

Canadian immigration law and policies with india research paper sample

[Parts of the World](#), [Asia](#)



Arguably, as early as 1880s many people from many parts of the world immigrated to Canada, for numerous reasons. Most of them during this time came to Canada to work as labors in farms, industries, as well as the construction of railway. Among the workers who immigrated to Canada were prominent groups from East India. As a matter of fact, Canada had numerous laws, but in the 20th century, they established formal immigration laws and policies that gave them sovereign power to control it borders. Despite its laws and policies, Canada has the uppermost regard for the republic of India, especially its government institutions, as well as processes. Undoubtedly, Canada is referred to as the land and home of immigrants; they believe immigrants help in building and defending their way of life, especially India settlers.

The current immigration laws in Canada have undergone numerous stages, especially in building its relationship with India. For example, one of the developments in immigration laws began in 1880, as well as, continues journey laws of 1908. The relationship of Canada and India who operate under polices and the rule of law, develops each day, and become stronger. Apart from the laws and policies, Canada and India are bonded by linguistic, religious, as well as ethnic diversity. Furthermore, their laws and policies strengthen business and economic relationship (Angelini, 2011). Conversely, the immigration laws and policies in Canada were not so strict in 1800s. Immigration from India to Canada was very unrestricted; therefore, many people from India could work in and out of Canada freely. They immigrated to settle, and establish their identity in Canada. Most of the Indians during this time become the citizens of Canada.

The first attempt by the Canadian government to restrict the immigration from India took place in the year 1908. This regulation law came to be known as the continuous journey regulation. Those migrations from India were expected to pass an order-in-council. The minister of the interior in Canada elaborated on the law, claiming that the immigration of individuals who did not come from their original country was prohibited. It actually, applied to those ships whose origin was India (Citizenship and Immigration Canada, 2000). In fact, not all potential Indian immigrants were allowed to land on Canada, unless they undertook a continuous journey from India. Perhaps, this was absolutely impossible for individuals from India to make such a journey.

The law can under great challenge during the arrival of Monteagle in late 1908 from British Columbia; the arrival of the ship had more than 200 persons in board, of which approximately 105 came from Calcutta. Certainly, most of them did not comply with continuous journey act; hence, they were deported. The act was greatly challenged in the court of law; the deportation was nullified because the regulation was not valid. The authorization of delegating immigration decisions was not well stated (Angelini, 2011).

That marked an important stage in the immigration laws and policies governing immigration of Indians to Canada. The government of Canada came up with numerous amendments to validated the continuous journey act. The amendments authorized regulations on individuals landing on Canadian soil. The amendment stated that all immigrants were to land either by continuous journey, or by tickets bought from native nation for example Indians were to purchase tickets from India. The amendment reached its

enacting stage in April 1908.

Furthermore, Canada formed special treaties and policies to regulate the immigrants from India and other Asiatic nationality. All individuals from India and other Asiatic origin were to enter Canada on two conditions; either by individual possession of individual rights, as well as two hundred dollars. Special statutory was also put in place, so that incase a person is a native of India or Asiatic origin agreements could be put in place regarding his/her migration. When critically observed, the laws were not directly meant to prevent Indians only, but the \$200 imposed as the cash requirement that each individual should have stopped Indian immigration (Knowles, 2007). The laws that followed the amendments regulated the steam ships from providing direct services between India and Canada. Additionally, companies, which carried out the sell of tickets, received regulatory policies preventing them to sell tickets to Indians through Indian ports. The government of Canada went further, and stopped Canadian pacific from offering their services in the sea, making it impossible for Indian to meet the continuous journey act.

In the year 1908 and 1910, the government of Canada made amendments. It actually, implemented the same provision of financial barrier of \$200 and, the continuous journey act. The orders-in-action ensured that these laws are well followed, and each of the Indian immigrants was to meet the conditions before being allowed to settle, or work in Canada. The continuous journey law continued to work until the year 1947. It received a lot of pressure and critics from the representatives and the people of India (Jayaram, 2004).

During 1919, another law was put in place that favored the Indians.

Canadian government, begun to reset policies that allowed dependent children and wives of Asiatic origin to enter Canada. In the mid of 1920s a significantly flow of children and wives had started building up, but this still regulated the number of Indian immigrants in Canada. In 1947 an array of better new laws that favored Indians were implemented (Westhues, 2006). Perhaps, in the year 1962, the first female in Canadian cabinet introduced laws and policies that removed all racial discrimination of Indians from the immigration laws. The laws encouraged immigration of Indians, but under tree conditions. The conditions required Indians and Asiatic immigrants; to be having a ready job waiting for them or had a means to sustain them until they secured a job, secondly, the immigrant did not have any form of criminal record or affiliation to any gang or terrorists groups, finally, not having a contagious and infectious disease, which would harm the Canadians. These legislation policies and conditions based on race became free from discriminating Indians because most immigrants from Europe received sponsorship from its relatives. In the year 1967, laws on racial discrimination were totally removed from the immigration policies of Canada. This was a climax in the elimination of racial discrimination in Canada. Most Indians could now migrate to Canada, under minimal and favorable condition (Knowles, 2007)

After the abolition of racial discrimination policies, Canadian government introduced point system. The system judged the potentiality of Indian immigrants. Basically, the points assigned to individuals depended on French/English proficiency, education, age, as well as character. These points were better because it was more based on personal effort, rather than group

or racial characteristics. Indians who applied for immigration were supposed to attain certain points to be considered for immigration to Canada. The main aim of introducing the point system was to increase the number skilled laborer in Canada; hence, the strategy uplifted the booming economy of India. Indisputably, these policies and laws modified the current immigration policies and laws in Canada; this is because it eliminated all aspects of legality on ethnic and racial discrimination (Westhues, 2006).

Another act that modeled the current Canadian immigration policies and laws in relation to Indian immigrants was developed in 1976. It stated the objective of immigration policies of Canada, which had numerous categories, namely, humanitarian/refugee class, assisted relatives, family class, as well as independent class. After this act, many Indians migrated to Canada than ever before. In 2001, South Asian Heritage act came into action. The act celebrated the heritage and benefits of Canadian people from India and other Asian nations (Westhues, 2006). Certainly, it developed out of original celebration of people from India, and South Asia. Gill introduced and it continued to be celebrated. This shows that relationship shared by India and Canada, has developed from negative legislation and policies to positive and human laws. Up to date, in Ontario province, 5th may of every year is declared SSAD (South Sian Arrival Day). In 2007, in Toronto, David Miller, declared the month of May SSHM (South Asian Heritage Month). This was recognition of the largest Asian Immigrants in the city of Toronto (Angelini, 2011)

Conclusively, over the time the complexity of Canadian immigration laws and policies on Indians has undergone many processes. It has attracted a lot of

professionals in numerous sectors of the economy. The laws in the immigration department were modeled from the ancient laws. In order to immigrate to Canada, Indians must follow Canadian immigration policies and laws, which apply to all immigrants from the world (Jayaram, 2004). The policy of immigration is divided into two parts that is temporary and permanent entry. Currently, many Indian immigrants are citizens of India. Due to immigration, the economy of Canada has improved so much. Regardless of the improvement in immigration laws and policies, security issues continue to be given a lot of weight. They have increased their ties with India concerning counter-terrorism issues. Decisions governing the issues of visa are carried out on case-by-case basis. Indians immigrants still undergo numerous tests including age, educational skill, ability to speak French, as well as international skills. Up to the 21st century, India still has interesting immigration history in Canada.

References

Angelini, P. (2011). *Our Society: Human Diversity in Canada*. New York.

Wadsworth.

Citizenship and Immigration Canada. (2000). *Forging Our Legacy*. Toronto: Ottawa Press.

Jayaram, N. (2004). *The Indian Diaspora: Dynamics of Migration*. Toronto: Cambridge Press.

Knowles, v. 92007). *Strangers at Our gates: Canadian Immigration and Immigration*. London: Wiley.

Westhues, A. (2006). *Canadian Social Policy: Issues and Perspectives*.

<https://assignbuster.com/canadian-immigration-law-and-policies-with-india-research-paper-sample/>

Ontario: Wilfrid Laurier

Press.