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**ONE BRIGHT LIGHT: THE CANADIAN JEWISH COMMUNITY AND THE THREAT OF DEPORTATION, 1946-1956<sup>1</sup>**

The largely unsuccessful struggle of Canadian Jews against immigration restrictions in the interwar period is familiar and depressing. For the most part, it was a battle which reflected not only well entrenched Canadian antisemitism, but also the weakness of the Jewish community, which did not have the political muscle to pry open the doors of Canada for their brethren. The rise of Nazism did not move the government, and even after the war, Canada's doors opened only a crack for a small number of survivors.

Franklin Bialystok, who acknowledges the work of Jewish organizations in lobbying for more admissions, contributing some welfare funding for the refugees in Europe, and providing basic services for those who came to Canada, nevertheless contends that the Jewish community made only "lukewarm efforts" to aid the refugees. This was, he says, "understandable but not excusable." He believes that the "community fell short in its integration of the survivors," and that its "existing infrastructure proved to be less than adequate to meet their needs."<sup>2</sup> Bialystok makes his observations without any comparisons either to the Jewish experience with post-World-War I refugees or to the work of other Canadian ethnic groups in the aftermath of World War II. The following examination of the deportation issue suggests one measure of community performance that is somewhat more positive.

Deportation was not a new phenomenon for Canadian Jews. It was regarded by them and others as a second opportunity for immigration officials to harass the new arrivals. From 30 April 1921 to 30 November of that year, 5,587 Jewish immigrants entered Canada, and 171 or three percent of them were deported for a variety of offenses.<sup>3</sup> One observer wrote in the Jewish press, that “each new arrival is looked upon with a thousand eyes, and the stranger, the alien is sent back on the slightest pretext.”<sup>4</sup> There were, of course, many Jewish protests and attempts to pressure the Conservative government of those years, but such efforts were ineffective. In the next few years, Canadian immigration policy became even more restrictive. A 1923 order in council established three categories of prospective immigrants on the basis of nationality rather than skills, and Jews were placed in the lowest category of those who required “special permits.”<sup>5</sup>

This situation continued into the late 1930s with the Liberal government of Mackenzie King, who was more responsive to the antisemitism of his Quebec caucus, the demands of the economic crisis, and the hostility of immigration officials, than he was to the few Jewish members of Parliament or the isolated voices of their community. Abella and Troper are properly unequivocal in their conclusion that “Jewish pro-refugee interests and their allies proved powerless to wring any concessions from the government.”<sup>6</sup> Through that terrible decade, as Jewish life hung on a thread in much of Europe, only 11,000 Jewish immigrants were admitted to Canada, most of them before the Nazis’ rise to power.<sup>7</sup> The postwar period brought only a small measure of success for Canadian Jewry’s immigration efforts. Of the 98,057 “Displaced Persons” (DPs) admitted to Canada between 1947 and 1952, a total of 11,064 were Jews.<sup>8</sup> This was a number well below the Jewish proportion among the total number of European DPs, perhaps 25 percent. Unfortunately, even after the Holocaust, Canadians continued to see Jews as undesirable immigrants, as a 1946 Gallup Poll indicated. The question asked in the poll was: “If Canada does allow more immigrants, are there any of these nationalities you would

like to keep out?” From the list which followed, 60 percent chose Canada’s recent enemy, the Japanese, as the most undesirable group, and 49 percent regarded Jews as the second most undesirable group.<sup>9</sup>

In the late 1930s, there were three Jewish members of Parliament, two of them from the ruling Liberal party. The government could afford to deal with their particular issues “in a dismissive manner,” since the Jews, along with all other Canadian minorities, had failed to achieve a “critical mass” of parliamentary representation. That rendered them incapable of forming effective coalitions, a situation which did not change in the early postwar period.<sup>10</sup>

And yet, on one immigration issue, the Jewish community was remarkably successful, and it served as the one bright light on the otherwise dismal landscape of Jewish immigration. The Jewish community was conspicuously active in defending Jewish immigrants from deportation. This essay attempts to explain the Jewish community’s successes in this particular area, even after the failure to open Canada’s doors to more Jews and despite the continuing high level of antisemitism and general anti-immigration sentiment.

There are several explanations for this small but significant victory. One is the maturation and organization of Canadian Jewry. Troper and Weinfeld offer suggestive observations in comparing the Ukrainian and Jewish communities. Even into the third generation, Jews, they explain, were “more committed readers of the ethnic press” and had stronger ties to their community than rapidly assimilating Ukrainians. The two scholars refer to this as the “survivalist imperative.” They found that Jewish fund raising was much more successful than that of Ukrainians. While the Canadian Jewish Congress got something of a start in 1919, moreover, the first Ukrainian umbrella group was only established in 1980.<sup>11</sup> These developments occurred, although in the period under analysis, there were few third-generation Jews in Canada. A wide variety of factors accounts for the differences among ethnic groups. At the least, however,

one can say that by the end of the Second World War, Canadian Jews were well organized compared to other immigrant communities, with a variety of institutions and professionalized bureaucracies to serve Jewish needs.

Already in the nineteenth century, when they were a tiny minority in Canada, Jews across the country were establishing burial societies, charitable groups, employment bureaus, free loan associations, hospitals, and orphanages to cope with the often harsh vicissitudes of a *laissez-faire* society. By the First World War, the major Jewish centres had federated many of their charitable endeavours in order to systematize fund raising and avoid duplication of services.<sup>12</sup> This was followed by the effort to organize a “parliament” of Canadian Jewry, the Canadian Jewish Congress (CJC) in 1919. Even though the CJC would not meet a second time for fifteen years, the 1919 meeting did achieve one substantial result, the organization of a badly needed Jewish Immigrant Aid Society (JIAS) which got under way in the following year. When the post-World-War II refugees began to arrive then, there was a well organized network of institutions to assist them.<sup>13</sup> The CJC, the National Council of Jewish Women, the Hebrew Free Loan, Jewish Vocational Service (JVS), and Jewish social service agencies like Jewish Family and Child Services (JF & CS), all played an active role in the absorption process.<sup>14</sup>

JIAS, however, was the most important. The range of services it offered was impressive. These included: clearing the immigrants at landing; providing transit from Halifax to a Montreal hostel; finding housing for immigrants in Montreal, Toronto or Winnipeg; tending to their immediate food and medical needs; helping the refugees to locate relatives; and handling cash remittances to family members still in Europe. Later, other services were added, such as supplying information regarding settlement conditions in various locales; assisting in finding employment; and counseling and legal aid.<sup>15</sup> That last item was crucial to those who had to face appeals or were threatened with deportation.

The volume of JIAS’s work, especially in the post-

World-War II years, was impressive. For example, in 1947 the organization received 19,179 letters, which necessitated 47,471 replies and follow-ups. The organization also fielded numerous cables and telephone calls.<sup>16</sup> Joseph Kage, the JIAS executive director at the time, was justifiably proud of the work his organization was doing, especially that JIAS was opening new services with trained social workers to aid immigrant adjustment. He believed that JIAS was the first agency in Canada to deal specifically with the postwar refugees' psychological and emotional problems, and he hoped that his organization would serve as a model for others.<sup>17</sup>

Undoubtedly the community and JIAS, in particular, can be criticized justifiably for their treatment of survivors. Between 1947 and 1950, the critical years of refugee reception, Toronto JIAS changed directors five times, a testimonial to its disorganization.<sup>18</sup> But at the same time, they bought homes for some refugees, helped them to secure jobs with the help of JVS, aided their access to the recreational programs of the YM/YWHA, and tried to help them cope with emotional problems.

While the community was focused on bringing in refugees in need of a home, there was little awareness that these new arrivals faced the risk of being deported after their arrival. Deportation had been an available weapon in the arsenal of the federal government since the introduction of the 1872 Immigration Act.<sup>19</sup> The 1952 Immigration Act, which historian Reg Whitaker has referred to as the "Prohibition Act with exemptions," included a wide range of offences that could result in deportation for non-citizens.<sup>20</sup>

There were over twenty-one categories of prohibited immigrants in Section 4 of the 1952 Act. These included:

idiots, imbeciles, feeble-minded persons, epileptics and insane persons; those affected by tuberculosis or other loathsome diseases; those who were dumb, blind or otherwise physically defective; those...convicted of crimes involving moral turpitude; prostitutes and those living off

of the avails of prostitution; professional beggars and vagrants; immigrants who received loans for passage or by a Canadian charitable institution and were unable to pay them back; immigrants that had become public charges or were judged likely to become public charges; individuals who violated the Act; alcoholics; persons of constitutional psychopathic inferiority; subversives; enemy aliens; persons guilty of espionage or high treason; individuals who had been deported in the past; illiterates; drug abusers; those guilty of immoral acts; and deserters.<sup>21</sup>

Homosexuals, drug addicts, and traffickers were added to the list a short time later.<sup>22</sup>

Between 1946 and 1956, some 5379 immigrants were deported from the country accused of one or another of these offences: 46 percent of misrepresentation; 28 percent of criminality; 11.6 percent of having a mental or medical illness; 2.9 percent of being public charges; 8.8 percent of other offences.<sup>23</sup> These figures represented approximately half of all deportation orders issued during those years.<sup>24</sup> While anyone targeted for deportation faced disappointment, Holocaust survivors were confronted with the frightening prospect of being returned to their homelands, places that not only held memories of death and despair but were the homes of their persecutors.

Since the Department of Citizenship and Immigration (hereafter, the Department) did not issue figures for individual ethnic and religious groups, there are no official statistics documenting Jewish deportees. JIAS reported, however, that in 1952, approximately 125 deportation notices were issued to Jewish immigrants across the country.<sup>25</sup> Extrapolating from that figure suggests that as many as 800 to 1500 deportation orders may have been issued to Jews during the ten-year period under analysis.<sup>26</sup> Numbers, however, do not tell the whole story. Each number represents a human being involved in a confrontation with the state, and most of these people were ill-equipped to take on that powerful adversary. Several cases involving Jewish

immigrants will be examined here, in order to provide some insight into their struggles and to illustrate the role that the community played in the process.<sup>27</sup>

Some of these cases—mostly those of male immigrants—involved criminal offences, for the most part, petty crimes, such as theft.<sup>28</sup> For example, the Toronto JIAS office assisted Stephen P.,<sup>29</sup> a young man who was confined to a reformatory in Guelph. As a prisoner and an immigrant, he was automatically issued a deportation notice by the federal Immigration Branch of the Department. The JIAS field secretary, Jack Jacobson, was informed by the immigration officer in charge of Stephen's case, that there were no grounds for appeal, and Stephen was scheduled to be deported after his sentence was served. Jacobson asked Rabbi Litke of Guelph to visit Stephen in order to pass on the news that the decision was irrevocable.<sup>30</sup> Another criminal case was that of Baruch S., a survivor from Poland who came to Canada with his wife in 1952 and settled in Montreal. He came with a lengthy criminal record, but, because he was sponsored and supported by JIAS and was stateless, he was allowed to remain in Canada. This wasn't uncommon for refugees who had lost their homes during the Holocaust or who came from Iron Curtain countries. The Department, however, monitored Baruch for 17 years to ensure that he was not getting into any further trouble.<sup>31</sup>

Some of the more controversial cases in this category involved morals crimes. For instance, one case reported to JIAS was that of a young man, Saul H., who was accused of impairing the morals of a minor. With a prior conviction for sodomy on his record,<sup>32</sup> he was issued a deportation notice even though he had a lawyer, an advantage not available to many deportees.<sup>33</sup> It is unclear whether JIAS supported him, but it is not likely that he fared very well, given popular views relating to homosexuality at the time.<sup>34</sup> Another morals case involved Laurent S., a man from France who was accused of bigamy. He came to Canada after the war via Argentina with a Canadian woman who claimed to be his wife. The Department received a

letter from his first and real wife in France, who had been waiting to join her husband in Canada. She wrote urging them to let her join him, stating that she had been abandoned with her child and had little money on which to survive. The Department did not want to admit her to Canada, and, instead, issued a deportation order to Laurent. The bigamy case went to court but was dismissed, after Laurent secured an annulment from his first wife. Despite the verdict, the deportation order was not rescinded and Laurent and his Canadian wife left to set up their home in Germany.<sup>35</sup>

Another category of people with little chance of fending off a deportation order was non-immigrants. These included visitors, students, temporary workers, and others, who were admitted to Canada on a short-term basis. Then, as now, this group was a major source of illegal immigration. Although these individuals had no right to remain permanently in the country, some of their stories were particularly compelling. For instance, Sarah P. was a twenty-year-old woman who had spent five years in a German concentration camp and had lost her parents, brother and most of her other relatives during the War. From Europe, she went first to the US and stayed with her uncle and aunt in New York City. Unfortunately, she didn't get along with her aunt and decided to move to Montreal in 1946 to stay with an uncle, her only other living relative. Sarah intended to remain in Canada, study English, and learn shorthand in order to work in her uncle's business. When she applied for landed status, however, the Department issued a deportation order. During the inquiry, her uncle promised to take care of her and even adopt her if necessary. Despite the fact that the Immigration Appeal Board described her as "a bright young lady of good appearance and otherwise desirable," they ultimately deported her back to the US, where she had permanent resident status.<sup>36</sup>

Morris and Mira F. also came to Canada as visitors and found themselves in a similar predicament. This young couple had survived the camps and lost all of their immediate family during the War. They met in Israel and married in 1953. Later



they moved to Brazil, where they secured landed status. Mira, however, began experiencing health problems associated with the weather, and they left for France after receiving a visa. Once there, they applied for a three-month visa to visit Canada. They entered the country in 1955, staying in Winnipeg with Mira's second cousin, Harry T., and his wife, Rela, who were also survivors.<sup>37</sup> The Winnipeg cousins had opened a very successful kosher butcher shop, a few years after their arrival. Harry wanted to help his cousin and offered to make her spouse a partner in his business. Morris and Mira hired a lawyer and applied for landed immigrant status in May of that year. The Department, however, issued a deportation order citing them as belonging to a non-admissible class.<sup>38</sup>

JIAS stepped in and tried to support them. The documentation in their federal case file indicates that departmental officials felt that their case had no exceptional merit. They believed it was likely that they had knowingly attempted to circumvent the system before they entered the country. The documents noted an increase in cases of non-admissible immigrants coming to Canada at that time, and the Department wanted to make an example of the couple. JIAS tried to get the ruling reversed. But the chief of administration, P.T. Baldwin, argued to JIAS's executive director, that "if this department is to maintain a selective immigration program this practice must be discouraged."<sup>39</sup>

Rela indicated that when she and Harry tried to assist their cousins, the Department sent a letter threatening to deport them, as well, if they didn't cooperate with the investigation.<sup>40</sup> She stated that she and her husband were terrified of the prospect of being sent back to Europe. An inquiry was held in October, and the Board ultimately turned down the appeal. JIAS pleaded their case. When they realized that the Department was unlikely to reverse its decision, however, they asked that the couple be given an extension and allowed to make a voluntary departure rather than undergo forced deportation. Although such a procedure allowed immigrants to avoid the stigma of being

forcefully deported, it still involved expulsion from the country without the option of returning, unless the individual secured the approval of the minister of immigration. The Department made this small concession, and the couple was allowed to leave on their own.<sup>41</sup> They were, however, left with nowhere to go and no money to purchase tickets. In the end, the Winnipeg cousins arranged with another cousin in Germany to take the couple and also raised funds for the tickets with help from friends and the Winnipeg Jewish Family and Child Services.<sup>42</sup>

Clearly, all of these individuals were desperate to enter Canada and establish a new life near their only living relatives in the world. Their kin were prepared to provide them with lodging as well as financial support, and JIAS lobbied on their behalf. Despite the hardships they had endured during the war, however, and the support afforded to them by the Jewish community in Canada and their relatives, the Department generally insisted on deporting those who had entered Canada as non-immigrants.

Another offence that drew little sympathy from the Department was that of misrepresentation. This offence typically involved entering the country under false pretences or through some type of subterfuge. Many of the offenders, particularly survivors, were driven to enter the country in this manner out of desperation. Samuel R., a 37-year-old man from Italy, came to Canada in November 1953 to marry a Canadian-Jewish woman from Ontario. She brought him in as her fiancé, but when no marriage took place within the requisite 30 days, a deportation order was issued. From the Department's file on Samuel, it appears that he had no intention of marrying his sponsor, and the Department took great effort to expedite his departure. Somewhat surprisingly, they allowed him to leave for Cuba on his own volition in January. His ex-fiancée was devastated by the deception to which she had fallen victim and suffered a near breakdown. She subsequently relocated to Kirkland Lake and attempted a new start away from those who knew about her humiliation.<sup>43</sup>

Others came in using stolen documentation or by taking on someone else's identity. The case of Helen S. was handled by the CJC, after the Department discovered that she had used the papers of her cousin's sister to gain admission to Canada.<sup>44</sup> When she was called in for investigation, the cousin, who was the sponsor, refused to cooperate with the immigration officials. Despite her hostility towards the Department, she was not very interested in supporting Helen, when the latter married a gentile creating a major rift in the family.<sup>45</sup> In the end, the case was delayed, and Helen's fate is unknown. The file does not say whether the deportation order was carried out or not.

Another woman charged with the same offence, Shayna C., who had been a prisoner in Bergen Belsen, came to Canada in October 1948 with her husband, Max, and worked as a domestic. To enter the country, she had used the identity card of the deceased sister of a man she had met in Israel. The Department found out about her deception and charged her with misrepresentation. The crime notwithstanding, the Department judged that the couple had adapted well to life in Canada and, in an act of uncharacteristic flexibility, the assistant district superintendent determined that the misrepresentation was not material and recommended that no further action be taken. Shayna successfully applied for Canadian citizenship in 1951, after the case was stayed.<sup>46</sup>

None of these cases was cut-and-dried. Most involved conscious disregard of the immigration regulations; yet some of the illegals were shown mercy and allowed to remain in Canada. Cases involving health violations, however, were more heart-rending; most of these individuals had landed immigrant status and were in no physical or emotional condition to fend off the Department's efforts to deport them from Canada. Several such cases involved people suffering from tuberculosis, a common illness at the time that afflicted many postwar immigrants, who ran a greater risk of contracting tuberculosis than their Canadian-born counterparts. They were often over-worked, could not afford proper food and clothing, and came from areas with high

tuberculosis rates, including DP camps.<sup>47</sup> Treatment took considerable time—in some cases as long as a year or more—and recovered patients were often left jobless and destitute by the time they were cured.

Ruth G. was one of the women who had contracted this disease. She was a war orphan who had been sent to a concentration camp when she was thirteen years old. She moved to Toronto and married her husband, Manny, also an orphan, in 1951. She was placed in a sanatorium soon after her marriage and discharged in 1952.<sup>48</sup> Another survivor, Rachel J., was hospitalized at a sanatorium in western Ontario. Like Ruth, she had no living relatives in Europe and was attempting to start a new life in Canada with her husband, Carl, before she fell ill. Rachel had a young daughter who was being cared for by an aunt in the US. Her health insurance only covered the first 51 days in hospital, and Rachel and Carl owed the hospital \$1162 by the time she was discharged, a sum they could not afford to pay.<sup>49</sup> Both Ruth and Rachel were labeled “public charges,” as mandated under section 19 of the Immigration Act. They were issued deportation notices, after their status was reported to the Immigration Branch by sanatoria officials.<sup>50</sup>

A third woman, Rose K., was a 26-year-old survivor, who had lost her husband, parents, and most of her siblings during the War and come to Canada in 1952. She began working as a domestic in Toronto and was adjusting fairly well to her new life. But in 1954, she was hospitalized at 999 Queen Street West, the city’s main mental institution, and diagnosed with epilepsy. Her illness was linked to an incident during the War, when a Nazi guard had hit her in the head with his rifle butt. After her release from the hospital, she was placed on medication, but periodically she had to be hospitalized, usually as an out-patient, but sometimes as an in-patient. In all, Rose spent 130 days in hospital. During that time, she was forced to seek help from the Jewish community, since she couldn’t work to support herself. She received financial assistance from Jewish Family and Child Services (JF & CS), but in 1954 she went on

relief for a short period of time. Because of that decision, she was issued a deportation order as a public charge.<sup>51</sup> Thus these three legal immigrant women fell victim to the deportation process through no fault of their own. Illness and indigency were their crimes.

In the end, these women with health problems were allowed to stay in Canada. The officer in charge of Ruth's case looked into the couple's finances and discovered that her husband owned a jewelry store and was doing well. Ruth's doctor recommended her as a good future citizen, and the immigration officer agreed. He stated that "she appeared to be a good type of immigrant; she has no relatives in the world with the exception of her husband and aunt, ...and she desires to remain in Canada."<sup>52</sup> Rachel also had her deportation order stayed and was allowed to remain in the country. Carl had become a citizen in 1949 and made tremendous efforts to make monthly payments to the hospital to pay off their debt and she had expressed an interest in finding employment and assisting with that task. Due to their success at adapting to Canadian life, his citizenship status and their determination to pay Rachel's hospital bill, the department decided to let them stay.

Rose also had her deportation order stayed. Although she couldn't work because of her physical condition, the CJC encouraged her to approach the United Refugee Restitution Office (URO) to apply for compensation from the German government. Eventually, she received \$6550, as well as a pension of \$87 a month. Despite her condition, she volunteered for the Red Cross as a Hungarian translator. Unlike the other women, however, she was issued a minister's permit, which had to be renewed annually. Her status in Canada, therefore, remained vulnerable, since renewal was based on reports received after regular investigations by the local immigration officer. This was particularly difficult for Rose, for she required special permission from the Department to visit her aunt in the US for Passover or other occasions. While the Department

appeared to be sympathetic, they continued to adhere to this rather rigid process until 1961, when the file was closed.<sup>53</sup>

Some of the public charge cases involved immigrants who were unemployed or unable to work. One 70-year-old man, Aaron S., came to Canada from Israel in 1949. He had survived the Holocaust, joined his children in Toronto, and lived with his daughter. Because of his age, he was unable to hold down a steady job and applied for financial assistance from JF & CS. They supported him for a year and then transferred him to the Department of Public Welfare in 1951, while continuing to supplement his welfare payments. He was subsequently issued a deportation notice for being a public charge, and the JF & CS representative, Sarah Rhinewine, wrote to Saul Hayes, the head of CJC, to ask for advice. She felt it would be cruel for Aaron to be deported to Israel where he had no family.<sup>54</sup>

Sometimes, the Jewish agencies encountered individuals they felt were not trying very hard to find employment and were taking advantage of the system. The Gerbers were an unemployed couple, who claimed to be unable to find work. Their case worker thought their efforts had been “feeble” and encouraged them to change their view towards full-time work, prodding them to visit Jewish Vocational Services for assistance.<sup>55</sup> It is unclear what transpired after that. In general, Jewish agencies sought to provide new immigrants with the support they required but also to encourage them to become self-reliant citizens.

During the early years after the war, agencies like JF & CS provided financial assistance to Jewish immigrants who requested help until they had established legal residency; they then referred them to provincial welfare departments. The assumption was that once they received landed status, immigrants would be safe from the threat of deportation. By 1953, however, it had become clear that the welfare departments were reporting immigrants receiving welfare to immigration officials, who subsequently served them with deportation notices. At that point, CJC’s Committee on Deportation advised JIAS and other Jewish agencies to seek out other alternatives.<sup>56</sup> The immigrants

also became aware of the deportation threat and grew fearful of seeking public relief.

An example is Yetta G., a 34-year-old survivor who arrived in 1949, developed a tumor in her abdomen, and needed a hysterectomy. She refused the operation, convinced that she would become too sick to work and would have to resort to welfare.<sup>57</sup> Another case that the CJC was tracking was that of a man who had epilepsy and wouldn't go to hospital for fear of being deported. A man with TB had used someone else's x-ray to enter the country and required two to three months of treatment in a sanatorium. He feared the hospital would report him for being a ward of the state and that the Department might also find out about the deception he had perpetrated in order to enter the country.<sup>58</sup>

Under the Immigration Act, any immigrant who contracted a serious or infectious illness before entering the country was automatically subject to deportation regardless of whether they could pay their bills. Yetta received the care she needed and insisted on paying her hospital bills, despite CJC's eagerness to help. The epilepsy patient was supported by JIAS, which referred him to the URO to seek reparations to finance his future. The TB sufferer received support from the community. He had been sponsored by a rabbi, and CJC was intent on making sure that he was able to remain in Canada, despite the unlawful way he had entered. These were all survivors who had suffered a great deal during the War, and the Jewish agencies were to helping them to seek the treatment they required and avoid deportation, if possible.<sup>59</sup>

Grappling with public charge cases was one of the most challenging tasks that the Jewish agencies had to confront at this time. They had invested a great deal of energy and resources bringing Jewish refugees into Canada, and they never considered the possibility that they might be deported, if the immigrants lost their jobs or required hospital treatment. In 1954, JIAS and CJC took part in the "Approved Church Program," under which they promised to assume full responsibility for the reception,

accommodation, employment and other services required to support Jewish immigrants and their dependents indefinitely, so that they would not become public charges.<sup>60</sup> By 1955, this body of religious organizations grew weary of seeing honest and deserving immigrants issued deportation notices under the public charge clause. They subsequently lobbied the government to liberalize the legislation and remove this clause from the 1952 Act. In a letter to the minister of immigration on behalf of JIAS and CJC, Saul Hayes urged the Department to adopt a set of twelve new guidelines. One of these was to remove the public charge clause. Hayes asserted that “an order of deportation issued on the ground of public charge, even though not carried out, subjects the immigrant to disabilities as a resident and potential citizen of Canada.”<sup>61</sup>

At this time, a number of MPs began to share this opinion. The Department had consistently claimed that it had never deported an immigrant, particularly those who were ill, solely for being in debt. In response to a question about the treatment of tubercular immigrants in sanatoria raised in the House of Commons by Joe Noseworthy, an MP from the CCF, the minister of Citizenship and Immigration, Walter Harris, replied that “the relevant section of the Act is applied sympathetically by the Canadian immigration authorities, and an alien is seldom, in practice, deported on the grounds of indigence alone.”<sup>62</sup>

In response to considerable pressure from NGOs and opposition MPs in 1954, the government introduced a new federal-provincial initiative in the form of a bilateral agreement, which provided support to new immigrants for the first twelve months after their arrival. Immigrants were now provided with medical coverage to pay the costs of medical care, hospitalization, temporary assistance, and rehabilitation, if rendered indigent through accident or illness during their first year in Canada. The agreement was signed by seven provinces; it served as a commitment to support immigrants “who became destitute through no fault of their own but who do not have the necessary residence qualifications, to



benefit from the services normally supplied to people in need by provincial or municipal governments.”<sup>63</sup>

But immigrants often suffered many difficulties after their first year of residence in Canada. The Department persisted in rigorously questioning them during hearings and often monitored them for a long period of time to verify that they were either addressing their debts or could be pardoned for their indebtedness. Those fortunate enough to have their deportation orders suspended were subjected to years of scrutiny by the immigration officer in charge, who checked the health, employment record, and financial status of the individuals and members of their families, as well as their ability to pay their bills.<sup>64</sup>

### **Conclusion**

Based on existing statistics and the evidence gleaned from the case files, it can be said that Jewish agencies achieved some success in combating the Department’s efforts to deport Jewish immigrants. A JIAS director’s report for 1947 noted 36 successful appeals in rejection and deportation cases, and nine cases, just 20 percent of the total, lost because of major medical problems.<sup>65</sup> The comparative national figure ranged from 36 to 85 percent between 1953 and 1956.<sup>66</sup> It is evident from the cases described earlier that many of the immigrants immediately sought assistance from the CJC, JIAS, and JF & CS, when they experienced a financial or health crisis, and, particularly, when issued a deportation notice. These agencies were quick to respond, usually very sympathetic, and often spared no expense to support Jewish immigrants in need. There were, of course, occasions when they felt individual immigrants were not worthy of support, usually because they were not trying to secure work or were seeking to take advantage of the system. But these cases were rare.

Since most of those in the general immigrant population faced with deportation had no legal representation or advice from social service agencies, the experience of Jews was more

likely to have had a positive outcome. Very few of the non-Jewish immigrants enjoyed the kind of support Jews did. Although some were able to secure representations from a priest, politician, or city official, only a very few were supported by a community organization.<sup>67</sup> Thus we can confidently say, that the support Jewish agencies provided was vital to immigrants. It often helped shift the balance of power enough to stave off deportation.

After the war, CJC and the other Jewish agencies recognized the danger of deportation and acted in a way that showed them to be good stewards of the community's finances and, more importantly, protective of their survivor clientele. It is impossible to estimate how many more immigrants might have fallen afoul of the deportation process, if the Jewish agencies had not acted in such a forceful manner. The institutionalization of the Jewish community facilitated the agencies' work. Pro-bono lawyers and social workers were available to advise, represent, and counsel survivors, and, if necessary, secure funds for them. No other Canadian ethnic community had the organization and skills ready to serve new immigrants in this way. Thus, although the Jewish community had been unable to save a significant number of refugees before the war, or to gain entry for greater numbers of the DPs, it did capitalize on its strengths to create a network of professionalized agencies to meet at least one of the most urgent needs of the survivors: fending off efforts by the federal Immigration Branch to deport them from the country they had grown to love and call home.

## **Notes**

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<sup>2</sup> Franklin Bialystok, *Delayed Impact: The Holocaust and the Canadian Jewish Community* (Montreal and Kingston: McGill-Queens, 2000), pp. 41-73.

<sup>3</sup> Joseph Kage, *With Faith and Thanksgiving: The Story of Two Hundred Years of Jewish Immigration and Immigrant Aid Efforts in Canada (1760-1960)* (Montreal: Eagle Publishing, 1962), p. 70.

<sup>4</sup> A. Ulmy, "Helpless Jewish Immigrants in Canada," *Canadian Jewish Chronicle*, 25 June 1920, quoted in Gerald Tulchinsky, *Branching Out: The Transformation of the Canadian Jewish Community* (Toronto: Stoddart, 1998), p. 45.

<sup>5</sup> Harold Troper, "New Horizons in a New Land," in *From Immigration to Integration: The Canadian Jewish Experience*, ed. Ruth Klein and Frank Dimant (Toronto: Malcolm Lester, 2001), p.12.

<sup>6</sup> Irving Abella and Harold Troper, "The Politics of Futility: Canadian Jewry and the Refugee Crisis, 1933-1939," in *Ethnicity, Power and Politics in Canada*, ed. Jorgin Dahlie and Tissa Fernando (Agincourt, Ont.: Methuen, 1981), p. 250.

<sup>7</sup> Kage, *With Faith and Thanksgiving*, p. 105.

<sup>8</sup> *Ibid.*, p. 129.

<sup>9</sup> Tulchinsky, *Branching Out*, p. 264.

<sup>10</sup> Daiva K. Stasiulis and Yasmeen Abu-loaban, "The House the Parties Built," in *Ethno-Cultural Groups and Visible Minorities in Canadian Politics*, ed. Kathy Megyery (Toronto: Dundurn Press, 1991), p. 14.

<sup>11</sup> Harold Troper and Morton Weinfeld, *Old Wounds: Jews, Ukrainians and the Hunt for Nazi War Criminals in Canada* (Markham: Viking Penguin, 1988), pp. 49-58.

<sup>12</sup> For more information on this subject see Jack Lipinsky, "The Progressive Wedge: The Organizational Behaviour of Toronto Jewry, 1933-1948," Ph.D. diss. (University of Toronto, 2003); Stephen A. Speisman, *The Jews of Toronto: A History to 1937* (Toronto: McClelland & Stewart, 1979); and Gerald Tulchinsky *Taking Root: the Origins of the Canadian Jewish Community* (Toronto: Lester Publishing, 1993), and his *Branching Out*.

<sup>13</sup> Stephen Scheinberg, "From Self-Help to National Advocacy," in Klein and Dimant, *Integration*, pp. 52-65.

<sup>14</sup> *American Jewish Year Book*, 52 (1951), p. 240.

<sup>15</sup> Library and Archives of Canada (LAC), Record Group (RG) 76,

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vol. 813, file 567-7 (CJC). Letter from Joseph Kage, September 1948.

<sup>16</sup> CJC National Archives (CJCNA), file KE9, “JIAS Activities in 1947” and file KE10, Joseph Kage, “This Was Our Job,” pamphlet form of national report for 1952.

<sup>17</sup> LAC, RG76, vol. 813, file 567-7 (CJC). Letter from Joseph Kage, September 1948..

<sup>18</sup> Bialystok, *Delayed Impact*, p. 61.

<sup>19</sup> This legislation identified only two types of prohibited immigrants—criminal and vicious classes. The deportation system itself, however, wasn’t articulated until after the 1906 Act came into force. See Donald Galloway, *Essentials of Canadian Immigration Law* (Concord, Ont: Irwin Law Publishers, 1997), p. 10.

<sup>20</sup> Reg Whitaker, *Canadian Immigration Policy since Confederation*, Canadian Historical Association (CHA) Booklet 15 (Ottawa: CHA, 1991), p. 18.

<sup>21</sup> *Immigration Act* (1952), ch. 145, subsections. a to u, pp. 5-8.

<sup>22</sup> Ninette Kelley and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy* (Toronto: University of Toronto Press, 1998), p. 324.

<sup>23</sup> *Ibid.*, p. 344.

<sup>24</sup> Between 1953 and 1956, the period for which statistics of this nature are available, an average of 52 percent of immigrants who were issued deportation notices were not deported. LAC, RG 26, vol. 23, “Deportation Statistics, 1953-59.”

<sup>25</sup> A report from JIAS indicated that they assisted with 100 deportation appeals that year. Based on our findings, approximately 80 percent of immigrants appealed their cases, which would mean some 125 Jewish immigrants that year. LAC, RG 76, vol. 893, file 567-72, 1952 Report, p. 2.

<sup>26</sup> This figure is an estimate based on Ellen Scheinberg’s findings in, “‘The Undesirables’: Female Immigrants and Canadian Deportation Policy, 1946-1956’, Ph.D. diss. (University of Ottawa, Department of History, 2007).

<sup>27</sup> The cases that are used in this paper are derived from the 376 federal deportation case files that Ellen Scheinberg examined in her Ph.D. dissertation, as well as subject files from CJC and JIAS located at LAC, the OJA and the CJCNA. For more details about the federal deportation case

files, see Ellen Scheinberg, "Two Perspectives on the Same Source: An Examination of Federal Deportation Case Files," *Archivaria* 57 (spring 2004): 51-67.

<sup>28</sup> Criminal offences only involved eight percent of female deportees in 1949. In contrast, as many as 26 percent of male deportees were accused of such offences. LAC, RG 26, vol. 16, "Deportation Statistics".

<sup>29</sup> All of the names of immigrants and their relatives are fictitious. The original names were severed from the case files by the Access Section of LAC in order to protect the privacy of the immigrants.

<sup>30</sup> OJA, JIAS, fonds 9, file 162, 13 November 1953.

<sup>31</sup> It was not unusual after the War for the Department to stay an order of deportation when the individual was stateless. In such situations, there was nowhere to which a person could be deported. The investigative period, however, enabled the Department to keep track of people it wanted to deport and exert pressure on them until the case was officially closed. See LAC, accession 91-92/011, box 34, file D-49135.

<sup>32</sup> Letter from HIAS to Tobie Taback, 3 November, 1953, LAC, accession 91-91/011, box 34, file D-49135.

<sup>33</sup> Of the women investigated in Ellen Scheinberg's dissertation, fewer than 20 percent had a lawyer. These statistics were taken from the Access Case File Database that was created using data from the 376 case files examined by Ellen Scheinberg. For further discussion of the issue see Scheinberg, "The Undesirables."

<sup>34</sup> See Gary Kinsman, *The Regulation of Desire: Sexuality in Canada* (Montreal: Black Rose Books, 1987), p. 110.

<sup>35</sup> LAC, RG 76, accession 91-92/011, box 31, file D-34579.

<sup>36</sup> LAC, RG 76, file A-17192, Immigration Appeal Board Hearing, p. 11.

<sup>37</sup> We would like to thank Henry Trachtenberg from Manitoba's Ministry of Culture, Heritage and Sports for offering to review Winnipeg city directories in order to locate the couple.

<sup>38</sup> LAC, RG 76, accession 91-92/011, box 79, file 38133.

<sup>39</sup> LAC, box 79, file E-38133. Letter from P.T. Baldwin, chief administration division, to the national executive director of JIAS, 31 August 1955.

<sup>40</sup> Ellen Scheinberg interview with R. Rosenzweig, 28 November, 2007.

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<sup>41</sup> Various documents in LAC, box 79, file E-38133.

<sup>42</sup> Scheinberg, Rosenzweig interview.

<sup>43</sup> LAC, accession 91-92/011, box 41, file D-80759.

<sup>44</sup> OJA, CJC fonds, RG 210, file 1, Committee on Deportation, minutes of meeting, 16 January, 1953.

<sup>45</sup> *Ibid.*, file 2, 1954 minutes.

<sup>46</sup> LAC, RG 76, accession 91-92/011, box 31, file D-38170. Memo from the assistant district superintendent to the Toronto director of immigration, 27 April, 1951.

<sup>47</sup> This argument is made in Katherine McCuaig's work, *The Weariness, the Fever, and the Fret: The Campaign Against Tuberculosis in Canada* (Montreal and Kingston: McGill-Queen's Press, 1999), p. 154.

<sup>48</sup> LAC, RG 76, accession 91-92/011, box 41, file D-75272.

<sup>49</sup> *Ibid.*

<sup>50</sup> *Immigration Act, 1952*, section 19, ch. 145.

<sup>51</sup> LAC, RG 76, accession 91-92/011, box 73, file E-27366.

<sup>52</sup> LAC, accession 91-92/011, box 41, file D-75272. Memo from the officer in charge in Toronto, to the central district superintendent, 27 May, 1953.

<sup>53</sup> The central district superintendent stated, "While we do not normally consider the issue of a Minister's Permit merely for a visit to the United States, in cases such as this, consideration has been taken of the compassionate aspect, as Mrs.— appears to have suffered greatly from the effects of the last war and a visit to her only remaining relative would no doubt be of great satisfaction to her." LAC, RG 76, accession 91-92/011, box 73, file E-27366. Letter from the central district superintendent to the chief of admissions, 21 December, 1961.

<sup>54</sup> OJA, JIAS, fonds 9, file 268, "Deportation and Rejection Cases." Letter from Sarah Rhinewhine, assistant director of JF & CS, to Saul Hayes, 9 May, 1952.

<sup>55</sup> OJA, CJC fonds, RG 210, File 1. Committee on Deportations, minutes of meeting, 16 January, 1953.

<sup>56</sup> *Ibid.*

<sup>57</sup> OJA, CJC fonds, RG 210. Committee on Deportations, minutes of meeting, 22 December, 1953.

<sup>58</sup> OJA, CJC fonds, RG 210. Committee on Deportations, minutes of meeting, 16 January, 1953.

<sup>59</sup> *Ibid.*

<sup>60</sup> LAC, vol. 1114, file 567-72, “CJC & JIAS—Ontario,” memo dated 25 May, 1954.

<sup>61</sup> LAC, RG 76, vol. 893, file 567-72, “Canadian Jewish Congress.” Letter from Saul Hayes to the minister of immigration, 7 January, 1954.

<sup>62</sup> House of Commons, *Debates*, 3 October, 1951.

<sup>63</sup> The first seven provinces covered by this agreement were British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia and Newfoundland. The agreement with Nova Scotia, however, was somewhat more restrictive, in that it only covered hospitalization and incidentals. LAC, RG 26, vol. 84, file 1-24-107 pt. 1. Memorandum from the director of immigration entitled “Branch Update, 1954,” W.J. Brennan, to the deputy minister, C.E. Smith, 14 May, 1954, p. 2.

<sup>64</sup> Ellen Scheinberg found that some of the cases remained open for as long as 25 to 30 years. See Scheinberg, “The Undesirables,” p. 111.

<sup>65</sup> CJCNA, KA28, box 1, file 24074, JIAS executive director’s report of 4 May, 1948.

<sup>66</sup> LAC, RG 26, vol. 23, “Deportation Statistics, 1953-1959”.

<sup>67</sup> In her extensive dissertation research, Ellen Scheinberg can only recall a couple of cases that enjoyed the level of support that the Jewish deportees received from the Jewish agencies. See Scheinberg, “The Undesirables”.

