

Globalized anti-blackness: Transnationalizing Western immigration law, policy, and practice

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Abstract

The racial category “black” is not merely an excluded category in a history of documented Western preference for “white” immigrants. Comparative historical evidence shows clear strategies to keep black persons out of First World nations, except as temporary labour. In this climate, black migration occurs partly because each nation has an ambivalent relationship to the black labourers, soldiers and seamen who offer their service expecting membership in the polity in return. Finding such membership objectionable, Western governments individually avoid black immigration. They also watch, imitate, and respond to each other’s admission policies vis-à-vis blacks to ensure each limits the size of the black population they “welcome” relative to the other nations. When seen as a policy *corpus*, these actions may be interpreted as an anti-black immigration policy operative on a global scale. This article theorizes a *transnationalization of racialized (anti-black) immigration policy* in the histories of the United States, the United Kingdom and Canada.

Keywords: Immigration law; immigration policy; racism; transnationalism; West Indians; black Caribbeans.

Introduction

International migration scholarship acknowledges racism in Western nations’ immigration policies, but mainly in nation-specific writings that expound upon whiteness as the preferred category, or trace prejudices against groups both non-white and non-black (Kubat 1979; Solomos 1993; Boyko 1995; Ignatiev 1995; Salyer 1995; Bashi and McDaniel 1997; Clifford 1997; Paul 1997; Brodtkin 1998; Lee 2002. Richmond 1994 and

Bonilla-Silva 2000 are exceptions that offer a global perspective). Western preferences for 'white' immigrants construct 'whites' position at the top of two intersecting hierarchical systems: one a racial system, and the other a hierarchy of nations that some refer to as the world system.¹ Whiteness is not shaped in isolation, for the processes that construct the top construct a hierarchies' bottom (Bashi 1998, Winant 2001). I focus on one group that has (arguably) hovered at the bottom of these systems for centuries, noting that disdain for black (and especially Caribbean) admittance characterized the migration policies of the English-speaking West, by examining anti-black Canadian, British, and American immigration policy. Here, I am less 'proving' anti-black intentionality than I am making a theoretical argument about the *global* nature of anti-blackness in Western immigration history,² arguing that Western lawmakers' denial of access to the privilege of immigration to phenotypically 'black' persons from 'black' nations functions as systemic and global anti-blackness.³

Several themes emerge in this portrait of transnationally anti-black immigration policy. One is a continuing reliance upon *cultural and biological arguments* in official statements declaring the unsuitability of Caribbean blacks to the demands of regular employment and cold climates. Another is the use of *contract labour agreements and other forms of recruitment*, temporary arrangements meant to ensure that black workers and warriors fulfilled immediate demands for labour, soldiers and seamen. Once the need was met, blacks were expected to return from whence they came, an expectation based on the certainty that black persons were inassimilable. Third, contradictory public policy that both has great disdain for black immigration yet also makes available opportunities to recruit temporary black labour establishes *an ambivalence in immigration policy around blacks*. This ambivalence, however, is tempered by fear of a permanent addition to the black population – a fear partially fuelled by the racial climate each nation sees in the others, and also the extent to which other nations successfully excluded blacks, or failed to do so. That is, *governments monitored one another's handling of the 'black (immigration) question'*. Fifth, over time, immigration policy has become *less overtly racist in language*, for Western nations now employ non-racial language to achieve similarly racialized ends.

Black migration to the West up until WWI

Although Canada viewed itself as a haven to runaway slaves in the pre-Civil War period, immigration of free blacks was never welcome. Canada's anti-black immigration policy began officially in 1818 (well before the 1843 emancipation), with a law that 'disallowed' voluntary black immigration (Marshall 1987). Two themes are evident in Canadian policy-makers' public and private statements at the time. First, they agreed that blacks from tropical regions could not survive or succeed in

cold climes, and therefore should not be admitted. This argument was first promulgated in Canada in the late 1600s by the Governor Denonville, but was used repeatedly throughout Canada's history.⁴ The second theme was the idea that admitting blacks meant the nation was just asking for problems (i.e., race riots) that Britain and the US had to bear for having black residents. To solve whatever 'race problems' might arise, so the thinking went, it was better just not to have any more blacks in the country than necessary.

When the state government of Louisiana appeared to have fallen into Negro hands in 1868, the [*Montreal*] *Gazette* asked its readers to "imagine us in Canada, as the result of war, or annexation, or anything else, ruled by blacks." Nowhere, said the editorialist, may the two races "exist together as equals". Certainly not in the new Dominion of Canada after 1867. By the end of the century most of the original fugitives who had remained in Canada died. [But many remained, and most of these were under age 21.] For the first time some Canadians became aware that their country might continue to be a home for a small but highly visible black minority, and that the Negro race could well increase. Earlier postures of acceptance shown by whites could now turn to gestures of rejection, for Canada was susceptible to the same pseudo-anthropology and pseudo-science that grew in western Europe, Britain, and the United States between 1870 and 1930. (Winks 1971, pp. 291–2).

In 1899 the Department of the Interior issued a report noting 'it is not desired that any Negro immigrants should arrive in Western Canada' and the Secretary of Immigration instructed a Kansas City immigration official that Canadian immigration agents should not promote such immigration (Boyko 1995, p. 156). In 1910 the government created 'Okfuskee County, where the Negro population ran over 40 per cent, in order to put all Negroes in one township' (Winks 1971, p. 302). Mainly because the government did not allow immigrants to enter and replenish the community, only one settlement (Amber Valley) survived beyond WWI and the Great Depression (Winks 1971).

As a *Toronto Mail and Empire* editorial argued, 'Canada wants no negro question ... no race riots' (Winks 1971, p. 310). The *Globe and Mail* issued this editorial warning: 'If Negroes and white people cannot live together in the South, they cannot live in accord in the North' (Boyko 1995, p. 155). From 1911 to 1914, scandalous writings were traded in Canadian newspapers regarding the Canadian immigration authorities' desire to prevent Negro immigration. In the papers, black migrants from the United States and the West Indies were referred to as 'Black Demons,' and their migration was labelled the 'Black Peril' (Boyko 1995, p. 155). Boyko (1995) argues that constant repetition of these stereotypes made it easier to organize against black immigration.

'In 1910 and 1911, the Boards of Trade of nearly every prairie town, as well as the cities of Winnipeg, Calgary and Edmonton, passed resolutions demanding that Black immigration be stopped and that those already in Canada be either strictly segregated or, even better still, deported. Most claimed to be speaking on behalf of their entire community and not just the business elite' (Boyko 1995, p. 155).

For their part, government officials had already been taking action to stop black immigration. The term 'race' was first used as a category of exclusion in Section 38(c) of the Canadian Immigration Act of 1910, whereby those 'deemed unsuitable' or 'undesirable' or having a 'probable inability to become readily assimilated' could be denied entry (Jakubowski 1997, p. 16). Black immigration to Canada was banned by the Laurier Cabinet, which in May 1911 passed Order In Council 115, although it was rescinded on a technicality of legislative procedure when US officials voiced objections to the official blockage of the exit of US blacks to Canada (Boyko 1995, p. 155). Canada then imposed bureaucratic barriers to immigration in the form of set minimum educational and financial requirements for entry. It soon became obvious that these 'normal' barriers to entry would not be sufficient, since blacks seeking to immigrate routinely exceeded the minimum entry requirements for education and visible means of support. To further restrain black entry, officials attempted but failed to install new legal means (head taxes for blacks, amend the Immigration Act of 1910 to make Negro exclusion official), successfully implemented others, and resorted to extralegal measures (paying kickbacks to medical staff for each black person turned back at the border after the required medical examination (Winks 1971), or turning back entire families for the medical problem of one member (Boyko 1995).

While Canadians actively recruited white Americans for relocation, whatever means necessary would be used to keep blacks from entering and settling. Great Northern Railway workers were informed that train tickets should not be sold to Negroes because they would not be admitted to Canada under any circumstances. Railroad companies cooperated by removing black riders, while reducing or waiving fares for white migrants (Boyko 1995). All blacks from below the Mason Dixon line were understood to be unable to withstand the northern clime – this particular stereotype was applied to black West Indians even up to the 1950s.⁵ Blacks were presumed foul smelling, biologically and mentally inferior, lazy and unreliable, sexually promiscuous, and to embody other standard characteristics found in black stereotypes promulgated throughout the US, South Africa, and Australia.

Britain's policy in this period presents similar themes. Black slaves were brought into England in 1555. By 1600 Queen Elizabeth I determined that 'the black presence in England had become a "problem" and in January 1601, she issued a proclamation to deport "Negroes and

blackamoors” (Ramdin 1999, p. 14). But the transport of black slaves from the West Indies and North America continued (even long after a 1772 order declaring that blacks could not be forcibly transported across the seas without their consent). Starting in 1775 enslaved persons were recruited with the promise of their freedom at the war’s end to fight against revolutionaries in the Americas – many freed in this way travelled to the West Indies and Canada, while others went to Britain. Jobless and destitute, they were given assistance by the newly established Committee for the Relief of the Black Poor, but the programme evolved into a 1786 House of Commons-approved plan to expel the black poor and send them to a settlement in Sierra Leone. Some blacks departed on a fateful voyage in 1787, where harsh conditions that were equated with transport under slavery caused death, and drove some to suicide by drowning (Ramdin 1999).

Prior to 1900 and continuing into the early twentieth century, black seamen settled in port towns (Liverpool, London, Cardiff, Bristol, etc.), yet these men were subject to ‘state reinforced discriminatory practices’ which attempted to severely restrict their settlement and saw that they were remunerated at wages lower than those of white workers. The men were also subject to racist violence, and ‘repatriation’ from a country where they, on paper, belonged, since residents of the colonies in the Caribbean and elsewhere were technically British subjects (Solomos 1993). The prevailing sentiment about black settlement was captured in Cardiff’s *Western Mail* newspaper:

Morality and cleanliness are as much matters of geography as they are dependent on circumstances. The coloured men who have come to dwell in our cities are being made to adopt a standard of civilization they cannot be expected to understand. They are not imbued with moral codes similar to our own, and they have not assimilated our conventions of life. They come into contact with white women, principally those who unfortunately are of loose moral character with the result that a half-caste population is brought into the world.⁶

Racism in US immigration law began with a focus on groups other than blacks (i.e., Asians in particular). In this early period, black immigration was not on the radar for US officials, perhaps for two reasons. One, since slavery ended in the US later than in the UK and Canada, blacks were more likely to leave the US in this period (and travel to Canada, as we have seen) than they were to enter. And, two, the numbers of West Indian migrants reached significant levels only in later periods; US legislators only later codified legal language that would specifically exclude blacks.⁷ But once immigration policy-makers’ eyes were focused on race, ignoring race would come to be nigh impossible (Lee 2002).

WWI, the interwar period, and WW II

In the period of world wars that overwhelmed Western nations and economies, policy-makers struggled to balance disdain for black entry with the need for combatants and labourers. Economic and political pragmatism ushered in a period of black recruitment to import temporary black sojourners who, it was hoped, would leave when no longer needed.

In Canada, from emancipation until 1930, 'the Negro there found himself sliding down an inclined plane from mere neglect to active dislike' as immigration authorities struggled to ensure that blacks would not enter and live in Western Canada. Until the outbreak of World War I, blacks were readily denied entry into Canada, either on an ad hoc basis, or by variously applied institutional means. For example, fearing a black exodus from the Bahamas, officials reassured themselves with the idea that '[p]resumably, many Negroes could be turned back at the border by a strict application of standing regulations on health, literacy, and financial support' (Winks 1971, p. 308).⁸

At first Canada did not search for WWI recruits among the black population, and took the extra step of limiting enlistments to a very few, broadly rejecting black volunteers. Only in 1916 in Nova Scotia, 'contrary to regulations, they enlisted black Bermudans as officers' servants and such Negro seamen as deserted from West Indian schooners' (Winks 1971, p. 317). During World War II, West Indians were cut off from volunteering in Britain and turned to Canada as an alternative (Winks 1971). Canada again turned away black volunteers at the beginning of WWII, and refused West Indian college students officer training. (Training programme administrators interpreted 'British subjects' to mean 'whites'. Later, blacks were 'accepted as equals into both the regular army and the officer corps; the majority – among whom would be the first premier of independent Barbados, Errol Barrow – received their training virtually without incident' (Winks 1971, p. 421)).

At the end of WWII, Canada had the opportunity to acquire Dominion territories, including Bermuda and British Guyana. Canadian officials declined the offer. Even the possibility of acquiring territory as part of the spoils of war did not appeal to the Canadian government if that meant acquiring the blacks who live on it. Again, 'in 1952, the Prime Minister declared that "persons from tropical countries or sub-tropical countries find it more difficult to succeed in the highly competitive Canadian economy"' (Avery 1995, p. 204). 'A January, 1955, immigration policy statement also claimed that West Indian migrants did "not assimilate readily and pretty much vegetate to a low standard of living ... many cannot adapt themselves to our climatic conditions."' Policy-makers in 1958 publicly noted that although white British coming from their Caribbean colonies was encouraged, 'no encouragement is given to

persons of coloured race, unless they have close relatives in Canada or their visas have exceptional merit, such as graduate nurses, qualified stenographers, etc.' (Avery 1995, p. 204).

In the US, a national quota system was begun with emergency legislation in 1921 that was solidified in the 1924 National Origins Act. The provisions of this Act remained in effect until 1965, effectively barring Asian and severely limiting Eastern European immigrants. The 'facts'¹⁰ in Senate Report 1515 provided much of the 'research' Congressmen used to decide the law. The Report's authors based their racial knowledge upon Blumenbach's 1775 racial classification, known for introducing the term 'Caucasian' and promoting a racial hierarchy that classified whites into even more specific subgroups (Jaffe 1961, p. 104; Gould 1994). To ensure entry for greater numbers of whites from Western and Northern European countries), legislators set entry quotas for each nation at 2 per cent of that nation's resident population according to base population numbers from the 1890 Census (purposefully ignoring the changes to the population composition that would have been reflected in later Censuses for they would have had to grant greater access to 'non-white' racial groups) (Jaffe 1961, Wang 1975, Idea Works 1995). 'The conceded purpose of the Act was to preserve the racial and ethnic make-up of the United States as it had existed in 1890. There was no attempt to deny this purpose or to sugarcoat it. The day the Act became law, the *New York Times* announced it with the following headline: 'Chief aim . . . is to preserve racial type as it exists here today' [sic] (Glasser 1976).

The language of national quotas did not specifically deny black entry in the 1920s, but scientific racism was used to deny entry to all 'inferior races' on grounds that 'immigrants' poor performance [was attributable] to Negroid strains inherent in their biological character' (Wang 1975, p. 61). 'The Imperial Wizard of the Ku Klux Klan proclaimed the passage of the immigration law to be one of the group's "recent and important triumphs,"' and here, the Klan's sentiments were not outside the norm, for 'there is no question that the 1924 law had an exceptionally wide base of congressional support' (Wang 1975, p. 125). However, even as the front door closed to Europeans with the 1921 and 1924 Acts, the Bracero Programme opened the back door of hard agricultural labour (Calavita 1994) – black West Indians comprised 17 per cent of the 400,000 workers imported under the programme between 1942 and 1945 (Marshall 1987).

Western Hemisphere nations were, on paper, exempt from the 1924 national quotas imposed by the US, and some writers believed this exemption applied to the West Indies (e.g., Garis 1927, p. 261), but the British West Indies were not independent states. Thus, black persons from the Caribbean wanting to enter the US had to apply for visas as British subjects. Certainly, racial preferences applied even within this quota system (Hutchinson 1981, p. 488).¹¹ Congressman Walter Judd's amendment provided an even more effective barrier: adopted were both

his 'cleverly conceived plan simultaneously to remove and retain discrimination,' a dependency provision making a separate quota for Caribbean migration from British territories, and an ancestry test for admission eligibility specifically designed for 'curtailing Negro immigration from the West Indies' (Jaffe 1961, p. 69). 'Although these migrants were formerly chargeable to the United Kingdom, [with the new law] they were now assigned to a special annual quota of one hundred within the mother country quota' (Jaffe 1961, p. 77). At the same time, the United Kingdom's designated quota (for whites) was never filled. In 1922, for example, the United Kingdom had 42,670 immigrants admitted to the US, representing only 55 per cent of the quota allocated for that year (National Industrial Conference Board 1923, p. 69, Table 9).

Black soldiers and seamen migrated to and served for Britain during WWI and WWII, but these recruits were expected to return to their land of origin after their service. To ensure their return, the government fought to have them 'repatriated' from the land where they were supposed to be citizens, and throughout their stay, they suffered maltreatment and were racially segregated. Intense efforts were made to ensure that those who remained faced extreme difficulty in finding employment, as well as the threat of deportation: the government confiscated military recruits' passports, legislated strict limitations on recruits' ability to work, and otherwise actively limited their ability to stay in Britain (Paul 1997). It may be helpful to quote extensively from Paul (1997, p. 113) here:

Not all black Britons chose to follow Colonial Office directives. During the interwar years, several communities of color developed in port cities such as Cardiff and Liverpool. As British subjects, residents of these communities competed on equal terms for seafaring jobs with white Britons. Neither the ship-owning community of employers nor the central government looked favorably on this assertion of rights by black Britons, and they responded to it by trying to limit the rights of subjecthood wherever possible. Thus in 1925 the government enacted the Coloured Alien Seamen Order, ostensibly intended to prevent alien seamen from falsely claiming British nationality and thus rights of residence in the United Kingdom. In practice it was used, as the government had intended that it should be, to harass all "coloured seamen", "aliens and British subjects mixed", and to prevent as many as possible from settling in the United Kingdom. By this order, "coloured" seamen without satisfactory documentation of British nationality had to register as aliens. The law was intentionally burdensome since, as the Home Office knew full well, the vast majority of black British seamen had no "proper" documentation and thus, by presumption became aliens, lost all privileges of citizenship, and became subject to deportation. The application of the 1925 Special

Restriction (Coloured Alien Seamen) Order [CASO] to black British subjects has traditionally been attributed to both “popular racism” and overzealousness on the part of “provincial police and state officials”. In fact, it appears to have been “the first instance of state-sanctioned racial subordination inside Britain,” representing an attempt by the state, in collaboration with employers, to segregate the labor market, to prevent further black migration, and to deny black Britons’ claim to Britishness. This attempt to restrict Britishness was not an isolated incident. Instead, the CASO stands as a clear example of an ongoing practice, which continued and matured into the post-World War II period.

Post-war period through Caribbean national independence

Two themes mark the post-war period of anti-blackness in Western immigration. First, there is movement to restrict the influx of black persons without specifically using racial language or appearing racist. Second, Anglophone nations demonstrate co-dependent racial relations, for Western legislators in one country monitor and react to racial changes in the others.

In the United States, the 1952 passage of the Walter-McCarran Immigration Act finally imposed national quotas on formerly exempt Western Hemisphere nations. The Act was passed

... over the strenuous objections and veto of President Truman, who considered the act discriminatory and unnecessarily restrictionist. ... [It] allotted each country an annual quota of immigrants, based on the proportion of people from that country present in the United States in 1920. It thus perpetuated the so-called national origins system that President Truman and others found offensive. In addition, it put a ceiling of 150,000 individuals on immigration from the Eastern Hemisphere but set no such limit for Western Hemisphere countries. Finally, it established the preference system for immigrant workers and close relatives of U.S. citizens and residents, the basic structure of which remains intact today. In brief, the preference system placed priority on family unification, giving first preference to the immediate family of citizens and legal residents, but still keeping the door open to skilled and unskilled workers in certain occupational categories. (Calavita 1984, p. 62).

New quotas for all of Asia were set at 2,990, compared to Europe’s 149,667; but Africa was allotted only 1,400 visas (Keely 1979, p. 54). This Immigration Act slowed the renewed post-war migration of Caribbean migrants to the US to a trickle, causing black migrants to seek out English shores instead. The NAACP publicly expressed their ...

... disapproval of the new law, particularly those provisions with racist implications which damaged America's "image." Negro leaders also attacked the 1920 census basis, the failure to provide for pooling [of unused quota admission slots], failure to provide adequate review machinery, unfair procedures, and the distinctions between native-born and naturalized citizens. (Jaffe 1961, p. 207)

The CIO also publicly condemned the Act, as did the Roman Catholic Church, and the *New York Times* printed critical editorials for the first seven months of 1952 (Jaffe 1961).¹²

Then, in 1965, Congress introduces new legislation intended to be less overtly racist in language but also keep constant the levels and racial composition of previous immigration eras (Keely 1979, p. 57). The Act capped Western Hemisphere immigrants at 120,000 (to begin after a 4-year transition period intended to cushion the diplomatic blow lowered numbers would represent to governments of newly independent Western Hemisphere nations), instituted family reunification (marking preferences for close relatives of former migrants), and established labour certification requirements for all entrants not being admitted under family reunification. Former 'nonquota immigrants' were replaced by two new immigrant classes, 'immediate relatives' of citizens, and 'special immigrants', which themselves are broken down into five categories. One such category of this class includes 'natives of independent countries of the Western Hemisphere (which now include Jamaica, Trinidad-Tobago, Guyana, and Barbados – formerly charged to the British sub-quotas), their spouses and children – if accompanying or following to join them, or if the marriage or birth occurred after entry to the principal alien' (Sloan 1987, p. 12). Thus, these new 'black' nations were subject to quotas from which other nations in the region were formerly exempt, and they must now share these quotas with nations sending the more desirable 'white' immigrant. Finally, colonies were again given their own admission ceilings, which effectively limited black entry from these areas as well.¹³

As for Britain, the large-scale flow of black migration from the Caribbean is (falsely) said to begin with the arrival of 492 Jamaican immigrants aboard the *Empire Windrush*, which docked in June 1948. (In 1947, 108 persons of colour had already arrived on the ship *Ormonde*.) Paul (1997) argues that the arrival of the *Windrush* is significant, not because of its legendary role in initiating a flow of black immigrants, but because of the government's precedent-setting response to these newcomers – a 'policy that would hold steady for the next seventeen years ... [whereby] both government [officials] and administration [civil servants] did all in their power to prevent further arrivals' (Paul 1997, p. 111). Civilian British subjects did not fall under the jurisdiction of the Colonial Office, and their migration could not be as easily controlled as the migration of military recruits who entered Britain in the earlier period. 'What seems

to have alarmed officials', is not merely that these immigrants were black, but 'that they came under their own volition, which seemed to officials "a premonition of a limitless, uncontrollable invasion"' (Paul 1997, p. 121). *Windrush* passengers were met by government officials and 'housed' (under conditions that might be better described as internment). Migrants of colour on subsequent ships were treated even more poorly than the *Windrush* arrivals, and also considerably worse than white post-war immigrants who also continued to arrive by sea (Paul 1997).

At the time, there were widespread labour shortages 'in agriculture, coal mining, textiles, construction, foundry work, health services and institutional domestic service. Rather than hire black immigrants, the government quickly arranged to import an additional 180,000 prisoners of war from the United States and Canada, launched a domestic productivity drive, urged women to return to work, and in October 1947 instituted a Control of Engagement Order' (Paul 1997, p. 67). This search for labour was unsuccessful, for the shortages were not alleviated, nor was the demand for black labour eliminated. The British Colonial Office actively recruited with a drive focused on Polish and Irish immigrants and other more 'assimilable' types: 'From the outset, potential colonial migrants were primarily identified by their skin colour, not by their nationality' (Paul 1997, p. 125).

Governors in the West Indian colonies, hearing the Colonial Offices' call for immigrant labour, responded by encouraging West Indian migration – to the horror of British mainland officials. Instead of openly banning black migration, government officials issued warnings to colonial governors that they might soon issue new controls on (black) colonial departures (Dean 1993). The Ministry of Labour tried to convince groups recruiting colonials that the labour shortages they had advertised did not exist. They then set out to prove that West Indians would be unsuitable workers. The British appealed to the oft-used climatic reference, this time to suggest that black immigrant women could not 'stand up to the Lancashire climate for any length of time' (Paul 1997, p. 122). Finally, British officials appealed to black potential immigrants themselves: 'the information given to would-be immigrants was distinctly discouraging, stressing cold winters, unsatisfactory employment, poor accommodation prospects and even the peculiarity of English custom' (Dean 1993, p. 58).

In December 1954 ... the [UK] Cabinet [instructed] the home and Colonial Secretaries – the principal advocates of [immigration] control – to prepare an immigration control bill. The Cabinet's decision was partly influenced by the tide of colonial migration, which, according to Gwyllim Lloyd George, had risen from two thousand in 1953 to ten thousand for 1954. In response to this significant increase, and

convinced that “these large parties do not just happen”, UK officials searched for those responsible. They need not have looked far. Throughout the nineteenth and early twentieth centuries, the vast majority of West Indian migrants had remained within the Caribbean or traveled to the United States, where entry was fairly easy for those who could pass basic literacy and medical tests since the Caribbean was included within the generous British visa quota. In 1952, however, responding to domestic pressures to reduce black immigration, the US government through the McCarran-Walter Act separated the West Indies from the United Kingdom and gave all the islands a much-reduced single visa quota of eight hundred. This dramatic curtailment of opportunity forced potential emigrants to find an alternative destination. (Paul 1997, pp. 141–2)

The British resisted race- and geographic-specific language in 1950s era legislation because of post-war negotiations with the Commonwealth colonies from which it had begun trying to extract itself (Dean 1993). Explicit declarations that black immigration to Britain from the Commonwealth was unwelcome would only aggravate independence negotiations, particularly after years of seemingly open and unrestricted entry. Thus, instituting restrictions in the late 1950s and early 1960s required a balancing act, for care had to be taken not to alienate those politicians of colour with whom British government officials were negotiating. Indeed, in February 1961, Eric Williams warned Prime Minister Macmillan: ‘if [Britain] were to withdraw her support and stop West Indian immigration, there would be a social revolution and a Cuban situation in the West Indies’ (Dean 1993, p. 60). Macmillan’s political rival, Home Secretary Butler, spent quite some time and effort to avoid answering questions from West Indian governments wanting to know the British government’s position on immigration. The British government also ‘agonised about public opinion’, trying to keep their seats in power, which meant responding to public opinion calling upon them to restrict unwanted non-white immigration (Dean 1993, p. 61). The result? ‘Faced with [both] electoral and Commonwealth [colonial] considerations, most ministers [of Parliament] clung to the indirect approach, which, of itself, implied that immigration was a matter to be dealt with outside the glare of publicity’ (Dean 1993, p. 63). Meanwhile, Butler worked to have US President Kennedy ease restrictions on West Indians going to the US, as the Colonial Office believed that these restrictions contributed to the rising numbers of West Indians going to Britain at the time.

The British government finally settled upon labour vouchers as the solution to their labour shortage dilemma. Dean quotes directly from Butler, who, in justifying this policy, said:

The great merit of this [labour vouchers] scheme is that it can be presented as making no distinction on grounds of race and colour. We

must recognize that, although the scheme purports to relate solely to employment and to be non-discriminatory, its aim is primarily social and its restrictive effect is intended to and would operate on coloured people almost exclusively. . . . It was hoped to disarm those critics who were prepared to attack any legislation on the grounds that it was discriminatory. The approach satisfied senior mandarins in Whitehall-Norman Brook. [As] the Cabinet secretary, informed Macmillan: “But at least there is no element of racial discrimination in the Bill itself, and the emphasis of the scheme is upon the limitation and not the elimination of coloured immigration”. (Dean 1993, p. 68)

The UK watched events in the US closely. The US’s 1952 McCarran-Walter Act had successfully redirected the Caribbean outflow to England until 1961, when the UK Conservative government finally instituted new restrictions in The Commonwealth Immigration Act, making the US once again the target destination for black migration. By 1964, the Labour Party was openly expressing ‘the need of control over Commonwealth immigrants entering this country’ – for there were no longer pressing political considerations that required hiding these sentiments. Policy-makers were instead concerned that they needed to control the influx of black labour before Britain pushed for admission into the European Economic Community (Dean 1993, p. 73). Moreover, as legislators debated and discussed their fears about blacks on English soil, they kept one eye on the events taking place in the 1960s United States, for the US black-led Civil Rights Movement affected public life and politics in Britain, most notably by instilling the fear in white politicians that admitting blacks invites social unrest.

[Home Secretary] Butler made these anxieties clear to his colleagues when he declared [in May 1961]: “It was now accepted by government supporters generally that some form of [immigration] control was unanswerable if there was not to be a colour problem in this country on a similar scale to that of the USA.” Increasingly, [the] Notting Hill and Nottingham [riots of 1958] fitted a wider world context. They were precursors of troubles as resources became more stretched, authority broke down and leisure for larger sections of the population grew. Britain was supposed to have escaped some of these tensions because of its previous homogeneity. Politicians now feared that such harmony and stability were becoming more fragile. In this light, new communities and new faces were regarded, at best, with suspicion and often with outright hostility. (Dean 1993, p. 67)

By contrast, in 1950s Canada the fear of black immigration was subsumed by a greater fear – that of Asian immigration. Although legislators considered removing discriminatory language from immigration legislation and issuing an acknowledgement that Canada needed

immigrants, there was a fear that hordes of Asians and some blacks would rush to enter, that their presence would depress wages (Winks 1971, pp. 436–7). Contradiction prevailed: the idea was to eliminate undesirables while preserving the notion that ‘Canada [was] a democratic, humanitarian nation willing to help the distressed’ (Winks 1971, p. 437).

During the debate on the [1952] bill, minister Harris hewed closely to the Liberal line as laid down by Mackenzie King in 1947 [i.e., that Canadians did not wish to see immigration “make a fundamental alteration in the character of our population”], saying that Canada wanted “a good type of immigrant” and identifying this type with those who could become readily integrated. Accordingly, the provisions of the act of 1952 gave the minister the power to prohibit the entry of an immigrant because of “nationality, citizenship, ethnic group, occupation, class or geographical area of origin,” because of “peculiar customs, habits, modes of life or methods of holding property” and, in addition to other provisos, because of “unsuitability having regard to the climatic, economic, social, industrial, educational, labour, health, or other conditions, or requirements existing [in Canada], temporarily or otherwise.” . . . Thus, Pickersgill admitted Hungarians without an extensive canvass of public opinion, while Harris, also without resort to polls, rejected West Indians. Blacks protested in particular against the application of a “climatic” criterion to their suitability as immigrants. (Winks 1971, pp. 435, 437–8)

Domestic workers were in great demand in Canada throughout the 1950s and 1960s. At first, British workers were imported, but they quickly left their jobs for better opportunities, and demand for their replacement was high. Schemes of varying success were tried with Italian and Greek migrant women, but the search for a stable flow of incoming labour caused officials to look towards the Caribbean. In 1955, 100 domestics were admitted from the West Indies under strict criteria (workers must be unmarried, and between ages 18 and 35); by 1960 that number was 300. The domestic worker scheme was seen to have possibly ‘fostered notions of white superiority since West Indians were to be found largely in menial jobs’ (Winks 1971, p. 439).

In the short term, the scheme was regarded as a success since a high proportion of the [Caribbean] immigrants remained in domestic service, not necessarily because they liked the work but because racism excluded them from other jobs. In 1960, Department of Citizenship and Immigration officials considered cancelling [*sic*] the program despite the generally good performance of West Indian domestics. The reasons for this decision were set forth in a May, 1960, memorandum from the director of immigration, who noted, with

some concern, that “these girls, as soon as they are established, are free to apply for the admission of their relatives and fiancés . . . [who] are likely to be unskilled workers.” He also claimed, without a shred of evidence, that most of these Caribbean fiancés were frauds since illegitimacy was “a fact of life . . . [and] it is not uncommon for a single girl to have children by 2, 3, or 4 different men.” These ethnocentric and biased attitudes, combined with the department’s new emphasis on recruiting highly educated workers, meant a curtailment of the program in 1966. When the movement was reinstated in 1973 it was quite different. Caribbean domestics now entered under the temporary employment authorization program, which meant they could only remain in the country if they kept their positions – changing occupation or employers could result in deportation. (Avery 1995, p. 209)

The 1960s and beyond

In this period, a more explicit language of equality and rights masks continued illiberal immigration policy and continued ambivalence about the merits of admitting the black labour, since blacks are still undesirable citizens. Black admittance is couched within contract labour schemes (begun, for the most part, in the 1950s) that attempt to force black workers to be temporary sojourners with neither equal opportunity nor rights. Meanwhile, governments continue to watch the policies the others adopt with regard to blacks.

Canadian policy-makers’ anti-black sentiments continued,¹⁴ even if much of the published immigration literature on Canada suggests that the Canadian government in 1962 removed the most discriminatory provisions from their books. A longstanding ‘White Canada policy [was] officially abandoned only in 1962’ (Jakubowski 1997, p. 11) and ‘indeed the whole lengthy episode of White Canada is often played down, or clothed in discreet silence or simply not extrapolated from its historical context.’¹⁵ To be specific, in 1967 Canada abandoned the use of family reunification policies meant to ensure a white immigration pool, declaring family reunification policies to be racist. Canadians instead implement a ‘Points System’ emphasizing occupation and education as entry criteria, and black West Indians begin to arrive in far greater numbers. Over 70 per cent of the black immigration into Canada at this time was from the Caribbean (Winks 1971, p. 444). But the new law brought back ad hoc discrimination by requiring black immigrants to present bonds to prove they had enough money to support themselves, while whites had no such burden (Boyko 1995). Although the racist letter of the law may have changed in the early 1960s, politicians’ antipathy towards the black immigrant did not.

In January, 1966, for example, Tom Kent, the newly appointed deputy minister, was informed about “the long range wisdom” of preventing “a substantial increase in negro immigration to Canada,” particularly given the current “racial problems of Britain and the United States.” Another brief warned that Canadians, who “in normal circumstances would not have any prejudice in respect to race, colour, or creed, have shown concern that through rapid increases in the intake of under-educated and un-skilled immigrants, especially if multi-racial, we could end up with situations [race riots] similar to those in the United Kingdom”. (Avery 1995, p. 204)

It was agreed that Caribbean workers might be brought in as seasonal contract labour to relieve shortages in the agricultural sector, because as temporary workers they ‘would not have the privilege of sponsoring innumerable close relatives’ – a quote from a letter to the Deputy Minister from the Assistant Deputy Minister at the time.¹⁶ ‘The commitment, in theory, to the elimination of racial discrimination was more formally enshrined in the Immigration Act of 1976,’ however, ‘immigration law is still racist[, for] the number and location of immigration offices outside of Canada and the discretion awarded to immigration officers in determining adaptability suggests that immigration, to some degree, is still being [racially] “controlled,”’ and amendments to the 1976 Act [both] reinforced racial discrimination and ‘naturalized’ racial inequality in Canada (Jakubowski 1997, pp. 19, 21).

In the 1970s’ domestic worker scheme, Canada issued permits to work for only two years. At first, women recruited under this scheme were denied access to citizenship and government benefits, but in response to protests domestics were allowed to apply for citizenship after three years. Conversely, few restrictions were imposed against whites who desired to immigrate to Canada.

The US, in its 1965 Act, also significantly changed the racial language of its immigration policy – *adopting* a policy of family reunification. By one researcher’s reasoning, this occurred because ‘Lyndon Johnson [was] in the presidency and a liberal Congress [was] focused on expanding civil rights’ (Calavita 1984, p. 62). However, the policy supported retaining the racial and ethnic immigration structure of the national-quota system, even as they abolished overt mechanisms of that system (i.e., the quotas themselves) (Briggs 1984, pp. 68–9; Borjas 1990, pp. 30–33). Just as had been done in 1924 and 1952, US legislators sought ways to racially discriminate among immigrants, while not projecting obvious racial bias in the law’s language.¹⁷ Lawmakers reduced occupational preferences to 20 per cent of the available visas and downgraded their priority, and allocated 24 per cent of all available visas to a new family reunification preference group (for siblings of citizens).

Even with renewed restrictions on blacks desiring to enter the UK and US, recruitment of labour under contract conditions was the order of the day. These contract agreements staffed New York City and London hospitals with black nurses and aides, and British Rail and London Transport (London's unified bus, coach, trolley, and rail service) with black men's labour. (London Transport had active recruitment programmes in Barbados, Jamaica, and Trinidad and Tobago – of the nearly 40,000 workers (including supervisors) in its employ in 1975, nearly 7,000 were black workers from the Caribbean islands; (Brooks 1975)). The ambivalence over inviting black labour persisted, for black workers faced job discrimination, and found that their co-workers held a general 'antipathy' towards immigrants in general, and a more vehement animosity towards black immigrants. In Britain, the image of black women workers was particularly unfavourable (Brooks 1975).

The 1981 Nationality Act, finally removing the rights of citizenship from black former colonial subjects, solidified West Indians' 'undesirable' status in the UK. Introduced by Prime Minister Thatcher, this law made explicit the assumption that Britain was threatened by 'outsiders' of a different colour. Home Secretary William Whitelaw declared it necessary because some 'holders of the present citizenship may not unnaturally be encouraged to believe, despite the immigration laws to the contrary, that they have a right of entry to the United Kingdom,'¹⁸ and the law would 'dispose of the lingering notion that Britain is somehow a haven for all those whose countries we used to rule.'¹⁹

Conclusion

Sassen (1998) argued that a new '*de facto* transnationalization of immigration policy,' (i.e., a global policy regime) has emerged because supra-national forces (e.g., NAFTA, or the European Union) shape immigration policy. I argue that a transnationalization of immigration policy may also derive from a *convergence of state policies* with common goals. I argue also that immigration policy has been transnational at least since the seventeenth century where it concerns blacks, and is evident even in periods when some of these nations had no black population (immigrant or native-born) of significant size. Although I echo Sassen's call to be aware of the global repercussions of inter-national action, together, Western efforts to exclude the phenotypically black amount to the construction of a global blockade to black migration and mobility in a form of transnationalization that significantly predates the forces of which Sassen speaks. I agree that scholars may emphasize singular cases and localized social constructions to the degree that we see the trees (here, the social-constructing of racial categories in local settings), but miss the forest (processes reinforcing transnational racialized and world systematic hierarchies). This article serves to re-insert 'black' as a

relevant category in the discourse on *globalized*, racialized immigration, and to refigure anti-black racism as a *global* immigration phenomenon.

Despite differences among these nations' histories, a transnationalization of anti-black sentiment in immigration law and policy in the Anglophone West began during the trade in enslaved Africans and continues today. The sentiment of global anti-blackness is marked throughout with ambivalence. Before and during the world wars, Western nations were ambivalent about the merits of using black labourers, soldiers and seamen in fortifying their economies and polities, yet at no time were they considered persons that merited inclusion in the democratic revolution that was taking place at the time (Feagin 2000). Western nations were unified in their approach to 'accepting' the fruits of work and war: black persons should only be temporarily used for their contribution, and once their usefulness was spent, they should return from whence they came. In the post-war period, co-dependency and collaboration in a transnational anti-blackness became more evident, even as we see the beginnings of 'race-neutral' laws with more obvious racializing outcomes. Where global anti-blackness operates without the use of overtly racist language, Western nations' lawmakers can claim to have transcended racism while still managing to maintain racial hierarchies – a macro-level version of the 'new' 'colorblind' racism (Bonilla-Silva 2001, 2003; Winant 2001). The contradictions of these efforts are pronounced in the most recent period, where a rights discourse, coupled with illiberal law and policy, continue to shape a racialized hierarchy of immigrants that may be seen as a (perhaps unintended but) enormously consequential anchoring of black persons to the bottom of the racial and 'world systemic' hierarchies.

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Notes

1. Neither 'white' as a preferred category, nor the categories over which 'white' is preferred, are static, for the categories in the racial hierarchy in immigration, and their definitions, certainly change over time. See Hutchinson 1981, Richmond 1994, Avery 1995, Ignatiev 1995, Bashi and McDaniel 1997, Clifford 1997, Paul 1997, Brodtkin 1998, Castles and Miller 1998. On the idea of race as a Western hierarchy of categories, many agree, and some specifically argue that those designated as 'white' occupy the 'top' position, while 'black' is the category at the bottom. For relevant arguments, see Omi and Winant 1994, Paul 1997, Brodtkin 1998, Marx 1998, Bonilla-Silva 2000, and Winant 2001. (Note that

Almaguer (1994) has a different argument about the hierarchy's bottom at a specific historical moment in the US.) There are numerous books and articles on the idea of a socio-economic hierarchy of nations; but for an explanation of world systems theory and its antecedents in particular, see Chirot and Hall 1982 and Chase-Dunn and Grimes 1995. The theory is most often credited to Wallerstein (1974).

2. While there are works which develop arguments that highlight racism in the immigration of individual nations, there are few which identify a global convergence of anti-black racism. For example, in chapter 3 of his book *Race and Racism in Britain*, Solomos (1993) details the specific anti-black nature of racism in British immigration law; Bashi and McDaniel (1998) and Bashi Bobb (2001) offer an analysis of the racial incorporation of black immigrants to the United States which suggests that immigrants are incorporated into a US racial structure that puts blacks at the bottom of the racial hierarchy; and Winks' (1971) book *The Blacks in Canada: A History* has details of anti-black measures taken by the Canadian government to prevent an expected black influx, but neither work focuses on immigration specifically, and neither work takes a global perspective on the anti-black problem. Each of these works, and others like them, provide important information with regard to anti-black racism within individual nation's policy and legal systems, but none discuss in length Western nations' harmony in their anti-blackness, nor understand their racist action as operating in concert with other nations, or as having transnational, Western, or global implications. Alternatively, Bonilla-Silva (2000) argues that there has been a convergence of national level racial structures into a 'new' global racial ideology that is directly affected by immigration. In Bonilla-Silva's analysis, non-white immigrants of various ethno-racial configurations receive the brunt of the new racism, while white immigrants are among those whites who benefit from or at least not targeted by it. However, his work cannot be read as one that specifically emphasizes an anti-black immigration sentiment.

3. For the purposes of this paper, *global anti-blackness* is a particular kind of racism (i.e., primarily targeted towards the material, social and political exclusion of phenotypically 'black' persons) that operates on a multinational scale. Note that the nations studied here are the primary destinations for the world's black migrants (who are in overwhelming numbers from the Caribbean, rather than from the African continent). For this reason, the actions that these three Western governments take can be seen as global relative to the black migrant as a category of international migrants. Further, note that the definition global anti-blackness neither implies nor requires intentionality or collusion on the part of these nations. A study of this kind is analogous to one that studies racism among children in a playground, or neighbours in a community, who take actions that exclude persons of colour – in neither setting need there be a concerted group decision to make such exclusion the conscious social reality for a finding of racial (or 'racist') outcomes to be valid. Racism, whether on a small or large scale, is the effect of institutionalized and systemic racial policies to distribute disadvantage and privilege. What is under examination here is the process of systematic exclusion on a global scale, even without the intentionality of specific legislation to make such exclusion legally binding and enforceable, or conscious supra-national collusion. (For relevant arguments justifying this kind of theoretical approach to understanding the ways global immigration policy and practice are racialized, please see Bashi and McDaniel 1997, Fan 1997, Bashi 1998, and Bonilla-Silva 2000.)

4. See Winks 1971, pp. 5–6 and 436. Black persons in Canada strongly protested this characterization – see Winks 1971, pp. 438–9.

5. 'In 1952, the Minister of Citizenship and Immigration was asked in the House of Commons to explain the blatantly racist ruse of using climate to restrict non-white immigration. He said, 'In light of experience it would be unrealistic to say that immigrants who have spent the greater part of their life in tropical or semi-tropical countries become readily adapted to the Canadian mode of life which, to no small extent is determined by climatic conditions. It is a matter of record that natives of such countries are more apt to break down in health than immigrants from countries where the climate is more akin to

that of Canada.' The minister was asked to produce the record to which he referred. He had no record. ... In 1953, [the use of climate to exclude blacks] was dropped from the immigration act' (Boyko 1995, p. 167).

6. *Western Mail and South Wales Echo*, 8 July 1935, Ramdin 1987, pp. 83–4, as quoted in Ramdin 1999.

7. The National Industrial Conference Board reported West Indian immigration (gross figures, not including Cubans) as fluctuating between 900 and 1,500 persons annually from 1908 through 1922. (See National Industrial Conference Board 1923, Appendix Table A, 123–130.) It was not until 1944 that annual entrants reached over 2,000, and numbers of black migrants from the Caribbean to the US rose quite significantly and consistently after that date. (See data available from the (US) Immigration and Naturalization Service, *Statistical Yearbook of the Immigration and Naturalization Service*.)

8. Another example: 'On the twenty-first [of March 1911] a party of 200 blacks arrived at the border station at Emerson, Manitoba, opposite Pembina in North Dakota, and requested admission to press on to Amber Valley, to which relatives had preceded them. The Canadian officials subjected them to the most rigorous examination possible and found, contrary to expectations, that they could not stop a single member of the groups. Not one had less than \$300 (or \$100 more than the law required), all were in excellent health, and all had documentary proof of good moral standing. They seemed to presage a wave of healthy, moral, and prosperous black men. The Secretary of the Edmonton Board of Trade, aware of those already passing through the city, now demanded that all Negroes be barred from entry, and a member of the government of Alberta (who refused to give his name) suggested through the press that the Dominion should apply a head tax on Negroes at once' (Winks 1971, p. 308).

9. Avery (1995) quotes from Vic Satzewich, *Racism and the incorporation of foreign labour: Farm labour migration to Canada since 1945*, London, 1991, pp. 126–7.

10. Jaffe (1961) writes 'Senate Report 1515 contains a mountain of "facts", the core of which, once the façade of scholarship is stripped away, consists of prejudice and fear. Typical is the treatment of "race". Although they admitted its weakness, the authors followed Blumenbach's outdated classification (formulated in 1775) and listed five "races" – Caucasian, Mongolian, Ethiopian, American Indian, and Malayan or the white, yellow, black, red, and brown. The white race is further subdivided into the Teutonic, Latin, Slavic, and "other" (Celtic, Iranian, and Semitic) groups. Subclassification within the white race, it develops, is related to "type" as revealed by skin pigmentation' (pp. 104–5). 'The formula seems to be "light = Teutonic; dark = Latin; mixed = Celtic, Iranian, Semitic, and others. The extraordinary complexity of classification by skin pigmentation is not mentioned in the report, nor is the difficult task of formulating a racial typology through measurements of head form, body, blood type, skeletal structure, etc. mentioned' (ff.19, 105). 'The relationship between this information and American immigration policy in the mid-twentieth century is at first quite obscure. But it becomes clearer as the "facts" unfold indicating that the Report's authors assume a relationship between degree of assimilability and pigmentation categories within the white race' (p. 105).

11. '... Experience had shown during the Depression years that immigration could be effectively restricted with the already available laws. Western Hemisphere immigrants, although quota-free, were fully subject to the same [racial] criteria of admissibility and exclusion as other immigrants and could be excluded for any one of many reasons on the judgement of the immigration inspector. It can be assumed, therefore, that such powers were used as they were thought needful to restrict the number of Western Hemisphere immigrants as was done for European immigrants. Furthermore, the same powers could very well be used selectively as between different countries of Western Hemisphere origin; for example the public charge provision could be applied with different force to immigrants from Canada and Mexico' (Hutchinson 1981, p. 488).

12. Other newspapers were split in their opinions – some in favour, and some not – but many also seemed indifferent or were silent on the issue (Jaffe 1961, Chapter Seven).

13. 'A special note should be made of the status of "dependent areas" (colonies) of other countries. Under the 1965 Act, all colonies were permitted 200 visas to be counted against the country ceiling of 20,000 and the hemisphere ceiling of the mother country. The intent and impact of this continuation of previous policy was to check the volume from colonies in the Caribbean and high demand places such as Hong Kong.' (Keely 1979, p. 58).
14. 'For the most part few Canadians specifically cited race as their reason for wishing to block West Indian immigrants, but the arguments of the 1950s and 1960s echoed those of the 1920s' (Winks 1971, p. 443).
15. Here, Jakubowski quotes from Hawkins, F. 1989 *Critical Years in Immigration: Canada and Australia Compared*, Montreal: McGill-Queen's University Press. (See Jakubowski 1997, p. 11.)
16. Avery (1995), quoting a 'memo from assistant deputy minister to deputy minister, 13 January 1965, p. 195' (see note 34, p. 319), referenced in Satzewich, *op cit.*, p. 175 (see note 9).
17. Three developments may have prompted the racially significant changes to US immigration law in 1965. First, in the 1960s, independence came to many new Caribbean nations. Jamaica, and Trinidad and Tobago, the two largest British West Indian island colonies, gained independence in August 1962. Barbados won its independence in November 1966. Antigua, Barbuda, St. Kitts-Nevis-Anguilla, Dominica, Grenada, St. Lucia, and St. Vincent and the Grenadines each entered into a 'free and voluntary association with Britain as an Associated State,' a condition that could be terminated at any time by either country (Parry, Sherlock, *et al.*, 1991). Even after independence, black immigration from the Caribbean was hardly encouraged, and may have been prevented in practice if not by letter of the law.
18. Quoted in Paul 1997, 182, who herself quotes from *Parliamentary Debates* (Commons), 5th ser., 1981, v. 997, c. 935.
19. *Ibid.*, c. 997.

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