

SECRET

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**ROYAL CANADIAN MOUNTED POLICE
HEADQUARTERS, OTTAWA**

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**War Series
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THE ENFORCEMENT OF DEFENCE OF CANADA REGULATIONS

The Defence of Canada Regulations form a part of the Federal laws of Canada which are today very much in the public mind. Unfortunately the uninformed public are inclined to place responsibility for the enforcement of the Regulations entirely upon the Federal Force, particularly with respect to the arrest and detention of enemy aliens and other persons suspected of treasonable or seditious acts or utterances. The responsibility in this regard rests with any Police Force whose duty it is to enforce the law in that particular district where an offence has been committed. The Provincial responsibility is outlined in Section 39B (1):

"A prosecution for an offence against either regulation 39 or 39A of these Regulations shall not be instituted except by or with the consent of, counsel representing the Attorney General of Canada or of the Province".

The above refers to the following Regulations:

"39. No person shall

(a) spread reports or make statements intended or likely to cause disaffection to His Majesty or to interfere with the success of His

Majesty's forces or of the forces of any allied or associated powers or to prejudice His Majesty's relations with foreign powers:

- (b) spread reports or make statements intended or likely to prejudice the recruiting, training, discipline, or administration of any of His Majesty's forces; or
- (c) spread reports or make statements intended or likely to be prejudicial to the safety of the State or the efficient prosecution of the war".

"39A. No person shall print, make, publish, issue, circulate or distribute any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind containing any material, report or statement. [1]

- (a) intended or likely to cause disaffection to His Majesty or to interfere with the success of His Majesty's forces or of the forces of any allied or associated power, or to prejudice His Majesty's relations with foreign powers:
- (b) intended or likely to prejudice the recruiting, training, discipline or administration of any of His Majesty's forces; or
- (c) intended or likely to be prejudicial to the safety of the State or the efficient prosecution of the war".

It is true that in the majority of cases prosecuted under these Regulations action has been taken by the local City or Provincial Police in co-operation with members of the R.C.M. Police.

The question of internment is governed by the Provisions of Regulation 21 which reads as follows:

"21. (1) The Minister of Justice, if satisfied, that with a view to preventing any particular person, from acting in any manner prejudicial to the public safety or the safety of the State it is necessary so to do, may, notwithstanding anything in these Regulations, make an order:

- (a) prohibiting or restricting the possession or use by that person or any specified articles;
- (b) imposing upon him such restrictions as may be specified in the order in respect of his employment or business, in respect of his movements or place of residence, in respect of his association or communication with other persons, or in respect of his activities in relation to the dissemination of news or the propagation of opinions;
- (c) directing that he be detained in such place, and under such conditions, as the Minister of Justice may from time to time determine;

and any person shall, while detained by virtue of an order made under this paragraph, be deemed to be in legal custody.

(2) If any person is in any place or area in contravention of an order made under this Regulation, or fails to leave any place or area in accordance with the requirements of such an order, then, without prejudice to any proceedings which may be [2] taken against him, he may be removed from that place or area by any constable or by any person acting on behalf of His Majesty."

Shortly before the outbreak of hostilities, being the latter party of August, 1939, when war with Germany was almost a certainty, an Inter-Departmental Committee was appointed by the Minister consisting of Mr. Norman A. Robertson, Department of External Affairs, Chairman, Mr. J.F. MacNeill, K.C., Department of Justice, Superintendent E. W. Bavin, R.C.M. Police. It was the duty of this committee to inquire into the evidence available against dangerous enemy aliens and other persons listed by the R.C.M. Police whose liberty was considered to be a danger to the State. The evidence in each case was examined by this committee and the names of those recommended to be interned were submitted to the Minister for action under the above Regulations.

Following the internment under the Minister's Order the person so interned has the right to object against the Minister's Order and this objection is placed before an Advisory Committee as provided under Regulation 22. The Advisory Committee so appointed consisted of: Judge F. Smiley, Chairman, W.P.J. O'Meara, K.C., Secretary of State Department, J. Fortier, Department of Transport.

Regulations 24 and 25 deal with enemy aliens and the power under these Regulations rests in the first place with the Registrar General of Alien Enemies and his Registrars appointed throughout the Dominion. It provides, in part:

" (2) All enemy aliens who:

- (a) are members of enemy armed forces and who attempt to leave Canada;
- (b) attempt to leave Canada, and in regard to whom there is reasonable ground to believe that their attempted departure is with a view to assisting the enemy;
- (c) are engaged or who attempt to engage in espionage or acts of a hostile nature, or who give or who attempt to give information to the enemy, or who assist or attempt to assist the enemy, or who are on reasonable grounds suspected of doing or attempting to do any of the said acts;

shall be arrested and detained.[3]

Persons so interned under this Regulations may appeal to the Tribunal appointed by the Minister of Justice in accordance with the provisions of Regulations 26. After hearing any cases appealed the Tribunal makes recommendation to the Minister of Justice for final decision as to the appellant's release or detention. A total number of 405 persons were in-

tered and a total of 166 were released on the recommendation of the Advisory Committee under Regulation 22 or the Tribunal under Regulation 26.

NAZI-COMMUNISM

COMMUNIST INTERNATIONAL DEFENDS NAZI CAUSE

Definite proof of the close alliance between Hitler and Stalin is contained in the May Day Manifesto of the Communist International. This manifesto absolves Germany absolutely from any blame for the outbreak of the present conflict. The Nazi invasion of the Scandinavian countries is explained as an act of self-defence against the aggressive democratic countries and is defined: "As an answer to the gross breach of the neutrality violated by England and France in Scandinavia, Germany sent its troops to Denmark and had occupied strategical positions in Norway."

The Comintern manifesto condemns Japan for its aggression in China and speaks of the struggle of Japan on the one hand and England, supported by the United States, on the other for the possession of the Dutch East Indies. The Communist International, hitherto so concerned over the National freedom of all people and nations, has not a single word to say for the Czechs, Austrians, Poles, Danes and Norwegians. Instead it devotes considerable space to the internal situation in France and England. It deals extensively with the persecution of "revolutionary workers" in these countries and the suffering of the labouring class and forced labour. There is only a short sentence devoted to the internal [4] situation in Germany in which it is claimed that "peace is the wish of the German farmers and workers". Nothing is said about the concentration camps in Germany and the persecution of the Jews. This is important. Those who have followed the activities of the Communist Parties in Europe and have read their Press see in the Comintern line a close relationship between Berlin and Moscow, a new phase of co-operation, not only between the foreign offices of the two countries but also between the official Soviet Press and the propaganda machine abroad.

Additional evidence of this turn in Soviet-German relations is contained in an article by Walter Albricht, an accredited and responsible head of the Central Committee of the German Communist Party, now living in Moscow. Albricht, of course, does not come out in open defence of the Nazi regime, but gives much space to the "Deutsche Volk"—the German People. He asserts that the German people want peace and friendly relations with the Soviet Union. He further asserts that the German people are being endangered by the "English-French warmongers". The inference to be drawn is clear: German people want peace; the peace policy of the German people is in danger. He admits that there are differences of opinion between the German "reactionaries" and the German people, but as to the main question, the question of resistance to the "British and French ag-

gressors", he says there is no difference of opinion among the Germans; that there is full harmony between the German people and the Fuehrer including the Communists, and that this also applies to the friendly relations with the Soviet Union. Regarding England and France he has a totally different story to tell:

"Quite different is the situation in England and France. Despite the fact of the normally functioning democracy in England and the temporarily bridled democratic regime in France, the Governments of England and France do not express at all the wishes and needs of the people. What started the war? English big business and finance sought in this way a way out from decaying capitalism". The present struggle, he maintains, is one of "English capitalism, English imperialism, French capitalism, French imperialism versus German people".

Arguing against Hilferding's thesis that the war alone will sweep away the Hitler regime, this spokesman of the Communist International condemns such a belief as insane and criminal. Says he, "To accept Hilferding's war policy is criminal because a victory by England would mean that the greatest reactionary force of the war—England—would dictate to a lesser reactionary power—Germany." [5]

Discussing the tasks confronting the Communist Parties in the world, Albricht declares the Soviet people and the German people have a common interest in frustrating the English war plans. The Soviet people and the German labouring class desire the immediate end of the war in the interests of the working masses. Instead of the devilish plan of England, the Comintern has its own plan for Germany. By peaceful commerce with the Soviet Union and with the East, Germany cannot only supply itself with the products required but will also become self-sufficient and secure.

Most significant is the fact that there is not a word about the overthrow of the Hitler regime in Albricht's article; nothing about the liquidation of Nazism; nothing about the fate of the nations now under Nazi Domination. But even more significant is Albricht's demand to suppress the internal enemy in Germany, the Thyssens, etc. In this connection he states "He who intrigues at the present time against the German and Russian people is an enemy of the working class and helps English imperialism". He even calls upon the German workers to ferret out these enemies of the people and hand them over to the Gestapo.

"IT IS NO TIME FOR HALF MEASURES"

(Toronto)

Brigadier-General D.C. Draper, Chief Constable of Toronto Police Department, on May 14 issued an urgent plea to Canadians to be more awake to the gravity of the present situation and to utilize their every resource, moral, mental and material, in order that freedom and democracy shall not perish from the earth. As a step to this end he recom-

mends more drastic suppression of subversive elements.

To quote in part:

We need to awake to the seriousness of the situation. It is not time for half measures, no time for disguising the real issue. Britain is engaged in a life and death struggle with a relentless and a crafty foe, so that we can continue to live peacefully in this land of present peace. Let Britain and France fail—which God forbid—and our peace and our lives and our possessions here will be worth what Poland's were—and no more. Do you imagine, in such a case, a country so [6] rich in potential wealth as Canada would be safe from the foul cupidity and merciless greed of a triumphant tyrant?

Just think of it for a moment. Think of your children's day and generation. Do we want them to be free in a free country, or broken on the torture-wheel of a Nazi occupation of Canada? This is a war to a finish. At its end, either the freedom we cherish will endure, or the savage creed of a godless autocracy will sweep freedom, religion, justice and happiness into the limbo of forgotten things.

In Canada for the past few years there has been a great deal of haphazard wishful-thinking concerning the activities of the Communist, Nazi, Fascist totalitarianism.

In this crisis I feel a compelling influence to place before you the following recommendations for immediate action on the part of the Federal Government of Canada:

1. To outlaw all subversive organizations.
2. To order a nation-wise system of registration in person, and card identification, of all foreign-born adults.
3. To cause the internment of all foreign elements and known Communists who are active in obstructing, directly or indirectly, by whatever means, Canada's War Effort, as described in Section 39 and 39(a) of the Defence of Canada Regulations.
4. That Section 62 s.s. 5(b) and (c) be amended to read that the procedure for Appeal be direct to the Minister of Justice within 10 days of the date of decision of the Court.

A number of Communist papers and pamphlets have been issued of late which urge the Canadian workers to follow Stalin and learn from him the art of overthrowing the capitalist system; also they have succeeded in a number of instances in causing [7] strikes in industrial establishments where war equipment and materials are in course of manufacture. Is it worse to wreck the Government than to wreck the industries which enable us to wage war against the savages of Europe who would wreck the Empire?

Another plank in the Communist programme, which no doubt is in direct sympathy with the Nazi organizations, is the campaign for the abolition of the Defence of Canada Regulations, and they are

bending every effort towards this end. In my opinion, these Regulations should be strengthened as herein recommended, rather than relaxed. All Canadians should be awake to the dangers of these subversive organizations in our midst, who will neither assist us in winning the war or obtaining peace, and who certainly will not help to rebuild this country after peace has been finally attained.

As you know, Communist members have been recently forced from the various labour organizations into which they have been "boring in" during the past few years. Also various organizations throughout the country, to as far west as Vancouver, are now advocating the disfranchisement of all members of subversive groups...

Since the beginning of this year the Government of France has outlawed the Communist Party, and many of its leaders in that country have been sent to jail or to concentration camps, and press despatches would indicate that some similar action has now been taken in Britain. While several individual Communists have been arrested in Canada and some convicted and sentenced to varying terms for offences against the Defence of Canada Regulations, much more extensive action is necessary to properly restrain these enemies within our country.

As evidence of the destructive efforts of these enemies, the latest leaflet, sent through the mail to members of the Active Service Forces and of the Non-Permanent Militia, and issued over the imprint of "The Political Committee, Communist Party of Canada", contains the following:

"To really defend Canada and your own rights it is your duty to cleave to the side of the working class, to fight against the capitalist warmongers who brought on this war. Your enemies are not the German people;[8] the German working class will deal with the madman Hitler and win their freedom. They, not Chamberlain who built up Hitler, will smash the Nazi dictatorship.

YOUR ENEMIES ARE AT HOME! THEY ARE "OUR OWN" CAPITALISTS WHO FIGURED ON BARTERING AWAY YOUR LIVES FOR PROFITABLE WAR CONTRACTS FROM THE ENGLISH AND FRENCH IMPERIALISTS. LONG LIVE THE FRATERNAL UNITY OF THE WORKERS OF THE WORLD.

THE IMPERIALISTS HAVE STARTED THIS WAR. THEY HAVE HURLED HUMANITY INTO CARNAGE AND DESTRUCTION FOR THE SECOND TIME IN THIS GENERATION. IT IS UP TO THE SOLDIERS, THE SAILORS, THE AIRMEN, THE WORKERS AND FARMERS, UNITED BY THE COMMON BOND OF CLASS INTERESTS, TO END THE CAPITALIST SYSTEM THAT BREEDS NOTHING

BUT CRISIS, POVERTY AND WAR, TO ESTABLISH A SOCIALIST CANADA WHICH WILL MEAN PEACE, SECURITY AND HAPPINESS FOR OUR PEOPLE. JOIN THE COMMUNIST PARTY OF CANADA!!"

The tactics outlined above as being used by the Communist Party during this war are essentially the same as those employed since the formation of the Party in Canada in 1922, and not alone in Canada and the United States, but in all other countries of the world, with the object of causing internal strife and revolutions in all nations.

What is true of the Communist is also true of the Nazi and Fascist who, while probably more subtle in their methods, nevertheless have as their major objective the disruption of Canada's war effort. The duplicity of the German, as evidenced by the many recent acts carried out by Germany under the direction of Hitler in direct violation of her pledged word, should be ample assurance that the majority of Germans who have come to Canada since the last war, and particularly since the rise of the Nazi regime, and who have taken out naturalization papers, have done so as a means of facilitating and furthering acts of espionage and the promotion of Nazi doctrines in Canada.[9]

Let us all awake to a true realization of our responsibilities. Let us now resolve solemnly that all the resources which we, as Canadians, can command, shall be used to support Britain and her Allies in this war. As the oldest Son of the Empire, let us try to emulate the unconquerable spirit of the people of England, and to determine in our hearts that no effort shall be too great, no endeavour too immense, for us to undertake as a British Dominion. Britain is looking to Canada at this grave crisis in her history for the greatest measure of help she has ever been called upon to give. Let us see to it that Canada responds—fully—completely—unreservedly, whole-heartedly. For only so shall the Peace that is Canada's remain a peace perpetuated for posterity.[10]

COMMUNISM

THE RED HAND PULLS ANTI-CONSCRIPTION STRINGS

(Montreal)

The Communist Party of Canada is progressing with its organization of the Anti-Conscription League, as previously reported in this Bulletin. With the movement well under way, Henry Gagnon, [deletion: 2 lines] outlines the party policy with the latter organization briefly as follows:

"In organizing such a movement we must have the full support of all those who do not share our Communist ideas, may they be Liberals, Conservatives, C.C.F., Nationalist, Separatist, Fascist, etc. Therefore, we must in no way hurt the feelings of those who, while

being against conscription, favour to some extent Canada's war attitude against Germany.

It is also very important that our supporters do not become aware that we are Communists. To assure this our speakers must use the utmost care to refrain from using anti-Imperialist talk, slang words like "Britishers", "Capitalists", "Downing street agents", etc.

Our plan is to hold mass meetings in public halls at least twice a month this summer. Our own hall is not to be used for anti-Conscription League Mass meetings because it is known for what it is by the police, which is enough for us. We will organize anti-Conscription League cells to work as the ones in the Party at present. These cells will meet every week to hear the contents of a report as prepared by the heads of the movement and will then act according to the instructions contained. No monthly fees will be asked of the members. Other means to get money must be found. Later this summer a general executive will be chosen. Propaganda will be distributed by way of printed circulars, or by painting slogans on fences, etc., as well as the posting of hand lettered bills.[11]

Our Communist attitude must become one resembling Nationalism, as this one seems to be the most popular in this Province. Another reason for us favouring Nationalism is that the Catholic clergy holds it in high favour. As all priests are against conscription we intend to write them individually, interest them in the importance of our movement and then ask for their financial help."

PERIL TO LABOUR THROUGH EXTERNAL CONTROL

In compliance with the dictates of the Russian Comintern, the Communists of Canada are focussing their energy on the stirring up of dissatisfaction among the industrial workers. This is unquestionably the most effective and safest weapon in their determined struggle against the Allied war effort. Whereas, for instance, the risk in spreading anti-war propaganda is great they can organize strikes in key industries with impunity by working under cover of legitimate labour unions and denying under oath that they have any connections with the Communist Party of Canada.

The majority of trade union members are not "red" nor do they sympathize with the aims of that organization, but experience shows that C.P. members of any trade union are the most militant and energetic in furthering the legitimate aims of the union and thus gain a disproportionate influence in that union.

Particularly obnoxious to legitimate unions and threatening to Canada are those Communists who operate through international trade unions the controlling heads of which, being resident in the United States, are beyond Canadian jurisdiction.

It is true that trades and labour councils of American affiliation in all

the Canadian industrial centres have passed resolutions refusing representation of the councils to delegates who are members of the C.P. of C., but the Communist Party is not greatly concerned over this ruling because they feel that its enforcement can be overcome with the assistance of left wing sympathizers sitting on the executives of the councils. Failing this, their members are expected to take the oath required and still remain in the Party.[12]

Canadian C.I.O. unions are, one by one, transferring their affiliation to the All-Canadian Congress of Labour—supposedly autonomous Canadian trade union federation—as previously reported in this Bulletin. This plan has been “worked out” in discussions with the C.I.O. heads in the U.S.A. and had to be approved in each instance by them. The outcome is quite obvious when one considers the effect of this addition of 65,000 Canadian C.I.O. members to the 30,855 members of the A.C.C. of L.

Another serious “disease” among labour unions having external affiliations is exploitation by dishonest leaders. The most recent example of this is the case of Ben Gold, [deletion: 1 line] of the International Fur Workers Union, and his ten lieutenants who were convicted on an Anti-Trust Act charge as a result of trying to maintain a monopoly in the fur trade by a “reign of terror” marked by kidnappings, stabbings and murder. [deletion: 3 lines] while touring our Dominion carrying out the plots as concocted by Gold. Furthermore, it must be pointed out that although Gold is dictating the policy of an industry which is not a “key industry”, he instructs his Canadian organizer (in a recent letter outlining the policy to be applied against the employers in Winnipeg) not to lose sight of the fact that “the employers must realize that the war situation created a shortage of labour and brought more business. Under these circumstances they would not like to face another strike situation”. Similar interferences may well be expected from the headquarters of the other international unions whose Canadian members are engaged in producing war supplies.

Bad as this situation may be in times of peace it is a definite hazard while Canada is at war. It means that Canadian industries are vulnerable to sabotage from external influences at a time when their unfaltering service is most essential to Canada’s war effort.[13]

“UNITED WORKERS” RESENT COMMUNIST LEADERSHIP (Montreal)

The United Workers of Montreal are at present undergoing reorganization as a result of dissension which has arisen between the Executives of the various wards of this group and the Communist Party of Canada. The Communist Party District Bureau at Montreal had informed the United Workers of the appointment of three members who were to assume leadership of three different wards of their organization. The United Workers objected to the appointment of the three men who, in their estimation,

were considered ineligible for such positions.

In addition to the dissension over the appointment of the three Communist leaders to the leadership of the United Workers, the latter organization has passed a resolution that no funds collected would be shared with the Communist Party of Canada unless they could be spared after local expenses had been met.

FIFTH COLUMN FEARS A SIXTH COLUMN (Vancouver)

The establishment of a "Sixth Column" by the veterans of the Great War in British Columbia has filled the Communist Party leaders there with apprehension. This organization is designed to combat "Fifth Column" activities.

The Party Bureau members fear greater personal danger from groups of the "Sixth Column", loosely organized and undisciplined as it is, than from the Government. Curiously enough the branch of the Government they would prefer to have in control is the R.C.M. Police, reasoning that this Force would not act without instructions from Ottawa, which takes time for thought and provides opportunity for evasive manoeuvres. Furthermore, such orders would be carried out "to the letter with dignity and restraint", whereas the ex-service men would adopt "strong-arm" methods. The Party leadership in the West Coast Province has expressed thankfulness of the ample time provided them by the "passing of the buck" between Federal and Provincial Governments over the banning of the Party, which is giving them time to destroy all incriminating documents, bury literature for safekeeping and prepare underground channels of communication.[14]

COMMUNIST EQUIVOCATION

Anticipating arrests in their ranks and the enforcement of the ban placed upon their organization, leaders of the Communist Party of Canada are preparing to voice a loud protest through the trade unions declaring the ban is directed against labour and trade unionism rather than against the Communists.

A special supplement of the "Toronto Clarion", underground organ of the Toronto district of the Communist Party of Canada deals with the adopted defence, and reads in part as follows:

"They outlawed the Communist Party because they want to stem the rising tide of demands for wage increases.

"They want the Communist Party out of the way NOW because they are plotting to smash and outlaw the trade unions and other labour organizations later." [15]