

Redress, Recognition, and Redistribution: The Case of the “Chinese Head Tax”¹

Matt James
University of Victoria

Paper prepared for presentation at the Annual General Meetings of the Canadian Political Science Association, 31 May 2003, Halifax, Nova Scotia

ROUGH DRAFT: PLEASE DO NOT QUOTE OR CITE WITHOUT PERMISSION OF THE AUTHOR (mattjame@uvic.ca)

¹ The author gratefully acknowledges the superb research assistance of Lesley Clayton on the research project of which this paper is a preliminary instalment.

While addressing the contemporary spread of movements seeking redress for past injustices, historian Charles Maier notes an accompanying proliferation of words prefixed with “re”: “reparation, remembering, recording, reconciliation.”² In Canada, campaigns for redress have elicited apologies and financial compensation for the World War Two internment of Japanese Canadians and the past policy of forcing Aboriginal children to attend residential schools.³ On the international level, movements have sought official apologies and financial reparations for Holocaust survivors, Korean “comfort women,” and victims of the Atlantic slave trade, to name just a few. These developments have sparked a burgeoning scholarship on reparations that seeks to chart the constitutive elements of what the legal scholar Roy Brooks calls the “Age of Apology.”⁴

A different academic literature also traffics in “re” words. A growing number of critical theorists, political philosophers, and political scientists is exploring the relationship between what are conventionally called the politics of recognition and the politics of redistribution. This literature’s key point of departure is critical theorist Nancy

² Charles S. Maier, “Overcoming the Past? Narrative and Negotiation, Remembering, and Reparation: Issues at the Interface of History and the Law,” in *Politics and the Past: On Repairing Historical Injustices*, ed. John Torpey (Lanham, MD: Rowman and Littlefield, 2003), 295.

³ See Matt James, “Redress Politics and Canadian Citizenship,” in *The State of the Federation 1998/99: How Canadians Connect*, ed. Tom McIntosh and Harvey Lazar (Montreal and Kingston: McGill-Queen’s University Press, 1999), and *idem*, “Being Stigmatized and Being Sorry: Past Injustices and Contemporary Citizenship,” in *A Passion for Identity: Canadian Studies in the 21st Century*, ed. David Taras and Beverly Rasporich (Scarborough, Ont.: Nelson, 2001).

⁴ Roy L. Brooks, chap. 1, “The Age of Apology,” in *When Sorry Isn’t Enough: The Controversy over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999). More generally, see Elazar Barkan, *The Guilt of Nations: Restitution and Negotiating Historical Injustices* (New York: Norton, 2000); Erna Paris, *Long Shadows: Truth, Lies, and History* (Toronto: Knopf, 2000); *Politics and the Past: On Repairing Historical Injustices*, ed. John Torpey (Lanham, MD: Rowman and Littlefield, 2003); John Torpey, “‘Making Whole What Has Been Smashed’: Reflections on Reparations,” *Journal of Modern History* 73:2 (June 2001), 333-358; and Michael Cunningham, “Saying Sorry: The Politics of Apology,” *Political Quarterly* 70:3 (July-September 1999), 285-293. For an argument that we have not entered an age of apology, see Roger Daniels, “An Age of Apology?”, Distinguished Speakers Series in Political Geography No. 7, Royal Military College of Canada (2003).

Fraser's 1995 article, "From Redistribution to Recognition? Dilemmas of Justice in a 'Postsocialist' Age." Fraser identifies an epochal shift in the focus of progressive politics, which she describes in the following, somewhat apocalyptic terms: "group identity supplants class interest as the chief medium of political mobilization. Cultural domination supplants exploitation as the fundamental injustice. And cultural recognition displaces socioeconomic redistribution as the remedy for injustice and the goal of political struggle."⁵

What follows below is an attempt to bring together these two "re" literatures, one focusing on reparations for historical injustices and the other on the relationship between recognition and redistribution. I then turn to one specific movement for reparations, the Canadian campaign to redress the infamous "Chinese head tax." The paper asks about what lessons it may offer with respect to the relationship between recognition and redistribution in one important area of contemporary social movement politics.

Redress, Recognition, and Redistribution: An Overview

Since Fraser's groundbreaking article, left-wing critics have placed increasing emphasis on recognition or "identity" politics as a major culprit in the diminished contemporary fortunes of redistributive politics.⁶ Defenders of multiculturalism and the politics of difference have responded by arguing that the distinction between recognition and redistribution obscures the interpenetration of the cultural and the economic. With the

⁵ Nancy Fraser, *Justice Interruptus: Critical Reflections on the 'Postsocialist' Condition* (New York: Routledge, 1997), 11. The original article, reprinted as chap. 1 of the above, is Nancy Fraser, "From Redistribution to Recognition? Dilemmas of Justice in a 'Postsocialist' Age," *New Left Review* 212 (July/August 1995), 68-93.

⁶ For example, see Richard Rorty, "Is 'Cultural Recognition' a Useful Concept for Leftist Politics?", *Critical Horizons* 1:1 (February 2000): 1-20; and Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, Mass.: Harvard University Press, 2001).

cultural critic Judith Butler, these defenders criticize the recognition-redistribution distinction for identifying “the new social movements with the merely cultural, and the cultural with the derivative and secondary.”⁷ For her part, Fraser insists that recognition and redistribution are distinct spheres of justice that are equally important, and that the left’s task is to devise an approach to recognition that will combine more harmoniously with efforts focused on redistribution.⁸

Preliminary reflection on the prominence of all these “re” words elicits the basic observation that social justice campaigns always have a retrospective focus. Not only formal redress campaigns but progressive social movements in general challenge history’s impact on the present. Demands for recognition contest inherited discourses and practices that continue to marginalize and exclude, while demands for redistribution—by definition—target patterns of inequality bequeathed by the past. Even Marx’s vision of future transcendence was built on the insights that only a properly historical materialism could furnish.

Nevertheless, some scholars of reparations worry that today’s increasingly overt emphasis on confronting past wrongs represents something more disturbing than the typical concern of justice with rectification and repair. Although aware that “All politics is always and inevitably about the past to some degree,” sociologist John Torpey suggests that the “preoccupation with past crimes and atrocities” is part of a wider “mood of post-totalitarian caution” and “declining trust in alternative visions of society” which ought to

⁷ Judith Butler, “Merely Cultural,” *New Left Review* 227 (January/February 1998), 36. Also see Iris Marion Young, “Unruly Categories: A Critique of Nancy Fraser’s Dual Systems Theory,” *New Left Review* 222 (March/April 1997), 147-160.

⁸ See esp. Nancy Fraser, “Rethinking Recognition,” *New Left Review* 3 (May-June 2000), 107-120; and *idem*, “Recognition Without Ethics?,” *Theory, Culture & Society* 18:2-3 (2001), 21-42.

be resisted.⁹ In Torpey's view, the focus on redressing historical wrongs reflects a conservative and minoritarian political consciousness that apprehends any talk of large-scale, future-oriented collective action as a prelude to catastrophe.¹⁰ As Maier puts it, this view sees the rise of reparations politics as a reflection of a more widely shared "incapacity to entertain transformative political projects for the future."¹¹

These apprehensions constitute a bridge between the two "re" literatures: similar concerns inform those who believe that the contemporary emphasis on recognition is undermining the prospects for redistribution. According to sociologist Todd Gitlin, "A Left that was serious about ... reducing the inequality of wealth and income would stop lambasting all white men, and would take it as elementary to reduce frictions among white men, blacks, white women, and Hispanics."¹² For philosopher Richard Rorty, progressive academics dissipate valuable energies focusing on esoteric cultural matters when they ought to be thinking "about what will happen if American wages continue to sink toward the level of the global wage market."¹³ And political theorist Brian Barry's recent critique of multiculturalism begins with the by-now familiar lament: "Claims for special treatment are advanced by groups of all kinds while material inequality grows and the postwar welfare state shows increasing signs of strain."¹⁴

⁹ John Torpey, "Introduction: Politics and the Past," in *Politics and the Past*, ed. Torpey, 26, 1.

¹⁰ See *ibid.*, and esp. Torpey, "Making Whole What Has Been Smashed."

¹¹ Maier, "Overcoming the Past," 303.

¹² Todd Gitlin, *The Twilight of Common Dreams: Why America is Wracked by Culture Wars* (New York: Metropolitan Books, 1995), 234, 237.

¹³ Rorty, "Cultural Recognition," 13.

¹⁴ Barry, *Culture and Equality*, 3.

Provoked by the somewhat anecdotal character of these latter complaints, Keith Banting and Will Kymlicka have attempted to test the hypothesis that recognition is undermining redistribution.¹⁵ To this end, Banting and Kymlicka employ a battery of measures designed to compare the fate of welfare states that have embraced relatively vigorous formal multiculturalism policies as against those that have resisted implementing such policies. Banting and Kymlicka conclude that countries that have adopted formal multiculturalism have fared no worse in sustaining redistributive social policies, and in some respects may have done better than those opting for a difference-blind approach. However, as the authors are quick to point out, testing the impact of formal multiculturalism policies on formal social welfare policies does not settle the wider recognition-versus-redistribution debate. When it comes to charting the impact of recognition politics, not as a specific bundle of concrete public policies but as a more diffuse set of discourses and civic practices, understanding must inevitably prove more elusive. And with all the worries about misdirected activist energies and the left's internal divisions in the face of neo-liberal assault, it would seem that discourses and practices are core concerns for recognition's left-wing critics.

Speculating about the potential impact of movement discourses and civic practices is of course the critical theorist's stock-in-trade. Fraser performs a valuable service in this regard by identifying two specific features of recognition politics that may be undermining egalitarian redistribution. The first feature is a pervasive "culturalism," which, by downplaying questions of political economy in favour of focusing on

¹⁵ Keith Banting and Will Kymlicka, "Do Multiculturalism Policies Erode the Welfare State?", paper presented to the Colloquium Francqui 2003, *Cultural Diversities versus Economic Solidarity*, Brussels, 28 February-1 March 2003.

discourses and representations, contributes to what political theorist Ellen Meiksins Wood calls the “retreat from class.”¹⁶ Fraser calls this the problem of displacement. The second feature of recognition politics that Fraser distils for criticism is an overly rigid view of the nature and importance of group identity. This view, she fears, fuels a politics of essentialism and apartness that can only help those who benefit from the fragmentation of left-wing forces.¹⁷ Fraser calls this the problem of reification. As I mentioned earlier, Fraser isolates the problems of displacement and reification not to denounce recognition politics *tout court* but in order to advocate a politics of recognition that will complement rather than conflict with the politics of redistribution. Yet the empirical question of whether and if so, how, recognition is undermining or displacing redistribution remains.

Although it would be exceedingly difficult to chart *in toto* the impact of recognition politics as a vast and diffuse ensemble of discourses and practices, it is possible to scrutinize the discourses and practices of particular recognition-seeking movements for their likely effects on the politics of redistribution. This more specific focus on particular movement discourses and practices can complement the study of specific public policies undertaken by Banting and Kymlicka, the conceptual and prescriptive approach advanced by Fraser, and the more impressionistic treatments of the impact of recognition politics offered by critics like Rorty, Barry, and Gitlin.

Reparations movements are excellent candidates for this approach because they exemplify the overall social movement emphasis on recognition with which so many

¹⁶ Ellen Meiksins Wood, *The Retreat from Class: A New ‘True’ Socialism*, 2d ed. (London: Verso, 1998). For Fraser’s critique of culturalism, which she also calls the “identity model” of recognition, see “Rethinking Recognition,” 109-113.

¹⁷ *Ibid.*, 112-113.

contemporary scholars are concerned. Their constituencies tend to have experienced what Charles Taylor calls “misrecognition,” and, as their focus on eliciting “honourable” apologies for past injustices suggests, they tend to value reparations as a basis of respectful recognition in the present.¹⁸ Reparations campaigns also seem to reflect some of the main tendencies in contemporary progressive politics that, according to many analysts, undermine redistribution.

One such tendency, as some glosses on the classic phrase “the personal is the political” remind us, accords a privileged role to emotions and feelings in determining movement strategies. As Torpey puts it, the spread of reparations politics suggests “a shift from the labor movement’s traditional rallying cry of ‘don’t mourn, organize’ to a sensibility that insists we must ‘organize to mourn’.”¹⁹ Second, and linked to this political valuation of the personal, is a profound suspicion of comprehensive doctrines that posit ideologically-guided collective action as the path to a better future.²⁰ As Alan Cairns points out, this suspicion reflects our interpretation of the twentieth century as a “nightmare” century, one that “gives cause more for shame than for pride, ranging from great evils such as the Holocaust to lesser actions fuelled by arrogance and insensitivity.”²¹ And third, reparations movements tend to focus on deliberate acts of state malfeasance that have been inflicted upon identifiable ethnocultural groups. This

¹⁸ Charles Taylor, “The Politics of Recognition,” in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994), 25. On the focus on honourable apologies in redress politics, see James, “Redress Politics,” 253-260.

¹⁹ Torpey, “Introduction,” 1.

²⁰ *Ibid.*

²¹ Alan Cairns, “Coming to Terms with the Past,” in *Politics and the Past*, ed. Torpey, 63. For an enthusiastic account of how this reaction undermines socialism, see Anthony Giddens, *Beyond Left and Right: The Future of Radical Politics* (Stanford: Stanford University Press, 1994).

focus may reflect and reinforce a wider contemporary trend, which couples increased sensitivity to singling out the innocent for state-inflicted mistreatment with increased indifference towards those whose suffering can be portrayed either as the result of individual irresponsibility or of the inalterable working of market forces.

Historical Injustices in Canada: The “Chinese Head Tax”

This paper constitutes the first step of a larger research project that aims to study reparations politics in Canada in light of the recognition-versus-redistribution debate. Broadly speaking, the project asks whether Canadian redress movements are forwarding discourses and practices that are likely to contribute to the displacement of redistribution. Because it is at the level of civic discourse and social movement practices that some of the most important trends contributing to the displacement of redistribution are likely to be found, the overall goal of this research is to understand how reparations movements may reflect and contribute to changes in our understandings of what counts as a repairable injustice—changes that may also be promoting the decline of redistributive politics.

The main claimants in the field of reparations politics in Canada today include Canadians of Aboriginal, African, Chinese, Italian, and Ukrainian ancestry. These campaigns focus on mistreatment and cultural assault in the residential schools (Aboriginal peoples), a history of slavery and official racism (African Canadians), the impact of racist immigration policies (Chinese Canadians), and internment during the Second and First World Wars (Ukrainian and Italian Canadians, respectively). This paper focuses specifically on the Chinese-Canadian case.

In 1885 the Chinese Immigration Act was passed in response to criticisms that Chinese labourers were driving down wages and taking jobs away from Anglo-Saxon workers in British Columbia. The avowed purpose of the Act was to discourage Chinese immigration; it imposed a head tax of \$50 on any Chinese person seeking to enter Canada, which was raised to \$100 in 1900 and then up to \$500 in 1903.²² After 1924, the head tax was replaced with a near-total ban on Chinese immigration, known commonly as the Chinese Exclusion Act, which remained in place until 1947. This legislative activity reflected a wider pattern of anti-Asian public policy in Canada. For example, because the federal franchise was based on provincial voters' lists, and because most Chinese Canadians lived on the West Coast, the British Columbia law preventing persons of Chinese descent from voting or standing for office in provincial elections effectively disfranchised most Chinese Canadians until the passage of the Canadian Citizenship Act of 1947.²³ Other racist restrictions included a Saskatchewan law that prevented "white" women from working for Chinese employers, and various British Columbia laws that prevented persons of Asian descent from working in the liberal professions or on crown lands.²⁴

²² On the Act, see B. Singh Bolaria and Peter S. Li, *Racial Oppression in Canada* (Toronto: Garamond Press, 1985), 85-95; Patricia Roy, "A Choice Between Evils: The Chinese and the Construction of the Canadian Pacific Railway in British Columbia," *The CPR West: The Iron Road and the Making of a Nation*, ed. Hugh Dempsey (Vancouver: Douglas and McIntyre, 1984); Chinese Canadian National Council, *It is Only Fair! Redress for the Head Tax and Chinese Exclusion Act* (Toronto: Chinese Canadian National Council, 1988); and F.J. McEvoy, "'A Symbol of Racial Discrimination': The Chinese Immigration Act and Canada's Relations with China, 1942-1947," *Canadian Ethnic Studies* 3 (1982). For a fascinating and provocative argument that the Act's true purpose was to maintain Chinese immigration while mollifying labour in British Columbia, see Lily Cho, "Rereading Chinese Head Tax Racism: Redress, Stereotype, and Antiracist Critical Practice," *Essays in Canadian Writing* 75 (Winter 2002), 62-84.

²³ See *Factum of the Appellants, Shack Jang Mack, Quen Ying Lee, and Yew Lee v. Attorney General of Canada*, Court of Appeal for Ontario, Court File No. C36799, 18, citing *History of the Vote in Canada* (Ottawa: Minister of Public Works and Government Services Canada, 1997), 47, 63-64, 80-89.

The impact of these policies has been severe. As Yasmeen Abu-Laban points out, while federal policy was bringing female domestic workers from Europe to boost “white” birth rates it deliberately prevented Chinese-Canadian families from forming.²⁵ The prohibitive cost of the tax, which at \$500 was equivalent to two full years’ wages, created a population of “married bachelors,” with virtually no second Chinese-Canadian generation until the late 1970s.²⁶ Thus, the head-tax legislation deprived early Chinese migrants of family support, created psychological scars, delayed the formation of a viable Chinese-Canadian community, and exposed those few Chinese-Canadian women who did manage to immigrate to an unusually harsh environment of sexual and reproductive pressure.²⁷ The head-tax legislation also encouraged an informal system of indentured servitude. The cost of the head tax left most Chinese migrants at the mercy of unscrupulous labour contractors, who saw paying the price of admission as an opportunity to acquire another defenceless and indebted “client.”²⁸

More subtle but also important as a source of lasting bitterness is the stigma with which Canada’s racist immigration regime stamped Chinese Canadians. By singling out Chinese migrants for extraordinary state discrimination to which no other group was subject, the legislation contributed to stereotypes of Chinese as “undesirable” immigrants. And by preventing the formation of a viable Chinese-Canadian community while

24

²⁵ Yasmeen Abu-Laban, “The Future and the Legacy: Globalization and the Canadian Settler-State,” *Journal of Canadian Studies* 35:4 (Winter 2001), 262-276.

²⁶ Bolaria and Li, *Racial Oppression in Canada*, 94-95.

²⁷ On this point, see Lisa Chalykoff, “Encountering Anomalies: A Cultural Study of Early Chinese Migrants to Canada,” in *Painting the Maple: Essays on Race, Gender, and the Construction of Canada*, ed. Veronica Strong-Boag, Sherrill Grace, Avigail Eisenberg, and Joan Anderson (Vancouver: University of British Columbia Press, 1998).

²⁸ Cho, “Rereading Head Tax Racism.” Also see Roy, “A Choice Between Evils.”

impeding the fair integration of those who were here, the legislation also created a lasting stereotype of Chinese Canadians as “foreigners” without any indigenous contributions or roots. As the Chinese Canadian National Council has complained, “the bitter legacy of the Canadian government’s 62 years of legislated racism is a Chinese Canadian community that is still seen as a new immigrant community.”²⁹

The Head-Tax Redress Campaign

The head-tax redress campaign began in 1983 when an elderly man presented his \$500 head-tax receipt at the office of then Vancouver NDP MP Margaret Mitchell. After reading the equality-rights provisions of the new Charter of Rights and Freedoms, Dak Leon Mark had decided to seek his MPs assistance in claiming reimbursement. With Mitchell’s help, the Chinese Canadian National Council soon collected over 1000 head-tax receipts and an official redress campaign was underway.³⁰ The initial phase of the campaign focused on lobbying federal politicians, holding rallies, sponsoring conferences, and distributing pamphlets on the head tax and redress campaign. Though occasionally varying on minor matters of detail, the movement has been consistent in demanding an official apology from the federal government, financial compensation for individual head-tax payers and their immediate descendants, and significant new federal expenditures on anti-racism projects.³¹

²⁹ Chinese Canadian National Council, submission to the United Nations Commission on Human Rights, quoted in Kim Bolan, “Chinese group asks UN to act on redress,” *The Vancouver Sun*, 22 March 1995, B3.

³⁰ See the remarks of Margaret Mitchell, *Hansard*, 25 January 1988, 12272. Also see Chinese Canadian National Council, *Then, Now, and Tomorrow* (Ottawa: Chinese Canadian National Council, 1988), 12.

At roughly the same time, groups such as Japanese, Ukrainian, and Italian Canadians were also organizing to demand apologies and financial compensation for past wrongs. In what must have at first seemed a harbinger of coming success for other movements, in September 1988 the federal government and the National Association of Japanese Canadians signed the Japanese Canadian Redress Agreement.³² The Agreement extended an official apology for the internment, provided \$23,000 payments to survivors, and pledged to establish the Canadian Race Relations Foundation.³³ Indeed, soon after the passage of the Agreement the governing Conservatives established a process of collective redress negotiations between the relevant organizations and the federal multiculturalism ministry. But these negotiations ended in 1993 when federal Multiculturalism Minister Gerry Weiner's final offer was rejected by all participants. Weiner proposed to issue certificates of apology to the directly affected individuals and to hold official ceremonies to commemorate the relevant injustices, but ruled out any form of financial compensation.³⁴

³¹ For recent information, see "The unfinished business of the Chinese Head Tax," *The Globe and Mail*, 13 July 2001, A14; and Karina Roman, "'Correct this black mark on our history': forum explains lawsuit against federal government for historic head tax on Chinese migrants," *The Ottawa Citizen*, 19 March 2001, D1.

³² See "Speaking Notes for the Honourable Gerry Weiner, Minister of State for Multiculturalism and Citizenship, at the Japanese Canadian Redress Agreement Press Conference," 22 September 1988; and *Justice in Our Time: The Japanese Canadian Redress Settlement*, ed. Roy Miki and Cassandra Kobayashi (Vancouver: Talon Books, 1991). Audrey Kobayashi describes the agreement as establishing "an important precedent," "The Japanese-Canadian Redress Settlement and its Implications for 'Race Relations'," *Canadian Ethnic Studies* 24:1 (1992), 1.

³³ Prime Minister Brian Mulroney also offered an informal apology for the Italian-Canadian internment in November 1990 at a dinner held by the Canadian Italian Business Professional Association. See "Notes for an Address by Prime Minister Brian Mulroney to the National Congress of Italian Canadians and the Canadian Italian Business Professional Association," Toronto, 4 November 1990.

³⁴ Alexander Norris, "Italian, Chinese groups reject redress offer," *The Gazette* (Montreal), 29 May 1993, A6.

Although it set up a \$10 million trust fund in March 1996 for the Pond Inlet and Grise Fiord Inuit, who had been coercively relocated to the High Arctic during the 1950s, and provided an official apology and \$350 million healing fund in January 1998 for former students of the residential schools, the subsequent Liberal government took a remarkably hard line with the groups that had been negotiating with the multiculturalism ministry.³⁵ On 14 December 1994, Minister of Secretary of State for Multiculturalism Sheila Finestone sent a letter to eight redress-seeking organizations.³⁶ The letter, which Finestone subsequently read in the House of Commons, announced the new Liberal policy of refusing to offer compensation or apologies to any of the groups that had been pressing claims with her ministry. Finestone justified the policy by claiming that her government faced a choice between whether “to attempt to address the past or to invest in the future.” She pledged to take the latter route: “We believe our only choice lies in using limited government resources to create a more equitable society now and a better future for generations to come.” A contemporary news report described the response of head-tax activists to Finestone’s letter: “some shook their heads, some shouted in their disappointment, and others had tears in their eyes.”³⁷

The activists could certainly find no comfort in Finestone’s account of the motives underlying the new policy. The only concrete evidence that Finestone offered of

³⁵ Ministry of Indian Affairs and Northern Development News Release, “High Arctic Relocation Reconciled,” 28 March 1996; Jane Stewart, Minister of Indian and Northern Affairs, “Statement of Reconciliation: Learning From the Past,” 8 January 1998. Reprinted in *The Globe and Mail* (Toronto), 8 January 1998, A19.

³⁶ Ministry of Canadian Heritage News Release, “Sheila Finestone Tables and Sends Letter on Redress to Ethnocultural Organizations,” 14 December 1994.

³⁷ Kim Bolan, “Liberal’s [sic] refusal to redress head tax ‘betrays’ Chinese-Canadians’ trust,” *Vancouver Sun*, 15 December 1994, A3.

what she claimed was a principled choice to focus on fighting racism in the future was the impending establishment of the Canadian Race Relations Foundation.³⁸ However, this item was actually a leftover unimplemented element of the Japanese-Canadian redress settlement of 1988: a commitment that owed its existence not only to a predecessor government, but also to the very focus on past injustices that Finestone was attempting to portray as the discredited alternative to her focus on the future.³⁹ The image of a federal government dedicated to creating “a more equitable society ... for generations to come” received a further blow just three months later from Paul Martin’s 1995 budget, which, in the words of Stephen McBride and John Shields, “marked the point where erosion of social programs ended and demolition seriously began.”⁴⁰

The head-tax movement responded to Ottawa’s new indifference by adopting an increasingly antagonistic approach. In March 1995, the Chinese Canadian National Council presented the United Nations High Commissioner for Human Rights with a submission detailing past Canadian human-rights abuses against persons of Chinese ancestry. The submission claimed that Ottawa’s refusal to remedy the abuses placed Canada in violation of several international human-rights treaties.⁴¹ As one activist explained, the move to the international arena was an attempt to embarrass Ottawa with

³⁸ On the foundation, see Kobayashi, “The Japanese-Canadian Redress Settlement.”

³⁹ The Japanese Canadian Redress Agreement committed Ottawa to establishing a “Canadian Race Relations Foundation ... on behalf of Japanese Canadians and in commemoration of those who suffered these injustices.” See “Speaking Notes for the Honourable Gerry Weiner, Japanese Canadian Redress Agreement Press Conference.”

⁴⁰ “Sheila Finestone Tables and Sends Letter on Redress to Ethnocultural Organizations”; Stephen McBride and John Shields, *Dismantling a Nation: The Transition to Corporate Rule in Canada*, 2d ed. (Halifax: Fernwood, 1997), 81.

⁴¹ Victor Yukmun Wong, “Chinese Canadians seek redress at UN,” *The Vancouver Sun*, 24 March 1995, A3.

the “spectacle of elderly pioneers ... bringing forth their individual cases of human injustice before the world community.”⁴² Chinese Canadians took the head-tax issue to the September 2001 United Nations World Conference Against Racism in South Africa for the same reason. Although overshadowed both by the terrorist attacks of September 11 and by a controversial conference resolution on the plight of the Palestinians, the head-tax activists were hoping to see an unsympathetic government “shamed on the international stage.”⁴³

The Mack Case

The domestic counterpart of these tactics was unveiled in December 2000, when three plaintiffs (Shack Jang Mack, a head-tax payer, and Quen Ying Lee and Yew Lee, the widow and son of a deceased head-tax payer, respectively) launched a class-action lawsuit in Ontario’s Superior Court of Justice. Organized by the Chinese Canadian National Council, with assistance from the National Congress of Chinese Canadians and the Edmonton-based Head Tax and Exclusion Act Redress Committee, the suit was initiated on behalf of approximately 4,000 individuals—mostly immediate descendants, but some actual surviving head-tax payers as well—who had registered with the Council to support the action.⁴⁴ The *Mack* plaintiffs sought \$1.2 billion in compensation. This figure covered the inflation-adjusted return of all head-tax funds to surviving taxpayers

⁴² Victor Yukmun Wong, “An old wrong stays wrong,” *The Vancouver Sun*, 13 January 1995, A15.

⁴³ May Cheng of the Chinese Canadian National Council, quoted in Randy Boswell, “Pay now, avoid court: head-tax descendants: Canada faces shame at UN, say Chinese-Canadians,” *The Ottawa Citizen* 14 Mar 2001, A5.

⁴⁴ See Don Thomas, “\$1.2B lawsuit ‘a matter of justice’: Chinese immigrants seeking refund of infamous head tax,” *Edmonton Journal*, 20 December 2000, A3.

and to the descendants of deceased taxpayers, as well as damages for the financial impact of the tax, for the separation of taxpayers from their families, and for the stigma that the head tax imposed.⁴⁵

The plaintiffs based their case on three main arguments. First, they claimed that the refusal to redress the head tax, when coupled with Ottawa's decision to offer formal reparations for the World War Two internment of Japanese Canadians, constituted a violation of the Section 15 equality guarantees of the Charter of Rights. The core of this Section 15 argument was that Japanese-Canadian redress stigmatized Chinese Canadians by unfairly excluding them from a benefit that had been offered to similarly situated others. Second, the plaintiffs argued that the head tax and Exclusion Act were invalid upon their enactment because they violated customary international law. And third, the *Mack* suit claimed that because the head tax violated customary international law, its collection constituted a case of unjust enrichment which the federal government has a common-law duty to repair.

In a decision reported on 9 July 2002, Justice Peter Cumming of the Ontario Superior Court of Justice ruled against the *Mack* plaintiffs.⁴⁶ Justice Cumming held that the proposed application of the Charter of Rights was retrospective and therefore could not succeed; that the doctrine of unjust enrichment did not apply because the impugned action was mandated by a duly enacted government statute; and that the head tax and

⁴⁵ For these and other relevant details, see *Shack Jang Mack et. al. v. A.G. Canada* [2001] 55 O.R. (3d) 113, accessed at http://www.ontariocourts.on.ca/decisions/OntarioCourtsSearch_VOpenFile.cfm?serverFilePath=d%3A%5Cusers%5Ccontario%20courts%5Cwww%5Cdecisions%5C2002%5Cseptember%5CmackC36799%2Ehtm, 1 May 2003.

⁴⁶ *Ibid.* For a powerful critique of the decision, see Beverley Baines, "When is Past Discrimination Un/Constitutional? The Chinese Canadian Redress Case," *Saskatchewan Law Review* 65 (2002), 573-585.

exclusion act did not violate customary international law during their application. This decision was upheld by the Ontario Court of Appeal in a ruling reported on 13 September 2002.⁴⁷ The *Mack* plaintiffs were denied leave to appeal to the Supreme Court of Canada on 24 April 2003.

The bitter bookend to Ottawa's 1994 refusal to redress the head tax came with the controversy surrounding some remarks made by Justice James MacPherson of the Ontario Court of Appeal during the appeal of the Ontario Superior Court ruling in the *Mack* case. While questioning the plaintiffs in an adversarial manner designed to elicit answers to questions that might be posed by a critic, Justice MacPherson suggested that the tax had been willingly paid by people who choose freely to come to Canada, that funds from the tax had helped to meet important public purposes, and that paying it must seem worthwhile, for example, to the head-tax payer who can now see his "granddaughter playing first-string cello for the Toronto Symphony Orchestra."⁴⁸ In response, the *Mack* plaintiffs launched an official complaint with the Canadian Judicial Council. The complaint argued that the hostile tone and stereotypical content of MacPherson's questions indicated racism and bias against the claimants.⁴⁹ In October 2002 the Judicial Council dismissed the complaint, adding that its failure to appreciate

⁴⁷ *Shack Jang Mack et. al. v. A.G. Canada* [2002] 165 O.A.C. 17.

⁴⁸ Quoted in See Susan Eng, "Tell it to my father," *The Globe and Mail* (Toronto), 27 September 2002, A17. Also see Kirk Makin, "Head Tax Ruling Clouded by Allegations," *The Globe and Mail* (Toronto), 14 September 2002, A4.

⁴⁹ Jennifer Poon, "Redress for Chinese Head-tax Struck Down on Appeal: Complaint of Racism CJC Dismissed," *ACCP (Association of Chinese Canadian Professionals) Newsletter* 3:3 (Spring 2003), www.accp.ca/publications/doc/accpnews3-3.pdf, accessed 3 May 2003.

the importance of adversarial questioning by appellate judges made the complaint “both unjustified and unfair.”⁵⁰

A legal analysis of the *Mack* case, which raises complex questions about the application of the Charter and its relationship with the common law, is best left to legal scholars.⁵¹ Politically speaking, the suit reflects the impact on the movement of the Liberal government’s post-1994 decision to terminate redress negotiations. Dismayed to see a decade of advocacy work and dialogue dismissed with a casual and somewhat disingenuous snub, the head-tax campaign turned to the international arena and then to the domestic legal process in an angry attempt to embarrass Ottawa into resuming negotiations. As an October 1998 Chinese Canadian National Council community newsletter explained: although “legal experts caution against the chance of winning ... legal action can have a political impact on the redress campaign, which has been put on hold because of the federal government’s refusal in December 1994.”⁵²

Thus far, the federal government has responded to the second, more antagonistic phase of the head-tax campaign only by flaunting its apparent imperviousness to the shaming tactic. This much was conveyed by Immigration Minister Elinor Caplan’s July 2001 reaction to the Ontario Superior Court *Mack* verdict: “The courts have spoken and I

⁵⁰ Kirk Makin, “Complaint that judge was racist dismissed,” *The Globe and Mail* (Toronto), 29 October 2002.

⁵¹ See the soon-to-be available proceedings of “Achieving Human Rights in a Multicultural Society: Reparations, Human Rights, and the Limits of Law,” held at the University of Toronto Faculty of Law, 12-13 April 2003, at http://www.law.utoronto.ca/faculty_content.asp?itemPath=1/13/0/0/0&contentId=658.

⁵² See Chinese Canadian National Council, “Newsletter – October 1998: Consultation Meeting on Legal Action on Head Tax Redress,” at <http://www.ccnc.ca/>, accessed 1 May 2002.

think it's time to move on."⁵³ Even the *Globe and Mail* thought that Ottawa might have offered "Something a bit more graceful."⁵⁴

Evaluating the Head-Tax Campaign in Light of the Recognition-Redistribution Distinction

How, then, to evaluate the discourses and practices of the head-tax campaign for their potential impact on the politics of redistribution? Clearly, the emphasis on erasing stigma and winning positive recognition for Chinese Canadians establishes the campaign as one that, in Fraser's words, prioritizes recognition over redistribution "as the remedy for injustice and the goal of political struggle."⁵⁵ But if one accepts Fraser's point that recognition is equally important to redistribution as a dimension of justice, then the question becomes whether the campaign has pursued this focus on recognition in ways that are likely to affect negatively the politics of redistribution.

It is crucial to begin by emphasizing that the political climate in Canada since the early 1990s has been increasingly hostile not only to wealth redistribution but also to the recognition claims of ethnocultural minorities. The opening salvo came in 1991, when the Citizen's Forum on Canada's Future criticized the official multiculturalism policy for "reminding us of our different origins ... [rather] than emphasizing the things we have in common."⁵⁶ Further evidence of multiculturalism's mounting disfavour appeared with

⁵³ Quoted in "The unfinished business of the Chinese head tax," *The Globe and Mail*, 13 July 2001, A14.

⁵⁴ *Ibid.*

⁵⁵ Fraser, *Justice Interruptus*, 11.

⁵⁶ Quoted in Augie Fleras and Jean Leonard Elliott, *Multiculturalism in Canada: The Challenge of Diversity* (Scarborough, Ont.: Nelson, 1992), 123.

the ill-fated 1992 Charlottetown Accord's Canada Clause. Although observers ridiculed its numerous affirmations of various constituencies as "little dollops of constitutional status [designed to] symbolically gratify all," the clause failed even to mention multiculturalism.⁵⁷ The diminished status of multiculturalism was confirmed dramatically in 1994 when the first Chrétien government replaced the multiculturalism ministry with the new, more conservatively named Ministry of Canadian Heritage.⁵⁸

The style and tactics of the post-1994 head-tax campaign reflect this context. As Ottawa sought to assuage a rising populism stoked by decades of constitutional wrangling and the threat of Quebec separation, the movement found itself in a difficult position. Although business had probably benefited at least as much as Ottawa from the exploitation of Chinese immigrants, and although anti-Asian racism at the level of the Canadian citizenry undoubtedly remained a pressing problem, these more daunting targets were increasingly neglected in favour of an antigovernment assault.⁵⁹

The head-tax movement responded to the populist shift, and vented its own frustration, by appropriating the rhetoric of the right-wing forces that were helping to erode both multiculturalism and the welfare state. For example, movement participants repeatedly framed the redress issue as a contest with a "callous" and "gutless"

⁵⁷ Peter H. Russell, "The Constitution, Citizenship, and Ethnicity," in *Ethnicity and Citizenship: The Canadian Case*, ed. J.A. Laponce and William Safran, (Portland, OR: 1995), 100.

⁵⁸ On the downgrading of multiculturalism during the 1990s, see Yasmeen Abu-Laban and Tim Nieguth, "Reconsidering the Constitution, Minorities and Politics in Canada," *Canadian Journal of Political Science* 33:3 (2000), 465-498.

⁵⁹ By contrast, it is interesting to note that the Chinese Canadian National Council in fact began as a protest against a racist documentary on the CTV television network, and that the group's publicity materials during the 1980s did stress corporate exploitation. See Chinese Canadian National Council, *Then, Now, and Tomorrow*.

government which lacked “courage and conviction.”⁶⁰ By the very nature of its target, the *Mack* action gave substance to this rhetoric by focusing entirely, in co-counsel Avvy Go’s words, on whether “it is okay for our Government to benefit from racist laws.”⁶¹ This focus on government wrongdoing channelled potential attention away from other entities, such as Canadian corporations, that might have benefited from anti-Asian racism. But the antigovernment theme was encapsulated most sharply in an opinion piece written after the conclusion of the *Mack* litigation by Toronto civic politician Susan Eng. Eng argued that a recent controversy, in which Heritage Canada had been forced to withdraw a poster that featured “offensive caricature[s] of Asians,” reflected the worthlessness to Asian Canadians of the department that would not redress the head tax. Denouncing “misspending” by “multicult bureaucrats,” Eng concluded that “Heritage Canada do-gooders should get out of the business of telling us how to celebrate our heritage.”⁶²

Thus, the hard-line indifference of the federal government, coupled with the wider populist assault on multiculturalism discourse that informed it, shaped the post-1994 evolution of the head-tax movement. Voicing their anger at Ottawa while attempting to capitalize on the prevailing climate of antigovernment sentiment, frustrated activists adopted a variety of confrontational tactics whose primary aim was to embarrass the federal government. And by establishing Ottawa as the official exclusive target of the

⁶⁰ Cynthia Pay, Vice President of the Chinese Canadian National Council, quoted in Graeme Smith, “Chinese take head-tax struggle to Ottawa,” *The Globe and Mail* (Toronto), 12 July 2001, A4; Yew Lee, plaintiff in the *Mack* case, quoted in Daron Letts, “Time for an Apology,” www.rabble.ca, 21 November 2002, accessed 2 May 2003; and *ibid.*, Chinese Canadian National Council News Release, 20 November 2001, www.ccnc.ca, accessed 1 May 2003.

⁶¹ “Post-WCAR Conference Resolution Calls for Redress of the Chinese Head Tax and Exclusion Act,” 26 October 2002, www.asian.ca/redress/art_20021026.html, accessed 1 May 2003.

⁶² Susan Eng, “If this is ‘inclusive’, count me out,” *The Globe and Mail*, 13 May 2003, A17.

head-tax movement, the turn to the domestic courts—which became virtually identical with the campaign itself— further intensified the antigovernment focus. Thus, the head-tax movement began to forward the sort of dramatized across-the-board antipathy to government that has been undermining the state’s capacity to serve as a vehicle of wealth redistribution since the rise of the populist right in the 1970s.⁶³

In order to highlight what he sees as the unduly minoritarian and conservative character of many redress movements, Torpey distinguishes between the possibility of a truly “anti-systemic” reparations campaign and those merely “commemorative” enterprises, which nurture a “backward-looking ... victimhood” that displays little interest in building a better society for the future.⁶⁴ To deploy Torpey’s distinction in light of the recognition-redistribution framework, we can say that a commemorative approach is likely to have negative implications for redistribution for two reasons. First, a purely “backward-looking” focus on past injustice is likely to harm the cause of redistribution by ignoring ongoing processes that continue to generate injustices for others while simultaneously pursuing a form of “closure” that tends implicitly to sanction the fairness of the present. Second, a movement that focuses solely on commemorating its own victimhood will most likely fail to contribute to, and will perhaps even undermine the civic solidarity that is necessary to promote increased redistribution.

The head-tax movement is commemorative in the sense that it has focused on past events while dedicating considerable energy towards winning increased recognition for the hardship endured by previous generations. This backward-looking focus was

63

⁶⁴ Torpey, “Making Whole What Has Been Smashed.”

expressed when *Mack* plaintiff Yew Lee stated that his family wonders “where we would have been if our families didn’t have to go into debt to pay the head tax?”⁶⁵ When it becomes linked to a focus on bartering redemption for the state and majority society in return for reparations, this retrospective focus risks contributing to what one could call the sanitization of the present. In this respect, redress campaigns can be like “boutique” job creation programs, with which neo-liberal governments seek to achieve ideological legitimation rather than seriously to tackle the nagging problem of structural unemployment.⁶⁶

The head-tax movement has certainly appeared at times to be bartering redemption and closure. For example, Yew Lee suggested that redress would constitute “just and honourable closure to this longstanding national legacy,” while May Cheng of the Chinese Canadian National Council indicated that offering redress would help Canada to “promote a good human rights record.”⁶⁷ James Moore, Canadian Alliance MP for Port Moody-Coquitlam, was quick to pick up on the legitimation potential of head-tax reparations: he urged “the government to recognize the wrongs of the past so that the Chinese community and all Canadians can have a prosperous and united future together.”⁶⁸

⁶⁵ Cited in Letts, “Time for an Apology.”

⁶⁶ Stephen McBride, *Not Working: State, Unemployment, and Neo-Conservatism in Canada* (Toronto: University of Toronto Press, 1992), 141-146.

⁶⁷ Quoted in Chinese Canadian National Council News Release, 20 November 2001, www.ccnc.ca, accessed 1 May 2003; quoted in Amy Carmichael, “‘We are not going to go away’; Descendants of Chinese charged a \$500 head tax to enter Canada are suing for redress,” *The Windsor Star* 11 June 2002.

⁶⁸ 37th Parliament, 2nd Session, *Hansard*, No. 17 29 October 2002, www.parl.gc.ca/37/2/parlbus/chambus/house/debates/017_2002-10-29/, accessed 2 May 2003.

Yet the retrospective aspect of the head-tax campaign has more potential as a source of progressive social change than might appear to be the case. This potential reflects the capacity of redress campaigns to raise the profile of members of historically subordinated and oppressed groups in civic debates. As I have argued elsewhere, when a redress movement elicits an apology for past wrongs it acquires a “symbolic capital” that it can then deploy in future endeavours.⁶⁹ Symbolic capital is produced in these cases because extracting reparations and apologies for past injustices establishes potent future precedents. As Kenda Gee of the Head Tax and Exclusion Act Redress Committee puts it, being forced to offer reparations means that the nation is being forced to “confront its past so such things do not happen again.”⁷⁰ Thus, the redress movement wins recognition for having struggled successfully to place its country on a path to a safer and more satisfactory future.

The movement can then use the stock of symbolic capital furnished by a reparations agreement to promote progressive social change. For example, in the wake of the 1988 Japanese Canadian Redress Agreement, Japanese-Canadian activists have participated in constitutional debates to support Aboriginal self-government, advised the British Columbia Union of Indian Chiefs on the residential schools campaign, assisted with the preparation of the *Mack* litigation, and helped overseas groups that are suing the

⁶⁹ James, “Redress Politics.” On the symbolic capital concept, see Pierre Bourdieu, “The Forms of Capital,” in *Handbook of Theory and Research for the Sociology of Education*, ed. John G. Richardson (New York: Greenwood Press, 1986); idem, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge: Cambridge University Press, 1977); and idem, “Social Space and Symbolic Power,” *Sociological Theory* 7 (1989), 14-25.

⁷⁰ Kenda Gee, head of the Edmonton Chinese Head Tax Payers and Exclusion Act Redress Committee, quoted in Don Thomas, “\$1.2B lawsuit ‘a matter of justice’: Chinese immigrants seeking refund of infamous head tax,” *Edmonton Journal* 20 December 2000, A3.

Japanese government for wartime atrocities.⁷¹ An unsuccessful reparations movement would be unlikely to play such a prominent role in the social-justice campaigns of others.

In the absence of success, evaluation of the head-tax campaign must turn on what would appear to be the movement's intended uses for whatever symbolic capital it might acquire via its campaign of politicized commemoration. The evidence is favourable. For example, the Chinese Canadian National Council has consistently urged that, aside from compensation for head-tax payers and their immediate descendants, any monetary redress paid by the federal government should be dedicated to establishing anti-racism chairs in Canadian universities, to enhancing the work of the Canadian Race Relations Foundation, and to funding community anti-racism projects.⁷²

Furthermore, many participants have called attention to the links between the past treatment of Chinese Canadians, which even a relatively conservative observer is likely to understand as unjust, and present-day injustices that might otherwise receive less notice. For example, May Chiu and William Ging Wee Dere of the Chinese Canadian National Council used media space that they garnered as movement leaders to draw connections between the racist exploitation that underpinned the head tax and Ottawa's 1995 immigration changes, which imposed "a head tax of \$975 on all adult immigrants

⁷¹ See National Association of Japanese Canadians, Presentation to the Special Joint Committee on a Renewed Canada, *Minutes of Proceedings and Evidence*, No. 16, 4 November 1991, 53; *ibid.*, No. 29, 11 December 1991, 16; Art Miki, "Japanese Canadian Redress Strategy," in Provincial Residential Schools Project, *Chiefs' Special Assembly on Residential Schools*, proceedings held in Vancouver, B.C., 25-26 March 1996; Letts, "Time for an apology"; and "Canadians going to Japan for germ-warfare case," *The Globe and Mail* (Toronto), 16 May 2003, A6.

⁷² See "The unfinished business of the Chinese Head Tax" *The Globe and Mail*, 13 July 2001, A14; Karina Roman, "'Correct this black mark on our history': Forum explains lawsuit against federal government for historic head tax on Chinese migrants," *The Ottawa Citizen*, 19 March 2001, D1.

entering the country, including refugee claimants.”⁷³ As Dere also explained in an address to a conference sponsored by the Nova Scotia Human Rights Commission, “If we had won our redress, it would have been impossible for the government to attack new immigrants with another Head Tax.”⁷⁴ Yew Lee has also made the link between the system of racialized economic exploitation buttressed by the head tax and contemporary Canadian immigration policy: “When I see immigration policy arising that treats people just as labourers or as skills, it makes me cringe. Our present policies around domestic workers make me wince. I think settling of this matter in a proper way would send out the message that governments can’t do stuff like that.”⁷⁵

Thus, the commemorative emphasis on the exploitation of early Chinese migrants has in fact helped to forward a more critical understanding of current policies that, albeit less spectacularly, may also be furthering the exploitation of immigrants today.⁷⁶ At a time of widespread depoliticization, ignorance of history, declining voter participation, and citizen withdrawal from public life, the head-tax campaign performs valuable service in helping to place contemporary Canadian immigration policy in its highly revealing historical context. And, to turn specifically to the question of redistribution, using media

⁷³ *Ibid.* In February 2000, Ottawa announced that refugees would be exempted from the Right of Permanent Residence Fee. However, stories about the hardship imposed on those paying the new head tax abound. See Citizens for Public Justice, <http://www.cpj.ca/refugees/landed/caplan99.html>, accessed 26 May 2003.

⁷⁴ William Ging Wee Dere, Presentation to the Nova Scotia Human Rights Conference, “United Nations and Human Rights,” Halifax, Nova Scotia, 9 December 2002, www.asian.ca/redress/sp_19951205.htm, accessed 1 May 2003.

⁷⁵ Yew Lee, plaintiff in the *Mack* case, quoted in Letts, “Time for an Apology.”

⁷⁶ On the role of the head tax in imposing a “system of indenture” on head-tax payers, see Cho, “Rereading Head Tax Racism.”

attention to highlight policies that exploit immigrants is vital to advancing the interests of workers in general.⁷⁷

Conclusion

Assessing the implications for redistribution of the discourses and practices of the head-tax movement is complex. Too often unacknowledged in both the literature on reparations and on recognition-versus-redistribution is that the political climate for recognition-seeking movements is becoming increasingly unfavourable. Not only Canada-specific problems such as constitutional fatigue, but also the ongoing fallout from the post-September 11 “war on terror” are likely to confront recognition claims with daunting challenges in the future.

Focusing on the head-tax movement points up the importance of evaluating the impact that this hostile environment may be having on social movement recognition appeals. Angered by the federal government’s 1994 abandonment of negotiations, and eager to align its claims with what appeared to be the prevailing direction of public sentiment, the head-tax campaign increasingly styled itself as an antigovernment movement. The tendency to scapegoat government, denigrate its role in combating injustice, and neglect corporate malfeasance and culpability presents redistribution with one of its most difficult contemporary challenges. The head-tax campaign has not been particularly helpful in this regard.

⁷⁷ For a non-dogmatic explanation of this point, Keith Grint, *The Sociology of Work: An Introduction* (Cambridge: Polity Press, 1991), chap. 7, “Race, Ethnicity and Labour Markets: Recruitment and the Politics of Exclusion.”

Evaluating the head-tax movement on Torpey's distinction between anti-systemic, progressive movements and commemorative, backward-looking ones has also proven to be complex. On the one hand, at times the campaign seemed to be bartering redemption for the government and majority society in return only for the appropriate commemoration of the suffering of its community. As I have argued, this approach can help to effect the sanitization of the present, contributing to a self-congratulatory sense that our primary task is now only to salve the lingering wounds of a disappearing past.

On the other hand, the head-tax movement also used its commemorative focus to publicize present-day injustices. Several participants drew links between the head-tax policy and current policies that severely exploit the labour of immigrants, refugees, and domestic workers. These activists refused the tendency to sanitize the present. Instead, they used the media spotlight provided by the reparations controversy to illuminate the plight of others. It is particularly important to note that this approach can connect the spheres of recognition and redistribution by presenting opposition to policies that exploit the vulnerability of immigrants as a means of creating a better environment for all workers.

I will not conclude by offering any overall assessment that aims to definitively position reparations politics in light of the recognition-redistribution debate. Suffice it to say that, like the problem of the alleged displacement of redistribution by recognition itself, the potential impact on redistribution of movements seeking redress for historical injustices is a complex and fascinating problem that requires ongoing research.