

STATEMENT BY THE CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

The decision of the Supreme Court of Canada is a tremendous moral victory for those who have been fighting for the cause of the Japanese Canadians. A substantial part of the government scheme of deportation has been held to be unconstitutional by a majority of the court.

One part of the scheme which the majority of the court has held to be invalid is that which makes the wives and children of those to be deported themselves unable to be deported. Two distinguished judges the Honourable Mr. Rand and the Honourable Mr. Justice Kellock have further held that other parts of the scheme are also invalid in so far as they apply to Canadian born and naturalised citizens.

What is left of these orders as legally valid, cannot be carried out without separating families, depriving wives of their husbands, and children of their fathers, thus making in effect widows and orphans of Canadian citizens. The government of Canada will surely not persist in such a policy of inhumanity especially as their constitutional power is made to appear so doubtful by the dissenting judgment in the Supreme Court.

It is not too late for the government to give heed to the storm of protest which has arisen in every part of Canada. It can withdraw the orders in council. The very least the government should do is to amend the orders in council so as to make it clear that before anyone is sent unwillingly to Japan there should be a full judicial enquiry as to whether they have been guilty of disloyal conduct harmful to Canada. The machinery for this is already available in the Immigration Act which is part of the law of the land, and enables the deportation of aliens who are a danger to Canada in time of war.

The issue involved is of such crucial importance to the liberties of Canadian generally and especially to minority groups, and the result of the opinions of the Justices of the Supreme Court of Canada is so confusing that the ~~immense numbers of~~ groups of citizens who have formed the Committee on Japanese Canadians in all parts of Canada have determined that the case should be taken to the final court of appeal for the British Commonwealth namely, the Privy Council in London. (revised)

Instructions accordingly have been given to the Committee's Council, Mr. Andrew Brown, to launch the appeal to the Privy Council forthwith. In the meantime we assume that the Government will halt proceedings of deportation until this matter of such great importance is decided by the final court of appeal.

We urge the very many public spirited citizens who have given assistance in the campaign for justice for our fellow citizens of Japanese origin to continue the battle and to make it clear to the government that it is the Government's responsibility quite apart from the legal decision of the court, to determine the policy of Canada. They should now reverse their steps and remove a blot from Canada's fair name. No legal justification of the action of the government can remove the government's moral responsibility.

BRITISH
COUNCIL ON HONOUR