



KHALSA DIWAN SOCIETY

SIKH TEMPLE

1866 WEST 2ND AVENUE

VANCOUVER, B.C.

BRIEF OF THE KHALSA DIWAN SOCIETIES OF BRITISH COLUMBIA

The Honourable Walter Harris, P.C., M.P.,
Minister of Citizenship and Immigration,

SIR:

ON BEHALF of the seven Khalsa Diwan Societies of British Columbia representing some 1500 members of the East Indian Community, we would like respectfully to draw your attention to some anomalies in our position as citizens of Canada. We are deeply grateful that citizenship rights have been granted to East Indians along with other minority groups. But we desire to point out certain hangovers from a previous era which perpetuate the inequalities of our former position as second-class citizens. More specifically we wish to deal with a problem which comes under your department, that of the immigration regulations as they concern East Indians.

IT IS a matter of great regret to the members of our Society and indeed a matter of great hardship to some of them that Canadian citizens of East Indian origin do not enjoy the privilege of bringing their relatives to Canada as do their fellow citizens of

European origin.

THIS RESTRICTION is imposed by a proviso to P.C. 2743 made under the authority of the "Immigration Act" namely, "that the provisions hereinbefore set out shall not apply to immigrants of any Asiatic race."

The classes of persons admissable under the Order includes:

- 1st. The husband or wife; the son, daughter, brother or sister, together with husband or wife and unmarried children; the father or mother; the orphan nephew or niece under 21 years of age; of any person legally resident in Canada who is in a position to receive and care for such relatives. The term "orphan" referred to in this section means a child bereaved of both parents.
- 2nd. A person entering Canada to marry a legal resident thereof; provided the prospective husband is able to maintain his intended wife.

THESE REGULATIONS, while grouping together for purposes of immigration people born or naturalized in Commonwealth countries, exclude natives of India by means of a prohibition against those "of any Asiatic race".

WE RESENT this discrimination clearly directed against persons of Indian origin because we feel that such a prohibition is inconsistent with the relationship between Canada our country of adoption and India our country of origin.

AS YOU are well aware, the relationships between Canada and the other members of the British Commonwealth of Nations have been undergoing a series of profound changes in the post-war era. New countries have grown into

full membership and the link binding the member nations together has had to be adjusted accordingly. The country of birth of many members of our community, India, became first a Dominion, and then, following the wishes of her people, an independent republic. At the same time, the Government of this new Republic of India has indicated its desire to retain its voluntary association with the other nations of the Commonwealth.

IN RECOGNITION of these altered relationships, the Conference of Commonwealth Prime Ministers, meeting in London, in April, 1949, issued a declaration which reads in part as follows:

ACCORDINGLY the United Kingdom, Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan and Ceylon, hereby declare that they will remain united as free and equal members of the Commonwealth, freely cooperating in pursuit of peace, liberty and progress.

WHEN MAKING the announcement of this historic declaration in the House of Commons, the Right Honourable Louis St. Laurent, P.C., M.P., Prime Minister of Canada said:

EVERYONE will rejoice in the fact that, notwithstanding the exercise by the people of India of their right to determine the form of their domestic government, it has been found possible to have India remain a member of the Commonwealth and to continue for the peace of the world the association of those nations whose traditions give them the same concept of a proper way of living and of democratic processes designed to further the welfare of the men and women of their respective nations.

THESE SENTIMENTS of the Prime Minister were endorsed by the leaders of the opposition parties in the House.

Mr. George Drew, M.P., Leader of the Opposition, said in part:

THIS IS the first occasion in the long history of the British partnership of nations that an Eastern nation, with a long tradition extending into the background of Asia, has joined as a full and free partner with the other nations of the Commonwealth. (He expressed) the hope that this may be the beginning of an ever-widening and strengthening friendship between those in Great Britain, on the North American continent, in Australia, in New Zealand, in South Africa and now in Asia, to assure our idea of human freedom.

THE LEADER of the C.C.F. Party, Mr. M.J. Coldwell said:

WE ARE now associated with a great people differing in creed, in colour and in all that guides the long evolution of a race and determines its characteristics. I hope that this will enable us in our country and those in the countries associated with us, to end forever every vestige of racial and religious discrimination and intolerance among the peoples of this Commonwealth.

IN VIEW of the unanimity of these statements and of the clear definition of the status of India as "a free and equal" member of the Commonwealth of Nations, it is indeed surprising to find that in matters concerning the East Indian immigrant, this equality is not recognized. It is likewise not in accord with these sentiments as expressed by the leaders of the major political parties that Canadian citizens of East Indian origin are not able to exercise the same privilege of bringing their relatives to Canada as is granted to their fellow citizens of

European origin.

WE IN the East Indian community feel that it is most important that all such vestiges of discrimination be removed not only because we feel that there can not be second-class citizens in Canada, but also in the interests of friendship between the Canadian peoples and the peoples of India. At a time when the way of life for which the Commonwealth of Nations stands, is on trial, such discrimination weakens the bonds between its member countries. As the Honourable Lester B. Pearson, P.C., M.P., Secretary of State for External Affairs said in speaking about the results of the Colombo Conference:

IF South East Asia and South Asia are not to be conquered by Communism, we of the free democratic world -- must demonstrate that it is we and not the Russians who stand for national liberation and economic and social progress.

HE POINTED out at that time that Canada is "a country whose reputation and good name stands high in those parts of the world (Asia)". But that reputation and good name can be lost if the people of Asia become convinced that, in spite of formal declarations, in spite of statements of goodwill, they are not in actual fact to be treated as equals by other members of the Commonwealth.

THE ORDER in Council earlier cited excluding East Indians from the privilege of bringing relatives to this country may have been made pursuant to Section 38, Clause "C" of the "Immigration Act", which excludes certain classes of

immigrants "because such immigrants are deemed unsuitable, having regard to the climatic, industrial, social, educational labour or other conditions or other requirements of Canada, or because such immigrants are deemed undesirable, owing to their peculiar customs, habits, mode of life and methods of holding property and because of their probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizens within a reasonable time of their entry.

WE ASSERT that the use of this section to bar East Indian immigration can rest only upon a most odious and unfair misrepresentation of the ways of life and achievements of Canadian citizens of East Indian origin.

THE HISTORY of the East Indian community in Canada, the contribution its members have made to building up the areas where they have settled, their demonstrated ability and success in their chosen occupations, their contribution to the cultural heritage of their adopted land, and the very fact of their having achieved full citizenship shows clearly that East Indians should not be included in the clauses referred to in the said Section 38.

THE ACHIEVEMENTS of Canadian citizens of East Indian origin have come only after a long and difficult struggle and as we have no doubt the Minister will appreciate, at no little cost to ourselves. It will be appreciated therefore

that the demeaning rebuke implied in the application of Section 38 to East Indians is bitterly resented by the members of our Society.

WE FEEL that having done our part, we deserve something better at the hands of the Government of our country.

WE DEEPLY APPRECIATE the Quota arrangements between the Governments of India and Canada and the number of applications allocated to the East Indians in Canada out of this Quota, but we respectfully submit that this amount of consideration still does not recognize us as first-class citizens.

THEREFORE having regard to the relationships of Canada and India, which we, no less than the Government and the several political parties represented in Parliament are desirous of maintaining; and having regard to the reputation of Canada in Asia, in which we, no less than the Minister wish to take pride; and having regard to the dignity, achievements and needs of these of your fellow citizens of East Indian origin in Canada, we respectfully urge upon you as the responsible Minister and upon the Government of which you are a member, that immediate consideration be given to the removal of existing anomalies affecting citizens of East Indian origin and specifically their disabilities as regards the bringing of relatives into this country and generally that East Indian immigrants be accorded the same

terms under the Immigration Regulations as immigrants from other countries.

TO THIS END we ask your good offices in conveying the foregoing brief of the Society to the Members of the Cabinet and to the House of Commons.

PRESENTED by the undersigned delegates on behalf of the KHALSA DIWAN SOCIETY this 26th day of June, 1952, at Ottawa, Canada.

KULDEEP SINGH

R. S. MATTU