigrants occupying an “equivalent group” reflected imperial attitudes towards hierarchy within the Empire.

Further, the concept of “race” was applied principally to New Commonwealth, or “coloured” immigrants, as opposed to those from the Old Commonwealth or Western Europe, which ensured that there was no common “multicultural” ground on which to build a framework for a functioning “multicultural” system. Instead, there were just those who could be expected to function as a member of British society upon arrival, and those who could not. Vicki Squire writes that this project,

systematically divorce[d]’ the issue of integration from that of immigration, since the issue now was that of how best to order, socially and politically, a domestic space shared by distinct elements of a population all of whom supposedly enjoyed citizenship of equivalent status, rather than how to manage new arrivals in such a way as to remove the ‘problem’ of their difference. (Squire, 2005, p. 55)

The perpetuation of this “difference” (defined by “race”) is but an extension of Britain’s post-Empire inability to construct one successful overarching British and Commonwealth citizenship. Just as citizens of former colonies were refused entry to Britain due to immigration policies focused on keeping the British population populated by its “indigenous people,” there was little drive to change the ways in which immigrants were seen in society, only how they were treated. Discrimination may have been outlawed, yet the outward sentiment was: “Outwardly, they are not British and we must learn to live with our differences.” Tariq Modood writes that a functional multi-ethnic society is hampered by this “us” vs. “them” mentality and argues that it is the responsibility of both immigrants and members of the majority community to create an inclusive society; “the established society is the site of institutions – including employers, civil society and governments – in which integration must take place, and they accordingly must take the lead.” (Cited by Brighton, 2007, p. 6)

With no “two-way” interaction between new immigrants and Britons, the establishment of “equivalent groups” opened up two social channels for new immigrants upon their arrival in the country. The first is open to those deemed immediately to be a functional member of “British” society; the second is for those joining an “immigrant community,” who may be equal to, yet separate from the former group. Again, this separation is similar to the racial segregation of pre-war Empire, the difference being that historically the groupings happened outside of the country, and without the semblance of equality that must be observed today.

Attempts at creating positive “race relations” between British citizens and new immigrants did not establish the proper foundations for a functioning multicultural project because it continued to separate Britons from the immigrant “other” on the basis of race (and therefore colour,) making the recognition of who belonged and who didn’t an immediate, visual

reaction. Better race relations did not erase judgement along the lines of skin colour; instead it strengthened the idea that black and Asian immigrants are “different”, while ironically criminalizing all discrimination that might arise from this identification.

Former Labour Home Secretary Roy Hattersley said, “Without integration, limitation is inexcusable; without limitation, integration is impossible.” (Holmes, 1988, p. 268) The suggestion that restricted immigration is integral to good race relations, “takes for granted the notion of a historically ‘racist public’ and immigration policy, rather than challenging it.” (Sales, 2007, p. 157) To attempt to separate immigration and integration is overall illusory, in so far as both work towards a common goal: keeping Britain British. The result is that some immigrant communities begin to endorse closed immigration policies, in an attempt to distance themselves from the “undesirable” new immigrants in order to identify as part of the majority. (Schain, 2008) With both “immigrants” and “citizens” undermining the divisive multicultural project, the overall inequality of the country’s “equivalent groups” is strengthened, along with the continuity of Britain’s imperial past.

Integration in Canada

The aim of Canada’s multicultural policy of integration has been the development of a common civic identity, which tries to reconcile in a fair way, “the legitimate aspirations of the cultural majority and minority, while ensuring all new comers have the chance to master the common public language and participate in social, political, economic and cultural institutions.” (MacClure, 2006, p. 3) The goal was a society built around shared values that can sustain difference, not the creation of fragmented public space defined by race and ethnicity.

In the late 1960s and early 1970s the Canadian government made efforts to forge a new national identity in the wake of the country’s declining British connection, growing immigrant

diversity, a stronger continental pull and rising Quebec nationalism. (Anderson & Black, 2008, p. 45) With less outside influence on how the country should define itself (ie. “British-Canadian”) the number of disparate backgrounds that made up Canada’s population proved integral to the success of a “unity through diversity” approach to nation building. The successful integration of new immigrants into Canadian society was due to Canada’s young and malleable national identity, and its commitment to multiculturalism, a federal policy announced in 1971. Despite Canada’s origins as a British dominion (and further back, a French colony) and its historically restrictive immigration policies, the Canadian “identity” had not been solidified to an extent that it could not adapt to the policy changes of 1962 and 1967. Instead it can be argued that it was Canada’s beginnings as an immigrant nation that was the driving force behind the Liberal government’s efforts during this decade: legislation was passed promoting Canada’s dual heritage, along with inclusive proposals aimed at turning new immigrants into Canadian citizens; it was stressed that new immigrants were to be welcomed as members of one society, and not as a part of one (of two) separate, but equivalent groups. Through its endorsement of cultural diversity, the “federal multiculturalism policy created a clear division between private and public sectors,” wherein members of ethnic groups would be instructed to use Canada’s official languages in public institutions, while privately encouraged to pursue a culture and lifestyle of their choosing. (Li, 2003, p. 134) Further, unlike Great Britain, there was no strict racial coding that qualified “Canadianness.” While it would be naive to argue that there is not, nor never has been, race related tension within Canadian society, since the early 1970’s most new immigrants have been encouraged to naturalize, an effort that was supported by legislation C-18 of the 1977 *Citizenship Act* which recognizes the equality of all Canadians regardless of legal citizen status.

For the past four decades Canada's approach to integration has been characterized by a two-way street approach. Reflecting the constructs outlined by Modood, "the proposition that immigrants, minorities and Canadian society share the major responsibilities for ensuring that newcomers become socially integrated" is a strong normative quality within the country. (Anderson & Black, 2008, p. 45) This approach has been embedded legislatively in the *Canadian Multiculturalism Act* of 1988 and the *Immigration and Immigration and Refugee Protection Act*. This has ensured that the Canadian attitude toward integration is similar to the attitude towards immigration: it is understood as an amalgam of different influences and needs that has evolved and continues to evolve.

That Canada's integration policies compliment its immigration policies is not surprising. A government pursuing an immigration policy that ensures an unrestricted (yet moderated) flow of immigrants (one that both meets the needs of the Canadian economy, populates its cities and ensures familial reunification) would do well to implement an inclusive integration program that encourages both immigrants and citizens to participate in the process; it would not make sense to marginalize and segregate these individuals upon their arrival as they have already been assessed as capable of succeeding within Canadian society before their departure.

These two systems work together; according to Gallop polls, since 1975 the percentage of the Canadian public wanting to either maintain or increase immigration has been at least 50 percent while opposition to immigration in Canada is lower than the United Kingdom, despite the proportionally higher number of immigrants. (Reitz, 2002) This historical path is reinforced as new immigrants become citizens themselves and are more likely to vote in favour of continued immigration, (as opposed to the groups in Great Britain who take pains to distance themselves from the immigration process,) while at the same time strengthening the two-way

street integration process: citizens who were once immigrants will support the process that supported their social transition. This in turn supports Canada's burgeoning inclusive national identity and the cohesiveness of a historically diverse, yet fully functional Canadian society.

Conclusion

That post-war changes made to Great Britain and Canada's immigration policies reflected long-standing social, political and cultural norms is a reality. Historically-orientated research is concerned with the study of path dependent sequences; whether self-reinforcing or reactive, this analysis helps explain particular outcomes, temporal sequencing, and the unfolding of repeated processes over long periods of time. (Mahoney, 2000, p. 508) Much scholarship has been written comparing the immigration policies of different European countries, and to a lesser extent comparing those of the Old Commonwealth countries of Australia, New Zealand, South Africa and Canada; little has been produced on the comparison of the British and Canadian policies. (Parsons & Smeeding, 2006; Favell, 1998; Geddes & Favell, 1999; Zimmermann, 2005) This lack is baffling when considering the intertwined histories of the two nations.

The case study of Canada and Britain's post-war immigration policies are understudied examples of how two countries, despite long-held associations and bonds are driven by disparate historical institutions. The understanding of why Canada and Great Britain's immigration policies have managed to maintain their unique and (mostly) static trajectories can be explained by the scholastic assessment of how method, sequence and temporality can alter social and political systems. For example, it was Great Britain's inability to divorce its national identity from the institution of "Empire" that resulted in its convoluted definition of citizenship and increasingly discriminatory immigration legislation. Efforts made to combat these problems through positive "race relations" were too little, too late: as Pierson writes, with path dependent patterns "earlier parts of the sequence matter much more than later parts, an event that happens 'too late' may have no effect, although it might have been of great consequence if the timing had been different." (2000, p. 263) Had Great Britain refrained from introducing the CUKC

classification, future policy reforms may not have been required. Further, the difference between Canada and Great Britain is strengthened due to Canada's nascence as a bi-cultural country; had the comparison been between Great Britain and Australia, the dichotomy of policies would have been less severe due to Australia's homogenous cultural foundation. Using Canada in contrast to Great Britain explains its post-war immigration ills in terms of the historical institution of "Empire", an explanation that may be transferred onto other former European imperial powers. If the question is, "what lessons does Canada's immigration policy experience yield for Europe?" it is Canada's absence of Empire that holds the answer.

This absence rationalizes why Canada, despite its government's long time support for restrictive immigration legislation, was able to successfully liberalize its policies come 1967: not enough time had passed to legitimize these governing norms, nor could they be attributed to Canada's growing economic success; a parallel system of diverse immigration operated alongside the government's controlled migration process that was largely responsible for the industrialization of Canada's economy, the settlement of the West and the unification of the country as a whole.

The case studies of Canada and Great Britain post-war immigration strategies also serve as excellent examples of how institutional mechanisms of reproduction can be extremely efficacious, particularly because the specific variables that brought about the old institutions are not required to "lock in" new patterns or systems as the functioning of the old system is enough to further future institutional expansion: both Canada and Great Britain's respective integration schemes are not only reflective of their post-war immigration policies, but pre-war attitudes towards migration and multiculturalism. That these processes occurred in both countries, and reflected historically dissimilar attitudes towards immigration supports the path dependence

argument that purports “efficient mechanisms of reproduction enable an institution to take advantage quickly of contingent events that work in its favour, solidifying a position of dominance before alternative institutional options can recover.” (Mahoney, 2000, p. 510) Institutions that are slow to trigger mechanisms of reproduction may be subsumed by superior alternatives if they lack social and political support or are not powerful enough to capitalize on the early advantage.

This discussion opens up new avenues of inquiry that cannot be discussed in detail here. A related topic in need of exploration is how historical paths and social attitudes concerning immigration affect the construction and function of migration networks within destination countries. Are these networks more likely to flourish as self-reproducing systems in countries that do not support immigration, which will then further marginalize migrant groups while at the same time strengthening the social perception of who belongs versus who does not? If so, how does this account for the decentralization of Canada’s immigrant service providers through third party organizations, a process that also occurs in British society?

Lastly, the comparison of these two case studies is important to the discussion of the highly contested topic of immigration, due to the popular perception in Great Britain and other European nations that “other problems of political salience - unemployment, crime, terrorism - are often presented as its negative secondary effects.” (Li, 2003, p. 3) An understanding of intolerance, prejudice and historical attitudes towards immigration are integral to the creation and function of a multicultural society. While Canada’s system is not perfect it can serve as an example for Great Britain and other countries that immigration does not weaken social cohesion or normative orders.

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