"THIS IS TICKLISH BUSINESS": UNDESIRABLE RELIGIOUS GROUPS AND CANADIAN IMMIGRATION AFTER THE SECOND WORLD WAR[1]

STEVEN SCHWINGHAMER

Steven Schwinghamer is a historian at the Canadian Museum of Immigration at Pier 21. His research interests include the history of Pier 21 and the development of Canadian immigration policy through the late 19th and early 20th centuries. He is affiliated with the Gorsebrook Research Institute at Saint Mary's University, the Centre for Oral History and Digital Storytelling at Concordia University, and the Landscapes of Injustice project.

Between the 1870s and the 1960s, Canadian immigration authorities struggled with including or excluding immigrants belonging to conservative Christian religious groups based on perceptions of their desirability or undesirability. Canada's effort to exclude these religious groups had two peaks. The exclusionary efforts targeting the Peace Churches during and after the First World War, including revisions to the *Immigration Act* in 1919, have been the subject of extensive study. The second peak of exclusion falls after the Second World War, and is less well-known. In the 1950s and 1960s, the Department of Citizenship and Immigration embarked on a program to exclude "old order" and other conservative Christian denominations from Canada.

In this paper, the term "conservative religious group" is used to cover a range of Christian denominations. The internal policy discussion of the Department of Citizenship and Immigration, including drafting of regulations, correspondence with overseas officers and exchanges between government departments, was often arranged so that matters related to conservative Mennonites, Hutterites, Doukhobors, the Amish and other smaller sects were all grouped together. The conflation is troubling as it risks confounding the very distinct community histories in Canada, as well as obscuring the striking differences in motivations and circumstances for the groups in their migrations to and from Canada. It also elides significant differences within each of these religious groups, such as between Russian,

1 The title quote is drawn from a marginal note from GR Benoit, Ottawa ON, 2 December 1955, written on Acting Chief, Admissions Division to GR Benoit, Chief Operations Division, Ottawa ON, 1 December 1955, in "Hutterites and Mennonites – General File", Library and Archives Canada, RG 76 Vol 855 File 554-22 (hereafter File 554-22), Part 2

Swiss and Dutch Mennonites. Despite these problems, following the approach of the immigration officials has value as the department appeared to view the civic and regulatory issues in common between these groups as more significant than their differences of language, geography, politics and theology. The civic issues arose because of the groups' religious practices, which included some or all of: pacifism, communal authority over property, education apart from public schools, reluctance to vote or take on full citizenship, and a rejection of certain technologies, as well as unfamiliar conventions of dress, language, and interaction outside the religious community. While imperfect, the untidy grouping was useful for policy as it offered a category for denominations thought less likely or unlikely to establish themselves successfully in Canada, including integration into mainstream Canadian political and civic society.

The prospect of successful integration was an important regulatory tool for prohibition: the *Immigration Act*, 1952, stipulated that immigrants could be prohibited or limited in admission based on their "probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship."[2] In this context, the practices of some conservative religious groups as described above seemed a barrier to integration within mainstream Canadian society. Pacifism had been an important marker of undesirable difference during and after the First World War, but social change meant that this was no longer true by the 1950s. Instead, the language of the act, of assimilation and civic integration, became the crux of exclusionary arguments. For instance, in 1962, confronting a possible wave of Amish settlement from the United States, the Department of Citizenship and Immigration seized on reports that the Amish sought to "escape the school laws," suggesting that members of the community would not accept ordinary structures of Canadian society.[3] The department sought out and disseminated news that supported this impression, such as reports of an Amish man intending to come to Canada from the United States who had been "incarcerated because of his reluctance to comply with municipal and federal tax laws."[4]

In 1956, Acting Deputy Minister C.E.S. Smith offered another argument against Amish admission as immigrants to Canada. Smith argued that towns and businesses near Amish settlements suffered or even disappeared due to the lack of business from the largely self-sufficient Amish communities.[5] His argument also reflected a bias that was commonly held by Canadian immigration authorities during the 1950s: they viewed the non-observance of school laws and modern sanitation practices as proof of an inability to assimilate. Further, an immigrant could be refused if it seemed they would not "permit the use of machinery or other

2 Library and Archives Canada, Statutes of Canada, *An Act Respecting Immigration*, 1952, Ottawa: SC 1 Elizabeth II, Chapter 42, Section 61(g)(iv).

3 Acting Director of Immigration to Deputy Minister, Ottawa ON, 4 December 1962, in File 554-22 Part 4.

4 External Affairs to Immigration, Ottawa ON, undated (early December 1962), in File 554-22 Part 4.

5 Smith to JW Pickersgill, Ottawa ON, 17 February 1956, in File 554-22 part 1.

equipment to keep their property up-to-date and progressive."[6] This emphasis on technological compliance among immigrants was also evident in the immigration report of the 1955 *Canada Year Book*. Written just as Canada admitted its millionth postwar immigrant, the summary of immigrant arrivals in Canada includes meticulous notation regarding technology adoption in households established by postwar newcomers. Apparently, of the 62,160 homes established by postwar immigrants, 32,000 had power washing machines, 52,000 had radios, 26,000 had mechanical refrigerators, and 18,000 had electric vacuum cleaners.[7]

These reservations about integration reflected a deeper antipathy towards the group among immigration authorities. One internal memorandum of 1964 remained in circulation among senior immigration bureaucrats through 1965, and was striking in its language:

> ...I can only repeat the recommendation that a person who: refuses to swear allegiance to Canada, refuses to defend Canada in time of war, denies his children the opportunity for advanced education, does not exercise his right to vote, having no interest in the development of the community as a whole, does not fit reasonably into the existing social pattern and whose beliefs prevent him from so doing, and lives and wishes to perpetuate an archaic form of life, be regarded as incapable of successful establishment in Canada within the meaning of the Regulations and refused admission on those grounds.[8]

The reference to education had particular significance for some religious communities. Immigrants from Central and South America were viewed as having less valuable farming experience than those from the United States, and educational attainment for applicants from those regions was also understood to be much lower. Mennonites from Central and South America had a connection to Canada, via emigrations following both world wars, but the education criterion was used to exclude some applicants from this group, including those recommended for admission by field officers.[9]

The Department of Citizenship and Immigration also expected that the children of immigrants would attend public school through Grade 10, which exceeded the contemporary requirements of several provinces at the time. At that time, religious communal farmers often started their children working in agriculture earlier than Grade 10. Elven Shantz of the Mennonite Central Committee suggested to authorities at the Immigration Branch that the educational undertaking be modified to accommodate this by adding, "when this becomes the law of the province."[10] The department rejected this, with the Assistant Deputy Minister, R.B. Curry, argu-

6 Paul Malone, Secretary of State for External Affairs, to Ambassador of the United Kingdom in Paraguay, Ottawa ON, 12 January 1956, in File 554-22, part 2.

7 Canada, Dominion Bureau of Statistics, *The Canada Year Book 1955* (Ottawa: Edmond Cloutier, 1955), 166.

8 Assistant Deputy Minister to Deputy Minister, Ottawa ON, 21 June 1965, in File 554-22 part 5.

9 J.K. Abbott, Director, Canadian Service to Director, Special Services, Ottawa ON, 28 February 1966, in File 554-22 Part 4.

10 I.R. Stirling, Regional Director Central Region to J.K. Abbott, Director Canadian Service, Toronto ON, 14 October 1965, in, in File 554-22 Part 5.

ing that the "intention behind the proposal that the Amish agree to allow their children to go to grade 10 through the normal educational system was to provide their children with a better educational level for establishment in the normal community. If the Amish are not prepared to accept their proper responsibilities as Canadian residents, they cannot be considered as suitable immigrants."[11] As shown by these strict applications of regulation, sentiment against Amish admission was rife in the postwar immigration department. In 1962, Jean Boucher, Director of Citizenship, pointed out that it was "doubtful that…we could reject members of the Amish faith as such," but that "we would be justified in refusing admission to persons…destined to be only political parasites on the political body."[12]

In the specific case of conservative Mennonites in Central and South America who wished to come to Canada, some of whom were Canadian emigrants, officials in the immigration department discussed using their discretion to exclude applicants for immigration as well as requests for second-generation citizenship. Director of Immigration C.E.S. Smith, in 1952, instructed Arthur Blanchette, Vice Consul with the Canadian Embassy in Mexico, that "…it was not considered that the privilege of resuming Canadian citizenship should be extended to the Mennonites, now over 22 years of age, who were born in Mexico."[13] This followed the advice of Deputy Minister of Citizenship and Immigration Laval Fortier to colleagues at External Affairs that "…we cannot overlook the fact that Mennonite migrations arise out of the unwillingness on their part to accept the responsibilities of citizenship. Consequently, this Department does not look with favour on the exercise of this Ministerial discretion."[14] This negative use of discretion extended outside the ranks of immigration officials. J.E. Duggan, the Registrar of Canadian Citizenship, notes in his correspondence to C.E.S. Smith, the Acting Deputy Minister, that "we have not been inclined to be overly sympathetic towards Canadian Mennonites who went to Mexico for permanent residence. For instance, we have not considered favourably applications for delayed registration of births of children born to these Mennonites since January 1, 1947."[15] J.W. O'Brien, a passport officer with the Department of External Affairs, elaborated on a similar kind of discretionary exclusion in 1954. He argued that the children of Canadian Mennonites relocated to Mexico should be included on their passports because if the officials refused, they might inadvertently "induce [the parents] to register the births so that the children will become Canadian citizens, something we do not wish." O'Brien goes on to acknowledge that "this may be somewhat jesuitical and would, perhaps, be very hard to defend."[16]

11 RB Curry, Assistant Deputy Minister to Minister, Ottawa ON, 30 December 1965, Canadian Embassy, Mexico City to Under-Secretary of State for External Affairs, Mexico, 25 February 1966, in File 554-22 Part 5.

12 Jean Boucher to Acting Director of Immigration, Ottawa ON, 2 August 1962, in File 554-22 Part 3.

13 Smith to Blanchette, Ottawa ON, 6 February 1952, in File 554-22 Part 1.

14 Fortier to Leslie G. Chance, Under-Secretary of State for External Affairs, Ottawa ON, 26 Jan 1952, in File 554-22 Part 1.

15 J.E. Duggan to C.E.S. Smith, 21 September 1956, Ottawa ON, in File 554-22 Part 1.

16 J.W. O'Brien to Consular Division, Ottawa ON, 27 April 1954, in Library and Archives Canada, RG 25 Vol 2486 File 102-AUM049, "Activities of Mennonites."

These negative sentiments towards conservative religious immigrants went beyond the use of discretion and resulted in instruments of policy. As early as the mid-1950s, concerns about conservative religious immigrants taking up the duties and responsibilities of citizenship led the Department of Citizenship and Immigration to devise a form intended to screen immigrants for integration into Canadian society. The IMM 463 form was intended for use by officers in the Americas. It gathered a minimal set of contextual information (name, address, citizenship, religion, ethnicity) and prioritized three questions:

1. Do you intend to apply for Canadian citizenship when eligible?

2. If so, will you exercise the franchise (right to vote) in Canada?

3. Will you send your children to the officially recognized schools in the province in which you will reside?

Any applicant that gave negative or qualified answers to these questions was not to receive a visa and their application was reviewed by the Chief of the Admissions Division.[17] Ultimately, the form was meant to "cull out members of religious sects who are unwilling to assume the duties and responsibilities of Canadian citizenship."[18] The form was also viewed to be a tool for pressure in the event immigrants were discovered to not be in compliance after their arrival in Canada, as the immigrant could be found to have misrepresented themselves in the immigration process, a ground for possible (albeit unlikely) deportation.[19]

Where the IMM 463 form was completed in a satisfactory fashion — that is, the applicants affirming that they would become citizens, vote, and follow school laws — even such cautious officials as Laval Fortier recommended admission.[20] Fortier elsewhere was careful to argue against broad inquiries into the religion of immigrants, if for no better reason than the criticism the department might face if "charged with discrimination against a religious group." However, in that context, Fortier continued to argue for a rigorous implementation of the regulations, and in particular the exclusions that were calculated to bar entry based on religious beliefs seen to be incompatible with assimilation and integration into Canadian society.[21] Those exclusions were found in section 4.66 of the *First Immigration Manual*. Section 4.66 affirmed that "membership in any sect of religious organization, as such, is not a bar to admission to Canada," but also required officers to use group membership to determine admissibility by saying that if an immigrant belonged to "communities whose members are not permitted to hold land other than on a communal basis or a group or community whose members have other

17 IMM 463 and accompanying instructions, c. 1956, in File 554-22 Part 2.

18 Smith to Benoit, Ottawa ON, 27 January 1956, in File 554-22 Part 2.

19 GR Benoit, "Instructions respecting Form IMM 463 to be completed by immigrants in Mexico and South America", Ottawa ON, 24 January 1956, in File 554-22 Part 2.

20 Fortier to Minister (Baskerville? 1959), Ottawa ON, 3 November 1959, in File 554-22 Part 3.

21 Fortier to Minister (Baskerville? 1959), Ottawa ON, 5 May 1959, in File 554-22 Part 3.

customs or practices which would militate against their integration…he is not to be visaed, or receive a medical card or letter of pre-examination."[22]

As seen in the language of section 4.66, the department was anxious to avoid the appearance of practicing an exclusion based on religion. Following this, the IMM 463 form was presented as a tool to use with all prospective immigrants from Mexico and South America, such that "there will be no discrimination between applications." Despite this, the accompanying instructions made it clear that an immigrant's ethnic origin and religion would indicate when an officer should screen on the basis of citizenship duties. Finally, the author of the instructions, G.R. Benoit, Chief, Operations Division for the Immigration Branch, noted that agents abroad should be advised not to "present such questionnaire to classes of British subjects and others to whom it might appear a gratuitous insult to their intelligence."[23] Within a decade, the problematic nature of this discriminatory screening became clear within the department, with the IMM 463 described internally as "offensive without serving any useful purpose."[24]

The IMM 463 form was criticized and challenged internally, but this did not indicate a change in the position of the department regarding the integration or desirability of conservative religious immigrants. For example, the Acting Deputy Minister of Immigration, H.M. Jones, argued in 1963 that he had strong reservations about the value of the Amish as immigrants. However, Jones "did not wish to set up restrictions aimed at one religious group," and so each Amish applicant was to be processed "strictly according to normal selection criteria."[25] For some applicants, this was a subtle reintroduction of barriers. Until this time, Amish and other conservative religious applicants had been permitted to use fingerprinting in lieu of having a photograph taken for their immigration applications. Personal photography contradicted the religious beliefs of a number of conservative religious groups, including the Amish. Through late 1962 and early 1963, this re-introduction of compulsory photography was confirmed. Further, every Amish application was to be forwarded to Ottawa rather than being resolved locally, as was the norm.[26] In 1966, the department softened the photographic requirement and the values test required of conservative religious immigrants was weakened, as the Assistant Deputy Minister removed the questions regarding applying for citizenship and voting in Canada. However, the department insisted on written undertakings enforcing the Grade 10 educational requirement discussed above, and increased internal monitoring against mass movements of undesirable immi-

22 Canada, Department of Citizenship and Immigration, Immigration Manual Chapter 4 Section 4.66, as excerpted in File 554-22 Part 3.

23 The emphasis is in the original, which is: GR Benoit, "Instructions respecting Form IMM 463 to be completed by immigrants in Mexico and South America", Ottawa ON, 24 January 1956, in File 554-22 Part 2.

24 Marginalia, Jean Boucher to Acting Director of Immigration, Ottawa ON, 2 August 1962, in File 554-22 Part 3.

25 H.M. Jones to the Minister, Ottawa ON, 1 May 1963, in File 554-22 Part 4.

26 Acting Chief Admissions, Circular to Admissions Staff, Ottawa ON, 27 February 1963, in File 554-22 Part 4; Acting Chief Admissions to Acting Chief Operations, Ottawa ON, 7 March 1963, in File 554-22 Part 4.

grants, as well as affirming an examining officer's authority to refuse undesirable members of religious groups or sects.[27]

These policies met with some internal resistance, as some immigration officials did find Amish settlers to be successful farmers, albeit using lower-technology methods. Further, some immigration officers did not agree with the appraisal of their superiors regarding Mennonite integration. In one instance in 1964, the immigration Officer-in-Charge at Niagara Falls made a strong argument in favour of the integration of Mennonites in reference to applications of three families from Paraguay. He pointed out that while the original immigrants did stay with farming, the subsequent generation were well educated and participated in many professional fields, as well as in politics, boards of trade, and education. He was satisfied that they were desirable immigrants. The officer took the unusual rhetorical step of asking an administrator directly, after offering two pages of contrary evidence, "In view of the foregoing, do you consider that these people are members of a religious sect referred to in 4.66 of the Manual?"[28]

Immigration officials were circumspect in discussing these religious exclusions. Laval Fortier captured the attitude of the department when he requested in 1959 that "instructions be issued to our staff officers to be on the lookout to prevent the admission of people of this sect." However, Fortier had veered too far into plain language, and the Director of Immigration, W.R. Baskerville, inserted a marginal note that he discussed the instruction with Fortier, and that Fortier "does not mean members of this sect should be refused entry, but that we try to prevent undesirable members of the sect…"[29] The department had successfully defined undesirability to include elements of religious observance for "old order" and conservative religious immigrants, such as seeking their own schools and not voting if that would implicate them in military power, so this statement mainly had value in maintaining ambiguity in the documented policy. Canadian immigration authorities used a lack of written policy to refute complaints about refusals and exclusions, and so often treated even discussions of this exclusion with colleagues as *sub rosa*. For instance, Paul Malone (writing on behalf of Lester Pearson, Secretary of State for External Affairs) told the British Ambassador to Paraguay, "I should be grateful if you would treat my explanation of the reason for the use of Form IMM 463 as confidential insofar as the general public is concerned."[30] However, the department was aware of the risk of attempting to conceal their reasons for refusal, as G.R. Benoit warned in discussing the use of the IMM 463 form, "[t]he more we attempt to hide such matters the more vulnerable we are to Star Chamber charges."[31]

27 B.A. Gorman, Director, Special Services, circular memo, Ottawa ON, 12 April 1966, in File 554-22 Part 6; Director of Policy and Planning to Acting Director, Support Services, Ottawa ON, 7 June 1966, in File 554-22 Part 6.

28 W.C. Fischer to Zimmer, Central Region Administrator, 9 December 1964, in File 554-22 Part 5.

29 Fortier to Baskerville, Ottawa ON, 22 April 1959, in File 554-22 Part 3.

30 Paul Malone, Secretary of State for External Affairs, to Ambassador of the United Kingdom in Paraguay, Ottawa ON, 12 January 1956, in File 554-22, part 2.

31 G.R. Benoit, "Instructions respecting Form IMM 463 to be completed by immigrants in Mexico and South America", Ottawa ON, 24 January 1956, in File 554-22 Part 2.

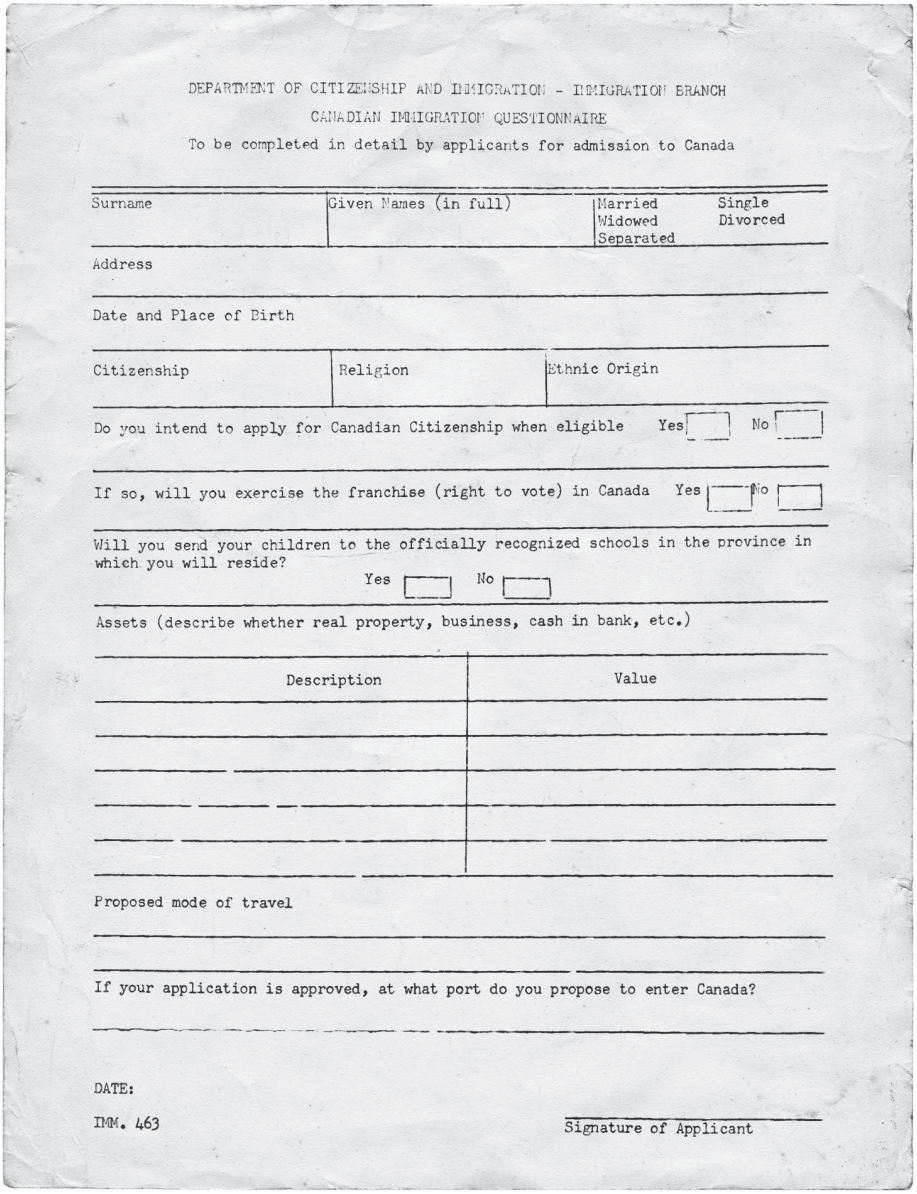
It is also worth noting in this connection that many of the memoranda that argue the department would not discriminate against a specific religious group are titled with the name of a denomination, defining the policy by group membership even if other language was used in the regulations themselves.

Through the 1950s and 1960s, Canadian immigration officials viewed conservative religious groups, and in particular the Amish, as undesirable immigrants. These immigrants were singled out for more rigorous screening, and likely refusal, based on religious prejudice. This was in spite of declarations of the department that membership in a religious sect was not a barrier to entry. The Acting Deputy Minister, C.E.S. Smith. summarized the underlying assumptions of the department about conservative religious immigrants, saying of the Amish that they were "neither suitable, adaptable or desirable and cannot satisfy the provisions of the Immigration Act."[32]



Assembly Hall, Pier 21, Halifax, Nova Scotia, July 1965. Canadian Museum of Immigration at Pier 21, Ken Elliott Collection [R2013.1362.31]

32 C.E.S. Smith to J.W. Pickersgill, 17 February 1956, in File 554-22 Part 2.



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION - IMMIGRATION BRANCH

CANADIAN IMMIGRATION QUESTIONNAIRE

To be completed in detail by applicants for admission to Canada

Surname	Given Names (in full)	Married Widowed Separated	Single Divorced

Address

Date and Place of Birth

Citizenship	Religion	Ethnic Origin

Do you intend to apply for Canadian Citizenship when eligible Yes ☐ No ☐

If so, will you exercise the franchise (right to vote) in Canada Yes ☐ No ☐

Will you send your children to the officially recognized schools in the province in which you will reside?

Yes ☐ No ☐

Assets (describe whether real property, business, cash in bank, etc.)

Description	Value

Proposed mode of travel

If your application is approved, at what port do you propose to enter Canada?

DATE:

IMM. 463

Signature of Applicant

Form IMM 463. Library and Archives Canada, RG 76, volume 855, file 544-22, part 2.