

Issued June 4, 1946 by:
Kunio Hidaka, Executive Secretary,
Citizenship Defense Committee,
506 Jarvis Street, Toronto.

PRIVY COUNCIL APPEAL FUND

We are pleased to announce that the \$4000 quota allotted the Japanese people in Canada by the Co-operative Committee on Japanese Canadians as part of their \$10,500 fund for Privy Council expenses has been met by large contributions and pledges. Large donations were received from the Civil Rights Defence Committee, Winnipeg, the B.C. Civil Rights Defense Committee, Slocan City, the Citizenship Defense Committee, Toronto, and smaller contributions from the Slocan Valley Nisei Organization, Southern Alberta Youth Council, Lethbridge, and the Steveston Japanese Parents and Teachers Association. The Canadian Japanese Association has pledged a large donation. In addition, a considerable number of donations have been received from organizations and individuals.

We are grateful to central committees, organizations and individuals who have worked and contributed to this campaign. We express our appreciation to all local organizations which carried out canvasses in their areas. The wholehearted co-operation of the people in all parts of the country has made it possible for us to fill our quota at this early date.

NEWS ABOUT THE CASE

Mr. Andrew Brewin, counsel for the Co-operative Committee, is planning to fly to England on June 12. In an interview, he said the case brought up some unusual points of law and he was unable to make predictions. A good deal would depend on the attitude of the judges of the Privy Council, since legal argument can be given for either side.

He said that English tradition has been to uphold the liberty of the person, and to rule that the executive must act within the law. He also said the executive was given special powers during wartime.

He emphasized the point that the case would be heard only on whether the Government of Canada had power to pass the deportation orders in council. It would not deal with the repatriation forms, nor whether the signing was voluntary. Should the ruling be adverse to the Co-operative Committee and should the Government attempt to proceed with deportation, then these matters can be raised on cases initiated by writs of habeas corpus, Mr. Brewin stated.

Since legal points alone were to be decided, he said that the people should be prepared to bring out the political and moral issues in a widespread public campaign, should the legal ruling be against them. They should make full use of their democratic privileges to change the law.

Although the case will most likely be heard in June, a decision is not expected until October, Mr. Brewin said. Privy Council decisions were not like those of the Supreme Court of Canada where each judge expresses an opinion, but is one collective judgment. It was not likely that a diverse decision would be rendered, but Mr. Brewin expressed the opinion that the decision would either uphold the Government entirely, or declare all the orders ultra vires. Even when the Government were upheld, statements may be included in the decision to show that the policy was inadvisable. Such statements, Mr. Brewin said, could be used in the public campaign if necessary.

The special wartime powers allowed the Government would expire at the end of 1946 unless the National Emergency Transitional Powers Act were re-enacted. Should the Government proceed with deportation, it may be able to stay proceedings by habeas corpus until the special powers were revoked, stated Mr. Brewin.

CITIZENSHIP BILL

The new Citizenship Act, which is now law in Canada, allows persons who have lived in the country for twenty years to apply for citizenship. We urge all persons who qualify under this clause and other provisions to make their applications.

ONTARIO PROVINCIAL FEDERATION

As a result of a convention on May 25 and 26 a federation of Ontario organizations was formed. The convention recommended that a national federation be formed by provincial bodies and local organizations without provincial ties.