

Canada Libre

*Nos racines les plus profondes
nourissent nos fruits les plus beaux*

Canada's Concentration Camps – The War Measures Act

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[By Diana Breti | The Law Connection | 1998](#)

Canadian Concentration Camps

By world standards Canada is a country that respects and protects its citizens' human rights. That has not always been true, however. Many people are familiar with the story of the internment of Japanese-Canadians in BC during World War II. But not many people are aware that the Japanese were not the only Canadians imprisoned during wartime simply because of their ethnic origin. The history of Canada includes more than one shameful incident in which the Canadian government used the law to violate the civil rights of its own citizens.

The War Measures Act

The War Measures Act was enacted on 22 August 1914, and gave the federal government full authority to do everything deemed necessary “for the security, defence, peace, order and welfare of Canada”. It could be used when the government thought that Canada was about to be invaded or war would be declared, in order to mobilize all segments of society to support the war effort. The Act also gave the federal government sweeping emergency powers that allowed Cabinet to administer the war effort without accountability to Parliament, and without regard to existing legislation. It gave the government additional powers of media censorship, arrest without charge, deportation without trial, and the expropriation, control and disposal of property. This Act was always implemented via an Order in Council, rather than by approval of the democratically elected Parliament.

World War I

After Great Britain entered the First World War in August 1914, the government of Canada issued an Order in Council under the War Measures Act. It required the registration and in certain cases the internment of aliens of

“enemy nationality”. This included the more than 80,000 Canadians who were formerly citizens of the Austrian-Hungarian empire. These individuals had to register as “enemy aliens” and report to local authorities on a regular basis. Twenty-four “concentration camps” (later called “internment camps”) were established across Canada, eight of them in British Columbia. View a list of [World War 1 Concentration Camps](#). The camps were supposed to house enemy alien immigrants who had contravened regulations or who were deemed to be security threats. In fact, the “enemy aliens” could be interned if they failed to register, or failed to report monthly, or travelled without permission, or wrote to relatives in Austria.

Other less concrete reasons given for internment included “acting in a very suspicious manner” and being “undesirable”. By the middle of 1915, 4,000 of the internees had been imprisoned for being “indigent” (poor and unemployed). A total of 8,579 Canadians were interned between 1914 and 1920. Over 5,000 of them were of Ukrainian descent. Germans, Poles, Italians, Bulgarians, Croatians, Turks, Serbians, Hungarians, Russians, Jews, and Romanians were also imprisoned. Of the 8,579 internees, only 2,321 could be classed as “prisoners of war” (i.e. “captured in arms or belonging to enemy reserves”); the rest were civilians.

Upon each individual’s arrest, whatever money and property they had was taken by the government. In the internment camps they were denied access to newspapers and their correspondence was censored. They were sometimes mistreated by the guards. One hundred and seven internees died, including several shot while trying to escape. They were forced to work on maintaining the camps, road-building, railway construction, and mining. As the need for soldiers overseas led to a shortage of workers in Canada, many of these internees were released on parole to work for private companies.

The first World War ended in 1918, but the forced labour program was such a benefit to Canadian corporations that the internment was continued for two years after the end of the War.

World War II

During World War II the War Measures Act was used again to intern Canadians, and 26 internment camps were set up across Canada. In 1940 an Order in Council was passed that defined enemy aliens as “all persons of German or Italian racial origin who have become naturalized British subjects since September 1, 1922”. (At the time, Canada didn’t grant passports and citizenship on its own, so immigrants were “naturalized” by becoming British subjects.) A further Order in Council outlawed the Communist Party. Estimates suggest that some 30,000 individuals were affected by these Orders; that is, they were forced to register with the RCMP and to report to them on a monthly basis. The government interned approximately 500 Italians and over 100 communists.

In New Brunswick, 711 Jews, refugees from the holocaust, were interned at the request of British Prime Minister Winston Churchill because he thought there might be spies in the group.

In 1942, the government decided it wanted 2,240 acres of Indian Reserve land at Stony Point, in southwestern Ontario, to establish an advanced infantry training base. Apparently the decision to take Reserve land for the army base was made to avoid the cost and time involved in expropriating non-Aboriginal lands. The Stony Point Reserve comprised over half the Reserve territory of the Chippewas of Kettle & Stony Point. Under the Indian Act, reserve lands can only be sold by Surrender, which involves a vote by the Band membership. The Band members voted against the Surrender, however the Band realized the importance of the war effort and they were willing to lease the land to the Government. The Government rejected the offer to lease. On April 14, 1942, an Order-in-

Council authorizing the appropriation of Stony Point was passed under the provisions of the War Measures Act. The military was sent in to forcibly remove the residents of Stony Point. Houses, buildings and the burial ground were bulldozed to establish Camp Ipperwash. By the terms of the Order-in-Council, the Military could use the Reserve lands at Stony Point only until the end of World War II. However, those lands have not yet been returned. The military base was closed in the early 1950's, and since then the lands have been used for cadet training, weapons training and recreational facilities for military personnel.

After the bombing of Pearl Harbor in 1942, the government passed an Order in Council authorizing the removal of “enemy aliens” within a 100-mile radius of the BC coast. On March 4, 1942 22,000 Japanese Canadians were given 24 hours to pack before being interned. They were first incarcerated in a temporary facility at Hastings Park Race Track in Vancouver. Women, children and older people were sent to internment camps in the Interior. Others were forced into road construction camps. There were also “self-supporting camps”, where 1,161 internees paid to lease farms in a less restrictive environment, although they were still considered “enemy aliens”. Men who complained about separation from their families or violated the curfew were sent to the “prisoner of war” camps in Ontario.

The property of the Japanese Canadians – land, businesses, and other assets – were confiscated by the government and sold, and the proceeds used to pay for their internment. In 1945, the government extended the Order in Council to force the Japanese Canadians to go to Japan and lose their Canadian citizenship, or move to eastern Canada. Even though the war was over, it was illegal for Japanese Canadians to return to Vancouver until 1949. In 1988 Canada apologized for this miscarriage of justice, admitting that the actions of the government were influenced by racial discrimination. The government signed a redress agreement providing a small amount of money compensation.

Could This Happen Today?

The War Measures Act was repealed in 1988. It was replaced with the Emergencies Act. The Emergencies Act allows the federal government to make temporary laws in the event of a serious national emergency. The Emergencies Act differs from the War Measures Act in two important ways:

1. A declaration of an emergency by the Cabinet must be reviewed by Parliament
2. Any temporary laws made under the Act are subject to the Charter of Rights and Freedoms.

Thus any attempt by the government to suspend the civil rights of Canadians, even in an emergency, will be subject to the “reasonable and justified” test under section 1 of the Charter. Restrictions and limitations on freedom were inevitable during times of war. To the Canadian government, internment during both World Wars was a practical solution to a perceived security problem. However the terms of the Orders in Council, and the methods used to carry them out, reveal that the government was influenced more by racial discrimination and anti-immigrant sentiments than by any real threat to national security. The stories of the internees are a reminder of how human rights are vulnerable in situations of crisis.

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