

**KEYNOTES PRESENTED**

**August 18, 2007 at 9:15 a.m.**

**TO**

**“GOING GLOBAL” INTERNATIONAL CONFERENCE  
Chinese New Zealand Association**

**University of Auckland Business School  
Fisher & Paykel Appliances Auditorium**

**HISTORY IN THE MAKING:  
HEAD TAX ISSUES IN CANADA**

**by  
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**INTRODUCTION / GREETINGS**

*Thank you, Kai, for that introduction.*

*Congratulations to you, and the organizers of this year’s conference, the New Zealand Chinese Association. Thank you, Liu Shueng for inviting me to speak, today.*

Distinguished guests, friends:

I am truly honoured to speak to you, today, on such an auspicious occasion.

As a Canadian visitor, it is personally gratifying to see that the theme for your conference, this year, is “going global”.

Although 12, 000 kilometres separate Auckland from Edmonton, where I currently reside in Canada, we all share a common bond whether it is addressing the same problems and concerns, or achieving the same goals and objectives in our respective communities – whether these concerns address issues are related to:

Identity.

Voice.

Multiculturalism.

Or, justice and fairness.

Racism and injustice are not defined by geography, or by borders.

Indeed, history has shown—time and again—that the experience of one can often affect the other, as in the case of redressing Canada’s Chinese “Head Taxes,” or New Zealand’s “Poll Taxes.”

The journey for redress in Canada first began in 1984 –that’s 23 years ago – or, almost a quarter of a century, now. Ironically, it falls one year shy of the 24 years between the introduction of Canada’s *Chinese Exclusion (Immigration) Act* of 1923 that separated Chinese families and the time it was, finally, repealed in 1947.

I personally became involved with the subject during, and after, my legal studies in Toronto in the early 1990s. At that time, most of my research was spent piecing together the puzzle which few knew about, from limited legal sources to international works—including Nigel Murphy’s seminal treatise which proved to be invaluable.

During our campaign:

- *thousands* of Chinese Canadians who paid the Chinese “Head Taxes” have passed on;
- at least *seven* different Parliaments have been elected to Ottawa;
- and, at least *two major* documentaries have been filmed and produced—the second of which you will see this weekend– and a third, perhaps, in which you will be part of, during the course of this Conference.

Marshall McLuhan, a great Canadian visionary, articulated a concept that remains true, today—he said that, the “medium *is* the message,” in what is “our *Global Village*.”

The fact is that our Global Village has always existed since the dawn of creation, before McLuhan’s famous words, before the advent of the internet, or, even before international conferences like these were held across the ocean.

## **HISTORICAL OVERVIEW**

At the risk of diminishing the already-overlooked history of our communities, we could summarize the circumstances of our communities by saying that: thousands experienced great human suffering and separation from their families, often dying in isolation while trying to eke out a meagre existence against overt racism and oppression. And, *despite* having pioneered our nations through their industry and self-sufficiency, when doors to professions and mainstream society were barred, they often found their lives became *more, not less*, difficult, *in spite* of these sacrifices throughout the generations.

By now, as many of you know, we can trace back the creation of our “poll taxes” or “head taxes” to Australia and its White Supremacy policies in 1855; New Zealand followed in 1881; and, finally, Canada, in 1885.

Interestingly, the campaigns to redress these measures were just the reverse, with Canada beginning its own in 1984.

## RECENT CANADIAN DEVELOPMENTS

Canada's campaign, likewise— at the outset—can be safely summarized in one or two sentences: a *great* deal of resources was invested in letter-writing, petitions, and even a multi-million dollar legal challenge, against often, Liberal, majority governments, who were either *uninterested*, or *disinterested*, in addressing the issue.

Then, about three years ago, groups like ours in Edmonton, and those in Montreal, began to open direct dialogue with other, political parties. That, in my mind, was a turning point in our campaign.

Not unlike New Zealand's break-through, the landmark in Canada involved a major change in government—in our case, it turned out to be a *minority Conservative* Government.

When the last, 2006 election arrived, the political stage had been set:

In Vancouver—Chinese Canadians in that city protested over a (failed) Liberal government “deal” with an organization called the “National Congress of Chinese Canadians” which would have provided “collective” redress *only, without* an apology and *without* any specific compensation to victims impacted by the racist policies. (Their efforts sent out a message to the Liberal party prior to the announcement of the election.)

In Edmonton—we had opened, and continued to maintain dialogue with all political parties, including the Conservatives. In particular, we worked hard to help defeat a once popular Liberal Minister in our city.

In Montreal—the efforts reflected what was taking place out west in Canada. A colleague of mine, May Chiu, ran [for the Bloc Quebecois] against none other than the former Liberal Prime Minister, Paul Martin, in Quebec.

Shortly thereafter, in June 2006, a minority-elected, Conservative Government took a major step by formally apologizing to our Chinese Canadian community, and, to date, has compensated 344 Head Tax Payer Survivors, or their surviving spouses, \$20,000, each—amounting to an estimated \$6.8 million.

This decision followed public consultations held across Canada in Halifax, Toronto, Vancouver, Edmonton, Montreal and Winnipeg with members of the Chinese Canadian community, two months prior.

Those consultations set a remarkable precedent for Chinese Canadians: we discovered we had a *voice* in a country of 33 million.

Unfortunately, the Conservative Government failed to deliver on the *overwhelming* sentiment expressed at these open consultations: that the resolution include *all* victim families *directly* impacted by anti-Chinese policies and legislation, *not* just the estimated 300-500 surviving head tax payers, or surviving spouses, for whom we had placed our highest priority—for obvious reasons of age and time.

Originally, 81,000 Chinese paid the onerous “head taxes” in Canada—worth \$24 million, then, or, a staggering *\$1.2 Billion*, in today's value. (As a comparison, or in contrast, the total amount taken in New Zealand was approximately \$300,000, then, or \$20 million in today's terms.)

By our estimates, there may only be 5,000 surviving, direct (first-generation) descendant families who still remain in Canada.

These families *must* be part of any “resolution” for there to be closure.

The Chinese Canadian Redress Alliance, of which I am the Co-chair in Edmonton, proposed that claims be set by the number of available certificates, not the number of surviving, extended family members seeking redress. Simply, stated: a single certificate, represents one estate—no matter how large the extended, descendant family.

One certificate. One claim. No “floodgates” (or, straw arguments).

It would be an understatement to say that the past two years have been significant years for Chinese Canadians.

### **SPECIFIC REDRESS AS CORNERSTONE**

In the process for reconciliation, the distinction which separates our approach to yours is the fundamental desire for specific, or individual compensation, beyond any collective acknowledgement.

There are at least a couple of reasons for this: first, most notably, is the substantial amount of \$1.2 billion in the Canadian scenario which stands prominent.

Secondly, in Canada, we have already adopted “multiculturalism” as a formal policy, nationally, since 1971.

While we would welcome “community” acknowledgement as part of the redress process, Multiculturalism is for us, not only a social concept, but an already, entrenched, reality in Canada—we, therefore, view redress in our case, as correcting a *specific* injustice, not merely sugar-coating with more “collective” solutions.

Keep in mind, that “multiculturalism” is always subject to abuse: aside from its educational value, or benign mandate, it can also be superficial, it can be ornamental.

It can be used to placate dissent.

Indeed, during the course of the last election a new chapter in Chinese Canadian history was written.

As I mentioned, one of the many turning points of our campaign came when the former Liberal government, already plagued by financial scandal, attempted to broker a backdoor deal with a specific organization for a community foundation, without any compensation for individual victims, or even a formal apology.

Our community has now, fortunately, abandoned the notion of self-appointed, “Chinatown godfathers”.

## MAJOR POLICY REASONS FOR REDRESS

In my research and activism, I have always cited the four major reasons for why redress is vital and it may help to explain its international context:

*First*, the return of wealth wrongly taken—those who have been *unjustly enriched* ought to make efforts to redress.

*Second*, closure for those still directly affected.

*Third*, deterrence of bad policies in the future.

And, *fourth*, the restoration of faith in the efficacy of the institutions which imposed these policies

Of the latter, how do we direct our energies to ensure that governments do not repeat the mistakes of the past? How do we ensure that other oppressed or disadvantaged groups see justice?

## NEW CHAPTER

The campaign has taken a personal toll on members of our community, seen successive changes in leadership, and shown great examples of personal sacrifice. Ours is a resilient community, on both sides of the Pacific. When we meet a challenge, we will find a way to meet it head on.

Among the victories in Canada, we have seen genuine leaders step up. As stated, May Chiu, a co-chair in Montreal, ran last election not just against a Liberal incumbent, but the outgoing Prime Minister, Paul Martin.

What is remarkable is that she ran while delivering a member of the next generation of community leaders.

Secondly, as recently reported in the media, the current Conservative government has abandoned the unworkable, “no apology, no redress,” policy set out by prior, Liberal administrations. I believe it is fair to say that our efforts have made a difference.

## CONCLUSION

So, our message to the current Canadian government is clear and simple:

Until our issue is resolved, it will not go away. Until government is prepared to genuinely follow the recommendations of stakeholders, there will be no resolution.

It is my personal observation that if the doors are not re-opened for meaningful dialogue with descendant-Chinese Canadian families, then, the results of the next election will spell a different ending for the current, minority administration.

To our communities, internationally, the challenge is also clear:

How will we use the knowledge we have now inherited to better our condition and those of other, disadvantaged groups who still wish to be heard?

In more specific terms, will we step up, and finally take an active role in asserting our place in public life? Will we continue to involve ourselves in the political process in the backrooms or the front lines? How long will it take?

I think today's conference is a good sign that we are all on the right track.

Congratulations, again, on hosting such a wonderful event.

I would be happy to answer any questions that you might have.  
(*Questions & Answers Session* follows Keynotes, see **Transcript**.)

## SELECTED ONLINE BIBLIOGRAPHY

**Chinese Canadian HTEA Redress Alliance (Edmonton / Montreal)**

[www.redress.ca](http://www.redress.ca)

[www.asian.ca/redress](http://www.asian.ca/redress)

[www.asian.ca/redress/campaign](http://www.asian.ca/redress/campaign)

**Protest of the (now) defeated Liberal Government Deal with the National Congress of Chinese Canadians**

<http://www.asian.ca/redress/protestnccc/>

**David Wong's Generasian**

<http://www.generasian.ca/HeadTax2005.html>

**Todd Wong's Gung Haggis Fat Choy**

<http://www.gunghaggisfatchoy.com/blog/HeadTaxRedress>

**Wikipedia**

[http://en.wikipedia.org/wiki/Head\\_tax\\_\(Canada\)](http://en.wikipedia.org/wiki/Head_tax_(Canada))

### GOVERNMENT

**Canadian Heritage Website – Government Updates**

[http://www.pch.gc.ca/progs/multi/redress-redressement/index\\_e.cfm](http://www.pch.gc.ca/progs/multi/redress-redressement/index_e.cfm)

**Secretary of State Jason Kenney Hosts Event for Vancouver Chinese Head Tax Payers & Families**

[http://www.pch.gc.ca/newsroom/index\\_e.cfm?fuseaction=displayDocument&DocIDCd=CJK070868](http://www.pch.gc.ca/newsroom/index_e.cfm?fuseaction=displayDocument&DocIDCd=CJK070868)

**Secretary of State Jason Kenney Hosts Event for Toronto Chinese Head-Tax Payers & Families**

[http://www.pch.gc.ca/newsroom/index\\_e.cfm?fuseaction=displayDocument&DocIDCd=CJK070864](http://www.pch.gc.ca/newsroom/index_e.cfm?fuseaction=displayDocument&DocIDCd=CJK070864)

### OTHERS

**Asian Heritage Month Poster Controversy – May 2003**

<http://www.asian.ca/posteroffends/>

**Asian Heritage Month – Opening Remarks – May 2005**

<http://www.asian.ca/heritagemonth/welcome-may1-05.html>