

reflective process through which I wanted to unravel why redress was a given in the history of Japanese Canadians. I soon discovered that an understanding of this given would lead me to write about why we were finally given redress.

Miki, Roy. Redress: Inside the  
Japanese Canadian Call for Justice.  
Vancouver: Raincoast. 2004.

CHAPTER I

FRAMED BY RACE

*A Canadian Knot*

*Mythologies or national stories are about a nation's origins and history. They enable citizens to think of themselves as part of a community, defining who belongs and who does not belong to the nation. The story of the land as shared and as developed by enterprising settlers (in Canada) is manifestly a racial story.*

— Sherene H. Razack

THE FORMATION OF "JAPANESE CANADIAN"

WHILE GROWING UP in Winnipeg, I was saturated with stories of the mass uprooting of Japanese Canadians. Relatives came and went from our home, sometimes staying for lengthy visits, and letters arrived from all over Canada with anecdotes of rebuilding lives. And always there was the overwhelming immediacy of absences in lives so utterly altered by the "exile" from the west coast. These absences turned into gaps in family memory, signified most tangibly in the loss of photo albums that had been stored in a trunk to be

kept safe by neighbours but then were sold at one of many auctions. The lost photos became part of my childhood mythos, a mythos that appeared to have everything to do with being called “Japanese Canadian.” What could it mean to be born into the historical conditions that produced this identity?

It was a relief to discover, much later, that I wasn’t the only one to expend so much energy pondering this question. The nisei educator Ted Aoki, speaking from personal experience, has pointed out that “Japanese Canadian,” despite signifying a benign identity for a recognized minority in Canada, is not stable and constant but rather quite “slippery” in the various significations invoked on its behalf.<sup>1</sup> In the early postwar years, on the rough-and-tumble streets of central Winnipeg, the epithet “Jap” was part of a common kid vocabulary, as were “Nazi,” “kraut,” “wop,” and “DP.” All of these terms were linguistic residue of the war. But what was this “Jap” that my body, and not my consciousness, called forth when I stepped out of my home?

“Of the Japanese race” was the phrase devised by the federal government to name Japanese Canadians, who, through its deployment, could be equated with “enemy aliens” and thereby reduced to figures who could be uprooted, dispossessed and interned. Living in the shadow of a figure who was “of the Japanese race,” a figure that circulated in all the nooks and crannies of my Winnipeg childhood, was always unsettling. One way to resist outright racialization was to default to “Canadian,” a term that declared membership in a citizenry — hence a surrogate “family” — and an identity that projected an aura of sameness. The elusive phenomenon known as “assimilation” never ceased to provoke an uneasy tension between my personal awareness and the marking of my body. While social forces encouraged assimilation through language, thought and performance, the movement of my body continued to be tracked as the other — the “Jap” in the midst. “Canadian,” in this context, assumed meanings that extended well beyond the mere attribute of citizenship and came to occupy the boundary line between presence and absence — between being somebody and being nobody.

I first consciously encountered the historical (rather than strictly personal) figure of “Japanese Canadian” in an introductory psychology

1 — Aoki continues, “What does this mean to us? It means that every word has possibilities of multiple meanings and that a choice of which meaning is to count is a legitimating process — a political process — conscious or unconscious.”

course at United College (now the University of Winnipeg). The class had reached the section on racism, and the professor had already identified me as the only “Japanese Canadian” in class, an appropriate example for the topic in a predominantly white class. He even identified himself as someone with a stake in the mass uprooting. He was, he said, among the social workers who visited the Immigration Building where Japanese Canadians were housed after arriving from the west coast. Yes, I admitted, my family stayed there, too, before they were moved to Ste. Agathe. The professor encouraged me to write a book report on Forrest E. La Violette’s *The Canadian Japanese and World War II*, which had been published in 1948. La Violette, a sociologist, had already published his field work on the Japanese American internment when he was drawn to B.C. to study the uprooting of Japanese Canadians. Included in his account was a section on those sent to Manitoba to work on sugar beet farms.

I was uneasy about being racialized in the class, but I was also curious. I signed La Violette’s book out of the library and read what was, for me, the first documented representation of Japanese Canadians. La Violette’s access to government documents was limited, but what stood out was his awareness that he was witnessing a major historical event with great implications for the future. Although his liberalism allowed him to acknowledge the harsh and unfair treatment of Japanese Canadians by government officials, he did not — perhaps could not — probe beneath the surface of events to expose their racialization as integral to the formation of Canada as a nation. Even so, without the research sources later available to both Ken Adachi for *The Enemy That Never Was* and to Ann Sunahara for *The Politics of Racism*, La Violette deduced that the internment was a political rather than a military decision, a capitulation to public pressure. “It was,” he concluded, “historically the first time that the anti-Japanese groups were able to maintain a concerted drive of such intensity for a period of eleven weeks.”

My book report is long gone, even my memory of its contents. Yet it triggered a desire to know more — not only about the wartime dispersal, an event woven into all our family stories, but also the various discourses through which “Japanese Canadian” would be produced by historians, sociologists, government officials and others as an identity formation. “Japanese Canadian” became a kind of Canadian knot that had to be unravelled.

## TABULATING INJUSTICES: KUNIO HIDAKA'S RESEARCH

FOR THE NISEI, the second-generation Japanese Canadians, who traced their history back to the prewar years, "Japanese" remained the dominant descriptive term, a stand-alone noun. It was not yet an adjective modifying "Canadian," even though they identified themselves as "Canadian-born," as Kunio Hidaka did in an unpublished study, "Legal Status of Japanese in Canada." I was a graduate student at the University of B.C. when I first came upon Hidaka's work in the card catalogue.<sup>2</sup> The date the study was completed, 1942, is followed by a question mark, and the author's name is erroneously given as Kunio "Hidako." A note indicates that the typewritten copy was made from a manuscript provided by Norman Black in 1946. Many years later, I came to realize that the manuscript had been written by the same Kunio Hidaka who resurfaced in the redress movement in Toronto and became a strong advocate for the National Association of Japanese Canadians. In the early 1990s, I had the opportunity to read through his substantial collection of personal and community documents recording his social and political struggles during the 1940s. In this archive I learned that Hidaka had been a vocal critic of the government's actions and that he had fought for the restitution of losses at that time.<sup>3</sup>

Hidaka probably wrote "Legal Status of Japanese in Canada" during the period from the late 1930s until 1941, while he completed his degree in economics at UBC. When I first read his work, I had recently begun to examine, more out of personal interest than anything else, the policies and the legislation that had enabled the government to strip Japanese Canadians of their citizenship without the right of appeal. I was immediately drawn to the data that Hidaka had compiled and found myself identifying with his determination to produce an inventory of the legal means through which a certain group was excluded from the rights that mainstream (white) Canadians took for granted. Hidaka was part of a maturing nisei generation, Canadian-born and -educated, who were increasingly frustrated by the

<sup>2</sup> On the card catalogue, the title appears as "Legal Status of Persons of Japanese Race in Canada." Since no explanation is given for this change, I have chosen to use the title on the typescript, on the assumption that it was probably intended by Hidaka. The longer title appears in the Works Cited.

<sup>3</sup> Kunio Hidaka died suddenly on June 10, 1985, "the day after he presented the results of the Price Waterhouse study of economic losses of Japanese Canadians at a NAJC Redress meeting."

hypocrisy of a country that espoused democratic principles but ostracized certain groups solely on the basis of race categories — categories that made possible the very language of the discriminatory legislation.

In a brief introductory note, Hidaka says he has been most interested in the "statutory and regulatory restrictions against the Japanese." The sheer listing of such restrictions reveals that Japanese Canadians were categorized as "Japanese." Naturalization and citizenship, as categories of identity, were subsumed by the broader term "Japanese race," which was applicable to any and all circumstances. The barriers formed a dense web of exclusionary policies intended to prevent Japanese Canadians from claiming any part of mainstream public space.

Hidaka's dogged tabulation of laws and regulations that hemmed in his community stands as an early instance of a Japanese Canadian undertaking critical research to resist the official erasure of his personal identity. As he mapped these laws and regulations in all their mundane details, the extent to which Japanese Canadians were produced as outsiders through public policy became starkly visible. As a result, with the exception of those Japanese Canadians who served in the armed forces during World War I, "Chinamen, Japanese, Hindus, or Indians" were unable to have their names placed on the B.C. voters' list. This restriction led to their disenfranchisement in municipal, provincial and federal elections, and consequently, in a domino effect, they were unable to hold or be elected to public office, enter professions such as medicine, pharmacy and law, and secure licences to cut Crown timber or sell liquor.

This blanket exclusion from the public sphere led to more specialized restrictions, one of which was devised to allay the fear that "Asians" and non-Asian women would miscegenate.<sup>4</sup> Hidaka cites Section 3 of "An Act for

<sup>4</sup> Some examples listed by Hidaka: the "Act respecting the Provincial Home for the Aged and Infirm, Revised Statutes of B.C. (RSBC) 1936, Chapter 228," which prevented "an Indian or an Asiatic" from admission; the "Act to regulate the Working of Metalliferous Mines, Quarries, and Metallurgical Works, RSBC 1936, Ch. 189," which stated that "no male person under the age of eighteen years, nor any Chinese or Japanese person, shall be employed below ground in any mine"; the "Public Works Contract (B.C.), Clause 45," which stipulated that no "Asiatic" could be employed in any public works; the language for "Crown Timber Sales Licences (B.C.)," which stipulated that licences were issued "on the understanding that no Chinese or Japanese shall be employed in connection therewith."

the Protection of Women and Girls in Certain Cases, Revised Statutes of British Columbia 1936, Chapter 309”:

No person shall employ in any capacity any white woman or girl or any Indian woman or girl in or permit any white woman or girl or any Indian woman or girl to reside or lodge in or to work in or, save as a bona-fide customer in a public apartment thereof only, to frequent any restaurant, laundry, or place of business or amusement where, in the opinion of the Chief of Municipal Police of the Municipality or the Inspector of Provincial Police of the police division in which the restaurant, laundry, or place of business or amusement is situate, as evidenced by a certificate in writing signed by him and posted up in his office, it is advisable, in the interest of the morals of such women and girls, that they should not be employed, or reside, or lodge, or work therein, or frequent the same.

Hidaka also lists laws that indirectly affected Japanese Canadians. For instance, in the granting of naturalization or of fishing licences, federal authorities were given “absolute” discretionary power — which more often than not led to punitive actions against Japanese Canadians.

The intricate network of discriminatory regulations generated a social and political milieu in which Japanese Canadians — even those working in areas where exclusionary laws did not apply, such as teaching and engineering — were unable to find employment.<sup>5</sup> These were the conditions that the issei, the first-generation immigrants, and their nisei children had to negotiate long before the mass uprooting in 1942. In being identified not only as “Japanese” but also as “Asiatics” and “Orientals,” they were racialized as external to the nation’s identity — a white settler society. Even though the issei were allowed in to provide the cheap labour required by the country’s burgeoning industries, all efforts were made to ensure that they would never assume the status of bona fide “subjects” of the Canadian nation. As “Japanese” they were marked as aliens who threatened to contaminate the purity of Canada. As one Vancouver workingman, drawing on prevalent

5 The exception to this rule was Hideko (Hide) Hyodo (later Hide Shimizu), who was offered a position in Steveston, B.C., where there was a large population of Japanese Canadian children.

public opinion, testified in 1902 to a royal commission: “My principal objection to them ... is that they do not assimilate, cannot assimilate, with our race, and that our country should be for men of our own race, instead of being overrun by an alien race.”

From our vantage point at the outset of the 21st century — 100 years later — it is much more apparent how integral race difference has been in making the Canadian nation. The workingman’s reference to “our race” reflected the common belief that Canada was built on the grounds of whiteness, against which Asians came to be identified as “an alien race.” His assumption was that his “race,” as the norm, was superior to what he constructed as other — those non-whites variously called “Asiatic,” “Oriental,” “Brown Men,” “Mongol,” “Jap,” “Chinaman” and “Hindoo,” social names that stereotyped those outside the sphere of whiteness.

Asian Canadians have always had to negotiate the haunting spectre of the “Yellow Peril,” a volatile term that projected the fear of miscegenation and takeover by the “hordes” of “Asiatics” and that resulted in protectionist reactions. Those hordes, including Japanese immigrants, were framed by the dominant ideology as “inassimilable” and subversive. “In the minds of whites,” W. Peter Ward comments,

the Japanese (like all Oriental immigrants) blunted the communal drive for a homogeneous society, one of the fundamental collective goals of west coast whites. At bottom this was a deeply irrational yearning, a fact which made it the more fixed and immutable. As no Asian immigrant group was considered assimilable, all appeared to bar the path to racial and social homogeneity — that condition which nativists meant by the phrase “white British Columbia.”<sup>6</sup>

6 Although Ward recognizes the racialization processes that formed the core of public attitudes in B.C. at the outset of the 20th century, his qualifying phrase, “deeply irrational yearning,” obscures the power relations maintained through race discourse. Far from being irrational, this discourse mobilized the social and political hierarchies that banned non-whites from all relevant public spheres. His phrase leaves the impression that racism — the product of race discourse — is an aberration or simply a matter of social and individual attitudes. This understanding of racism fails to account for the instrumental role played by race in cordoning off those constructed as “alien” from those assumed to constitute the norm.

For my parents and grandparents, who were disenfranchised until 1949 because they were “Japanese,” the discourse of race difference had a huge impact on their social lives. Its power resided in the unspoken values of the dominant institutions of their time, but more concretely it shut them out of the public spheres of law, politics and the mainstream media. The most pivotal of exclusionary practices, especially for the nisei, who were educated to revere the principles of democratic rule, was set out in B.C.’s Provincial Election Act. This legislation, singled out by Hidaka, disenfranchised those identified as “Japanese,” “Chinese” and “Hindoo” — in effect, all the visible Asian Canadian groups at the time. “Indians,” a reference to aboriginal people, were also included, a further sign that the legislation was meant to bar all non-whites from the political process. The prohibition against “Chinese” and “Indian” first entered B.C. law in 1872. With the influx of immigrants from Japan, the prohibition was extended to “Japanese” in 1895. In 1907, with the arrival of the first Sikhs, it was expanded to include “Hindoos” as well.

#### THE VANCOUVER RIOT OF 1907 AND ITS AFTERMATH

THE YEAR 1907 was notorious for another reason. That year, Vancouver became the site of a “race riot.” On a tense September 7, a large anti-Asian rally was organized by the newly formed Asiatic Exclusion League. This group, which had set up a Canadian branch modelled on a counterpart in the U.S., was not merely a radical fringe, but was supported by an influential cross-section of society. The rally was designed, Michael Barnholden writes, to draw “on the participation of trade unions, fraternal organizations, religious groups, veterans’ groups and like-minded citizens.” Its goal was to push for the complete exclusion of “Asians” from Canada. During the preceding months, anti-Asian groups, dwelling on the arrival of various ships bringing immigrants from Japan, China and India, had issued dire warnings of the “Yellow Peril” that was supposedly motivated by the drive to supplant white workers and to take control first of B.C. and eventually the nation.

Not surprisingly, the immigration figures used by those who pointed to the danger of the “Yellow Peril” were hugely inflated. On the other hand, from a social perspective there was no denying the increased visibility of Chinese

and Japanese on the west coast. In 1907 they arrived in large numbers. As Ken Adachi notes, “With the 8,125 Japanese who entered the province during the first ten months of 1907” — 45 percent of whom were on their way to the U.S. — “were over 2,000 Sikhs from India and nearly 1,300 Chinese who were willing to pay the head tax of \$500.” The head tax had been levied on the Chinese to restrict their entry. First set at \$50 in 1885, it rose to \$100 in 1900 and to \$500 in 1903, an amount equivalent to two years of labour. The pamphlet *It Is Only Fair!*, issued by the Chinese Canadian National Council in its call for head tax redress, states that the government collected \$23 million in total, an amount that “would be several hundred million dollars” today. Adding to the drama of the scheduled rally was the news that some 500 Sikhs had entered B.C. after being violently forced out of Seattle.

On September 7, thousands of people assembled at Vancouver City Hall, in what is today the Hastings and Main neighbourhood, near both Chinatown (around Pender Street) and Japantown (around Powell Street). As it was whipped into a frenzy by the speakers — particularly by A. E. Fowler from Seattle’s Asiatic Exclusion League, who recounted how Seattle had solved its “Asiatic” problem by expelling all Sikhs — many in the group suddenly broke loose. They rampaged down Pender Street, breaking windows and indiscriminately vandalizing shops on the way. When the rioters headed toward Japantown, though, they found that residents had prepared themselves for a confrontation. They met the rioters head-on and drove them off. “By nightfall,” Adachi writes, “when police reinforcements finally arrived, the Japanese had already organized their own patrols to protect their district through the long night.”

After the riot, the Japanese Canadian and Chinese Canadian communities protested the violent racist attacks and vandalism. The federal government responded by establishing two royal commissions to deal with each group’s damage claims. None other than Mackenzie King, an up-and-coming bureaucrat, and future prime minister of Canada, was appointed to head the commissions. In what was a rare instance of a study that ruled in favour of the two groups, King recommended some compensation for the destruction of properties, but he failed to address the anti-Asian racism that had caused the violence in the first place.

Although the minimal compensation brought some solace to the victims of the riot, Asian Canadians faced further immigration restrictions

and Chinese Canadians continued to have the \$500 head tax imposed on them. Then, in 1923, the government passed the Chinese Immigration Act (also known as the Chinese Exclusion Act), which closed the door on immigrants from China until 1947. During that period only about 25 Chinese immigrants were permitted to enter Canada. Further, South Asians faced the infamous “Continuous Journey” policy from 1908 on. Only those who travelled directly from India would be allowed into Canada. Since the available ships did not originate in India, this policy was an exclusionary measure. The most devastating instance of its application remains the *Komagata Maru* incident.

On May 21, 1914, 376 Sikhs, Hindus and Muslims from the Indian province of Punjab arrived in Vancouver harbour. The *Komagata Maru*, the ship that brought them, had not sailed directly from India, so the group was not allowed to disembark. The South Asian community in Vancouver hastily raised the funds needed to launch a legal challenge to the policy, only to lose its case in the courts because of yet another loophole for the government: not all passengers possessed the \$200 required by immigration officials. After languishing for two months in the harbour, the *Komagata Maru* was forced to depart for India. This event, in the words of Ninette Kelley and Michael Trebilcock, “signalled the virtual cessation of Indian immigration to Canada for many years to come. Between 1914 and 1920, only one East Indian immigrant was admitted. Over the next 25 years, fewer than 650 settled in Canada.”<sup>7</sup>

Had there not been an international treaty between Japan and Britain at the time, the government most likely would have levied a head tax on Japanese immigrants. How, then, to restrict immigration from Japan? When Prime Minister Wilfrid Laurier appointed Mackenzie King to head the royal commissions, he also appointed his minister of labour, Rodolphe Lemieux, to the post of Canadian commissioner to Japan. Lemieux’s task was to secure

an agreement with the Japanese government to impose emigration limits on its end. He accomplished this through an informal arrangement, a “gentleman’s agreement.” Even though Japan could have insisted on the free entry of its subjects to Canadian territories, in accordance with its treaty with Britain, the Japanese government “agreed to restrict the number of passports issued to male labourers and domestic servants to an annual maximum of 400.”

In a strange twist, the “gentleman’s agreement” secured by Lemieux applied only to emigrating males and not to their wives. Until 1908 the overwhelming majority of Japanese immigrants had been men. Now, however, the immigration of Japanese women was unrestricted, a loophole in the agreement that would play a dramatic role in the future of Japanese Canadians in the new country. The very restriction that was intended to exclude emigration from Japan opened the way to the phenomenon of the “picture bride.” Through the use of go-betweens and the exchange of photographs, Japanese immigrants in Canada could arrange for women in Japan to become their wives. The “picture bride” system resulted in a large influx of Japanese women, which in turn led to the formation of local communities and a Canadian-born generation, the *nisei*. They were educated in Canadian schools and came to believe in the democratic values underpinning the nation, particularly the right to vote.

Even while Japanese Canadians began to establish communities in Canada, more exclusionary measures were being devised. In the same report in which Mackenzie King recommended compensation for property damage to Japanese Canadians and Chinese Canadians, he also mentioned the unsuitability of certain types of immigrants. He might have been referring to the supposed inability of Asians to adapt to the Canadian climate, but there is little doubt that he was also referring to their lack of capacity to fit into the cultural and racialized conditions of an assumed white country. This notion of “unsuitability” found its way into the Immigration Act of 1910. In that legislation, the government was granted full discretionary powers — then transferred to immigration officials — to deny entry to those “belonging to any race deemed unsuitable to the climate and requirements of Canada or immigrants of any specified class, occupation or character.” The language of “unsuitability” would remain the norm for many decades — indeed, until the removal of explicit race-based categories from the Immigration Act in 1967.

<sup>7</sup> Sherazad Jamal and Zool Suleman describe the cruel fate awaiting many of the passengers: “The *Komagata Maru* arrived at Budge, India on September 29, 1914. The passengers hoped to raise sympathy for their plight but the Indian government viewed them as agitators. Upon their arrival, police attempted to arrest Gurdit Singh [who had chartered the boat] and some other passengers. During this process, a riot ensued and by the end, 19 of the passengers were killed. While some of the passengers escaped, the remainder were imprisoned or kept under house arrest in their home villages during the course of WWI.”

MY PARENTS, KAZUO and Shizuko, belonged to the nisei generation that found itself constantly negotiating with the inhospitable social climate created by anti-Asian agitators. As Canadian citizens who wanted to participate in the democratic process, they and other nisei fixated on the lack of the franchise — a lack that signified second-class citizenship. Without the right to vote, they were not permitted to enter professions such as medicine, pharmacy and law, to hold public office or to work in certain occupations, as Kunio Hidaka made so clear in his report. But the public domain, especially in B.C., offered little hope of change. The Vancouver riot had vividly demonstrated that the racialized language through which they were identified and demeaned as alien Asians was pervasive — not only on the streets but also in the social and political institutions of the province. The B.C. legislature's efforts to pass exclusionary laws against Asian Canadians were relentless. Fortunately its resolutions were routinely struck down by the federal government, the authority in charge of immigration.<sup>8</sup>

Kay J. Anderson, in *Vancouver's Chinatown: Racial Discourse in Canada, 1875-1980*, reminds us that "Chinese" as a race category was constructed through a "race-definition process" that established non-whites, particularly

8 The following resolution, passed in the B.C. legislature on December 17, 1924, the year after the exclusionary Chinese Immigration Act was passed, gives us a vivid flavour of the kind of language the nisei would have encountered as they grew up on the west coast of B.C. After noting the number of Chinese and Japanese in B.C., as well as their supposed propensity to multiply, the resolution dwells on the threats they pose to white society:

And whereas the standard of living of the average Oriental is far below that of the white man, thus enabling him to live comfortably on a much lower wage than our white men:  
 And whereas the Orientals have invaded many fields of industrial and commercial activities to the serious detriment of our white citizens:  
 And whereas considerable unemployment always exists in British Columbia, partly due to the fact that large numbers of Orientals are filling situations in our industrial and commercial life which could be filled by our white citizens:  
 And whereas the Orientals are fast invading the commercial areas of many municipalities and districts ... carrying on commercial and industrial pursuits:  
 And whereas many of our white merchants are being forced out of business by such commercial and industrial invasion:  
 Therefore be it Resolved, That this House go on record as being utterly opposed to the further influx of Orientals ... and, further, that this House places itself on record as being in favour of the enactment of such amendment to the "Immigration Act of Canada" as is necessary to completely prohibit Asiatic immigration ...

"Asiatics," as outsiders in what were conceived as white Western and European territories. The use of race as a means of marking differences — "them" versus "us" — "gave white groups the power of definition in cultural and ideological terms, as well as more instrumental power in the hands of politicians, bureaucrats, owners of capital, labour unions, judges, police, and other influential members of the 'ruling' sector." Although Anderson focuses on "Chinese," the term "Japanese" was subject to the same assumptions, which placed the "Asiatic" or "Oriental," or more brutally the "yellow races," in the category of "alien." This identity could be invoked at all levels of legislative language to restrict non-whites — including Natives — from playing a significant role in the public sphere.

Even though the "race-definition process" was a powerful mechanism for maintaining relations of social power, it was not monolithic and remained vulnerable to resistance, critical analysis and change. Four pre-World War II instances in the history of Japanese Canadians serve as touchstones in their struggle to achieve the full rights of citizenship: the court challenge of Tomez Homma to put himself on the voters' list; the political efforts of the Canadian Japanese Volunteer Corps during World War I; the quest of Japanese Canadian fishers to gain equal fishing rights; and the major effort of the Japanese Canadian Citizens' League to lobby the federal government in Ottawa. The memory of these events surfaced many times during the redress movement as examples of a vital legacy of activism and negotiation.

#### THE CASE OF TOMEY HOMMA

IN A COMMENT CITED in *A Dream of Riches: The Japanese Canadians, 1877-1977*, T. Buck Suzuki, a nisei activist, union leader and World War II veteran, recalled the painful impact of disenfranchisement on his generation: "The main thing was this lack of franchise. When you lacked franchise and the politicians were not interested in you, you had nothing to contribute, you had nothing to give them. At the time of election, you were something nice to kick around." This sense of being an outsider, of having "nothing to contribute" to their country, bothered to no end those Japanese Canadians who saw the franchise as the most visible right denied to them. Some of the earliest immigrants, those who were naturalized as "British subjects" (as Canadians were identified at the time), sought to change their conditions. In Vancouver they

made a collective effort to have their names placed on the voters' list.

It was as part of this local initiative that Tomekichi (Tomey) Homma sought to gain the franchise, on October 19, 1900. He did so by testing the language of naturalization in the British North America Act, which placed jurisdiction for the franchise in the hands of the federal government. As Andrea Geiger-Adams points out in her analysis of the Homma case, "The *Naturalization Act*, passed by the Dominion government pursuant to its power over naturalization, provided in turn that every naturalized alien was entitled to 'all political and other rights, powers and privileges to which a natural-born British subject is entitled within Canada.'"

Homma applied to have his name added to the voters' list, and as expected, Thomas Cunningham, the collector of voters for Vancouver, turned him down. Homma was no doubt informed of the stipulation in Section 8 of the Provincial Election Act: "No Chinaman, Japanese, or Indian shall have his name placed on the Register of Voters for any Electoral District, or be entitled to vote in any election." But Homma was able to turn this regulation back on itself. Although "Japanese" was defined as "any person of the Japanese race, naturalized or not," in the language of citizenship, as a "naturalized" person, he was no longer the "Japanese" named in the Act. Naturalization had made him a "British subject," a status that was under the jurisdiction of the federal government. In this way, Homma sought to displace the racialized language of the Act by drawing on the broader (British and European) understanding of naturalization as a process through which he had been transformed from one status ("Japanese") to another ("British subject"). He claimed this transformation as a right of naturalization. Once he had been officially refused, Homma could use the denial to launch a court challenge. Well respected in his community and personally outraged by the legislation denying Japanese Canadians the vote, he became a representative for the Gyosha Dantai (Japanese Fishermen's Association), the organization that raised the funds to pay for his legal battle.

Surprisingly, contradicting the entrenched social and political values of privileged white males, the judge who heard the case, Chief Justice Angus John McColl of the B.C. Supreme Court, sided with Homma. McColl concluded that the authority regarding naturalization, and the rights and responsibilities that come with it, rested with the federal government. This meant that the Provincial Election Act of B.C. was outside the authority of the provincial government. McColl went further to issue a warning: "The

residence within the province of large numbers of persons, *British subjects in name*, but doomed to perpetual exclusion from any part in the passage of legislation affecting their property or civil rights would surely not be to the advantage of Canada and might even become a source of national danger." On appeal, the Supreme Court of Canada upheld Judge McColl's decision. It appeared that Homma's challenge would be successful, and there was suddenly hope that the Provincial Election Act would be struck down.

Undeterred by the judgements, the B.C. government sought and was given permission to appeal to what was then the ultimate authority, the Judicial Committee of the Privy Council in London. Sadly, in a ruling that paid no respect to the language of the Naturalization Act, the Privy Council resorted to "race" — rather than citizenship — as a basis for enfranchisement. In making their ruling, their Lordships claimed the British practice of class discrimination as a precedent for arguing that naturalization did not include the right to vote. "From the time of William III down to Queen Victoria," they reasoned, "no naturalization was permitted which did not exclude the alien naturalized from sitting in Parliament or in the Privy Council." Moreover, the legitimacy of a policy of exclusion determined by race as a category of discrimination was considered "not a topic which their Lordships are entitled to consider."

The Privy Council's ruling maintained that while naturalization involved the "obligations of allegiance," it did not include "the privileges attached to it," which they deemed "quite independent of nationality." They could then conclude that the B.C. legislature was authorized to determine the "consequences" of naturalization — particularly in cases where the right to vote was circumscribed by place of residence. Ergo, the decision of the B.C. Supreme Court was reversed, and Tomey Homma, along with other Asian-identified citizens — and, of course, white women — would not be entitled to vote in B.C.<sup>9</sup> The challenge to white male power had been defused by "the mother country," and the *Victoria Colonist* could celebrate the return to the status quo:

9 Geiger-Adams points out that the Privy Council used as a precedent for their decision an outdated piece of U.S. legislation written during the Civil War. The legislation, which gave southern states control over the franchise to ensure the disenfranchisement of slaves, had no relevance for Canadian conditions but became a convenient legal justification for the Privy Council decision. In doing so, Geiger-Adams says, the Privy Council failed to acknowledge "that the doctrine it invoked



We are relieved from the possibility of having polling booths swamped by a horde of Orientals who are totally unfitted either by custom or education to exercise the ballot, and whose voting would completely demoralise politics ... They have not the remotest idea of what a democratic and representative government is, and are quite incapable of taking part in it.

#### FIGHTING FOR CANADA

TOMEY HOMMA'S COURT challenge set the precedent for a different negotiation tactic 14 years later — a political rather than a legal manoeuvre. In the midst of World War I, as Canada struggled to provide troops for England, what better way to demonstrate loyalty than through service in the armed forces? In 1916 the Canadian Japanese Volunteer Corps, financed by fundraising in the community, was formed. Their motivation for enlisting was explained in their constitution: "The 200 men go not only as soldiers to fight in the Canadian war. They go to sacrifice themselves in the battle to achieve rights here at home ... The question of franchise in British Columbia is still not settled. The sacrifice of these men is to break this barrier." The assumption was that, as veterans, they would be given the franchise.

Canada accepted the Canadian Japanese Volunteer Corps, and a total of 196 volunteers fought in the war. Of these, "54 were killed, 93 wounded, and only 49 returned home safely." Their high hopes of attaining the franchise were shattered when they returned home. Intense lobbying and a petition from their representative community organization, the Canadian Japanese Association, could not sway the B.C. legislature. The *Victoria Colonist* expressed the standard public position:

We recognize the deadly menace that confronts us for eternity if we open our doors to any alien people with whom we can never assimilate and whose unlimited presence among us can only mean our final disintegration. Therefore, we have stated emphatically our unshakeable opposition to the granting of the franchise to any Japanese for any cause whatsoever.

had its origin in the history of the formation of the United States, and particularly the need to accommodate the concerns of slave states that local control over the attributes of citizenship be preserved in order to maintain racial boundaries." The failure to uphold Homma's case helped to "maintain racial boundaries" in B.C.

After another decade of lobbying, the franchise was finally granted to these veterans on April 1, 1931. The law "passed by a margin of one vote." The victory, if it can be described as such, was meagre compensation for the lives lost. And disappointingly, only veterans — not their wives and children — could vote, and that right would die with them. Saburo Shinobu, one of the volunteers, reflected: "I cannot help thinking ... of the future of the Japanese Canadians as a whole. While I write this letter, thoughts of the morrow come, and why, I do not know, but the tears spring unbidden."

#### GETTING LICENSED

THE 1920S WITNESSED a surge in race-based legislation to corral Japanese Canadians and to divest them of their economic and material resources. Had the B.C. legislature had its way, Japanese Canadians would have had to deal with laws forbidding them to own property, work in resource industries or hold merchant licences. The power to enact such laws, fortunately, rested with the federal government, which could not endorse apartheid-type policies because of Britain's trade relationships with Japan. But specific regulations could squeeze Japanese Canadians out of industries they depended on for their economic security. Regarding fishers, the authors of the *Report on Oriental Activities Within the Province* (1927) were proud of the reduction of Japanese Canadians in fishing achieved by issuing fewer fishing licences to those of the "Japanese race." In his 1925 report, Fisheries Branch Chief Inspector J. A. Motherwell was explicit about the intent of federal actions: "The [Marine and Fisheries] Department's policy of eliminating the Oriental from the fisheries of the Province with a view to placing the entire industry in the hand of white British subjects and Canadian Indians appears to be working out well ..."

Japanese Canadians were the "Orientals" targeted by this policy of elimination. "By 1925," Adachi writes, "... the Department of Marine and Fisheries had stripped close to a thousand licences from the Japanese [Canadians], reducing their control of licences by nearly half." To reduce their efficiency further, the government forbade fishers in the Skeena River region to use gasoline engines with their boats, a policy that remained in effect until 1930. The department made no attempt to address the race discourse that distinguished white "British subjects" from the "Orientals,"

simply stating that the reductions were part of federal policy. In an effort not to be completely expelled from the fishing industry — the ultimate objective of the federal government — a group of Japanese Canadian fishers challenged the policy in the Supreme Court of Canada in 1928. The court sided with them, concluding that as “British subjects” they had the right to hold licences. The federal government appealed, and when its appeal was rejected through a ruling that the “federal minister did not have the discriminatory power to withhold a licence from a duly naturalized Canadian citizen,” the government quickly legislated the power before the appeal was completed.

As Japanese Canadians would discover time and again, even successful challenges to discriminatory policies could be reversed by the federal government’s power to script new discriminatory legislation. The lack of the franchise remained the crucial stumbling block. The most organized effort to remove this barrier occurred in the mid-1930s, when the nisei were coming of age.

#### TREK TO OTTAWA, 1936

THE FRANCHISE QUESTION gained visibility in the 1930s through the efforts of the Co-operative Commonwealth Federation (CCF), a socialist party formed in Calgary in 1932. A year later, in Regina, the party elected J. S. Woodsworth as its leader and set out its platform in the Regina Manifesto, which declared that all Canadian citizens, regardless of race, should have the right to vote. When Woodsworth made this claim in the House of Commons, the Liberals found a pretext to accuse the CCF of being pro-Asian, the “kiss of death” in white Canada. This attack continued in the 1935 B.C. election campaign in the well-publicized slogan: “A vote for any CCF candidate is a vote to give the Chinaman and Japanese the same voting right that you have.”

Kept alive by the CCF in the House of Commons, the franchise question was brought to a head in February 1936. At that time Angus McInnis, CCF member for Vancouver East, in a strategic move, proposed a resolution calling on the House of Commons either to support the disenfranchisement of Asian Canadians or to offer equal citizenship rights to all. The resolution did not endorse disenfranchisement but was meant to make visible the double standard for citizenship in Canada. The government avoided a vote

by referring the resolution to its Special Committee on Elections and Franchise Acts, a committee that had been formed to review the Dominion Elections Act and to hold hearings to receive recommendations for changes. The B.C. Japanese Canadian community, organized around the newly created Japanese Canadian Citizens’ League (JCCCL), reacted quickly. It initiated a fundraising campaign to draft a brief calling for the franchise, and to send a delegation to Ottawa.

As recorded in the minutes of the Special Committee on Elections and Franchise Acts, the JCCCL brief requested “that clause XI of section 4 of the Dominion Franchise Act, 1934, and amending acts, be repealed, to permit British subjects of the Japanese race to vote in Dominion elections.” The repeal, in effect, would override the provisions of B.C.’s Provincial Election Act. By having their names disallowed on the B.C. voters’ list, those designated as “Japanese,” “Chinamen,” “Hindus” and “Indians” were not permitted to vote in federal elections. Achieving the federal vote would pave the way to gain the vote in B.C.

Four JCCCL delegates were asked to go to Ottawa to represent the interests of Japanese Canadians in B.C. Clearly they were selected because of their successful “Canadianization”: not only were they educated and savvy in current (at the time, Anglo-Saxon) social and political modes of thought, but also they worked in readily identifiable mainstream occupations: Miss A. Hideko Hyodo was a schoolteacher, Mr. Minoru Kobayashi was a life insurance agent, Dr. E. Chutarō Banno was a dentist and Dr. S. Ichie Hayakawa was a university professor. These “normal” nisei appeared before the Special Committee on Elections and Franchise Acts to present their arguments on May 22, 1936. The atmosphere would have been electric for them, made more so by the two B.C. members of Parliament who had been given permission to ask them questions. The two notoriously anti-Asian MPs, well known to Japanese Canadians, were A. W. Neill, an Independent member from Comox-Alberni, and Thomas Reid, Liberal member for New Westminster.

Hideko Hyodo, who later was awarded the Order of Canada and who became a staunch redress supporter in the 1980s, opened the presentation:

We have come to plead the cause for the Canadian-born Japanese who are disqualified at the present time, not only from exercising the franchise but

also, by this disqualification, are restricted from the enjoyment of certain privileges and also from entering certain lines of work. We feel that the present provincial disqualification of Japanese is not governed by the British principles of fair play and our reasons are stated ... in the brief which we have had prepared to state our case and which, we hope, you gentlemen will find some time to peruse.

Hyodo provided a brief history of her community in B.C., emphasizing the determination of her nisei generation to assimilate through education and to distance themselves from their parents' "Japanese" identity. In their ability to fit in, she explained, "the process of Canadianization is extraordinarily complete, considering the wide gulf that exists between the first and second generation." The nisei were so attuned to Canadian ways that they would "be like fish out of water in Japan. Their ideals are towards being better Canadians, sharing common Canadian goals."

The next presenter, Minoru Kobayashi, dwelled on the consequences of barring Japanese Canadians from certain professions as well as from public life. The lack of the franchise meant that they had not been able to hold public office, become lawyers and pharmacists, or be employed on many public works projects. Such obstacles, he pointed out to the committee members — most of whom knew little, if anything, about his community in B.C. — were demoralizing to the young and discouraged them from contributing to the democratic affairs of their country.

Chutarō (Edward) Banno talked about recent nisei efforts to affirm Canadian democracy by forming an association, the JCCCL, to seek the franchise. Its existence as a representative voice was a clear sign that Japanese Canadians were responsible and capable citizens. "My colleagues here and I have been sent here by the Japanese-Canadian Citizens' League of British Columbia to demonstrate to you, in word and flesh, that the Canadian-born Japanese does take his citizenship seriously," Banno told the committee. The JCCCL was "anxious to serve Canada with all that we are able to give" and wanted to work toward the integration of Japanese Canadians into Canadian society.

The fourth and final presenter, Dr. S. I. Hayakawa, had travelled not from B.C., as the others had done, but from Madison, Wisconsin. For six years he had been teaching English literature at the University of Wisconsin,

from which he had received his Ph.D. the year before. Hayakawa brought a decidedly intellectual, even academic, air to the delegation. He wanted, as he explained, to be "of service to Canada by presenting what I know of the situation in British Columbia."<sup>10</sup> For the most part, Hayakawa reiterated what the three previous speakers had said. Then, drawing on his own experience, particularly in the U.S. and in Japan, he expanded on the Canadian qualities of Japanese Canadians, emphasizing that their modes of perception and thought had grown out of local conditions. "I found in Japan," he explained to the committee,

that the very basis of their [Japanese] thinking is different from my own — that I am an individualist and therefore philosophically incapable of meeting Japanese thought on its own ground. We Canadian citizens of Japanese parentage are all alike in this respect — we have all been educated on a principle fundamentally different from that which underlies Japanese civilization. And when Miss Hyodo states that the situation of a Japanese in British Columbia is different from that which existed thirty years ago when the ruling against the Japanese franchise was confirmed, she is uttering, it seems to me, a profound truth.

Hayakawa, referring to a key moment in Japanese Canadian history, invoked the Privy Council ruling that had defeated Tomey Homma's legal challenge to the Provincial Election Act, supporting the right of the B.C. government to determine who was deemed eligible to vote — that is, eligible by intellect, temperament and ability — and who was not. "Orientals," the

10 Hayakawa later became a U.S. citizen. During World War II he lived in Chicago, teaching at the Illinois Institute of Technology. He was elected to the U.S. Senate as a Republican from California and served one term, from 1977 to 1980. He gained notoriety for his outspoken stance against redress for Japanese Americans. After the 1978 conference in Salt Lake City, Utah, when the Japanese American Citizens League (JACL) voted in favour of a redress package that included \$25,000 per individual incarcerated, Hayakawa was interviewed by a local newspaper and his remarks appeared on the national news wire service. Leslie T. Hatamiva in *Righting a Wrong* cites the opening passage of the newswire story: "The Japanese American Citizens League has no right to ask the U.S. government for reparations for Japanese American citizens placed in relocation camps during World War II, according to Sen. S. I. Hayakawa ... 'Everybody lost out during the war, not just Japanese Americans,' and JACL asking for \$25,000 in redress for each Japanese American placed in relocation camps was 'ridiculous.'"

government had stated, were so inassimilable that they were incapable of participating in the democratic process. The JCCCL delegates constructed their case on “Canadianization,” evident in Japanese Canadian accomplishments in sports and music, but they emphasized that behind all this lay an intense drive to get the franchise. To describe just how eager they were, Hayakawa described the community effort required to bring the delegation to Ottawa:

Hundreds of young boys and girls, some of them even children of grade-school age, have been sacrificing ice-cream sodas and movies, and contributing their quarters and fifty-cent pieces, in order that we might appear before you to secure them the rights for which they are hopefully preparing themselves. Our parent-generation has also been generous of their support. One Japanese-Canadian parent said to me last summer, when I was there investigating this problem, that he could die in peace if his children could have the franchise which he had been denied.

There were signs that some of the Special Committee members were being educated, not only about the unfairness of the restrictions imposed on Japanese Canadians, but also about the ability of Japanese Canadians to represent themselves through the very democratic processes they were denied by legislation. “You all speak English so fluently that if we did not see you face to face we would take you be to Englishmen,” a committee member from Quebec said in surprise. The member also commented “that the delegation presented a very excellent case for themselves,” and admitted to being surprised “to know that these conditions exist in British Columbia.”

This amicable interchange was overshadowed in the question period by an agitated A. W. Neill, who said he was bothered that Japanese Canadians had not taken their case to the B.C. government, as they “should” have done — “Why do you not agitate there?” To which Hayakawa responded: “We have been agitating there for years, sir.” Before this verbal sparring could get out of hand, a committee member intervened: “I think that is a most unfair question. I do not think it is up to any member to tell the delegates where they should go to make their protests. It is up to them.”

No decisions were made at this hearing. The delegation simply presented the case for the franchise submitted by the JCCCL.

The Special Committee did not meet again for another year, at which time both A. W. Neill and Thomas Reid — without the presence of Japanese Canadians — had their opportunity to argue against the franchise. In preparation, Reid even composed his own lengthy brief, “Opposing Oriental Franchise in the Province of British Columbia.” He characterized the so-called “Japanese” problem in B.C. in all the familiar language of race that had made possible the exclusions in the Provincial Election Act. While taking issue with what he alleged were factual inaccuracies in the JCCCL’s brief, Reid focused on the threat to whites posed by the Japanese and other “Asiatics.” According to him, the Japanese in particular wanted to infiltrate and miscegenate white Canada. Their ultimate goal — a familiar refrain — was to take over the reins of power. The peril? If they were allowed to vote federally, they would secure the vote provincially. “When that day comes,” Reid prophesied, “if it ever comes, we might as well pull up our stakes and seek pastures new, for they will then, by reason of numbers to a great extent be able to control affairs in the Province of British Columbia, political as well as economic.”

At this time Japanese Canadians numbered about 23,000 of the 700,000 people of B.C. — hardly a danger to the power structure that Reid was defending. But this simple fact was obscured by his representation of “Japanese” and other “Asians” as, on the one hand, incapable of assimilation, and yet, on the other hand, threatening to assimilate in order to undermine the racial purity of Canadian society. “As a matter of fact,” Reid wrote, “the danger is that the Chinese or Japanese by inter-marriage would absorb our own race, and this is simply born [sic] out by the fact that in the few instances where a Chinese or a Japanese has married a Canadian woman or vice versa, the offspring born from the union of these two races have distinct physical characteristics and are unmistakably Oriental in features and appearance.”

Reid presented his brief at the March 11, 1937, meeting of the Special Committee. He appeared again at a follow-up meeting on March 16, this time with A. W. Neill. The two men continued to urge the committee not to grant the vote to Japanese Canadians. They brought out all the old arguments — Japanese Canadians’ loyalty to Japan and not to Canada, their inassimilability, untrustworthiness and threat to the racial purity of Canada. Neill and Reid used as their support base the White Canadian Research

Society, a coalition of groups opposed to the presence of Asians in B.C. Neill quoted from their report: "This dominion is primarily a white man's country, and the interests of the white man should be paramount, as are the interests of orientals in Asia. This is our interpretation of 'British fair play.'" The reference is a direct response to the notion of "British fair play" that had been raised by the JCCCL delegates as a reason for granting the franchise. Neill and Reid then went on to describe the gloomy future of B.C. and Canada if the "orientals" were given the vote. The government would no longer be able to impose restrictions on them, and soon they would multiply and take over the province and the rest of the country. As Neill explained, repeating the theme of Reid's brief, "It is British Columbia to-day but it will be half of Canada to-morrow."

Not surprisingly, the Special Committee chose not to tamper with the existing regulations, and by doing nothing it endorsed the exclusionary provisions of the B.C. Election Act. By 1937, however, other forces were changing the lives of Japanese Canadians in B.C. Soon after Japan invaded China, Japanese Canadians became the targets of an intensified hostility. Their stores were boycotted, and voices rose calling for them to be registered and placed under surveillance as potential saboteurs. The hopeful ray of idealism that had motivated the delegation's visit to Ottawa in 1936 was eclipsed by this ominous turn of events. To mediate the growing antagonism toward their community, core members of the JCCCL, including Tom Shoyama and Ed Ouchi, made a concerted effort to educate the public about Japanese Canadians' loyalty to their country and belief in democratic values by founding a newspaper, appropriately titled *The New Canadian: Voice of the Nisei*, in November 1938. The publication became a major vehicle in the formation of a "nisei voice" and the medium through which young writers such as Muriel Kitagawa began to articulate their Canadian perspectives.

#### A LONG TIME COMING

JAPANESE CANADIANS HAD to wait another decade, until 1949, before gaining the franchise. By then the complex infrastructures of their B.C. communities, which had slowly evolved in the 50 years before the war, had been dismantled by government decree. And by then, Japanese Canadians were emerging from nearly a decade of traumatic events that had dispossessed

them and scattered them all over the country. When they were finally allowed to return to the B.C. coast on April 1, 1949, their former lives there had begun to settle into the deeper recesses of memory.

Tommy Homma died in 1945, still not permitted to return to the west coast. When the young nisei student Kunio Hidaka summarized the results of his research into the legal status of Japanese Canadians, he noted the importance of the Homma case. "Discrimination is based on race not on nationality," he concluded, "so naturalization has not accorded to Japanese all the protection that ought to have followed." This condition set the stage for the most cataclysmic event in the history of Japanese Canadians. It would also, four decades later, call forth a movement to redress the injustices inflicted on them.