



THE UNIVERSITY OF MANITOBA

DEPORTATION UNDER THE IMMIGRATION ACT AND  
THE CANADIAN CRIMINAL CODE, 1919-1936

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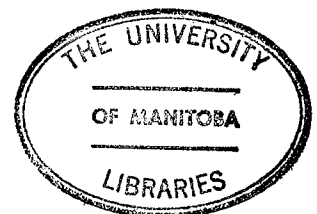
DEPARTMENT OF HISTORY

BY

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DEPORTATION UNDER THE IMMIGRATION ACT AND  
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A dissertation submitted to the Faculty of Graduate Studies of  
the University of Manitoba in partial fulfillment of the requirements  
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## Abstract

The 1919 sedition and deportation amendments in Canada were not merely the product of anti-radical hysteria induced by the Winnipeg General Strike, but were consistent with the ideological propensity of the Conservative-Unionist and Bennett governments to suppress alien and left-wing dissent. This tendency was reflected in earlier, anti-radical enactments by Borden's government under the War Measures Act, providing, among other things, for the summary internment and deportation of suspected alien radicals. For the most part the stringent measures passed in 1919 represented the conversion of wartime powers to peace-time legislation.

The conservative ideology that inspired these amendments was manifested in the vigorous application of deportation powers by immigration and other officials during the Red Scare of 1919-20 and the depression of the early thirties. It was further sustained by the stubborn refusal of the Conservative majority in the Senate to approve repeal legislation repeatedly passed by the House of Commons, even in the context of domestic stability in the 1920s.

Ultimately, conservative reaction was superseded by liberalism in the form of civil liberties legislation passed by Mackenzie King's government. The emergence of the repeal of Section 98 of the Criminal Code as a major issue in the 1935 Dominion election and Bennett's correspon-

ding defeat had demonstrated the Canadian public's desire that its governments address themselves, not to the suppression of radicalism, but to the solution of economic problems underpinning social unrest.

## Introduction

In February, 1975 the Canadian government issued a "Green Paper" on immigration policy as the opening statement in a debate leading to the overhaul of the old Immigration Act passed in 1952. The discussion which ensued touched on many sensitive areas, including the questions of which nationalities or groups should be admitted to Canada, in what numbers, and the extent of discretionary powers that should be accorded immigration officials. The new Immigration Act, passed by Parliament in July, 1977, embodies many restrictive features anticipated in the Green Paper. It is impossible to predict the ultimate implications of this legislation at this point, but clearly the new provisions pertaining to questions of national security are a source of concern for civil libertarians.<sup>1</sup> Among the provisions granting greater latitude to immigration officials is a section which calls for the exclusion or deportation of persons:

who have engaged in or there are reasonable grounds to believe are likely to engage in acts of espionage or subversion against democratic government, institutions or processes, as they are understood in Canada, except persons

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<sup>1</sup>See the Brief presented by the Canadian Civil Liberties Association to the Parliamentary Committee on Labour, Manpower and Immigration, June 2, 1977. Canada. House of Commons. Minutes of Proceedings and Evidence of the Standing Committee on Labour, Manpower and Immigration, Issue No. 30, June 2, 1977.



who, having engaged in such acts, have satisfied the Minister, that their admission would not be detrimental to the national interest.<sup>2</sup>

Another section provides for the barring from entry of presumed security risks without a hearing. Moreover, if the alleged security risk is a permanent resident, but not a Canadian citizen, he may be arrested without a warrant and deported without having been informed of the specific nature of the charge.<sup>3</sup>

The new regulations are of interest to Canadian historians in that they are reminiscent of a series of amendments made to Canada's Immigration Act in 1919. These provided, among other things, for the summary deportation of persons merely suspected of revolutionary intent, the revocation of the rights of citizenship for many naturalized Canadians,<sup>4</sup> and the broadening of already extensive powers of immigration officials in deportation cases. Coupled with their companion amendments, Sections 97A and 97B of the Criminal Code, they presented one of the most

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<sup>2</sup>Bill C-24, "An Act Respecting Immigration to Canada," Section 19 (1) (e), *ibid.*

<sup>3</sup>Harry Sebastian, "Bud'n the Boys Get Tough on Immigration," The Last Post, Vol. 6, No. 6 (January, 1978), p. 35.

<sup>4</sup>In 1927, the Canadian Immigration Act defined Canadian citizens as:

- i) Persons born in Canada who have not become aliens;
- ii) British subjects with Canadian domicile. Prior to 1919, three years' residence, exclusive of time spent in jails or asylums, was required before domicile could be acquired. In that year, this period was extended to five years;
- iii) Persons naturalized under the laws of Canada who have not subsequently become aliens or lost Canadian domicile. British subjects were defined by the Canadian Nationality Act.

H.F. Angus, "Canadian Immigration: The Law and Its Administration," in Norman MacKenzie (ed.) The Legal Status of Aliens in Pacific Countries (London: Oxford University Press, 1937), pp. 60, 61.

serious challenges to civil liberties in Canadian history. This study is concerned with the origins and nature of the amendments, and their application, until the repeal of Section 98 of the Criminal Code in 1936.

To date, no comprehensive study of the 1919 deportation and sedition amendments has been undertaken, although some articles have dealt with aspects of the legislation or its application,<sup>5</sup> and all books on the Winnipeg General Strike have given the amendments at least cursory attention. Usually these accounts have explained the deportation and sedition amendments in terms of the Red Scare and nativist sentiment that emerged in the context of labour radicalism at the end of the First World War. To the extent that these measures were specifically intended to curtail radicalism at that time, these interpretations have been correct. They do not, however, account for the presence of similar arbitrary measures passed earlier, nor do they explain the continuation of the most stringent clauses of 1919 well beyond the period of radical activity in which they were conceived.

Despite its harsh nature, the 1919 sedition and deportation legislation did not represent a complete departure from previous immigration policy. Restrictions to immigration had existed since Confederation, although these were applied relatively infrequently in the early decades

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<sup>5</sup>The only substantial article written specifically on this legislation is Leslie Katz's "Some Legal Consequences of the Winnipeg General Strike," Manitoba Law Journal, Vol. 4, No. 1 (1970). Vol. 12, No. 136 (January, 1932), pp. 127-129. Frank Scott's "Communists, Senators and All That," Canadian Forum dealt with the refusal of the Canadian Senate to approve repeal legislation passed by the House of Commons. J. Petryshyn's article, "R.B. Bennett and the Communists," Journal of Canadian Studies (November, 1974) was a discussion of the crackdown of leftists in the early thirties, although Petryshyn relied rather excessively on Canadian Labour Defence League propaganda for his sources.

of the National Policy and Western Canadian settlement.

In 1906, a new Immigration Act was passed which became the cornerstone of modern immigration practice in Canada. By that legislation the immigration service was greatly expanded in scope of operations and authority. For the first time the principle of deporting persons who had become members of the "undesirable classes" after their entry was established. These initially included criminals, public charges, and the infirm, but a second overhaul of the Act in 1910 added a new clause, Section 41, which provided for the deportation of persons believed to engage in seditious activity. At the same time, the administration of the Act was tightened, and machinery intended to expedite deportations of undesirables was put into effect.<sup>6</sup> Thus, well before the industrial strife of 1918-19, the Canadian Parliament had approved an immigration law that was highly restrictive and that embodied the principle of deporting radical aliens, although there is no evidence that the anti-radical clauses were ever applied by the Laurier government.

By 1919, however, the political situation had changed dramatically. The Dominion government was now dominated by Robert Borden's Conservatives, who had directed Canada's participation in the Great War. With the passage of the War Measures Act in 1914, the Conservatives assumed sweeping legislative prerogatives which they subsequently reinforced through a series of orders-in-council. Although these actions were intended to make Canada's contribution to the war effort more effective they also entailed

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<sup>6</sup>Canada. The Immigration Program. Ottawa: Information Canada (1974), p. 8. The original Section 41 was introduced in the context of emergent I.W.W. radicalism in the western United States. At that time the Laurier government was concerned with a possible influx of undesirables into Canada. Canada. House of Commons Debates, January 19, 1910, p. 2134.

the curtailment of labour activity and contributed to an upsurge in domestic radicalism.

While an analysis of the ideological underpinnings of the government which enacted the 1919 sedition and deportation measures is beyond the scope of this study, some observations may be made as to the world view that was at play in the conception of this legislation. It is generally accepted that this government owed its first allegiance to corporate interests and the middle classes supporting the prevailing socio-economic system. This fact was demonstrated in the spate of anti-labour Orders-in-Council issued by the Borden government and its ultimate opposition to the nascent One Big Union in the context of the general strike.

In taking this position, the Borden government demonstrated that it too ran in the mainstream of the tory corporatism that had carried all previous Conservative governments. Robert Presthus has defined corporatism as "a conception of society in which government delegates many of its functions to private groups, which in turn provide guidance regarding the social and economic legislation required in the modern national state."<sup>7</sup> This approach was most strongly evident in John A. Macdonald's government, whose political role as nation-builder was inextricably tied to the National Policy and support of commercial, transportation and financial interests. That a corporatist element persisted in the Union government was evidenced by the role of A.J. Andrews in the

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<sup>7</sup>Robert Presthus, Elite Accommodations in Canadian Politics. (Toronto: MacMillan of Canada, 1973,) p. 25.

Winnipeg General Strike. A leader of the business-oriented Committee of One Thousand, he also served as one of the chief advisers to the Dominion authorities. The other identifying feature of Canadian conservatism was its espousal of a paternal control over the political and economic affairs of the nation. W.L. Morton has noted that where the American Declaration of Independence guarantees "life, liberty and the pursuit of happiness," the British North America Act guarantees "peace, order and good government."<sup>8</sup>

A similar kind of paternalism manifested itself in Winnipeg, where the business community kept a tight rein over the political and economic affairs of the city. Having shepherded the city's growth from the earliest period, this group considered its leadership to be indispensable to its future development.<sup>9</sup> When that control was challenged by the general strike in 1919, their natural feelings of apprehension were heightened by the prospect of losing their dominant position in the social hierarchy.

Beyond the economic basis of the 1919 sedition legislation, the deportation amendments were inspired by a nativist reaction that transcended class lines. It was neither Canada's first episode with racial or ethnic prejudice as, evidenced by the treatment of the foreign navvies

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<sup>8</sup>W.L. Morton, The Canadian Identity (Toronto, 1961), p. 111; Cited in Gad Horowitz, Canadian Labour in Politics. (Toronto: University of Toronto Press, 1968), p. 20.

<sup>9</sup>David J. Bercuson, "The Winnipeg General Strike," in Irving Abella, On Strike: Six Key Labour Struggles in Canada, 1919-1949 (Toronto: James Lewis and Samuels, 1974), p. 2.

in the early 1900s,<sup>10</sup> nor the last, as was shown in the anti-oriental immigration legislation of the 1920s. In these instances, as was the case in the Winnipeg General Strike, some of the strongest demands for deportation of aliens came from working class Canadians. At the same time the reaction of the returned soldiers in Winnipeg was to a significant extent manipulated through attacks on the alien by the business interests that received broad publicity in the Winnipeg Citizen.

For the most part the conservatives who were most strongly opposed to the expression of radical views were also highly unsympathetic to the aspirations of the aliens. Their desire to bring about a complete assimilation of the immigrants was representative of a paternal attempt by the Anglo-Saxon elite to maintain its control over the country's affairs. In 1928, the Conservative leader, R.B. Bennett, stated:

We earnestly and sincerely believe that the civilization which we call the British civilization is the standard by which we must measure our own civilization; we desire to assimilate those whom we bring to this country to that civilization, that standard of living, that regard for morality and law and the institutions of the country and to the ordered and regulated development of this country.<sup>11</sup>

It was precisely this devotion to "British civilization" that had such tragic consequences in 1919.

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<sup>10</sup> Donald Avery, "Canadian Immigration Policy and the "Foreign Navy," 1896-1914" Canadian Historical Association, Historical Papers (1972), pp. 135-156.

<sup>11</sup> Canada. House of Commons Debates, June 7, 1928, pp. 3925-7; quoted in Howard Palmer (ed.) Immigration and the Rise of Multiculturalism (Toronto: Copp Clark, 1975), p. 119.

## Chapter I

### Origins of the 1919 Sedition and Deportation Amendments

The years 1918 and 1919 saw the brief appearance of labour radicalism as a potent force in Canada, particularly in the Western provinces. It was the culmination of years of dissatisfaction with the apparent incapacity of the capitalist system to dispense social and economic justice, exacerbated by Canada's involvement in the Great War and its government's conscription policy.<sup>1</sup> The emergent radicalism was met by an ideological backlash of the dominant middle classes and their leaders. Feeling threatened by the militant expression of socialist and sometimes Marxian ideas, this group urged the Canadian authorities to suppress all forms of visible dissent. The situation was further complicated by an anti-alien component to the reaction. With the dual spectre of the Great War with Germany and the Bolshevik revolution in Russia in fresh memory, middle-class Canadians clamored for the speedy deportation of all aliens suspected of radical agitation. In this polarized climate, the response of the authorities was certain to have significant implications, not only for the labour movement, but for the future of civil liberties in this century.

The nativist reaction had its roots in Clifford Sifton's great immigration scheme. Thousands of Eastern European immigrants, particularly Ukrainians from the Austrian province of Galicia, settled in Canada

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<sup>1</sup>See A. Ross McCormack, Reformers, Rebels and Revolutionaries: The Western Canadian Radical Movement, 1889-1919 (Toronto: University of Toronto Press, 1977), pp. 118-136.

after 1896. By 1911, the foreign born population was 752,732 or over ten per cent of the population. Of these 129,103 had come from Austria-Hungary, 111,000 since 1901.<sup>2</sup> Western Canada received large numbers of immigrants, as the majority found land in the fringe areas of settlement. Others settled in larger cities, such as Winnipeg or Edmonton, where they joined the labor pools in light industry, local manufacturing and the railway shops. Elsewhere they found work in mining and lumbering, but what they had in common was that they were employed at the bottom of the economic ladder.

Apart from languages and customs that set them apart from the Anglo-Saxon majority, the Eastern Europeans also brought with them different political traditions. Coming from the absolutist Austro-Hungarian Empire, they had had little experience with representative institutions. A small but visible minority were radical socialists whose participation in left-wing newspapers and radical organizations established a ready source of conflict with the predominantly English-speaking middle classes.

While the seeds of confrontation already existed, the anti-alien reaction was spurred by the outbreak of World War One. As later occurred with the "Hate the Hun" campaign in the United States, Canadian nativist feeling was at first directed at immigrants of German or Austrian origin. Herein the impetus lay with the Dominion government, which took full advantage of powers conferred by the newly-passed War Measures Act. Under Order-in-Council P.C.2721 of October 28, 1914, the Borden government provided for the registration, and internment, in certain cases, of aliens of

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<sup>2</sup>Census of Canada, 1911, pp.vii, viii, 44.



enemy nationality.<sup>3</sup> The order-in-council, which covered reservists of the German or Hungarian armies, required that they report to the authorities once a month, and also restricted their movements out of the country. All those failing to comply with these regulations would be interned as prisoners of war.

As yet, internment of the Galician immigrant labourers was not contemplated by the authorities. In an interview with the Montreal Star, General W.D. Otter, newly-appointed Director of Internment Operations, stated:

The great danger in regard to the Germans and Austrians is not to be anticipated from the working classes so much as from those in business. Most of the Austrians are working men, and though they might cause trouble if not kept under observation, it is the German commercial agents, and men in similar positions, who are most likely to prove dangerous.<sup>4</sup>

Nonetheless, an event which was certain to create a residual connection in the public mind between the Germans and the Ukrainian community was Bishop Nicolas Budka's unfortunate pastoral letter of the previous August. As Uniate prelate in Western Canada, Budka urged his parishioners to support Emperor Franz Joseph and added:

All the Austrian subjects ought to be at home in a position to defend our native country, our dear brothers and sisters, our nation. Whoever will get a call to join the colours ought to immediately go to defend the endangered Fatherland.<sup>5</sup>

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<sup>3</sup> Canada Gazette Vol. 28, October 28, 1914; Joseph Boudreau, "The Enemy Alien Problem in Canada, 1914-1921."

<sup>4</sup> Canadian Annual Review (1914), p. 278.

<sup>5</sup> Ibid.

The letter was met with a groundswell of resistance from many Canadian Ukrainian groups and Budka later retracted his original statement, but the impression lingered that the Ukrainians were at heart supporters of the Austrian enemy. By the war's end, the scope of enemy alien regulations was expanded to encompass the registration of Slavic and Finnish aliens. What precipitated the change in policy? A new enemy had emerged to supplant the Hun: the Bolshevik.

The Red Scare of 1919 derived from both external and internal sources. The Russian Revolution of October 1917 installed in the largest country in the world a regime committed to the revolutionary overthrow of capitalism. Within months Europe was rocked by a succession of uprisings, most notably in Germany where the Kaiser's government was overthrown by a social democratic revolution in November 1918.<sup>6</sup> Three months later the radical Spartacists, led by Rosa Luxemburg and Karl Liebknecht, attempted a Soviet-style revolution. While abortive, the Spartacist rising and its counterparts in other European countries gained wide popularity among certain sectors of the North American labour movement, while at the same time increasing the apprehensions of the capitalists and middle classes.

Far more significant in terms of impact on the Canadian scene were events in the United States. While no revolutions were hatched during the First World War, labour radicalism took the form of militant industrial

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<sup>6</sup>David J. Bercuson, Confrontation at Winnipeg: Labour, Industrial Relations and the General Strike. (McGill-Queen's University Press, 1974), p. 92.

strikes in the north-western and western states. A major influence in many of the labour disturbances was the syndicalist Industrial Workers of the World. The I.W.W. also led political strikes, protesting the U.S. government's participation in the war and its policy of conscription. For middle class America, however, the I.W.W. protests against the war served only to solidify a perceived connection between left-wing agitation and support of the German enemy.<sup>7</sup>

Formed in 1905 in Chicago, the organization's anarcho-syndicalist tenets were set forth in the founding constitution, as illustrated by the following excerpts from the preamble to that document:

The working class and the employing class have nothing in common. There can be no peace as long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things in life...

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production and abolish the wage system...It is the historic mission of the working class to do away with Capitalism. The army of production must be organized, not only for the everyday struggle with the capitalists, but also to carry on production when Capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.<sup>8</sup>

In essence, its philosophy was akin to that of the One Big Union, which loomed large in the Canadian government's perception of events in 1919. The I.W.W.'s membership was a motley assortment of "anarchists, general strike advocates, direct action Socialists and syndicalists,"<sup>9</sup>

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<sup>7</sup> Ibid., p. 93.

<sup>8</sup> Canadian Annual Review (1918), p. 300.

<sup>9</sup> Robert K. Murray, Red Scare (Minneapolis: University of Minnesota Press, 1955), p. 27.

representing most of the radicals who were opposed to the conservative craft-unionism of the American Federation of Labor. During the war the International Workers were confronted with stiff opposition by vigilante groups and the American government, and by 1919 they had for all purposes been driven underground.<sup>10</sup>

In January 1919, however, the involvement of some I.W.W. sympathizers in the Seattle general strike contributed to the fears of middle class Americans that militant radicalism was getting out of hand. The I.W.W. did not in fact play a major role in the strike, which had originated in a dispute between the shipyard workers and yard owners over pay scales of unskilled workers. The reaction of Seattle authorities, however, in particular Mayor Ole Hanson, who viewed the general strike as an attempted revolution,<sup>11</sup> contributed to a similar perception by the Canadian authorities of a sympathetic strike in Winnipeg only a few months later.

In Canada, the war years had seen a progressive radicalization of the labour movement in the western provinces, where Samuel Gompers' craft-union tradition had never really taken hold. For many, Marx's depiction of war as the ultimate extension of capitalism, in which the workers became the cannon-fodder for the munitions makers, seemed particularly accurate. The I.W.W. had established itself in British Columbia in 1906<sup>12</sup> and grew in strength during the war, aided and abetted by the

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<sup>10</sup> Ibid, p. 27.

<sup>11</sup> Jeremy Brecher, Strike! ( San Francisco: Straight Arrow Books, 1972), p. 110.

<sup>12</sup> Murray, op. cit., p. 31.

federal government's unpopular conscription policy. The centre of radical activity was in the coal-mining districts of British Columbia and Alberta, where many strikes occurred in 1916 and 1917. In Vancouver, the Trades and Labour Council decided, in December, 1917, to submit to its membership a vote on the question of a general strike.<sup>13</sup> The issue was the imprisonment of a union member for refusing to register under the Military Service Act. While the strike was never held, it had presented Canadians with the serious prospect of a general withdrawal of services and all that was entailed in such a challenge to constituted authority.

These developments did not go unheeded by the Conservative-Unionist Government, which was determined to prosecute its war effort with a minimum of interference from organized labour. In May, 1918, Prime Minister Borden commissioned lawyer C.H. Cahan to undertake an investigation into seditious groups across Canada.<sup>14</sup> Reporting to the Minister of Justice in September, 1918, Cahan observed that Russians, Ukrainians and Finns had been prominent in I.W.W. agitation among miners and recommended that these nationalisms be brought under enemy alien regulations. In Cahan's view, the Ukrainians and Finns were agents of German propaganda among the alien workers. He recommended the "most stringent measures to curtail the importation of such doctrines at public or private meetings and the declaration of unlawful associations and censorship of newspapers

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<sup>13</sup> Martin Robin, Radical Politics and Canadian Labour (Kingston: Industrial Relations Centre, Queen's University, 1968), p. 164.

<sup>14</sup> Letter of R.L. Borden to C.H. Cahan (Confidential), May 19, 1918. Robert L. Borden Papers (PAC), Manuscript Group 26H, Vol. 104, File OC519, Fo. 56642.

under the War Measures Act." To preserve order and ensure the enforcement of federal regulations during the war, he recommended the setting-up of a Public Safety branch of the Justice Department.<sup>15</sup>

These recommendations were acted on immediately. A Department of Public Safety was set up with Cahan as Director; and on September 25, the government passed Order-in-Council P.C.2381, which prohibited the publication of newspapers in fourteen designated languages.<sup>16</sup> In his study of the enemy alien question, Joseph Boudreau came to the conclusion that the ban on foreign language newspapers was precipitated by the government's fear of violence on the part of returned soldiers.<sup>17</sup> Citing a visit by Immigration Minister J.A. Calder to the publisher of Der Nordwesten in Winnipeg, Boudreau stated that this was prompted by a resolution of the local Great War Veterans' Association requesting the suppression of German-language newspapers.<sup>18</sup> Otherwise, the GWVA claimed, they could not be held responsible for the actions of returned soldiers "who threaten to smash up these German publishing houses."<sup>19</sup>

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<sup>15</sup> Letter of C.H. Cahan to O.J. Doherty, September 14, 1918, Borden Papers, op. cit., fo. 56656. Cited in Robin, op. cit., pp. 165, 166.

<sup>16</sup> Canada Gazette, Vol. 52, p. 1277; reprinted in Statutes of Canada, 9-10 George V, 1919, Vol. 1, pp. lxxi, lxxii.

<sup>17</sup> Boudreau, op. cit., p. 170.

<sup>18</sup> Letter to R.L. Borden, to J.A. Calder, September 18, 1918, Borden Papers, File OC 454, Vol. 48135. Cited in Boudreau, op. cit., p. 170.

<sup>19</sup> Law to Borden, September 16, 1918, Borden Papers, OC 454, 48136. Cited in Boudreau, op. cit., p. 171.

Boudreau's explanation may have some validity, but it is difficult to understand why the government would prohibit the publication of all newspapers in fourteen languages merely on the basis of anticipated violence against one of them. A more likely explanation is that the apprehended violence might have hastened the government's action, but uppermost in its mind was the spectre of red revolution painted in vivid colours by C.H. Cahan.

If there were any doubt that the Union Government was taking Cahan seriously, all was erased on September 28 with the enactment of Order-in-Council P.C.2384. It was the most sweeping anti-revolutionary measure yet taken by the government and is worth examining in some detail. First, it specifically outlawed fourteen radical organizations,<sup>20</sup> including the I.W.W., as well as any other organization denoted as follows:

2.(b). Any association, organization, society or corporation, one of whose purposes is to bring about any governmental, political, social or economic change within Canada by the use of force, or physical threats of such injury to person or property, or which teaches, advocates, advises or defends the use of force, or physical injury to person or property, or of such injury to person to accomplish such change for any other purpose or which shall by any means prosecute or pursue such purpose or professed purpose, or shall so teach, advocate, advise or defend while Canada is engaged in war.<sup>21</sup>

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<sup>20</sup>These included: The Industrial Workers of the World; The Russian Social Democratic Group; The Russian Revolutionary Group; The Russian Social Revolutionists; The Russian Workers Union; The Ukrainian Revolutionary Group; The Ukrainian Social Democratic Party; The Social Democratic Party; The Social Labour Party; and The Group of Social Democrats of Bolsheviki.

<sup>21</sup>The Canadian Official Record, October 1, 1918, p. 12; Statutes of Canada, 1919, 9-10 George V, Vol. 1, Vide Canada Gazette, Vol. 52 p. 1876.

Another sub-section empowered the government to declare any other organization illegal. Moreover, any person acting, speaking or publishing on behalf of an unlawful association, or carrying a badge, card "or other device whatsoever, indicating or intended to show or suggest that he is a member of or in any wise associated with" such an association, was now liable to a five-year jail term. Indeed, a person need only have attended meetings of one of the banned organizations in order to be considered a member.<sup>22</sup> Other clauses provided for the prosecution of owners or superintendents of buildings who knowingly leased their premises to unlawful associations, and for search and seizure without warrant of documents held by any person suspected of belonging to an unlawful association. The order-in-council also banned the holding of any non-religious meetings in the enemy languages, including Russian, Finnish and Ukrainian.<sup>23</sup> To cap the government offensive against labour radicalism, Order-in-Council 2525 was passed on October 11, prohibiting strikes and lockouts in the railways and other industries deemed essential to the war effort. All labour disputes were now to be settled by binding arbitration.<sup>24</sup>

The new orders-in-council were greeted in labour circles with understandable outrage. One of the major meetings of protest was organized by the Winnipeg Trades and Labour Council for December 22 at the Walker

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Robin, op. cit., pp. 166, 167.



Theatre. At that meeting, speeches were made by William Ivens, editor of the Western Labor News, labour leader John Queen, and Socialist Party members George Armstrong, Sam Blumenberg and R.B. Russell. Approved resolutions included demands for the repeal of the repressive orders-in-council, the release of all political prisoners, and the withdrawal of all Canadian troops from Russia,<sup>25</sup> where they were supporting the White effort in the civil war. A significant outcome of the meeting was the strengthened resolve of the various socialist and labour parties to hold a Western Labor Conference. Unknown to the speakers, Royal North West Mounted Police agents were in the theatre, taking copious notes of their occasionally wild rhetoric. The Walker Theatre Meeting would later figure predominantly in the post-Winnipeg General Strike sedition trials and deportation hearings.

A potential lever against radicalism was the government's authority, conferred by various orders-in-council under the War Measures Act, to intern and deport. Still, it was not until the last few months of 1918 that internment was applied to any extent against aliens who were not German or Austrian. Certainly, the war's end had brought with it widespread agitation by veterans' groups for deportation. Their motivation was primarily economic, as indicated in the following resolution, passed by the Vancouver Soldiers' and Sailors' Mothers and Wives Association just after the Armistice, on November 26, 1918:

Be it resolved that we....go on record as being opposed to the interned enemy aliens being freed, to take positions and flood the labour market to the

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<sup>25</sup> See D.C. Masters, The Winnipeg General Strike (Toronto: University of Toronto Press, 1950), pp. 3-5; Robin, op. cit., pp. 168, 169; Bercuson, op. cit., pp. 84-86.