

Official Repression of Communism During World War II

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Reg Whitaker

Half the war is in Europe. The other half is behind our lines in Canada and must be waged with equal resourcefulness and decision.

—RCMP secret *Intelligence Bulletin*, War Series No. 20, 4 March 1940

DURING THE COURSE of World War II, the Canadian government assumed quasi-totalitarian powers over domestic political activities. The use of these powers against Japanese Canadians is notorious, and the fact that a substantial number of persons were interned on political or ethnic grounds has been discussed in some recent books.¹ The question of civil liberties under conditions of wartime emergency powers has also been scrutinized.² The exercise of these powers against the Communist left is less well known, but is in striking continuity with a pattern throughout the twentieth century.³

The role of the Canadian state in the repression of labour militancy and left-wing political activity has deep roots: the crushing of the Winnipeg General Strike in 1919; the "wars" waged by local police in Toronto, Montreal, Winnipeg, and Vancouver against the Communists in the 1920s and 1930s; R.B. Bennett's "iron heel of repression," including mass deportations, in the Depression; the use of Section 98 of the criminal code in the jailing of eight leading Communists in 1931; the Quebec Padlock Law.⁴ Following the war,

¹ Ann Gomer Sunahara, *The Politics of Racism* (Toronto 1981); Erich Koch, *Deemed Suspect* (Toronto 1980); R.H. Keyserlingk, "The Canadian Government's Attitude Toward Germans and German Canadians in World War II," *Canadian Ethnic Studies*, 16, 1 (1984), 16-28.

² Ramsay Cook, "Canadian Freedom in Wartime," in W.H. Heick and Roger Graham, eds., *His Own Man: Essays in Honour of A.R.M. Lower* (Montreal 1974), 37-53.

³ William and Kathleen Repka, *Dangerous Patriots* (Vancouver 1982), is the first book to focus on the internment of Communists.

⁴ See, *inter alia*, Lita-Rose Betcherman, *The Little Band* (Ottawa n.d.) and for the

Reg Whitaker, "Official Repression of Communism During World War II," *Labour/Le Travail*, 17 (Spring 1986), 135-166.

the Gouzenko spy affair heralded the coming of the Cold War with its "security" investigations, official anti-Communist propaganda, and purges of left-wing militants from the trade union movement. The "home front" in World War II was thus an episode in a continuity of state coercion against the Communist left, heightened by the extraordinary powers placed in the hands of government and a wartime atmosphere of public intolerance of dissent. Far from being a period of popular front illusions soon to be shattered by the Cold War, as has often been asserted, the war on the home front was a prelude to the Cold War to follow.⁵

I

The Defence of Canada Regulations

EVEN BEFORE THE WAR began, in 1938, a committee of top civil servants had begun meeting to consider wartime emergency powers. The RCMP were represented on this committee, thus contributing to the framing of the laws which they were to enforce. The War Measures Act, passed during World War I, was found to be a sufficient statutory basis. As Ramsay Cook sardonically comments: "one might be tempted to say that this . . . was an unintended condemnation of the War Measures Act, for when civil servants are satisfied with the powers of government, it is a sure sign that the powers are too great."⁶ Indeed, the War Measures Act was an instrument greatly in excess of emergency legislation available to either the British or American governments. Upon this basis, the committee recommended a series of regulations, known as the "Defence of Canada Regulations," which were enacted by order-in-council prior to parliament's declaration of war.

During the course of the war, the Defence of Canada Regulations were used against German, Italian, and Japanese Canadians, against domestic fascists, Quebec anti-conscriptionists, Jehovah's Witnesses, and against a motley group of luckless individuals overheard making "disloyal" comments in taverns and like places. It was those associated with Canada's enemies abroad who suffered the main burden of internments — most infamously the Japanese Canadians — but it is not without significance that the Canadian state used the opportunity to

period immediately preceding the war, J. Petryshyn, "Class Conflict and Civil Liberties: The Origins and Activities of the Canadian Labour Defence League," *Labour/Le Travailleur*, 60 (1982), 39-46.

⁵ The conventional wisdom on this subject is pretentiously summed up in Robert Fulford's recent comment that prior to the defection of Igor Gouzenko to the West in 1945 ("the most important thing that ever happened in Canada . . . a major historic moment in modern civilization"), "the West was more or less settling into the public view of the Soviet Union being maybe not perfect but benign and very friendly. We had to think that way during the war. . . . I don't think we understood the nature of the beast." Quoted in John Sawatsky, *Gouzenko: The Untold Story* (Toronto 1984), 276-9. This article argues that Fulford is talking nonsense.

⁶ Ramsay Cook, "Canadian Freedom in Wartime," (MA thesis, Queen's University, 1955), 52.

repress the Communist and radical left, including left-wing trade union militants, nor that the security police identified the Communists as the main enemy within. Moreover, this identification predated the ostensible public justification for attacking the CP: the Nazi-Soviet pact of 1939 and the early opposition of Communists to the war. It also outlasted the Nazi invasion of the Soviet Union and the conversion of Communist Russia to our wartime ally. Nor were the RCMP alone in this: there is ample evidence that many, although not all, leading public officials shared in the equation of subversion and treason with the left rather than the right, even when the war was against fascism. To crucial elements of the state apparatus, the "enemy within" remained the same, from Winnipeg through Stalingrad and on to Yalta.

In the late 1930s, Norman Robertson of External Affairs fought a long bureaucratic battle with the RCMP to focus their efforts on undercover work among German and Italian pro-fascist movements in Canada. Charles Rivett-Carnac, then head of the Intelligence Section of the RCMP and later commissioner, assured Robertson in early 1939 (before the Nazi-Soviet pact) that Communists were a worse menace than Nazis, on the revealing ground that fascism did not involve the "overthrow of the present economic order — and its administrative machinery;" after all, a "modified form of capitalism now exists" in the Third Reich. As for alleged dangers of pro-fascist groups in Canada, Rivett-Carnac saw "no comparison" with the dangers posed by the agents of the Third International. "Fascism," he wrote, "is the reaction of the middle classes to the Communist danger and, as perhaps you are aware, the Communists describe it as 'the last refuge of capitalism'."⁷ On the eve of the German invasion of Poland, the commissioner of the RCMP asked for 700 more men to handle the mass detentions which he envisaged. "A more rigid and extended surveillance of Communist agitators, particularly those active among industrial workers" was planned, and the commissioner requested that the Communist Party and its "subsidiary auxiliary organizations" be outlawed. This advice, it should be noted, was given just as the Nazi-Soviet pact was being made public and before the attitude of Canadian Communists could be ascertained towards a possible war.⁸

Nor was this point of view confined to the police. Ernest Lapointe, the minister of justice and the man who would be most responsible for presiding over the exercise of wartime powers, had declared earlier in the year that communism was equally as abhorrent as fascism, "regardless of what military pacts were signed." On the eve of the parliamentary declaration of war against Germany, Prime Minister Mackenzie King pasted into his diary a clipping by the right-wing American columnist George Sokolsky which blamed the Soviets

⁷ Public Archives of Canada (PAC), Norman Robertson Papers (hereinafter cited as NAR), Vol. 12, File 137, C. Rivett-Carnac to Robertson, 24 January 1939.

⁸ Robertson actually made an end run around the RCMP to gather information on Canadian fascists by consulting sources such as Fred Rose, later a key figure in the Gouzenko spy scandal — an association which caused Robertson much worry at the time of Rose's espionage trial: J.L. Granatstein, *A Man of Influence* (Ottawa 1981), 85.

more than the Nazis for the war. A month later he reflected that Stalin, Hitler, and Mussolini were "fundamentally the same types." He had once privately admired Hitler; now that Hitler was Canada's enemy, this was no longer so. His assessment of communism remained constant.⁹

When the *Defence of Canada Regulations* were proclaimed on 3 September, they were breathtaking in their scope: "together," according to Ramsay Cook, "they represented the most serious restrictions upon the civil liberties of Canadians since Confederation." Among the provisions of this new regime were full powers of censorship over the press; preventive detention of anyone who might potentially act in a manner "prejudicial to the public safety or the safety of the state;" the prohibition of statements which "would or might be prejudicial to the safety of the state or the efficient prosecution of the war." A few months later, a regulation was added outlawing certain organizations, a list which eventually grew to include over 30 groups. The burden of proof with regard to "association" with a banned organization was placed on the accused, thus reversing traditional British practice. With regard to preventive detention, *habeas corpus*, *the right to legal counsel*, and *normal trial procedures* were all set aside.¹⁰

There were some within the government who expressed private doubts about the direction of political repression. One senior civil servant was appalled by Lapointe's interpretation of the regulations: "it is impossible to avoid overstatement in discussing these proposals. It is equally impossible to state them with sufficient vigour to indicate their objectionable qualities. . . . If the purpose of the new regulation is to facilitate a Nazi or Fascist revolution in this country, it is well designed." Mackenzie King, typically, was ambivalent: on the one hand, he thought that Lapointe accepted the advice of the police too readily; on the other hand, when he was presented with Communist literature attacking his government, he concluded that "they are our real enemies and we must not allow subversive activities to gain headway." Lapointe's recommendations went ahead.¹¹

There appears to have been considerable public anxiety over potential "fifth column" sabotage and subversion in Canada. Certain politicians were quick to exploit such fears. Gordon Conant, attorney-general of Ontario, demanded that Section 98 be restored to the criminal code — perhaps failing to appreciate the powers contained in the *Defence of Canada Regulations*. Conant distinguished himself a few months later by asserting that "to my mind the application of the

⁹ PAC, Ernest Lapointe Papers (EL), Vol. 50 File 50, S.T. Wood to Lapointe, 25 August 1939; F.C. Mears, "All Alien Spies to Be Deported," *Montreal Gazette*, 31 May 1939; PAC, William Lyon Mackenzie King Papers (WLMK), Diary, 6 September 1939, 2 October 1939.

¹⁰ Cook, "Canadian Freedom," 38; *Defence of Canada Regulations* (Ottawa 1939). If any member of a banned association broke the regulations, the entire membership would in effect be presumed guilty unless it could prove otherwise.

¹¹ NAR, Vol. 12, File 1412, Ernest Lapointe to Governor in Council, 16 November 1939; "JER" (John Read), Memorandum, 20 November 1939. WLMK, Diary, 16 November 1939.

time-honoured principle of British justice, that a man is innocent until proven guilty makes it impossible to curtail the activities of these slimy, subversive elements which are at work not only in this province, but throughout the entire country."¹²

Whatever fears there may have been regarding Nazi spies or saboteurs, to many officials the "slimy subversive elements" were more often than not Communist rather than Nazi. Within a month of the war's opening, a Canadian writer was placing his country as a warning before the American readers of *The Nation*: "Already in Canada we think twice before we speak. . . . We feel it better not to be seen with those of our friends who are suspected of communism. We are beginning to worry a little about some of the books around our home." He was right. At the same moment that this article appeared on the newsstands, the RCMP in its secret *Intelligence Bulletin* was asserting that "we are of the opinion that there is more to fear from acts of espionage and sabotage on the part of the Communist Party than from Nazi or Fascist organizations and adherents."¹³

The use of the regulations to assault the left can be seen in a number of distinct areas: press censorship, the outlawing of associations, and the arrests and internments of individuals. These will now be examined in turn.

II

Press Censorship

GOVERNMENT PLANNING FOR WAR CENSORSHIP actually went back to the mid-1930s. On the eve of hostilities, the government brought in two of the country's leading press barons, along with the general manager of the Canadian Press, and asked for a nominee for the position of chief censor. Their nominee was accepted.¹⁴

Press censorship in wartime was concerned with such matters as preventing the enemy from gaining knowledge of troop movements, maritime weather reports relating to shipping, etc. The chiefs of staff were skeptical about the military value of this kind of activity. In any event, the main thrust of censorship seems to have been directed towards the murky area of subversive opinion and its effects on public morale. The definition of subversive opinion was given a wide latitude. Running in a provincial election, Agnes MacPhail had asserted

¹² NAR, Vol. 12, File 141, J.F. McNeill to Robertson, 22 September 1939 Cook, "Canadian Freedom" 44.

¹³ S.J. Kennedy, "Let Canada Be a Warning," *The Nation*, 18 October 1939. RCMP, *Intelligence Bulletin* (IB), 23 October 1939. Photocopies, in censored form, of the RCMP's weekly *Intelligence Bulletin* (classified "secret" and distributed to cabinet ministers and senior civil servants) from 1939 through the end of 1941 when distribution ceased, were obtained by the author from the RCMP under the Access to Information Act in 1984, and are in the author's possession.

¹⁴ EL, Vol. 38, File 9, Under Secretary of State to the Acting Secretary of State, 25 August 1939. The press barons were Liberal Victor Sifton and Tory John Bassett. Their nominee was L. Clare Moyer, clerk of the senate.

that "judges are all political heelers or they would not be judges." The minister of justice drew this to the attention of the press censors to insure that such statements would never be reported again. When Camilien Houde, mayor of Montreal, was interned for advocating resistance to conscription, there was an attempt to prevent the press from reporting the offending statement itself.¹⁵

Censorship powers included closing down publications in Canada and preventing the importation of offending publications from abroad. The bias in the use of these powers is striking: the earliest and most common targets were not right-wing pro-fascist publications — although many of these were eventually outlawed — but Communist or pro-Communists papers. The first to be closed down was *Clarité*, the French language Communist paper in Quebec. Its English language counterpart, *The Clarion*, followed in November 1939. The first list of foreign publications embargoed at the border contained a high proportion of Communist, Trotskyite, anarchist, and other left-wing papers. The wideness of the net troubled some within the censorship office. An internal report in 1940 noted that while Communist publications "can be banned without compunction," the banning of "radical, labour or socialist material should be approached in a more cautious spirit."¹⁶

The Clarion later reappeared as *The Tribune*, which took a less overtly CP line. The press censors, especially Willfred Eggleston, deputy censor for the English language press, showed some genuine attachment to liberal principles by criticizing the post office for intercepting all mail sent to *The Tribune* and defending "progressive, constructive and sincere comment." *The Tribune* was not banned, but its publication was suspended for three weeks early in 1941. *The Canadian Forum*, no friend of the Communists but a consistent champion of liberal freedoms, commented that this ban "looks more sinister the more it is examined," suggesting evidence of a government yielding to its police but attempting to save its liberal reputation by not going all the way. The RCMP, which had advised the government earlier that *The Clarion* was "an enemy of the State," admitted that "there is little in the average issue" (of *The Tribune*) which is definitely anti-British, but complained of its "clever headlines" and "well-edited excerpts from reputable papers" which "insinuate against our system" and of "an accumulation of petty offences on the border-line of legality." When a series of protests were received concerning the suspension, the secretary of state sent the names and addresses of the protestors to the RCMP for investigation.¹⁷

¹⁵ WLMK Memoranda and Notes Series (WLMK/M&N), Vol. 424, Chiefs of Staff, 8 July 1941. The MacPhail incident was discussed in Judith Robinson's column, *Toronto Telegram* 9 March 1955, the Houde incident in Cook, "Canadian Freedom," 41-2.

¹⁶ WLMK/M&N, Vol. 351, "Censorship Activities, Chronological Report;" Vol. 352, "Censorship Co-ordination Committee," 25 October 1940.

¹⁷ Cook, MA thesis, 206; EL, Vol. 13, File 22, W. Eggleston, "Report on the Complaint of A.A. MacLeod," 29 April 1940; *Canada Gazette* 24 February 1941; *The Canadian Forum*, April 1941; RCMP, IB, 2 January 1940, 20 March 1941; EL, Vol. 30, File 22, Pierre Casgrain to Lapointe, 6 March 1941; Lapointe to Casgrain, 7 March 1941.

The exercise of censorship powers did not stop with newspapers and magazines. The proprietor of a left-wing bookshop in Vancouver was raided and sentenced to one year's imprisonment for possession of books which had already been admitted to the country through customs, and which, as Professor H.F. Angus testified, could be found on the shelves of the University of British Columbia library. Assets of the shop were confiscated. In explaining his decision the magistrate was forthright: "the whole intention is to compel individuals to maintain silence or speak in the unconquerable spirit by which troops in action must be moved if they are to win."¹⁸

By March 1941, 325 newspapers and periodicals had been banned, of which nine had been published in Canada. Of the foreign publications, no less than 173 came from countries other than Germany or Italy. These figures, however, tell only part of the story. Perhaps the more insidious damage to freedom of the press lay in the inevitable self-censorship exercised by fearful editors.¹⁹

III

Outlawed Associations

COMMUNISM HAD NOT BEEN officially proscribed in the original regulations, but it was only a matter of time. In fall 1939, the commissioner of the RCMP met with Mackenzie King to present the prime minister with evidence of Communist efforts to "create dissatisfaction and sabotage." Drawing on information from the FBI and the United States' House Committee on Un-American Activities, the commissioner painted a picture of a web of Communist conspiracy to "wreck havoc" from a base in Mexico. King agreed to suppress the CP, although he remained skeptical that the police needed more powers than had already been given them. "I am surprised," King mused in his diary, "at how fearful Lapointe is in these matters, and how reactionary he is prepared to become during the war period." Generously, he added: "perhaps it is in part a nerve strain. . . ."²⁰

Less generously, but more to the point, *The Canadian Forum* put the growing pressures for a red hunt in some perspective, by questioning the real

¹⁸ Cook, MA thesis, 222-3; *Winnipeg Free Press*, "Too Much Repression," 15 November 1940; PAC, J.L. Cohen Papers (JLC) Vol. 30, File 2917, John Stanton to Cohen, November 1942 (my thanks to Phyllis Clarke for permission to examine the Cohen Papers); George Grube, "Those Defence Regulations," *The Canadian Forum*, January 1941.

¹⁹ WLMK/M&N, Vol. 352, "Censorship Co-ordination Committee;" "Civil Liberties," *The Canadian Forum*, May 1941; PAC, F.R. Scott Papers (FRS), Vol. 30, Norman Ward to Scott, 2 and 8 January 1940, reporting on an "atmosphere of intimidation" even on college newspapers.

²⁰ WLMK, Diary, 24 November 1939; RCMP, *IB*, 29 April 1940, claimed that the veterans of the Mackenzie-Papineau regiment from the Spanish Civil War were being "dispatched" to Mexico to take part in a Communist uprising.

motives of a government which publicly claimed an excuse for suppression of the CP in its initial anti-war stand: "Just at the moment when the Communists were more thoroughly discredited than they have ever been as friends of the common people, the government has come along and given them a new lease on life by making martyrs of them." Indeed, the RCMP's secret *Intelligence Bulletin* was replete with information suggesting internal divisions and a drastic decline in influence of the CP due to the Nazi-Soviet pact. *The Canadian Forum* later suggested that:

The current anti-Communist campaign, like most anti-Communist campaigns, is not really directed against Communism at all. The influence of the Communists is at an all-time low, and a genuine anti-Communist campaign would be a mere waste of time. But the discredit into which Communism has fallen offers our ruling class what it thinks is a golden opportunity to attack and possibly destroy a whole host of progressive movements by smearing them with red paint.²¹

The Ontario Tory leader George Drew was in the forefront of the red paint brigade. Essaying a style he was later to perfect in his post-war roles as leader of the opposition in Ottawa and would-be McCarthyite, Drew demanded a *Canadian equivalent of the House Committee on Un-American Activities*, while asserting that "every organizer in the CIO is a Communist." The city council of Hamilton, supported by nine other municipal councils in Ontario, passed a resolution demanding the disenfranchisement of subversives. The mayor expressly singled out the generality of the resolution for praise, adding that "I would like to add pacifism, disarmament, and brotherly love to the things we are against." Civic officials in Kitchener and Timmins announced that raids would be carried out on the homes of known Communists and "Communist sympathizers."²²

Shortly after the war began, 75 United Church clergy, styling themselves "Witnesses Against War," publicly opposed Canadian participation — as did J.S. Woodsworth in the House of Commons. Ontario's attorney-general, Gordon Conant, was "reliably" informed that their petition had been prepared by a member of the "fellowship of reconciliation" which was "using the cloak of religion to spread Communist propaganda." *The Financial Post* followed up Conant's lead with a series of vicious attacks on the ministers, linking them to communism through guilt-by-association. The source for these charges was the derisory *Red Network*, compiled by an American housewife convinced that the YMCA and YWCA were Communist fronts and that Freud, Gandhi, and Eleanor Roosevelt were Soviet agents. A United Church minister in Nova Scotia by the name of McGlashan had his own answer to these "arrant traitors" in his own church: "Let them be taken out at dawn and shot like other traitors!" The

²¹ RCMP, *IB*, 23 October 1939, 20 November 1939, 2 January 1940; *The Canadian Forum*, December 1939.

²² *Montreal Star*, "Probe of Reds Urged by Drew," 15 November 1939; WLMK/M&N, Vol. 355, File 3814, J.A. Gibson, "Re: Defence of Canada Regulations," 23 May 1940.

Halifax Herald thought this excellent advice: "From coast to coast in this country the acclaim will ring out — thank God for the McGlashans!" To be fair, the "Witnesses" were neither shot nor even arrested; yet the level of public intimidation of unpopular opinion was not to be ignored.²³

Organizations which included Communists in their membership or which expressed views shared by Communists fell under attack. The Canadian Student Assembly, an umbrella group representing university students across Canada, became a target in 1939 for its alleged "anti-British" bias and insufficient ardour in exhorting students to join the armed forces. By early 1940 the assembly collapsed as universities disaffiliated; McGill's decision was effected amid near-riot conditions. Meanwhile the RCMP was privately counselling the government that communism was "rife in Canadian universities," that "disloyalty" was being encouraged by professors in several colleges, and that the federal and provincial authorities should assist in the "complete eradication" of the "red plague" from the educational "bloodstream."²⁴

The Canadian Youth Congress, which included Communists as well as such doubtful radicals as the future Tory premier of Manitoba and senator, Duff Roblin, had its offices in Toronto and Montreal raided and truckloads of papers seized, and the home of the congress' secretary was raided. Soon the CYC was declared an unlawful association.²⁵ The atmosphere was scarcely conducive to freedom of association. It is no exaggeration to suggest that under such circumstances it took some courage to retain membership in any progressive organization — especially after internments began on a large scale.

Perhaps the most chilling attack by the state on a radical did not involve communism at all but rather an Italian anarchist named Bortolotti, who had campaigned against pro-fascist Italian groups in southern Ontario before the war. Acting on information supplied by Italian pro-fascists, the Toronto police "Red Squad" arrested Bortolotti on charges later thrown out of court for want of evidence. On an immigration technicality, Bortolotti was ordered deported — to fascist Italy, a fate which the *Toronto Star* suggested with some understatement "was not pleasant to contemplate." The idea that an anti-fascist against whom there were no proven criminal or even political charges should be ordered deported to a fascist country against which Canada was at war con-

²³ *Montreal Gazette*, "Pacifist Clerics Held Red-led," November 1939; *Financial Post*, December 1939; *The Canadian Forum*, January 1940; *St. John Telegraph-Journal*, "Clergymen Traitors Should be Shot," 21 November 1939, quoting *Halifax Herald*.

²⁴ *St. John Telegraph Journal*, 15 and 16 January 1940; *Montreal Star*, 7 November 1940; RCMP, *IB*, 12 February 1940.

²⁵ EL, Vol. 16, File 43, M.J. Coldwell to Lapointe, 28 May 1940; Kenneth Woodsworth to Lapointe, 25 May 1940; May Isenor to Lapointe, 13 March 1941. The RCMP warned the government that the Youth Council "exists for one specific purpose: namely, the spread of Communist doctrines among Canadian youth." RCMP, *IB*, 19 June 1941.

stitutes an astonishing reflection on the sometimes brutal mentality of the wartime Canadian state.

The Bortolotti case was taken up by none other than Emma Goldman, the celebrated anarchist freedom fighter living out her last days in Toronto. As she told Bortolotti, the fight for civil liberties was an important one: "There is such a thing as some liberties or none at all. That's why we must still defend and fight for the precious little freedom in this country as against the complete abrogation in Italy, for instance, or Germany and Russia." Yet she found raising money for Bortolotti's defence fund "the hardest thing I have done in many years." She travelled across the country, lobbying social democrats, liberals, and clergy with little success. She returned to Toronto, "frightfully weary of the struggle, and tired, tired beyond words." Bortolotti, sick with bronchitis from life in jail, was finally given a reprieve from deportation, although the threat was held peevishly over his head for the duration of the war. Some months later, Goldman lapsed into a coma from which she never recovered. A fund was set up by her American friends to pay for her intensive care in a Toronto hospital. As a last vindictive act, the RCMP intercepted and held cheques which came in for her.²⁶

After the fall of France, a wave of "fifth column" hysteria swept across the country. *The Canadian Forum* warned of the dangers of "patriotic" organizations which were forming paramilitary vigilante groups. Even the RCMP grew concerned about freelance "sixth column" units deepening fear and panic. And in the Prime Minister's Office, W.J. Turnbull spelled out the dangers of such paramilitary formations as the Legion of Frontiersmen, which according to Turnbull's investigations, were receiving moral and financial support from Mitch Hepburn's Ontario government as well as certain Tory elements. Turnbull pointedly warned Mackenzie King that "as public uneasiness about the situation in Europe has increased, it has become more and more apparent that there is developing a concerted effort to utilize this uneasiness for internal political ends." Yet Turnbull admitted that within a couple of weeks the PMO had been deluged with more than 200 communications demanding more drastic action, including mass internments, against "subversives." Under such panic circumstances, the response of the King government was to steal the thunder of the Hepburn-Tory alliance by taking the assault on subversion under official Liberal auspices.²⁷

²⁶ *Toronto Star*, 26 February 1940. JLC, Vol. 14, File 2761. Emma Goldman to A. Bortolotti, 7 October 1939; Goldman to Cohen, 10 and 11 November 1939; Salem Bland to T.A. Crerar, 16 May 1940.

²⁷ *The Canadian Forum*, "Civil Liberties," June 1940; RCMP, *IB*, 10 June 1940. The RCMP was asked to investigate a list of "traitors" submitted by the Chamber of Commerce, which it dismissed as unfounded: S.T. Wood to P.M. Anderson, 16 July 1940, in the papers of the House of Commons Committee on the Defence of Canada Regulations (hereinafter cited as CDCR). These documents, finally declassified by resolution of the House of Commons in 1984, are available for examination in the

In May 1940 an Ottawa judge ruled that the Communist Party was an illegal organization, and jailed a member. This was appealed, but as attorney-general of the province, Gordon Conant demanded that subversives be treated as enemy aliens, that is, that they be held without bail while an appeal was pending. The venerable one-time patron of the young Mackenzie King, Sir William Mulock, wrote to the justice minister that "Communism and disloyalty are rampant in Ontario, and doubtless elsewhere, amongst the alien classes particularly" and demanded that the judge's ruling be sanctioned by Ottawa. Lapointe replied that Sir William's concerns would shortly be met. True to his word, the very next day Lapointe issued PC 2363, an order-in-council declaring sixteen organizations illegal, including the Communist Party and ten alleged Communist fronts, most of them ethnic organizations. Anyone who belonged to these organizations, distributed their literature, or spoke publicly on their behalf, or anyone "who advocates or defends the acts, principles or policies" of these organizations would be presumed guilty — "in the absence of proof to the contrary." RCMP officers were declared justices of the peace for the purpose of issuing search warrants. Within a year the list of illegal associations had grown to twice the original length, to include such groups as the Jehovah's Witnesses and a tiny, obscure organization called Technocracy, Inc.²⁵

IV

Internments

INTERNMENTS OF ENEMY ALIENS, mainly German and Italian nationals, and naturalized Canadians of German and Italian origin, were already underway. PC 2363 gave the green light for preventive detention of other Canadian citizens, for the most part Communists and left-wingers, as well as a smaller number of supporters of Adrien Arcand's National Unity (Nazi) party. Canada seems to have excelled at interning its own citizens and residents during the war. Britain, which had a population four times that of Canada and was but a few miles from Nazi-occupied Europe and feared an imminent invasion, interned about 1,800 people. By war's end, Canada had interned 2,423 of its own citizens or residents (excluding the forcible relocation of the entire Japanese population of British Columbia). Of these, 847 were interned for

Office of the Clerk of Committees of the House of Commons in Ottawa, WLMK/M&N, Vol. 372, File 3913, W.J. Turnbull to King, 27 May 1940; J.A. Gibson, "Re: Defence of Canada Regulations," 23 May 1940, and "Comments."

²⁵ EL, Vol. 16, File 140, Sir William Mulock to Lapointe, 22 May 1940; Lapointe to Mulock, 3 June 1940, PC 2363, 4 June 1940. The treatment of the Jehovah's Witnesses, while not directly relevant to this article, presents one of the more harrowing stories of group victimization during wartime, even including the removal of children from their parents by court order. The Cohen Papers are replete with instances of injustices against this group.

being pro-Nazi, 632 were pro-Italian, 782 pro-Japanese, 133 Communist, 27 National Unity, and 2 unclassified. Although the lion's share of internments went to those charged with enemy sympathies, the number of Communists interned is surprisingly high, considering that Communists were not interned in Britain, and that in the United States the 1940 Smith Act was not used against the Communists until after the war.²⁹ The argument most often cited by the government for interning CPers was the anti-war activity in which they had been engaged, in conformity with the Nazi-Soviet pact. Yet this explanation wears thin when considered against the reluctance to release the Communists well after Hitler had invaded the Soviet Union and Stalin's followers had become enthusiastic advocates of total war against fascism, and the steadfast refusal to legalize the party — both of which will be discussed later.

The experiences of many of these Communist internees have been documented in the first-person recollections in William and Kathleen Repka's *Dangerous Patriots*. At first they were interned with fascists; some feared for their own safety. Finally they were placed together in a special camp, the old Hull Gaol across the Ottawa River from Parliament Hill. Apart from the usual indignities associated with prison camps, and the hardships suffered by wives left behind without support, what is perhaps most distressing from the point of view of liberal democratic practice is the nature of the charges, or "particulars," levelled against those interned, and the lack of legal recourse open to those to whom genuine injustices had been done. J.L. Cohen, the brilliant labour lawyer who had often in the past defended radicals under attack by the state, was a tireless defender of victims of wartime repression. Indeed, Cohen's efforts deserve, in and of themselves, a chapter in any history of the legal profession and civil liberties. In the Cohen Papers in the Public Archives of Canada there is to be found a remarkable record of arbitrary, petty, and often witless abuses of wartime powers. The Communists were hardly the only, or even the worst, treated victims, but what was done to the Communists (or alleged Communists) had ramifications affecting the left in general and the labour movement in particular.³⁰

J.A. "Pat" Sullivan, then head of the Canadian Seamen's Union (CSU) was interned on the charge that "representations had been made" that he was a Communist. As his lawyer, Cohen aptly remarked that no defence could possibly be raised against such a charge, since the state had only to demonstrate that representations had in fact been made, not that they were true! Cohen moved

²⁹ NAR, Vol. 14, File 164 for list of numbers interned. PAC, Privy Council Office Records (PCO), Vol. 3568, File C16-19-4; Vol. 3569 has the names of all internees. For Britain, see Neil Stammers, *Civil Liberties in Britain During the 2nd World War* (London 1983), especially 63-85. On the American Smith Act, see Michal R. Belknap, *Cold War Political Justice: The Smith Act, the Communist Party, and American Civil Liberties* (Westport, CT 1978).

³⁰ Repka and Repka, *Dangerous Patriots*. See also Pat Sullivan, *Red Sails on the Great Lakes* (Toronto 1955), and Ben Swankey, "Reflections of a Communist: Canadian Internment Camps," *Alberta History*, (Spring 1982), 11-21.

for a writ of habeas corpus. In rejecting this bid, a judge asserted that in wartime it was "imperative that our ancient liberties be placed in pawn." Allowed one fifteen-minute meeting with his lawyer under surveillance at Camp Petawawa, Sullivan had been denied basic rights under the justification that, in the government's words, "it would appear that you are disloyal to Canada." Tom Moore of the Trades and Labour Council (TLC), with which the CSU was affiliated, did manage to get the Justice Department to allow the internees to consult with counsel under more acceptable conditions — although Moore, good Liberal that he was, told Cohen that Sullivan deserved to be interned, since he was a Communist.³¹

Apart from the common use of the "representations have been made" charge, other particulars were often extraordinary. Montreal activist Muni Taub was charged with having contested the constitutionality of the Quebec Padlock law, through a test case in which he was involved. It is ironic that the Supreme Court of Canada was later to rule the Padlock Law unconstitutional; that a Canadian citizen should be interned on a "charge" of using the courts to test the constitutionality of a statute would, under normal circumstances, be beyond belief. A Ukrainian Canadian of apparently apolitical character was interned on the sole charge that he belonged to the banned Ukrainian Labour-Farmer Temple, in 1918! The only explanation which this unfortunate could offer for his internment was that his ex-son-in-law, with whom he was on bad personal terms, was known to be a paid police informant. Despite these circumstances, he was one of the very last "Communists" to be released. A Toronto physician was interned on no better grounds than his association with a Communist; that is, he had had a patient who had been interned. The catastrophic effect on his practice and on the welfare of his family appeared to move Ottawa not at all, even when critical editorials appeared in the press.³²

Another notable feature of the internments was their inclusion of elected members of municipal councils, thus forcibly removing democratically elected representatives from serving their voters. The challenge to democratic processes went further yet. An elected Toronto school trustee was interned on grounds of disloyalty inasmuch as he had, as trustee, "opposed a motion which would have barred the use of any school building to persons or organizations which might directly or indirectly express views contrary to the war aims of Canada or the Allies." To make matters utterly ridiculous, he was arrested in

³¹ JLC, Vol. 19, File 2801; NAR, Vol. 14, File 171; *Globe and Mail*, "Judge Refuses Release Order for Sullivan," 10 January 1941; Sullivan, *Red Sails*. The RCMP indicated to the House Committee on the Defence of Canada Regulations that Sullivan was interned because he had led strikes and was a Communist: CDCR, RCMP Memorandum, 19 March 1941.

³² JLC, Vol. 31, File 1917V, Sadie Taub to Cohen, 18 May 1942; Vol. 31, File 29177, John Pressak to Lapointe, 14 October 1941; Pierre Taschereau to Cohen, 11 August 1942. Repka and Repka, *Dangerous Patriots*, 131-9 and 211-8 where press comment on Dr. Howard Lowrie's internment is quoted.

1942, almost a year after the entry of the Soviet Union into the war and his own conversion, as a good Communist, into a supporter of the "war aims" of the Allies, which included the USSR.³³

Some internees suffered blows to their careers. Samuel Levine, a young physicist who had studied at Cambridge, took up a position at the University of Toronto early in the war. He and his wife rented a room to a man who was later charged with possessing Communist literature. Although the man testified in court as to the Levines' ignorance of his activities, Levine was sentenced to six months in jail. Immediately upon release, he was seized by the RCMP and interned. Finally released in 1941, he was refused re-employment by the university, and his teaching career was shattered almost before it began.³⁴

Detainees were not to be given their day in court. Complaints about the lack of appeal procedures did elicit the concession that "advisory" committees would be established before which internees could appear, with counsel, to challenge the "bill of particulars" against them. This proved to be more a formal than a substantive concession, which, given the vague and sweeping nature of many of the "particulars," is unsurprising. From transcripts in the Cohen Papers, it would appear that the advisory committee hearings were sometimes used as fishing expeditions for further names, and featured occasional appearances by ex-Communists to finger the guilty parties, accusations based on guilt by association, the probing of private beliefs, and other investigative techniques soon to be familiar in the coming years of the Cold War. Indeed, among the members of these committees, the names of Justices Taschereau and Kellock recur — the same gentlemen who were to preside over the secret interrogations of the royal commission on espionage in 1946, also held under the authority of the War Measures Act.³⁵

When Hitler's army swept over the Soviet frontier on 22 June 1941, the war was, in the eyes of the Communist Party faithful, instantly transformed from an imperialist conflict into a democratic struggle against fascism. However "nauseating" such twists might seem, argued Lester Pearson, "the fact remains that . . . the Russians are fighting on our side and the communists have become

³³ JLC, Vol. 30, File 2917A, Taschereau to Cohen, 23 May 1942; *Toronto Star*, "The William Lawson Case," 27 July 1942. The Winnipeg city council, where a deep left-right split had existed since the Winnipeg General Strike, sent a petition to the cabinet demanding that all who belonged to or associated with illegal organizations be banned from holding public office. The cabinet simply affixed the petition with a PC number, whereby it became the law of the land: WLMK/M&N, Vol 355, G.F. Bentley to Privy Council, 23 July 1940; PC 3505.

³⁴ Leopold Infeld, "The Story of Samuel Levine," *The Canadian Forum*, November 1941. Levine probably was a Communist, and thus probably did know what kind of literature was in his apartment, although this scarcely affects the injustice of a teaching career destroyed. On Levine, see H.S. Ferns, *Reading from Left to Right* (Toronto 1983), 181.

³⁵ JLC, Vol. 30, File 2917, Cohen to Minister of Justice, 7 March 1942; PCO, Vol. 2, File D-15-2 (1940-1), B.K. Sandwell to King, 14 November 1940; EL, Vol 23, File 78, Commissioner of the RCMP to J.M. Bernier, 28 October 1940.

ardent protagonists for an all-out war effort." "Why," Pearson asked, "should we keep communists interned when their views toward the war which necessitated such internment must now have changed?" The question was prompted by the receipt of a petition from T.G. McManus, spokesperson for the interned Communists: "At Hull Gaol, within sight of the Parliament Buildings across the Ottawa River, eighty anti-fascist Canadians are being held in a concentration camp. . . ." Yet it was almost a year from the date of the Nazi invasion of the USSR until the bulk of the left-wing internees were released — and not before a batch of party leaders and luminaries who had gone underground surrendered to police and underwent a brief, symbolic incarceration. And not before internees agreed to sign a paper which said they would not participate in the activities of the CP "or any organization over which the party exercised control." As late as the end of 1942, the Justice Department was threatening former internees with rearrest for participation in the Communist-Labour Total War Committee which, while certainly a CP front, was fervently exhorting such sacrifices for the war effort as no-strike pledges in war industries. None of this made any sense. There was, declared one member of parliament, a "widespread feeling" that the government was demonstrating a political bias, evidenced by such acts as the early release from internment of a pro-fascist Italian-Canadian contractor with close ties to the Liberal Party, while anti-fascist internees still remained behind barbed wire.⁴⁶

V

The Ban on the Communist Party

EVEN WITH THE RELEASE of the internees, the CP remained an illegal association until the end of the war, despite the increasingly warm public relationship between the Canadian government and "our gallant ally," the Soviet Union. Section 98 had, in effect, been reincarnated. To be sure, the Communists simply reconstituted themselves as the Labour-Progressive Party, under which name they carried on normal political activities with sufficient success to elect a handful of candidates to various legislative bodies, including one to the House of Commons. Why then the hypocrisy? Part of the answer lies in Canadian politics. Mackenzie King's initial, and politically astute, impression of the

⁴⁶ WLMK/M&N, Vol. 359, Pearson to Robertson, 12 October 1941. PCO, Vol. 54, File C-22 (1943), Memorandum to A.D.P. Heeney, 12 January 1942; Robertson to St. Laurent, 10 February 1943, and Memorandum to King, 12 January 1943; File C-22, T.G. McManus to King, 10 September 1941. The text is reproduced in Repka and Repka, *Dangerous Patriots*, 247-9. JLC, Vol. 30, File 2917, P.M. Anderson to Cohen, 2 December 1942. The contractor in question, whose company apparently continued to receive government business during his internment, had in fact been a major financial contributor to the Liberal Party campaign fund during the 1940 election: R. Whitaker, *The Government Party* (Toronto 1977), 125-6. For its part, the RCMP wanted none of the Communist internees released. On 18 August 1941, the *Intelligence Bulletin* advised that "they have turned their coats but not their hearts. . . . Should their interned leaders be free again to stab us in the back?"

effects on Canada of Soviet entry into the war was a cryptic reference in the war cabinet to "fresh questions in religious and industrial circles." There was one major institution, the Roman Catholic church, and one crucial province, Catholic Quebec, which were resolutely in the balance against any legalization of the CP. Beside them, equally resolute, stood the RCMP.³⁷

The RCMP quickly shifted its ground from the argument that the CP was a mere instrument of Moscow's will to the view that Moscow's new status as our ally was "irrelevant" since the CP had been banned because its "main if not sole animating motive for every action" was "the all-out class war for the defeat of Capitalism in Canada." Lapointe assured Gordon Conant in September 1941 that "there should not now be a different attitude with respect to illegal organizations or subversive activities to that prior to Russia's entry into the war." In 1942 the commissioner of the RCMP reacted negatively to the recommendation for the release of a Communist internee: "We are having quite enough trouble as it is with respect to Communists generally . . . especially with so great a foreign population in this country, fertile ground for agitators. . . ." This same commissioner had gone on public record in 1941 that reds were a greater threat than fascists, even during a war against fascism. In May 1942 Lapointe's successor, Louis St. Laurent, let it be known that "the information in my possession indicates that one of the objects of the Communist party is to overthrow the government by force;" thus "no change in the regulations respecting that organization is likely to be recommended."³⁸

Norman Robertson, sympathetic neither to communism nor to the Soviet Union, was intelligent enough to recognize the potential utility of the CP to the war effort. As he put it bluntly to the prime minister, the Communists "have even, for tactical reasons, become a restraining rather than a revolutionary influence in trades union organizations." Since the major opponents of the CP in the unions were the momentarily more militant social democrats, the thought may even have crossed Robertson's mind that the government would have been wiser to have encouraged, rather than restrained, the Communists. This would seem to be the only explanation for the sudden about face of Mitch Hepburn, seasoned union-basher and red-hunter, who switched to vociferous advocacy of lifting the ban on the CP (Gordon Conant might be forgiven for reflecting that it was not only Communists who were capable of executing u-turns in the party line!). By 1942, the question of the CP had become a public issue. A public meeting in Toronto under non-Communist sponsorship drew 5,000 people to urge a repeal of the ban.³⁹

³⁷ WLMK/M&N, Vol. 424, Cabinet War Committee meeting, 24 June 1941.

³⁸ RCMP, *IB*, 24 November 1941. WLMK/M&N, Vol. 246, J.W. Pickersgill to King, 8 January 1941; Lapointe to Conant, 11 September 1941. PCO, Vol. 54, File C-22 (1943), S.T. Wood to Robertson, 8 June 1942; St. Laurent to Heeney, 28 May 1942. Wood, "Tools for Treachery," *The Canadian Spokesman*, 1: 2 (1941), 1-6. The RCMP *Intelligence Bulletin* of 20 March 1941 approvingly quoted lawyer Joseph Sedgewick (who had prosecuted CP leaders in *The King vs. Buck et al.* in 1931) that fascism and Nazism "are movements that grew up to combat the original terror of the Communists."

³⁹ PCO, Vol. 54, File C-22 (1943), Robertson to King, 12 January 1943; JLC, Vol. 31,

A parliamentary committee examining changes to the Defence of Canada Regulations in 1942 received public representations which were overwhelmingly in favour of repealing the ban. A British official testified that no Communists were interned in the United Kingdom, and that the party had not been proscribed, "largely on the ground that the government says they do not want to crack nuts with steel hammers." (The previous year, even before the Soviet entry into the war, Her Majesty's commander of prisons for England and Wales had testified that "there was not much trouble in Britain with Communists as the British sense of humour was somewhat inclined to view them as a joke rather than a menace. . . . On the other hand, the Fascists were looked upon in an entirely different manner.") The RCMP, in a secret report to the committee, showed no such sense of humour. Painting a picture of a party with at least 100,000 sympathizers across Canada, the Mounties warned of this "Dr. Jekyll and Mr. Hyde" organization whose real war aims were victory for the Soviet Union over democracy and who would subvert the Canadian Armed Forces to this end. The Department of Justice backed the police with a report of similar thrust.⁴⁰

The committee in its final report recommended that the CP, along with certain other banned organizations, be stricken from the list of unlawful associations in the regulations. The government, however, refused to budge, leading the *Globe and Mail* to comment on the irony of Mackenzie King attending a Canada-Soviet friendship rally and "hymning the praises of Russia" on the same day that his minister of justice was declaring that the Canadian Communist Party would remain an illegal organization. In fact, the campaign on behalf of the CP, entirely based in English Canada, was matched by a smaller but vehement campaign in French Canada to maintain the ban and halt all "Communist propaganda." The only public representations heard by the committee unfavourable to the CP came from the *École sociale populaire* and the Catholic trade union federation from Quebec who demanded that the CP be banned forever. The French Canadian chair of the committee actually resigned rather than report the recommendation on the CP. Mackenzie King, ever alert to threats to national unity, took aside the Liberal MP who intended to move repeal of the ban in the house, asking him to reconsider "as it is certain to give rise to bitter religious strife." With reference to the evident toll taken on loyal Quebec Liberals by the recent plebiscite on conscription, King recalled that "our

File 297A10, Hephurn to St. Laurent, 1 September 1942; *The Canadian Forum*, August and December 1942. An advertisement in the *Toronto Star* of 4 July 1942 calling for the repeal of the ban carried 200 signatures, many quite "respectable;" the message was reinforced by a positive editorial.

⁴⁰ CDCR, 4 June 1942, 20 May 1941. The *Toronto Star* of 4 July 1942 ("Canada's Hunted Men") showed a similar sense of humour when the editor suggested that the CP's "stupidity" from 1939 to 1941 was "no reason for continuing to arrest them. If stupid behaviour should make one liable to arrest, few if any would succeed in escaping a jail record." CDCR, RCMP "secret" report 1942; P.M. Anderson to Committee, 10 July 1942.

Quebec friends had been through a difficult place, and to expect the government to remove a ban on Communism would be too much for them. They would feel that they were being deliberately attacked." King carefully lined up *one of his ministers and the leader of the opposition to prevent the matter from coming up in the house*. The Catholic hierarchy continued to pressure the government: Cardinal Villeneuve, for instance, linked the continuation of the ban on the CP with demands that the government cease promoting sexual *immorality by the employment of women in war plants at night and the distribution of prophylactics to the troops*. The War Committee approved a draft reply to the cardinal assuring him that Canada would encourage neither communism nor promiscuity. French Canada made its point: Canada was the only *Allied nation to maintain a ban on its local CP throughout the course of its wartime alliance with the USSR*.⁴¹

Given the peculiar legal fiction surrounding the Labour-Progressive party ("a rose by any other name . . ."), the ban on the CP seems more symbolic than substantive. Yet the symbolism was consonant with the continuing attitude of the state, particularly its internal security agency, towards the radical left. And even the symbolism had substantive effects on Canadian life, especially in trade unions and in certain ethnic organizations.

VI

Repression in the Unions

MANY RIGHT-WING AND social democratic trade union leaders seemed content with the official ban on communism, believing as they did that Communists were illegitimate. That this was a tactical error on the part of the trade union leadership is apparent from the impact of the Defence of Canada Regulations on the labour movement, which was injurious to trade union rights in general.

When the regulations first came into effect, there were forces both in business and in government which saw an opportunity to roll back some of the modest gains made by unions, especially the CIO, during the late years of the Depression. Foremost among this group in government was C.D. Howe who combined with the Canadian Manufacturers' Association to ring the alarm bells over the CIO as an arm of Communist subversion. In mid-1941 a delegation from the CMA landed on the cabinet with demands that industrial unionism be banned and its organizers jailed. Mackenzie King privately thought them "as reactionary a group as I have ever met" and publicly lectured them that "the present struggle was one between classes, as well as between nations, and we could not afford to be weakened by a class struggle which could destroy our unity." Howe carried on the CMA's fight within the cabinet, terming the CIO

⁴¹ *Globe and Mail*, "A Test of Consistency," 24 June 1943; CDCR, 2 July 1942; WLMK, Diary, 25 July 1942; WLMK/M&N, Vol. 426, File September-December 1942, Cabinet War Committee Document no. 391, "Draft Letter from Prime Minister to Cardinal Villeneuve," 21 January 1943.

"the most pressing of all war problems" and arguing that the government should exclude all CIO organizers from Canada. By mid-summer, Howe was in a state of high agitation over a strike at Arvida ("deliberate scientific sabotage . . . organized by outside agents") and called on the chief of the general staff to send in the army and make "exemplary arrests." The army declared that it would not intervene in a civil matter. When King tentatively suggested formal collective bargaining in federally controlled industries, Howe shot back that this would mean nothing less than handing over production to "saboteurs of the war effort."⁴²

Despite some sympathy within the cabinet, the Howe position in the end proved untenable, particularly in the face of the growing electoral strength of the CCF (and the LPP) in the later war years. The defeat of the right wing of the cabinet was confirmed by PC 1003 in 1944, which enshrined the right of workers in industries under federal jurisdiction to join unions and bargain collectively.⁴³ Part of the context which made PC 1003 not only possible but politically necessary derived from a widespread perception that the government was anti-labour, a perception reinforced by some of the things done to labour under the Defence of Canada Regulations.

The war was scarcely underway when a Toronto businessman complained to the government about a pamphlet distributed in his plant by the steelworkers' organizing committee calling for union recognition and collective bargaining. Lapointe promptly called in the police, and two organizers were later interned (ironically, one was killed later on active duty overseas). Late in 1939, Charles Millard of the United Auto Workers, a veteran CCFer, was arrested and charged by Gordon Conant for publicly suggesting that before defending democracy in Europe it should first be established in Canada. The charge was eventually dropped. The regulations prohibited "loitering" near a restricted area, and by order-in-council early in 1940 a number of companies in B.C. and Ontario, including the Chrysler plant in Windsor, were declared "essential to the life of the community;" any "act with intent to impair the efficiency or impede the working of any undertaking" at these plants was prohibited. In November 1940, George Burt and 45 other members of the UAW were arrested on charges of "loitering," that is, for picketing Chrysler on the opposite side of the street from the plant. Eventually, under the pressure of a strong lobby by organized labour, this specific regulation was amended to allow peaceful picketing.⁴⁴

More serious were the internments of labour leaders and organizers. The federal government always insisted that no one was ever interned for labour

⁴² WLMK, Diary, 5 May 1941. WLMK/M&N. Vol. 424, Cabinet War Committee, 5 May, 28 and 31 August 1941; Vol. 361, File 3854, Turnbull to King, 27 September 1941.

⁴³ Laurel S. MacDowell, "Formation of the Industrial Relations System in Canada During World War II," *Labour/Le Travailleur*, (1978), 175-96.

⁴⁴ EL, Vol. 13, File 18, Lapointe to D.A. Campbell, 28 September 1939; Cook, MA thesis, 175-9; PC 3264, 20 July 1940; JLC, Vol. 23, File 2832; *Windsor Star*, "46 Arrested in Chrysler Picket Line," 13 November 1940.

activities, only for Communism. Often repeated, this explanation was clearly disingenuous. Pat Sullivan and two other top officials of the CSU were interned in the midst of negotiations. J.A. Murphy, who was involved in negotiations with the CBC on behalf of the Associated Technical Employees, was called to Ottawa for consultations with the Labour Department and then arrested by the RCMP immediately upon his return to Toronto. Murphy strenuously denied being a Communist, but on a charge of allegedly constructing a secret Communist radio transmitter, he was interned for a year. More flagrant yet was the case of Charles Murray, organizer for the Canadian Fishermen and Food Handlers Union of Nova Scotia. Murray received a letter from the Nova Scotia minister of labour informing him that "we have stood about all we intend to stand from troublemakers like you . . . and I am warning you now that we will tolerate it no longer. . . . Your conduct will from now on be very carefully watched and examined and if I find that you do not quit this sort of business, then it will certainly be the worse for you." In fall 1940, Murray was seized by the RCMP on a Sunday just as he was about to rush his pregnant wife to the hospital. While his wife was left to her own devices, Murray was interned for two years. Reid Robinson, international organizer for the Mine, Mill and Smelter Workers, was detained and imprisoned by immigration officials on his way to Kirkland Lake to help organize the impending strike in the gold mines.⁴⁵

Of all the internments of labour leaders, the one which drew the most attention was that of C.S. Jackson of the United Electrical Workers. Jackson, arrested the day after the Nazi invasion of the USSR, had been involved in UE's "strike" (officially a "holiday") against Canadian General Electric in Toronto. The particulars against Jackson were so grotesque as to lead the *Toronto Star*, under the heading "Can this have happened in Canada?," to conclude that they "constitute such a condemnation of the federal Department of Justice that all the things which have been said heretofore about that administration become believable . . . so outrageously a violation of the lawful liberties of a labour organizer — or indeed of any citizen — that the case will constitute a blot upon its record." The first charge was that Jackson had led an illegal strike — which could have led to a charge in the courts rather than internment. The second was that he had associated with known Communists (guilt by association) and had nominated Tim Buck in a 1938 municipal election (since this had been at the time a perfectly legal act, the *Star* suggested that the 45,000 electors who had voted for Buck might with equal justice be interned). Other charges were that he had publicly criticized government labour policy and had attended a conference on civil liberties (clear violations of freedom of expression and associa-

⁴⁵ JLC, Vol. 20, File 2507, address delivered 1 November 1940; Vol. 31, File 29177; Vol. 19, File 2801. The letter to Murray is reproduced in Repka and Repka, *Dangerous Patriots*, 127-8. Laurel S. MacDowell, "Remember Kirkland Lake" (Toronto 1983), 132. *Toronto Star*, 13 September and 17 October 1941. Some civil servants were unhappy with the use of the immigration laws in the Robinson case; Howe, typically, wanted him deported: WLMK/M&N, Vol. 419, Cabinet War Committee, 6 August 1941; Robertson to King, 13 August 1941.

tion), and that he had been "charged" with loitering at a strike (even though the charge had been summarily dismissed in court). Sinking to the ridiculous, the particulars went on that he had been in 1940 an organizer for the New Democracy Party, a failed right-wing third party led by the former ambassador to the United States and brother-in-law to R.B. Bennett, Mr. W.D. Herridge. Finally the particulars ended with a cryptic reference to Jackson having "associated with one Burman." Faced with such evidence of government incomprehension of the most basic tenets of a free society, Jackson and his counsel, J.L. Cohen, could hardly decide whether to laugh or cry.¹⁶

Jackson did have a two-day hearing before an advisory committee. The transcript of the hearing shows Jackson to have been an intelligent defendant, in contrast to the sometimes slow-witted and poorly informed committee members. Having failed to trap Jackson into advocating civil disobedience, his inquisitors were left with his condemnation of the arbitrary war powers ringing in their ears: "whenever such power is placed in the hands of an individual or a group of individuals, it invariably results in injustices." Perhaps the members of the committee half agreed with this, or at least recognized the absurdity of the particulars, for they advocated release. The government did not accept this advice.¹⁷

Although Jackson received precious little support from his own union federation, the CCL, the secretary-treasurer of which had been overheard saying that Jackson as a Communist should have been interned long ago and kept behind bars, pressure for his release began mounting from an unexpected source: the American labour movement and American government. James Carey, head of UE in the United States, and national secretary of the CIO, made representations to the Canadian embassy in Washington. Although Carey was an anti-Communist, he believed that "Jackson interned is much more of a nuisance and liability than Jackson at liberty could possibly be." A strong supporter of President Roosevelt's pro-British policy before Pearl Harbour, Carey feared that isolationist elements in the American labour movement would take advantage of the internment and that of other Canadian labour leaders to undermine American confidence in Britain and its allies. In October 1941 the American ambassador in Ottawa let it be known that his government would not be pleased by Jackson's continued internment. Despite such unusual pressures, the cabinet kept putting off a decision. C.D. Howe, who had been instrumental in putting Jackson behind bars in the first place ("No group of saboteurs could possibly effect the damage that this man is causing"), continued to oppose release, supported by the RCMP. Finally, the government admitted defeat and released Jackson at the end of 1941.¹⁸

¹⁶ *Toronto Star*, 13 September 1941.

¹⁷ JLC, Vol. 26, File 2872A.

¹⁸ JLC, Vol. 26, File 2872A. Cohen to Norman Dowd, 18 September 1941; Dowd to Cohen, 23 September 1941. WLMK/M&N, Vol. 361, File 3854, Robertson to King, 19 September 1941 with enclosures; Vol. 424, Cabinet War Committee, 2 and 19 October 1941. United States National Archives, Washington DC, RG 226, Records of the Office of Strategic Services, OIR No. 46577, 20 October 1943. WLMK/M&N.

The use of the Defence of Canada Regulations against left-wing trade union organizers was, in the last analysis, ineffective and perhaps counterproductive. The right wing of the cabinet, led by C.D. Howe, was unable to maintain a policy of repression in the face of sustained resistance by labour, and more moderate heads ultimately prevailed in the counsels of state. This was no thanks to the right-wing union leaders who had been ready to let the repressive state do their own work of combatting radical elements in their movement. The lesson in this seems to have been learned by both sides. Later, during the Cold War of the 1940s and 1950s, the Canadian state showed a marked disinclination to intervene directly in the unions against Communists, while anti-Communist unionists showed a definite appetite for carrying out their own purges, thus avoiding the creation of left-wing martyrs of state repression.

VII

Attack on the Left Ukrainians

ANOTHER AREA WHERE wartime powers were used with relative brutality was among ethnic organizations considered by the government to be too left-wing. Nowhere was this more apparent than among the left Ukrainians. About a third of the Communist internees were of Ukrainian origin, some of whom were barely able to speak English. During World War I, many Ukrainians had been interned in Canada, but not, it would seem, with any political or ideological selectivity. World War II was a different matter: the Canadian government attacked left-wing Ukrainians exclusively.⁴⁹

The Ukrainian community in Canada was very deeply divided along political lines from the time of the Russian revolution. Divisions were perhaps more complex than simple right-left lines, but the RCMP had for years assumed that the Ukrainian "problem" was mainly constituted by the left-wing faction. The wartime creation, under direct federal government sponsorship, of the Ukrainian-Canadian Committee — an umbrella organization representing almost all of the non-Communist factions and groupings — was one side of an attempt at political management of the Ukrainian community. The other was a frontal assault on the pro-Communist Ukrainians. Nationalist Ukrainians had been calling for years for the police to smash their rivals' organizations and deport the lot back to the Soviet Union; pro-Communist Ukrainians had been at the same time denouncing their nationalist competitors as treasonous Nazi swine (ethnic solidarity was not a notable feature of Ukrainian Canadian life). The pretense for the state's intervention against one side and on behalf of the

Vol. 425, File September-December 1941, Robertson, "Internment of C.S. Jackson," 23 October 1941. PCO, Vol. 2, File D-15 (1940-1), F.P. Varcoe to Acting Minister of Justice, 19 November 1941.

⁴⁹ See generally, Frances Swyryda and John Herd Thompson, eds., *Loyalties in Conflict: Ukrainians in Canada During the Great War* (Edmonton 1983), and particularly Peter Melnycky, "The Internment of Ukrainians in Canada," 1-24.

other was originally the Nazi-Soviet pact: suspicions of disloyalty were magnified in the minds of the authorities when Communists spoke a foreign language and agitated among non-British groups. That this was merely a pretense became even more transparently clear than it was among trade unionists.

First, the question of disloyalty to the war effort could hardly be limited to the left Ukrainians. Potential support among nationalist Ukrainians for German promises to create a "national" Ukrainian state in the wake of a Wehrmacht victory over the red army was a problem which bothered both External Affairs officials and, privately at least, the RCMP, who had undercover agents in place within both pro-Communist and nationalist groups. The excessive and invidious way in which the pro-Communist organizations were attacked, and the years of refusal to make restitution long after the Soviet Union had entered the war and the pro-Communists had become enthusiastic supporters of the war effort, suggest that repression of the left Ukrainians was always the real object, and the Nazi-Soviet pact mere pretense.⁵⁰

At the centre of the attack were the Ukrainian Labour-Farmer Temples (ULFTA) which, by 1939, counted a national membership of 10,000, 200 to 300 local branches (estimates vary), over a hundred temples or halls, and perhaps some 50,000 or more Ukrainians who participated in their activities. ULFTA was clearly associated with the Communist Party, although it would be inaccurate to suggest that everyone associated with ULFTA was a Communist, or even necessarily a pro-Communist. The temples had been built by the labour of working people, often at some sacrifice, and were important centres of Ukrainian cultural activity, replete with dancing, folk music, and poetry readings. That the culture fostered in the temples was a left-wing culture was merely a reflection of a certain reality of Ukrainian working-class and farming experience. If the ULFTA halls never became the focal point for more than a sizable minority of Ukrainians, neither could they be reduced to a mere set of Communist "fronts" cynically manipulated by the party: they were too deeply rooted in their communities for that. The state, however, showed no hesitation. ULFTA was declared an illegal organization, leaders were interned, the temples were seized, and their contents confiscated by the custodian of enemy property. Sullen and frightened members watched as libraries were burned or otherwise destroyed by police, musical instruments and national costumes were carted away, and doors were padlocked.⁵¹

⁵⁰ PAC, Department of External Affairs Records A12, Vol. 2095, File AR39/1, O.D. Skelton to Vincent Massey, 15 June 1939; Massey to External Affairs, 20 June 1940; Robertson to Massey, 10 October 1941. PCO, Vol. 43, File U-15-2, External Affairs to the Canadian Minister to the USSR, 28 May 1943. WLMK/M&N, Vol. 336, File 3650, memorandum of the Ukrainian-Canadian Committee n.d.; Vol. 345, Robertson to King, 4 July 1944. PAC, Tracy Philipps Papers (TP), Vol. 1, Files 12 and 13. I have obtained from the RCMP through the Access to Information Act a (censored) copy of a secret intelligence report based on information from an undercover agent, Ukrainians in Canada," 1 October 1939.

⁵¹ ULFTA is described in the RCMP report "Ukrainians in Canada." *ibid*: in John

Worse was to come, as the government sold the halls and their properties, in many cases to ULFTA's bitterest enemies, the nationalist organizations and the Orthodox church, at what charitably could be called knock-down prices. In one case a printing press used to publish a left-wing newspaper was transferred to a rightist group to publish an anti-Communist paper. There could be no more striking example of the state directly subverting the much-vaunted pluralism of political life in Canada. The actions were in fact so excessive and so invidiously directed at an already divided community, that they eventually aroused a certain revulsion outside the ranks of the Ukrainians themselves. After 1941 this became a matter of public criticism, as did the entire wartime policy towards non-British ethnic communities.

A senior advisor to the government on ethnic affairs, Tracy Philipps, was accused by the Communists (unfairly it seems) of harbouring pro-fascist sentiments. It is thus interesting to note that from early 1941 on he was bombarding officials, including the commissioner of the RCMP for whom he had previously been a paid informant, with missives denouncing the treatment of the ULFTA halls for the effect it was having on Ukrainian morale. Philipps essentially made two related points: first, the halls had been painstakingly built by the labour and support of poor working people; second, their transfer into the hands of their nationalist and religious opponents could only cause deep and abiding resentment and fuel support for the Communists. In 1943 Blair Fraser, in an article at least partially inspired by Philipps, wrote that the sale of the halls to opposition organizations "has proved to be one of the worst errors committed by Ottawa in this whole sorry record of dealing with the Communist Party."²²

After Soviet entry into the war, the pretext for the attack vanished. Indeed, the pro-Communist Ukrainians campaigned for a "yes" vote in the conscription plebiscite, while some of their more nationalist counterparts quietly discouraged support. The surprisingly low "yes" vote among Ukrainian voters might have indicated that pro-Communist weakness was not necessarily in the interest of the war effort. In summer 1942, J.L. Cohen appeared before the Commons Committee on the Defence of Canada Regulations to argue the case for restitution to ULFTA for their confiscated halls and property and their removal from the list of unlawful associations. The committee approved the latter recommendation, but the government would not act. A year later, Hume Wrong in External Affairs was recommending action along similar lines with

Kolasky, *The Shattered Illusion* (Toronto 1979), and in Myrna Kostash, *All of Baba's Children* (Edmonton 1981).

²² See Bohdan Kordan, "Disunity and Duality: Ukrainian Canadians and the Second World War." (MA thesis, Carleton University, 1981). TP, Vol. 1, File 30, Watson Kirkconnell to Major-General Lafleche, 8 February 1943; File 29, John Grierson to Lafleche, 28 October 1943. PCO, Vol. 43, File 29, John Grierson to Lafleche, 28 October 1943. PCO, Vol. 43, File U-15-2 (1943-5), Robertson to Grierson, 17 May 1943. Philipps' communications are in TP, Vol. 1, Files 16, 18, and 21. Blair Fraser, "New Canadians in Wartime," *Montreal Gazette*, 18 October 1943.

an eye to the likelihood that the "Nationalist elements among Right Wing Ukrainians will become a greater source of embarrassment to the Canadian Government insofar as their aspirations centre in the creation of an independent Ukraine; we know that this irredentism among Canadian Ukrainians is being closely followed in Moscow and is resented." Various concerned citizens, including B.K. Sandwell, the editor of *Saturday Night*, raised the matter of justice for the left Ukrainians with Ottawa. Yet despite its appearance on the cabinet agenda in 1943, action continued to be resisted. In 1944 the Toronto Civil Liberties Association published an attractively illustrated brochure entitled *An Appeal for Justice*, outlining ULFTA's case for restitution.⁵³

UFTA's claims were rejected by the cabinet minister responsible by a reasoning which, under the circumstances, can only be termed extraordinarily hypocritical. "This government," he asserted, "recognizes the sanctity of contracts;" it could not countenance "expropriation (*sic*, re-expropriation), and reimbursement was "inadvisable." Finally driven by pressure to accept the principle of restitution, the government continued to behave in a mean-spirited manner. Reimbursement for a library valued at \$3,000 to \$3,500, which had been burned by the RCMP on the word of a nationalist Ukrainian janitor that the books were "communistic," was fixed at \$9.18. Buildings were sometimes valued at as little as 14 per cent of their actual worth. The custodian of enemy property charged for the administrative cost of handling the expropriated properties, and, as a final indignity, the government charged back taxes for the years when the halls were in the government's possession. In January 1945, counsel for ULFTA, J.L. Cohen, summed up the years of frustration by concluding that negotiations were "time and money wasted without the slightest likelihood, let alone prospect, of success or progress."⁵⁴

Ultimately the halls were returned and some restitution made, although hardly commensurate with original values. No compensation was ever given for the disruption and suffering willfully brought about by the government. It was a nasty example of arbitrary and authoritarian action by the state against a group of citizens targeted for their ethnicity and their political associations. Ironically, the post-war withering of pro-Communist Ukrainian organizations probably has had more to do with the sorry example of Soviet rule in the Ukraine, for which left Ukrainians were inveterate apologists, than to Canadian government policy.

⁵³ JLC, Vol. 27, File 2893, "Re: Ukrainian Labour Farmer Temple Association," 11 July 1942; WLMK/M&N, Vol. 336, File 3650, Hume Wrong, "Restoration of Property of Ukrainian Labour Farmer Temples," 7 June 1943; JLC, Vol. 44, File 3148, Norman McLarty to J. Stokaluk, 13 June 1944; Toronto Civil Liberties Association, *An Appeal for Justice* (Toronto 1944).

⁵⁴ PCO, Vol. 43, File U-15-2 (1943-5); WLMK/PMO, Vol. 380, File W-321-11943-5, Cohen memorandum, 5 January 1945.

VIII

Critics of Government Repression

TO THEIR CREDIT, some Canadians did speak out when the extraordinary war powers were exercised in such an extraordinary manner against Canadians. The majority remained, as usual, silent. The government believed itself to have at least the tacit approval of the majority, and there is no reason to dispute this. Yet there were some (under the circumstances, "courageous" might seem a not inappropriate adjective) who challenged the view that anyone the state did not like *should be silenced, jailed, or deported.*

These voices so often raised in defence of the embattled left, did not always come from the left itself. There were honourable liberals and conservatives, as well as socialists, who worried deeply about the use of totalitarianism in the war against totalitarianism. Tory journalist Judith Robinson carried on a gallant one-woman campaign of criticism of the assault on civil liberties, drawing the hostile attention of the RCMP. There were some civil servants who worried about the arbitrary powers which they were given to exercise. There were advisors in the Prime Minister's Office, especially W.J. Turnbull and Jack Pickersgill, who warned their chief about the RCMP's "reds-under-the-bed" mania and the potential for authoritarianism. There were even some Liberal cabinet ministers who harboured doubts. One went so far as to draw up an (unsent) letter of resignation citing the illiberal use of the emergency powers, although "Chubby" Power in fact remained in the cabinet. Certain bastions of the mainstream press were critical, especially the *Toronto Star*, *Saturday Night*, and, intermittently, the *Globe and Mail*, and a few other dailies.⁵⁵

The Canadian Forum was a valiant fighter for civil liberties from the outset of the war, chronicling the idiocies and injustices perpetrated under the regulations in a monthly column until 1941, when internments and prosecutions mounted to such proportions as to "defy tabulation." However admirable its labours, the fact remains that *The Canadian Forum's* subscription list was minuscule, its readership a rarefied group which did not extend, it would

⁵⁵ Judith Robinson's *Toronto News* was a lively compendium of civil liberties violations. The best critical rave came from the RCMP who wanted to close it down: Louis St. Laurent Papers (LSTL), Vol. 2, S.T. Wood to St. Laurent, 13 July 1942. Even George Drew, usually in favour of repression of Communists, spoke out eloquently against internment without trial: *Toronto Telegram*, 7 November 1940 and *Saturday Night*, 16 November 1940. Drew himself ran afoul of the regulations by criticizing government war policy, although the Liberals finally thought better of acting against a leading Tory. PAC, Brooke Claxton Papers, Claxton to King, 12 October 1940; FRS, Vol. 30, file 13, 14 January 1940; Cook, "Freedom in Canada," 45-6. Henry Ferns was another junior member of King's office who attacked the anti-CP policy as counterproductive to the war effort. Ferns was later hounded out of government, and out of Canada, as a "red." WLMK/M&N, Vol. 246, Ferns to Turnbull, 15 July 1943; Ferns, *Reading from Left to Right*.

appear, even to the more thoughtful members of the senior civil service, and certainly not to cabinet ministers.⁵⁶

One of the more important liberal responses was the emergence of a number of civil liberties associations in Toronto, Montreal, Winnipeg, and Vancouver. Although the Montreal group went back to the late 1930s when it had arisen in response to the Duplessis Padlock Law, the other groups were formed in direct response to the wartime challenge. In Winnipeg, historian Arthur Lower and a handful of other academics reacted quickly at the outset of war. Lower proposed to appeal to the professed liberal consciences of key Liberals in Ottawa by a "constant barrage of letters going in to ministers and placed on their desks through careful manipulation. This can be done since many people in Ottawa will be glad to help us." The Winnipeg group, most of whom were themselves Liberals, made their first appeal in late 1939 directly to Mackenzie King by flattering him as a "great liberal." As his diary indicates, King's liberal conscience was stirred only fitfully, and then never enough to lead him to seriously challenge the RCMP's open season on radicals. Addressing an American audience a few months later, Lower struck a more caustic note when he compared regulations to "the kind of code that might be imposed upon a conquered country."⁵⁷

Yet even liberalism was not unambiguous in the face of an attack on the Communist left. Although major targets of the civil liberties violations in the early war years were Communists or alleged Communists, some of the civil liberties groups tried to maintain respectability by eschewing Communist membership or support. The Winnipeg group was particularly adamant in this regard, believing that any association with communism would be an "embarrassment," even refusing to take up cases if they involved "extremists" who (apparently unlike Liberals and CCFers) had "ulterior motives." It must be readily admitted that the Communists were dubious civil libertarians (they had no sooner been released from internment camps themselves than they began strident campaigns for internment of large numbers of alleged fascists). Yet Lower himself suggested early on that the weight of the regulations appeared to be aimed more at the Communists than at the fascists, but he seemed to share the state's contention that communism was illegitimate, and thus outside the realm of the protection of civil liberties. The RCMP made its own judgements about illegitimacy: it was advising the government that civil liberties associations were themselves illegitimate, being nothing more than "respectable" Communist fronts.⁵⁸

⁵⁶ *The Canadian Forum*, "Civil Liberties," July 1940 and January 1941; see also George Grube, "Freedom and the War," and F.R. Scott, "The Constitution and the War," November 1939.

⁵⁷ FRS, Vol. 30, Lower to Scott, 15 November 1939; Lower, "Wartime Democracy in Canada," *New Republic*, 15 April 1940, 503; Cook, MA thesis, 147-63.

⁵⁸ Lower in his autobiographical *My First Seventy-five Years* (Toronto 1967), congratulates himself for not having been "caught" by the Communists, 237; Cook, MA thesis, 103-4.

The Toronto group put together a very respectable roster of academics, intellectuals, and artists, a few business people — and a few known members of the CP. Montreal also included a handful of Communists, much to the discomfort of social democrats like Frank Scott, who detected a "boring from within" strategy. A national conference was organized in 1940 which brought together liberal, social democratic, and Marxist representatives from organizations such as the League for Social Reconstruction, the Fellowship for a Christian Social Order, and various trade unions. There was some considerable wrangling between the left and the far left. The *Montreal Gazette* responded by calling on the government to declare all civil liberties associations illegal under the regulations. When C.S. Jackson was later interned, one of the particulars against him was his attendance at this conference. The press was not on the whole favourable to the idea that citizens should meet to discuss their rights. When the Toronto group held a public meeting in 1941, sixteen newspapers commented editorially — six favourably and ten unfavourably.⁵⁹

Whether because of the suspicions of liberals and social democrats or because the Communists preferred to run their own show, a split developed in the civil liberties groups. In 1941 a National Council for Democratic Rights was formed, dominated by the CP. This group held two conferences, one in Ottawa and one in Toronto, which attracted a sprinkling of non-Communist delegates. It also attracted the attention of the police. When a bulletin was published in November 1941 giving news of arrests, the council's organizer was himself arrested two days later — on a warrant issued sixteen months earlier but never served until that precise time.⁶⁰

Whatever difficulties, external and internal, under which the civil liberties associations struggled, they rendered great service in defence of basic freedoms. Public meetings were held, brochures prepared and distributed to inform people of what was happening, delegations sent to lobby Ottawa, and above all, the idea that there were men and women of independent and liberal conscience willing to put themselves at risk to defend freedom in wartime was kept before the eyes of both government and public. That their effect was so slight is a reflection less on them than on the Liberal government.

⁵⁹ *The Canadian Forum*, May 1941; RCMP, *IB*, 10 June 1940, 19 July 1941: civil liberties groups were, according to the RCMP, merely "respectable" CP fronts which attract "honest, well-meaning and liberal-minded people by hypnotizing them into believing that those who are being prosecuted or interned are being cruelly victimized. . . . It is not by the number of communists on the Executive that the CP controls [but] through the effectiveness of its especially trained and well guided members."

⁶⁰ JLC, Vol. 16, File 2917; WLMK/M&N, Vol. 355, File 3815, A.E. Smith to King, 28 August 1942.

IX

Liberalism and the Left

THE LIBERALS HAD a standard response to critics: there was no problem with the regulations because they were being exercised by Liberals. This is typified in a letter which Lapointe wrote in answer to an anxious and critical inquiry from the daughter of a wealthy Liberal businessman who feared that "we may be cultivating some sort of Gestapo in our midst." Lapointe, after rather unctuously praising her "noble sentiments," added that "I am doing my best not forgetting the principles of civil liberties but always remembering that we are at war and that we cannot allow the enemies of the state to do their work against it." He then concluded with this classic formulation: "I am a true liberal in spirit, in mind and in action, and all I ask you is to trust me to some extent." That was the Liberal concept in a nutshell: *trust me*. In the secret confines of the cabinet, the Liberal line usually proved less liberal. As the minister of labour told Lapointe, "I have always felt that in connection with the prosecution of the war we could not effectually carry on our war effort on the one hand and on the other molly-coddle our Communists and Fascists."⁶¹

With the RCMP, the Roman Catholic church, the French-speaking Liberal caucus, the right wing of the cabinet led by the redoubtable C.D. Howe, big business, much of the press, and, privately at least, some right-wing trade union leaders, all calling for repression against the radical left, it is little wonder that "trust me" Liberalism resembled something of a Potemkin village. And when one adds the pressure coming from the Liberals' political competitors, whether Tory or Hepburn Liberal (before Hepburn's u-turn), it is easy to see that the course of least resistance for the Liberals was to move smartly to pre-empt criticism from the right and to take repression under the firm hand of Liberal administration — except in those instances, few enough as they were, when public criticism came most strongly from the other direction. Where did this leave "liberal" Liberalism? As the Liberals never tired of telling their critics to the left: things would undoubtedly be so much more worse under the Tories, wouldn't they? This is an argument which has acquired a certain familiarity over the years.

To be sure, some modifications were made in the regulations on the advice of a parliamentary committee. Yet the fundamental changes which would have removed powers more excessive than those exercised in wartime by the British or American governments were never made. And when in 1942 the attack on the Communist left grudgingly waned under the exigencies of the Soviet alliance, the state only turned its attention to another group, the Japanese Canadians who, in the course of internal deportations, mass internments in concentration camps, property confiscations, and finally an attempt at mass

⁶¹ EL, Vol. 16, File 40, Aileen Larkin to Lapointe, 1 August 1941; Lapointe to Larkin, 27 October 1941; McLarty to Lapointe, 22 December 1939.

deportation from Canada, were to suffer far worse at the hands of the Canadian state than did any Communists.⁶² If defenders of "trust me" liberalism pointed out the undoubted truth that even in the case of the Japanese, there was no comparison with the barbarities suffered by the victims of fascism, the response must be that for a liberal democracy that is no acceptable standard of judgement at all.

X

The Soviet Alliance, the Popular Front and Anti-Communism

WAS THERE A FUNDAMENTAL change in the position of the left once the Soviet alliance had taken firm hold in the minds of the public and the policy-makers? The grudging nature of the official concessions made to the CP and its affiliates and associates after 1941 has already been made clear. A reading of letters, memoranda, and reports produced by the senior civil service, especially those in External Affairs, turns up almost no evidence of any pro-Soviet sentiment, despite public displays of solidarity like the "Salute to our Russian Ally" rally held in Maple Leaf Gardens in 1943 which featured Mackenzie King along with Canadian army bands playing *God Save the King* and the *Internationale*. These displays were for public (and Soviet) consumption, and every public encouragement was given to organizations such as the Canadian Aid to Russia Fund, which was headed by eminently respectable persons. Yet mandarins like Norman Robertson had always been deeply suspicious of Stalin's Russia and remained so throughout the course of the wartime alliance — just as Sir Winston Churchill did. No official for instance, raised any doubts about the decision to exclude the USSR entirely from the Anglo-American-Canadian research which led to the atomic bomb — a decision not unrelated to the Gouzenko espionage affair which broke in 1946.

The evidence for a pro-Soviet "popular front" mentality developing in

⁶² In fairness to the RCMP, who have appeared in a less than flattering light in this article, it must be indicated that their counsel re: the Japanese Canadian question was generally one of liberality and reasonableness, as evidenced from discussion in their *Intelligence Bulletin* — in sharp contrast to the racism and hysteria of many civilian officials, especially those from British Columbia. The bracketing of the Communist internments with the mass removal of the Japanese from the West Coast is, of course, inherently inappropriate, but the disproportion of injustice can scarcely be used as retroactive justification for the lesser offence against the Communists. Yet this is exactly what Desmond Morton attempts, in an extraordinarily mean-spirited review of the Repkas' *Dangerous Patriots*, in *Labour/Le Travail*, 14 (1984), 231-3. Morton, with visions of Stalin's Gulags dancing before his eyes, cannot "stoke up much indignation at the Communists' treatment" and worries that "if the plight of Communist internees has largely been overlooked, no sensible person would wish it to supplant an awareness of the inexcusable internment of 22,000 Japanese Canadians." Morton thus manages to attack a straw man argument so monumentally silly that no one else seems to have suggested it, or perhaps even thought of it.

public opinion is mixed. There was some popular front enthusiasm in some sections of the trade union movement. In certain, mainly Jewish electoral districts in Montreal, Winnipeg, and Toronto, where admiration for the red army's titanic struggle against fascism ran high, LPP candidates scored some limited electoral successes. Yet the Toronto Civil Liberties Association worried about the effect on the alliance of a "deep-rooted prejudice against the Soviet Union which exists in the minds of the citizens." In fact the Wartime Information Board (WIB) was carrying out secret surveys of public opinion which tended to support this assessment. After the vast Soviet counteroffensive began to drive back the Nazi invaders in 1943, the WIB found evidence of a "flareup of old suspicions and fears" of the USSR once it began winning. Relations with the USSR were a matter of "real concern," argued the WIB, citing a powerful anti-Soviet coalition of Catholics, big business and finance, eastern European emigrés, and fundamentalist Protestants. When Canadians were asked whether they favoured close ties with the USSR following the war, there was a plurality of favour, but French Canadians were strongly against. By 1944 French Canadian hostility remained constant, while the WIB kept finding "latent fears" in English Canada as well. One report noted that "suggestions that we will have to fight Russia ultimately are made with disquieting frequency." By 1945, 46 per cent expressed confidence that Canada could "get along" with Russia after the war, while 34 per cent had no such confidence — results which were more pessimistic than those of a similar survey in the United States at the same time. When asked to elaborate on their lack of confidence, the most often cited reasons were apprehension over Soviet power, dislike of communism, and "ideology." Finally, when the first post-war conferences — San Francisco and Potsdam — were held, the WIB noted a "stiffening" of distrust in Canadian opinion.⁶³

The state relented in its persecution of the Communists to facilitate the war effort during an alliance of accident and convenience with the USSR. Indeed, many Communists fought and died on the battlefields of Europe. Others from the left-wing ethnic organizations, which were such a favourite target of the RCMP and the Justice Department, were actively recruited for extremely dangerous commando missions behind enemy lines in Yugoslavia, Hungary, and elsewhere. Most never returned, either because they died in action or because they remained to participate in the Communist governments set up in their homelands.⁶⁴

⁶³ JLC, Vol. 20, File 2807. WLMK/PMO, Vol. 379, WIB Survey 8, 10 April 1943. PCO, Vol. 50, WIB Survey 21, 9 October 1943; Survey 63, 19 May 1945; Vol. 12, Grierson to Cabinet, 17 January 1944 to 23 July 1945. It might also be noted that it was in 1944 that Watson Kirkconnell, a fervent anti-Communist academic, published his popular *Seven Pillars of Wisdom*, an intemperate attack on the Soviet Union and on Canadian Communists as evil incarnate.

⁶⁴ Roy MacLaren, *Canadians Behind Enemy Lines* (Vancouver 1981), 131-54. Tim Buck claimed that the Communists were recruited directly by "Wild Bill" Donovan of the OSS: *Yours in the Struggle* (Toronto 1977), 302-4, and Oscar Ryan, *A Conscience*

None of these contributions seemed to change the basic attitude of the government, which on balance believed that there was a legitimate spectrum of opinion which clearly excluded those to the left of the parliamentary social democrats. As soon as an opportunity for repression presented itself in the form of the war emergency, it was seized with haste and enthusiasm — and given up only slowly and grudgingly under the irritating pressure of a temporary alliance of convenience with the Soviet Union. During the course of exercising these extraordinary powers, against the left and against others, the supporters of state repression demonstrated just how fragile the attachment to liberal freedoms really was. This was a lesson not lost on those who were preparing for what they saw as the inevitable post-war struggle against the USSR. When Igor Gouzenko defected in fall 1945 with documents incriminating left-wing Canadians in Soviet espionage, the government quickly responded with a secret order-in-council under the War Measures Act (even though the war had ended), arrested suspects without warrant, held them without bail, without counsel, and without habeas corpus, interrogated them in the RCMP barracks and in secret sessions of a royal commission, and then issued official reports naming many of them as spies and traitors, even though a good number were never subsequently convicted of any offence in the courts. The thread of continuity in official anti-Communism and repression of radical left-wing activities runs consistently from World War I through the Great Depression to World War II and on into the Cold War years ahead. The repression of 1939-42 was only a chapter, but an ugly chapter, in an ongoing story.

for Canada (Toronto 1975), 214-7. MacLaren's well-documented account makes no mention of Donovan in this connection.

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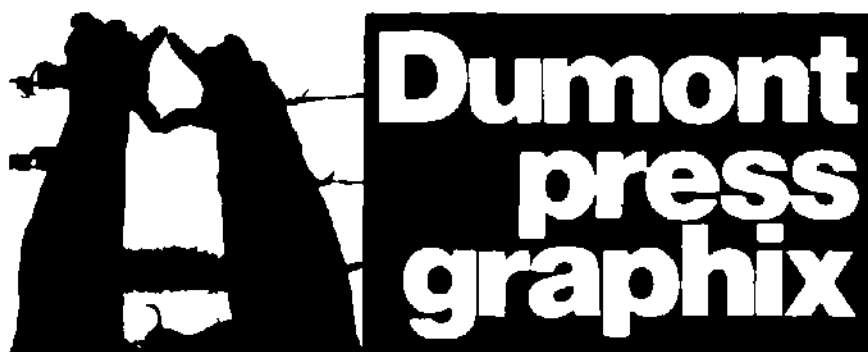
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