

EXCERPTS FROM

A STATEMENT by the Lethbridge Consultative Committee on Canadians of Japanese origin. LETHBRIDGE, ALBERTA. June 30 1946

In spite of a large volume, and country-wide expression, of public opinion which has declared itself in opposition to the current mass "re-patriation" to Japan, of Canadians of Japanese origin, the measure, which amounts to deportation, is being carried out.

Every conceivable basis of argument and appeal has been used to demonstrate the iniquitous nature of the government's decision to proceed with the measure. But the government is obviously determined, upon grounds of its own, to carry it out, and has therefore made itself blind and deaf to every argument except that of the letter of the law. It is not the first time that the prestige of the law has been used to lend a semblance of justification to proceedings which on every other ground stand condemned. Accordingly the deportation has already begun and it is already too late to prevent the perpetuation of a gross injustice on a scandalously wide scale. It is not too late, however, to carry on to its conclusion the arousing of public conscience to awareness that an injustice has been committed; that it is monstrous both in scope and degree; and THAT IT HAS BEEN COMMITTED IN THE NAME OF THE PEOPLE OF CANADA. And surely it is not too late, either, to prevent similar dishonour to Canada and to humanity in the future.

..... "In an ethical context it becomes quite clear that there can be no real justification for deporting anyone, whether or not he is a Canadian citizen, unless it can be demonstrated that he has committed an action which threatens the welfare of the government and people of Canada. Our Prime Minister admitted there had never been such grounds for deporting at least a large number of those who are included in the deportation order.....

Whether or not the Prime Minister made such a statement, the ethical fact remains, that to punish any person when there has not been even the allegation that he has committed a crime, much less any proof of the charge, is to destroy all possibility of justice. Unless and until it has been both claimed and proved that each Japanese Canadian included in the order for deportation had committed a treasonable offense, the government had no shadow of a right to confront and resident Canadian Japanese with the necessity of choosing whether he would go to Japan or remain in Canada.

Secondly, it has been urged that the deportation is necessary because its victims have shown they will not allow themselves to be, or are incapable of being, assimilated into the life of Canada's people. But, if this is true, and it is manifestly a most difficult thing to demonstrate, it must, if justice is to be upheld, be applied exclusively to such Japanese as may in the future seek admission to Canada. Because those who are already in Canada were allowed, and even encouraged to enter, long before it was possible to know how far they would prove assimilable. By our acceptance of them in the first place we have committed ourselves to abiding by our acceptance. And if now we are not satisfied with our bargain we must put up with it. For the alternative is to minister to our selfish convenience by treating other people with ruthless injustice, by treating men as things. It is to go back on a covenant of our own initiating and to treat men as mere conveniences, to be used by us so long as they serve our purpose, and to be discarded like worn out shoes, whenever we deem them of no further use. If this sort of treatment prevails unchallenged, it means that the Nazis have won, because they are too subtle for our childish standards to combat.

Thirdly, and it is third because it is an implication of the first two ethical facts, the government's treatment of these Canadians of Japanese origin can readily serve as a precedent, whenever the government cares to use it, for similar treatment of Canadians of Finnish, Scandinavian, Dutch, Irish, English, Scottish, or any other races from one of which every Canadian derives.

From now on no one is safe; all that is needed is the modern equivalent of an "lettre de cachet": an order-in-council, and Canada can be emptied of all people whose presence constitutes a hindrance to the rapacious and predatory will of the minority who hold the reins of power. And if this is the future of Canada, one can no longer wonder at a certain Japanese Canadian we read about. For on his return from service with the Canadian Armed Forces he found his property sold, (although he had been assured the government would hold it in trust for him); he found himself prevented from re-establishing himself in his legitimate business; and he chose of his own volition to leave the country that treated him thus because he felt he would be treated with greater fairness in Japan.

EXCERPTS made by The Co-operative Committee on Japanese Canadians, 126 Eastbourne Ave. Toronto.

"THE DUBIOUS FUTURE FOR JAPANESE CANADIAN CHILDREN WHO GET DEPORTED."

The hitherto unpublicized Order-in-Council P.C. 10773, dated at OTTAWA, Nov. 26th, 1942.

This Order provides that:

- A. Any British subject of a Canadian national who requests to be moved to an enemy country during the war, shall from the date of his departure from Canada for repatriation, cease to be a British subject.
- B. The wife and minor children of any person who ceases to be a British subject under paragraph "A" shall, if included in that person's application for repatriation also cease to be British subjects from the date of departure.
- C. Notwithstanding the provisions of section 15 of the Naturalization Act, Chapter 138 of the Revised Statutes of Canada, 1927, a minor child of a person who ceases to be a British subject by virtue of paragraph "A" of this clause, shall not cease to be a British subject by reason only that his parent has ceased to be a British subject, unless he is included in his parent's application for repatriation and actually departs from Canada.

The New Canadian of June 8th comments on this Order and says:
"If the above order-in-council has not been withdrawn or modified, then it is clear that all those who are leaving Canada under the repatriation plan cease to be British subjects or Canadian citizens!"

"The Order-in-Council is objectionable because it cuts across the safeguards to citizenship provided in the new Citizenship Act. The Act provides that Canadian citizenship may be revoked or renounced as regards Canadian-born persons ONLY in the following cases.

1. where he acquires a foreign citizenship outside of Canada.
2. where, having dual nationality, he renounces his Canadian citizenship after reaching twenty-one or after marriage.
3. minor children whose parent loses citizenship under 1. or 2.
4. where he has dual citizenship and serves in the armed forces of any country when it is at war with Canada.
5. minor children whose parent loses naturalization under the Citizenship's Act provisions may be deprived of citizenship by an Order-in-Council.

ARTICLE by B.K. Sandwell, Saturday Night, June 22nd, 1946

Excerpts: "The dangers of legislation by means of orders-in-council which take effect without even being communicated to the public have been brought to light once again by the discovery of P.C. 10773, dated Nov. 26, 1942 which provides that any British subject "who requests to be moved to an enemy country during a war" shall cease to be a British subject on his departure from Canada, and the wife and minor children of any such person if included in his application shall also cease to be British subjects from the date of departure."

"This order-in-council having been kept, so to speak, up the Government's sleeve, has not been passed upon by the Supreme Court and is not before the Privy Council!....."

"This outrageous interference with the rights of people who were born into Canadian citizenship and who have no possible claim to any other citizenship should be put an end to immediately by the rescinding of the Order in question."...

"Several thousand persons of Japanese descent have had their lives altered for them by this piece of legislation (which has been on the secret status books for three and a half years) without having had the slightest idea that it existed. It is entirely possible, and indeed extremely likely, that some of the persons who signed the repatriation documents would not have done so if they had been aware that by that action they were consigning their Canadian-born children to the fate of never being able to return to Canada, and of becoming stateless in a world in which the ability to claim the protection of some reasonably powerful government, or one with powerful friends, is a prime condition of personal safety."

"The order-in-council is a flat contradiction of the principles of the new Citizenship Act.....P.C. 10773 should be rescinded at the earliest possible date."

Co-operative Committee on Japanese Canadians
126 Eastbourne Ave., Toronto, Canada.

RESCIND THE ORDERS! SA TUESDAY NIGHT, June 22nd 1946

Some fifteen hundred persons of Japanese racial origin recently left Canada on their way to Japan, without protest by themselves or anybody else, and it is probable that a considerable number of others will leave in the same manner shortly. It is important that those Canadians who take an interest in individual liberty should understand that no compulsion is exercised in these cases, and no question of the rights of a Canadian citizen or a human being involved. Nothing could be clearer than the distinction between these voluntary travellers and the persons who to-day do not wish to go to Japan, but who can be compelled to do so under the orders-in-Council 67355, 7356, and 7357. None of these latter persons will be deported until the Privy Council has passed on these Orders. The persons now leaving Canada are not being deported; those of them who have the right of choice, the heads of families, have elected to return to Japan and are holding to that choice, and their dependent wives and children are accompanying them in virtue of their dependency.

The reasons why these persons preferred Japan to Canada, even under present conditions, are none of our business, though it may be assumed that the kind of treatment they have received in Canada has something to do with it. Another factor is probably the desire to do what can be done for elderly relatives who would otherwise be left alone to face the years of national hardship and malnutrition (to use a mild term) with which Japan is confronted.

No argument can be made from these cases to those of the Japanese in Canada who consented to be repatriated while the war was in progress (few or are governed by the consent of their family head) who are therefore liable for deportation under the orders, and who now desire to remain in Canada. The only possible defence that can be raised and ever has been raised for the deportation of these people is that they did at one time express a willingness to be deported. There are many cases in which it is extremely doubtful whether that desire was genuine even at the time it was expressed. The consciousness of being the object of deep-seated hostility in the hearts and minds of the people by whom they were surrounded, the desire to be "co-operative" with the Government of the country, the hope that conditions would not be too bad in the land of their ancestors--all of these were doubtless factors in the decision to sign, which is represented by the defenders of deportation and (including the minister of labour) as itself a conclusive evidence of disloyalty sufficient to justify removal from the country.

It is still possible that the Government may never act upon the powers given it by these orders, but that in our opinion is not enough. If not rescinded, the orders-in-Council will remain in force, constituting a perpetual threat of disaster, and a perpetual obstacle to security for all the persons to whom they apply and still worse, a perpetual precedent for similar action against helpless minorities in the future. Moreover, though this has nothing to do with the ethics of the case, they will also be a cause of bitter and lasting hostility to Canada everywhere in the Orient, and will gravely impair our commercial prospects in every non-white country. We therefore believe, in common with a very large number of responsible public bodies and many leading citizens of Canada, that parliament should act upon the representations of the Co-operative Committee of Japanese-Canadians, and instruct the Government to rescind these Orders.

(particularly the LAST paragraph.)