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Reconciling with History: The Chinese-Canadian Head Tax Redress

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In lieu of an abstract, here is a brief excerpt of the content:

Reconciling with History: The Chinese-Canadian Head Tax Redress

Peter Li (bio)

On June 22, 2006, Stephen Harper, Prime Minister of Canada, offered a full apology to Chinese Canadians at the Parliament of Canada for the imposition of the head tax and expressed sorrow for the subsequent exclusion of Chinese immigrants as a result of the 1923 Chinese Immigration Act. It took 121 years after the first head tax was levied on Chinese entering Canada and 83 years after the passing of the 1923 Act before Canada officially recognized the historical wrongdoings to the Chinese. Despite intense lobbying by Chinese-Canadian community organizations and individuals since the first Chinese Canadian filed a claim in 1983 to have the amount of the head tax returned to him, it was only after seven prime ministers had taken office, and many negotiations and court proceedings had taken place, that a settlement was reached in 2006. Why did the Canadian Chinese head tax redress take so long to materialize, especially in view of the 2002 apology offered by Helen Clark, Prime Minister of New Zealand, to New Zealand Chinese on account of a similar head tax? This report traces the history of the Chinese head tax redress in Canada and examines the factors that contributed to its settlement.

Origin of the Chinese Head Tax in Canada ¹

The discovery of gold in Fraser Valley, British Columbia, was the event that triggered the first wave of Chinese migration to Canada in 1859. The early Chinese miners were mainly from California where many had been engaged in mining activities. But it was the construction of the western section of the Canadian Pacific Railway from 1881 to 1885 that created the demand for Chinese workers directly from China. At the height of the railway construction in 1881 and 1882, over 11,000 Chinese came by ship to Victoria from China.² In the late 19th and early 20th century, the Chinese quickly became the target of racial discrimination. Many laws were passed to restrict Chinese immigration and to curtail the rights of those already in Canada. **[End Page 127]**

Even prior to the 1923 Chinese Immigration Act, the Chinese in Canada were frequent targets of discrimination and were subjected to many

legislative controls. When the Canadian Pacific Railway was completed in 1885, the federal government had little worry over a potential shortage of Chinese labor. It imposed a head tax of \$50 on virtually every Chinese entering the country in 1885 after a royal commission reported on the ill effects of Chinese immigration. The head tax was raised to \$100 in 1900 and then to \$500 in 1903.³ Between 1886 and 1924, 82,379 Chinese entering Canada paid a total of \$23 million in head tax. In addition, British Columbia passed numerous laws against the Chinese between 1875 and 1923, disallowing them to acquire Crown lands, preventing them from working in underground mines, excluding them from admission to the provincially established home for the aged and infirm, and prohibiting them from being hired to do public work, as well as disqualifying them from voting.

Canada levied a head tax on the Chinese as a means to slow down Chinese immigration to Canada, but it produced little effect on the volume of Chinese immigration to Canada. When a royal commission on Chinese and Japanese immigration reported in 1902 that there were sufficient Chinese workers in almost every industry, the parliament raised the head tax to \$500 for each Chinese entering Canada in 1903 ([Royal Commission 1902](#)).

In 1923, Canada passed the Chinese Immigration Act to prohibit Chinese immigration to Canada totally. The Act also required every Chinese in Canada, regardless of citizenship, to register with the federal government within 12 months of its enactment, and to obtain a registration certificate, or pay a heavy penalty for failing to do so.⁴ Furthermore, every Chinese in Canada who intended to leave Canada temporarily had to file an official notice of departure and register with the government. Chinese leaving Canada for more than 24 months would forfeit the right to return even with the registration.

Thus by 1923, Chinese were totally excluded from entering Canada. Those already in Canada...

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