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## Placing "Rights And Liberties In Pawn Until The Defeat Of Hitlerism": Canadian Intelligence Gathering In The Second World War

Austin M H Williams  
Algoma University College, austinmarkwilliams@live.com

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## Placing "Rights And Liberties In Pawn Until The Defeat Of Hitlerism": Canadian Intelligence Gathering In The Second World War

### Cover Page Footnote

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PLACING “RIGHTS AND LIBERTIES IN PAWN  
UNTIL THE DEFEAT OF HITLERISM”:  
CANADIAN INTELLIGENCE GATHERING IN THE  
SECOND WORLD WAR

AUSTIN M. H. WILLIAMS

*ALGOMA UNIVERSITY COLLEGE*

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ABSTRACT

Williams examines RCMP intelligence Bulletins drafted during World War Two that have been declassified under the Access to Information Act. Williams’ Analysis of the Bulletins suggests that the Canadian intelligence gathering apparatus underwent a massive expansion during the war. The RCMP began investigating people and organizations based upon their race, religion, political affiliation or nationalist beliefs. Ultimately, Williams suggests that contemporary tactics mobilized against perceived terrorist threats parallel tactics used during the Second World War

Keywords: Canada, Intelligence Gathering, Spy, World War II, Civil Libertarian, Enemy Alien, Pacifism, RCMP, Supreme Court, Human Rights, Religious Objector, Institutional Racism, War on Terror, Securitization, Police Tactics

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In Canada little research is available on the subject of historical intelligence gathering, hampering study of more recent intelligence documents.<sup>1</sup> The few studies available from sources like Steve Hewitt, Paul Axelrod, and Reg Whitaker focus almost exclusively upon intelligence gathering relationships with politically left leaning organizations and students. Analysis of declassified Royal Canadian Mounted Police (RCMP) *Bulletins* will show that Canada's first dedicated intelligence agency was created due to securitizing pressures during the Second World War, and that the actions of this apparatus created a powerful reactionary opposition from within the Canadian government eventually resulting in the creation of Canada's human rights legislation.

Securitization is an ongoing process identified by the Copenhagen School of International Relations by which influential groups or persons make a "security speech act" identifying an object, place or idea that requires additional protection, leading the government to invest resources into securing the referent object.<sup>2</sup> This process of securitization followed during World War Two was spurred forward by security speech acts from varied sources, which led to increases in the scope and power of the RCMP intelligence apparatus, as well as constant redefinition of their mandate. The process of securitizing ethnicity, religion and pacifism during World War Two will be elucidated first through a structural analysis of the *Bulletins*, indicating the growing scope of police intelligence gathering based upon changes in the form of the documents. This will be followed by an analysis of factors determining the instigation of intelligence gathering. Finally the processes by which covert influence and public opinion resulted in securitization have been discussed, prompting a discussion of relevance to the modern day.

The *RCMP Intelligence Bulletins* were obtained by Gregory Kealey through the *Access to Information Act* in 1984.<sup>3</sup> These documents confidentially updated those with sufficient security clearance about criminal enterprises and communist or labor activist subver-

1. Larry Hannant, "Access to the Inside: An Assessment of 'Canada's Security Service: A History,'" *Intelligence and National Security* 8, no. 3 (1993): 149.

2. Roland Dannreuther, *International Security: The Contemporary Agenda* (Malden: Polity 2013), 47.

3. Gregory Kealey "The Royal Canadian Mounted Police, The Canadian Security Intelligence Service, the Public Archives of Canada, and the Access to Information: A Curious Tale," *Labour* no. 21 (1988): 199.

sion of industry inside Canada from 1920 until after the end of the Second World War. These reports were issued initially in 1920 by the Criminal Investigation Bureau (CIB) of the RCMP. The CIB's mandate focused on criminal activities, which at the time included work stoppages, labor activism and communist party advocacy.<sup>4</sup> This was included in their mandate because the political left and communists were viewed by the established authorities as a threat to their continued governance, and the security of the commonwealth. Special focus on politically left-wing groups such as unions and socialist parties intensified during the interwar period, but the onset of World War Two prompted a significant expansion of the scope of RCMP surveillance on fascist-aligned other politically unaffiliated individuals and groups, as they gradually became viewed as a threat to the continuation of the commonwealth as well. The RCMP began spying upon religious, ethnic, political, and ideological minorities, even going so far as subscribing to ethnic publications, printing excerpts of "interesting" articles, and infiltrating nationalist events.<sup>5</sup> This significant change in police tactics has not been assessed textually in the *Bulletins* or elsewhere, to the detriment of Canadian society and historiography.

### **Dissecting RCMP Bulletins: The Growth and Centralization of the Intelligence Apparatus**

The origin and basic stages of growth of the RCMP intelligence gathering apparatus will be demonstrated by tracking the changes in the form of the documents from 1920 to the end of World War Two. Clear differences in mandate and subject targeting will become apparent as the documents move forward in time and the intelligence agency is repeatedly dismantled and reformed. The first available *Bulletins* were known under the general title "Notes of the Work of the C.I.B. Division."<sup>6</sup> The earliest reports summarized trials, detailed the activities of extreme agitators and criminals.<sup>7</sup> The race or religion of those involved was demonstrably of less concern to the RCMP than in World War Two era reports. For instance, the 11<sup>th</sup> of November 1920 *Bulletin* contained a single sentence which stated the

4. RCMP, 11 November, 1920 *Security Bulletin*.

5. RCMP, 1 May 1943, *Security Bulletin*.

6. RCMP, 2 January 1920, *Security Bulletin*.

7. RCMP, 11 November 1920, *Security Bulletin*.

existence of seditious and violent Hindu reading material in British Columbia.<sup>8</sup> It can be inferred this was amended to the greater body of the text due to its violent content, and not because the RCMP were putting vast resources into gathering intelligence on Hindus. Were the RCMP intensely interested in the Hindu religion and its followers, the documents should have indicated this by repeated and intensive discussions regarding their situation in Canada as the RCMP did for many other groups and organizations.

This same *Bulletin* also contains an example of the RCMP investigating the race of coal miners, but only after those miners began making threats to sabotage the coal industry in Drumheller.<sup>9</sup> This example, which is one of many, indicates that the RCMP did not instigate the investigation based upon the miner's races, but rather did so as part of a routine investigation into criminal threats of sabotage. This shows that race was not yet considered a good reason to investigate a person by Canada's only existing intelligence apparatus. By 1923, the focus of the *Bulletins* was changing from investigating outright criminal activity and sabotage to monitoring organizations and individuals deemed as radicals by the RCMP or those in the Canadian Government directing their efforts. This is evident from the alteration of the general title of the documents to "Weekly Summary Notes Respecting Revolutionary Organizations and Agitators in Canada Report".<sup>10</sup> The structure of the documents during this early period is highly variable and minor changes to the title occurred fairly frequently; however, changes in the concerns of officials organizing the reports are evident by 1938, when the general name of the *Bulletins* became "Weekly Summary Report on Communist and Fascist Organizations and Agitation in Canada."<sup>11</sup> In the title of the documents there was no longer any pretence of illegal acts being committed by those under surveillance instead communist and fascist ideologies as well as the individuals who advocated for them were stated as the scope and focus of intelligence gathering.

Within one year of this title change the division issuing the *Bulletins* ceased doing so, and the Civil Security Intelligence Service (CSIS, not to be confused with the modern organization with the

8. Ibid.

9. Ibid.

10. RCMP, 31 January 1923, *Security Bulletin*.

11. RCMP, 30<sup>th</sup> November 1938 *Security Bulletin*.

same acronym) of the RCMP took over. The general title of the documents then changed to “Civil Security Intelligence Summary.”<sup>12</sup> The police themselves admit: “It has been said with some truth that by the recent Defence legislation the British people have placed their rights and liberties in pawn until the defeat of Hitlerism”.<sup>13</sup> *Bulletins* also noted the initiation of “A new conception of police based upon urgent needs” after the start of the war, reflecting a rejection of limits to the scope of RCMP intelligence gathering.<sup>14</sup> From this period the content of the *Bulletins* changed, with new focus upon specific racial and religious minorities, peace activists, and other groups that otherwise defied classification as particularly violent, radical, fascist or left leaning politically.<sup>15</sup>

Such fascist, or politically left leaning classification defying reports were essentially non-existent in *Bulletins* before this change, but appeared in approximately forty six per cent of the *Bulletins* during World War Two (refer to Table). This expansion coincided with the growth of RCMP intelligence personnel from five to more than one hundred from 1939-1942.<sup>16</sup> The lack of easy classification led to the temporary inclusion of a table of contents, often consisting of three major divisions: Fascism, Communism, and General.<sup>17</sup> The General category was used as a catch all, sometimes containing information on strikes and labour, but more often discussing religious and ethnic minorities as in the *Bulletin* from June 10<sup>th</sup>.<sup>18</sup> Other recurring headings relevant to the study being conducted included: Enemy Aliens, Ukrainians and Nazism. The term “enemy alien” has evolved its meaning over time, but is always generally understood to refer to a person born inside of a country currently at war with the country in which they reside.

At various times the RCMP also evaluate their own performance, tactics and procedures; these evaluations shed light into their motivations and the prompts that led to investigation. One example of this introspection was the September 30<sup>th</sup> 1941 *Bulletin* in which

12. RCMP, June-Sept 1939, *Security Bulletin*.

13. RCMP, 26 August 1940, *Security Bulletin*.

14. RCMP, 26 August 1940, *Security Bulletin*.

15. Reg Whitaker, Gregory Kealey and Andrew Parnaby, *Secret Service: Political Policing in Canada from the Fenians to Fortress America* (Toronto: University of Toronto 2012), 145.

16. Whitaker, *Secret Service*, 150.

17. RCMP, 23 October 1939 *Security Bulletin*.

18. RCMP, June 10<sup>th</sup> 1940 *Security Bulletin*.

common ‘misunderstandings’ about the RCMP’s internment policies were discussed.<sup>19</sup> The article in particular attempted to impress upon the reader that the police were not solely responsible for decisions regarding internments of non-enemy aliens, as apparently many among their ranks believed. Instead, among other things, the article describes the process by which persons who are identified as in some way subversive or suspect, are thereafter “subjected to a thorough police investigation” and if warranted the evidence obtained is sent to the Minister of Justice.<sup>20</sup>

Seven *Bulletins* from before the outbreak of World War Two have been included in this study due to their value in terms of denoting structural changes within the Canadian intelligence gathering apparatus leading up to the period in question. When considered together these documents, though not comprehensive, suggest strongly that during the pre-war period the RCMP did not initiate investigations due singularly to the race or religion of an individual or group (refer to Table). Of the seven pre-war documents, one briefly discussed a communist Spanish loyalist league, another mentioned violent anti-imperial Hindus, and the final report before the outbreak of World War Two discussed both German and Italian nationals in Canada.<sup>21</sup> This report was prompted by the fear of sabotage at the hands of Canadian fascists in retaliation for the impending war with Italy and Germany. This fear was present among all levels of Canadian society, including the government, the media and grassroots organizations. A brief overview of all pre-war *Bulletins* leaves the impression the race of the subject under surveillance is a secondary concern—only an issue because they were exhibiting some other extremely subversive or violent behaviour.

*Bulletins* during World War Two indicate a noticeable shift in surveillance focus, tactics, and targeted groups. During the first forty War *Bulletins* (23<sup>rd</sup> of October 1939 to February 16, 1941) there were eleven issues (twenty seven per cent) that included intelligence on eight groups due to their identifiable and somehow objectionable ethnicity or religious beliefs (refer to Table). The majority of the reports were on individuals from Germany, Italy, and Japan; countries

19. RCMP, 30 September 1941 *Security Bulletin*.

20. RCMP, 30 September 1941 *Security Bulletin*.

21. RCMP, 14 April 1937 *Security Bulletin*; RCMP, 11 November 1920, *Security Bulletin*; RCMP, June-Sept 1939, *Security Bulletin*.

at war with the Allies. At least one of these three groups was represented in eight of the eleven issues referenced, clearly indicating that these races were focused upon (refer to Table). Other groups being reported upon included the Jehovah's Witnesses, the Ukrainian War Veterans Association, and the Ukrainian Nationalist Federation of Canada. The expansion of surveillance during this period is indicative of the initialization of the securitization of ethnicity during the period.

Many other groups reported upon were not given as much space within the documents, and thus by comparison indicates a lower level of interest from police investigators. One of these less interesting groups reported upon were Hindu extremists.<sup>22</sup> This report during the war was likely part of a long standing effort to keep tabs on violently anti-imperial propaganda entering the country already underway in 1920 (due to a rising Indian independence movement abroad), and was not an investigation based primarily upon adhering to Hinduism. Another report focused upon the shifting support for the war effort among Polish Canadians.<sup>23</sup> The report stated that many in the Polish community, who at one time supported Canada's War effort, had come to view the Russians as saviors of their mother country, resulting in a loss of support. From the information and context provided by the document, this particular report appears to have been provoked by Polish Canadians making public statements which were subversive and anti-Canadian in nature, prompting members of the public to report those statements to the authorities, forcing the RCMP to investigate according to the new conception of police discussed earlier. This lack of focus upon the Polish was further indicated by only one follow up report regarding non-political Poles during the War, compared to a half dozen for certain other ethnicities.<sup>24</sup>

The history of Ukrainian nationalism was covered in great detail in the fortieth wartime *Bulletin* assessed. The Ukrainian nationalist movement was compared to its German and Italian counterparts.<sup>25</sup> This comparison between Ukrainian and enemy alien movements is indicative of the subsequent focus that would be placed

22. RCMP, 6 May 1940, *Security Bulletin*.

23. RCMP, 23 October 1939, *Security Bulletin*.

24. RCMP, 1 February 1943, *Security Bulletin*.

25. RCMP, 23 December 1940, *Security Bulletin*.

upon Ukrainians during the later part of the war, similar to that of Italians and Germans in the beginning stages (refer to Table). This is the first time that such a wide ranging political history of a people and organization was undertaken in the documents. To be certain, there were politically left and communist Ukrainian organizations under study, but these were not particularly the focus of the report. From the perspective of the police, Ukrainians may have been perceived as a logical place to begin a concerted expansion of intelligence gathering in World War Two since Ukrainians were enemy aliens in the First World War and some had been put into internment camps.<sup>26</sup> Police may have feared the large and possibly disgruntled Ukrainian body could turn to sabotage or revolt if left unchecked.

The final two groups reported upon in this period were non-violent politically unaffiliated religious sects. These *Bulletins* indicate a changing attitude regarding investigation and reporting. The earliest of the reports, regarding the Doukhobours (a Russian religious group of radical pacifists who live mostly in western Canada), indicated the sect suffered from internal structural issues. The initial prompt for this report cannot be inferred because the majority of the report has been redacted.<sup>27</sup> The report on Jehovah's Witnesses was prompted by an Order in Council that made the organization illegal due to its anti-war sentiments. The report indicated widespread belief that pacifism could produce a defeatist attitude if left unchecked.<sup>28</sup> This report marked the growing interest of the RCMP intelligence gathering apparatus from enemy aliens, revolutionaries, saboteurs, and criminals to include pacifists and religious objectors. From 17<sup>th</sup> of February 1941 to the 1<sup>st</sup> of September 1945, the occurrence of reports about non-political groups expanded substantially. Of the thirty one available *Bulletin* issues during this latter half of World War Two, seventeen (fifty four per cent) of them contained at least one report about non-violent and politically unaligned groups (refer to Table). The number of groups studied also increased substantially, coming to include at least three additional religious sects (Eastern Rights Churches, the Russian Orthodox Church and the Menno-nites) and three ethnic groups (Czechs, Slavs and Finns) as well as all

26. George Buri, "Enemies Within Our Gates: Brandon's Alien Detention Centre During the Great War," *Manitoba History* 56 (2007): 5.

27. RCMP, 26 March 1940 *Security Bulletin*.

28. RCMP, 15 July 1940, *Security Bulletin*.

of the groups discussed previously, except Hindus.

The documents from this era place special focus upon nationalist organizations in Canada, particularly when the nations were from European territories under military dispute. Reports about African Canadian people and Indigenous Canadians are conspicuously absent. Though British forces were warring in Africa, and Native peoples might have been particularly receptive to socialist propaganda, neither group was ever reported upon in the *Bulletins*. Likely neither of those two groups were considered a wartime intelligence problem, possibly due to the racist ideas of the RCMP expressed explicitly throughout the *Bulletins*, to be discussed in the following section.

### **RCMP War Bulletins: Initiating Investigations**

The RCMP held an informal understanding of the characteristics of different races of people, and devoted attention to individuals and organizations based upon negative stereotypes. Italian people were understood to be more 'fanatical' and less loyal in general than German people.<sup>29</sup> This understanding resulted, generally, in naturalized and Canadian born Germans not being targeted by the RCMP intelligence apparatus, while all one hundred thousand Italian Canadians were put under watch.<sup>30</sup>

It is possible that the RCMP investigators believed that European and Japanese people were more intelligent or capable of doing harm than Black and Native people, limiting or preventing intelligence gathering on them. Another possible explanation for the absence of information could be that these communities were small, and therefore may have presented less of a threat. It may also be possible that these groups and others were targeted in documents which are not available in this study. It is clear Europeans and small Christian denominations were the major targets of RCMP intelligence in the *Bulletins*, since the only two groups reported upon in the *Bulletins* that were not European, Christian or politically left aligned were the Japanese community and Hindu extremists in Canada.

29. RCMP, June-Sept 1939 *Security Bulletin*.

30. RCMP, 23 October 1939, *Security Bulletin*; RCMP, 6 May 1940, *Security Bulletin*.

The investigations in the *Bulletins* were initiated due to subjects exhibiting one of the following characteristics: leaning left politically, engaging in criminal or disruptive behavior, holding fascist views, being an enemy alien, engaging in nationalist sentiment for non-commonwealth countries, and resisting the war effort. Discussed in the previous section, the *Bulletins'* origins in the Criminal Investigation Bureau of the RCMP ensured the series included criminal activity and disruptive behavior. It has also been previously established that information gathering upon politically left aligned groups was extensive and has been studied in depth by Canadian academics such as Reg Whitaker. In general those in control of the RCMP intelligence apparatus viewed the political left as a threat to the continuation of the commonwealth government, and also as potential war effort saboteurs. Likewise, fascist ideologues and organizations were targeted because of their perceived disloyalty and threat to the Canadian war effort.

The RCMP were given the task of monitoring enemy aliens because it was widely believed by government officials, the media and the Canadian public that these individuals were often members of secret societies dedicated to sabotaging the war effort.<sup>31</sup> Due to the traditional commonwealth notion that one's rights diminished proportionally to the degree of non-British heritage, it was especially easy for the police to justify invasive investigations and arrests that would not have been acceptable against white Anglican Canadians of British ancestry.<sup>32</sup> An enemy alien held citizenship in a country at war with Canada, but held residence inside Canada, leaving aliens completely unprotected legally.<sup>33</sup> A considerable variety of sources, for instance Ken Adachi's *The Enemy that Never Was: A History of the Japanese Canadians*, have delved into the common personal experiences of enemy aliens and internees in Canada. Due to the availability of this information, these abuses will not be discussed at length, except to point out enemy aliens and internees had their privacy violated, property taken, and were often forced into manual labor.

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31. RCMP, 23 October 1939, *Security Bulletin*.

32. Sarah Ansari, "Subjects or Citizens? India, Pakistan and the 1948 British Nationality Act," *Journal of Imperial & Commonwealth History* 41, no. 2 (2013): 290.

33. "Enemy Aliens' and Internment Operations," Canadian War Museum, <http://www.warmuseum.ca/firstworldwar/history/life-at-home-during-the-war/enemy-aliens/the-internment-of-ukrainian-canadians/>.

By the 16<sup>th</sup> of February 1941, displaying non-Canadian nationalism was grounds for RCMP investigation and *Bulletin* reporting. All three of the ethnicities put under surveillance following this date (Finns, Czechs and Slavs) were selected because of a recognizable increase in nationalistic activity attempting to benefit their mother country. The RCMP likely began considering foreign nationalism a good justification for initiating an investigation after discovering communists viewed nationalist organizations as “a language mass” working inevitably toward Leninist dictatorship.<sup>34</sup> The police likely thought this was a credible communist threat to the commonwealth. Even nationalist organizations that unequivocally renounced all political affiliation and were specifically recognized as legal, such as the Finnish Organization of Canada or the Convention of Ukrainian Nationalist Organizations, were put under surveillance.<sup>35</sup> Overall the RCMP appears to have over-reacted throughout this period and seized upon any connection to notorious persons or societies it could find. Often reports would indicate that a group (such as the Ukrainian lobby) was led by, or connected to, both communists and fascists, leaving the police unable to truly understand the purpose of the organizations.

The surveillance of the Eastern Rights Churches and the Russian Orthodox Church could have been prompted by its nationalist and ethnic distinction. Both of these groups had tangential connections to international communism, and so contradictorily investigations may have been initiated due to anti-left biases.<sup>36</sup> These political connections were tenuous, and in the case of the Canadian Russian Orthodox Church they had been violently and permanently severed during the Communist revolution in Russia decades earlier, indicating more overreaction from the RCMP.<sup>37</sup> During the fallout between the Russian Government and church, priests of the original Russian Orthodox Church had been jailed or killed by the incoming dictatorship. The modern international Russian Orthodox Church was erected by the fleeing bourgeoisie in their destination countries, such as Canada.<sup>38</sup> Decades later, the Russian government recreated the

34. RCMP, 17 February 1941, *Security Bulletin*.

35. RCMP, 1 October 1944, *Security Bulletin*.

36. Whitaker, *Secret Service*, 157.

37. RCMP, 20 March 1941, *Security Bulletin*.

38. *Ibid.*

Russian Orthodox Church as an officially legal religion locally, but this church was almost unanimously shunned by the new international Russian Orthodox Church as simply a propaganda arm of the soviets, whom the international orthodox community held a grudge against.<sup>39</sup> RCMP infiltration of large Eastern Rights Church events that were intentionally disassociated from all political subjects indicates that police were simply ‘keeping tabs’ on ethnic events.<sup>40</sup>

The final justification for investigation initiation -resisting the war effort- is discernible from the late war *Bulletin* on Mennonites. In another attempt to summarize the history of a people into something useful to police, it was concluded that, by Order In Council of 1873, the Mennonites were exempted from compulsory military service.<sup>41</sup> This piece of information was important for the RCMP investigators because it indicated to them that no further action against the Mennonites was required. The Mennonites were never mentioned in the available *Bulletins* again, indicating that resisting the war effort was the factor that instigated the investigation- a resistance that had legal justification in this unique case.

The *Bulletin* reports regarding the Doukhobors and the Jehovah’s Witnesses summarize how those groups contributed to, or rallied against, the war effort. The RCMP reported upon a deal being brokered between the Doukhobors and the government concerned with community service for Doukhobor adherents, as well as on Doukhobors that were convicted of not showing up for their war effort service.<sup>42</sup> Two separate *Bulletins* commented upon the banning of the Jehovah’s Witness, first within Canada, and then within Singapore because of information obtained from the RCMP.<sup>43</sup> Another report discussed the jailing of a Jehovah’s Witness who conducted an anti-war sermon in front of a veteran. The final report on Jehovah’s Witnesses during the war regarded an organized effort by adherents in Saskatchewan to conceal scrap metal from the war effort.<sup>44</sup> Other sources suggest that the Jehovah’s Witnesses were initially targeted

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39. Ibid.

40. RCMP, 16 August 1941, *Security Bulletin*.

41. RCMP, 1 March 1943, *Security Bulletin*.

42. RCMP, 19 June 1941 *Security Bulletin*; RCMP, 19 July 1941 *Security Bulletin*

43. RCMP, 15<sup>th</sup> July 1940, *Security Bulletin*; RCMP, 28<sup>th</sup> May 1941 *Security Bulletin*.

44. RCMP, 1<sup>st</sup> February 1943, *Security Bulletin*,

because of alleged connections to Nazism.<sup>45</sup> It is clear that the RCMP did not target these groups because they held a minority religion, but rather because their minority religious views forced a small portion of them to speak out and act against the war effort. The police then viewed the whole community as a potential threat, and monitored them afterward accordingly.

### **Securitizing Race and Religion: Public Opinion and Covert Influence**

During World War Two, the police faced security speech acts from both internal and external sources. In 1939 Canada began centralizing its propaganda apparatus, drawing upon successful campaigns from World War One, and releasing posters identifying security issues to motivate the public.<sup>46</sup> Certain campaigns had greater than intended effect, for instance in 1940 posters were distributed indicating that enemy spies were probably listening to citizens' conversations at work to determine sabotage targets.<sup>47</sup> There was also a public blacklisting of all German persons, and newspapers counseled against working with Germans due to the possibility of sabotage.<sup>48</sup> The police during 1940 were thereafter swamped by useless tips about German saboteurs, sometimes a Teutonic haircut or having a Germanic sounding last name was enough to be reported to the police by the overzealous public.<sup>49</sup>

Following this, the RCMP contemplated enlisting the media to stop the nuisance calls, but never stated definitively a course of action on the matter.<sup>50</sup> Some sources refer to this period in 1940 as the 'fifth column scare', because the threat was nonexistent in reality.<sup>51</sup> The RCMP identified that previously loyal and content German-Canadians were becoming disheartened with the society that was shunning them. The RCMP Investigators determined a major cause of the new unrest among Germans to be the Canadian security speech

45. Whitaker, *Secret Service*, 159.

46. "Second World War" Collections Canada, <http://www.collectionscanada.gc.ca/posters-broadsides/026023-7200-e.html>.

47. "Méfiez-vous" Collections Canada, <http://www.collectionscanada.gc.ca/posters-broadsides/026023-7200-e.html>.

48. RCMP, 15 July 1940, *Security Bulletin*.

49. RCMP, 10 June 1940, *Security Bulletin*.

50. *Ibid.*

51. Whitaker, *Secret Service*, 161.

acts, stating “it is only natural that one reaps what he sows.”<sup>52</sup> The same *Bulletin* also notes that Minister of Justice Ernest Lapointe publicly demanded oversight of wartime law enforcement in order to combat the persecution of minorities.<sup>53</sup>

After this, the RCMP and government changed tactics regarding race relations. Government propaganda became more inclusive of the varied communities in Canada and some war bond posters were printed in foreign languages.<sup>54</sup> Other posters began promoting social cohesiveness, the necessity of the war effort, and the need for everyone to contribute.<sup>55</sup> Also indicative of the change in tact was a recommendation made in the *Bulletins* after Pearl Harbor to diminish anti-Japanese media, using censorship if necessary.<sup>56</sup> In every *Bulletin* previous to December 1941 that mentioned the Japanese, police reiterated the supportive nature of Japanese Canadians to the war effort, noting special contributions from Japanese organizations in excess of two thousand dollars.<sup>57</sup> The RCMP and the government were clearly concerned about alienating the compliant Japanese, as they had inadvertently done to Germans a year earlier. Furthermore, the RCMP decided to not allow the Japanese to stew in the public’s distrust as they had the Germans, breeding potential saboteurs who could freely roam the countryside, and thereafter shifted strategy from attempting not to alienate Japanese citizens to containing them.

The RCMP did not change all of their tactics after their German-Canadian issues, only the ones visible to the public. Instead of ending all secret race based investigations, the investigators redoubled their efforts to monitor minorities, expanding their scope to include persons of non-enemy nationhood. Renewed focus was also placed upon saboteurs, pacifists and persons evading wartime contributions, as discussed in a previous section. It can be inferred that these new race based investigations were initiated due to internal governmental speech acts, since there was no popular movement

52. RCMP, 10 June 1940, *Security Bulletin*.

53. Ibid.

54. “Buy Victory Bonds (Chinese)” Collections Canada, <http://www.collectionscanada.gc.ca/posters-broadsides/026023-7200-e.html>.

55. “Coal Face” Collections Canada, <http://www.collectionscanada.gc.ca/posters-broadsides/026023-7200-e.html>.

56. RCMP, 24 December 1941, *Security Bulletin*.

57. RCMP, 26 February 1940, *Security Bulletin*.

against the minorities, nor an inciting external event like Pearl Harbor.

The Canadian Government at the time was paranoid about a possible war at home on two fronts.<sup>58</sup> Those in positions of power had feared sabotage and labor unrest since before the outbreak of the war, particularly among foreigners.<sup>59</sup> It can be inferred that after several years of investigating, placing into concentration camps, and monitoring enemy aliens without a single serious case of sabotage, authorities decided to put new focus upon other powerful ethnic groups in Canada. This was likely considered to be a part of the “new conception of police” as the first line of “Civil Home Defense” necessitated by wartime.<sup>60</sup> Were an act of sabotage to occur for any reason, it would be considered a direct failure of the RCMP intelligence apparatus. The *Bulletins* indicate larger attempts to monitor railways, docks, canal junctions, and anyone who frequented them by posting guards in an attempt to prevent such unforeseen failure.<sup>61</sup>

There are clear parallels between the securitization of immigrants, pacifists, and shipping during World War Two and the modern securitization of Muslims, the Internet, and travel post September 11<sup>th</sup> 2001. In both instances, the securitization of novel jurisdictions (such as religious or nationalist identity) was prompted by a war in which a minority population of Canada became suspect due to ties to their home countries or because of their radical beliefs. Another paralleled development is the use of the public to identify malcontents. The anti-German campaigning and tip-lines established during World War Two typified by the poster “Méfiez-vous” have already been discussed. Modern Montreal has decided to likewise start up a terrorism tipline.<sup>62</sup> This project is proceeding despite the past Canadian failure of “Méfiez-vous”, and the modern failure of the American ‘See something Say Something’ Campaign in 2010 to do anything except implicate innocent people.<sup>63</sup> It is also not clear what

58. “They Menace Canada on Both Coasts” Collections Canada, <http://www.collectionscanada.gc.ca/posters-broadsides/026023-7200-e.html>.

59. RCMP, June-Sept 1939, *Security Bulletin*.

60. RCMP, 26 August 1940, *Security Bulletin*.

61. *Ibid.*

62. Alan Woods “Montreal creates radicalization tip line to flag city’s extremists,” 9 March, 2015, *The Star*.

63. “ACLU: Innocent Americans targeted in ‘see something, say something’ campaign,” *ABC News*, September 19, 2013, <http://www.news10.net/news/article/257963/2/ACLU-Innocent-Americans-targeted->

difference the Montreal tipline will have, since in 2015 Communications Security Establishment (CSE) publicly stated it is ‘drowning in data’ and has been left without resources to follow leads, just as CSIS was in World War Two.<sup>64</sup>

There are no instances on record either in the distant past or present day of metadata collection resulting in significant detection of a serious subversive or terrorist threat. The American spy apparatus claims to have prevented a large number of terrorist acts, but under scrutiny this claim falls apart.<sup>65</sup> Some claim as little as one percent of those ‘caught’ using metadata collection in modern America were likely to do harm.<sup>66</sup> This line of reasoning is confirmed by established academia available regarding the history of intelligence gathering agencies. There is an almost universal recognition in academia of systemic incompetence and corruption inside intelligence gathering apparatus. Noted Central Intelligence Agency (CIA) historian Tim Weiner likens the history of the CIA to a “Legacy of Ashes,” where incompetence and corruption force the destruction and reformation of the agency at regular intervals.<sup>67</sup> This is the same general process undergone by the Canadian intelligence apparatus until the end of World War Two, marked by the considerable turnover of high level positions.<sup>68</sup> Arguably the same process has continued to occur in Canada as well, evident from continued modification of intelligence agencies like CSE.<sup>69</sup>

The incompetence and biases of the RCMP were so obvious in World War Two that many of those people contemporaneously receiving *Bulletin* updates stated the RCMP were “out of their depth.”<sup>70</sup> Henry Ferns has remarked upon his time working for Mackenzie King in 1940, stating that the Canadian intelligence

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in-see-something-say-something-campaign.

64. “CSE’s Levitation project: Expert says spy agencies ‘drowning in data’ and unable to follow leads: U.S. reports question effectiveness of bulk collection in hunt for terrorists,” *Canadian Broadcasting Corporation*, January 29, 2015, <http://www.cbc.ca/news/canada/cse-s-levitation-project-expert-says-spy-agencies-drowning-in-data-and-unable-to-follow-leads-1.2934942>.

65. John Mueller and Mark Stewart, “The Terrorism Delusion: America’s Overwrought response to September 11,” *International Security* 37, no. 1 (2012): 84.

66. Joshua Holland, “Only 1 percent of ‘terrorists’ caught by the FBI are real,” *Salon*, July 10, 2013, [http://www.salon.com/2013/07/10/only\\_1\\_percent\\_of\\_terrorists\\_caught\\_by\\_fbi\\_are\\_real\\_partner](http://www.salon.com/2013/07/10/only_1_percent_of_terrorists_caught_by_fbi_are_real_partner)

67. Tim Weiner, *Legacy of Ashes The History of the CIA* (New York: Random House 2008): xxi.

68. Whitaker, *Secret Service*, 149.

69. Tonda MacCharles “Spy agency CSEC says goodbye to Canada,” *Toronto Star*, October 31, 2014.

70. Whitaker, *Secret Service*, 159.

service “was characterized by boneheaded stupidity.”<sup>71</sup> One particularly detailed contemporaneous review of RCMP intelligence by Jack Pickersgill remarked that the police were unable to determine the difference between hearsay and facts, nor between subversion and political criticism.<sup>72</sup> Modern critics have likewise been known to find RCMP intelligence gathering during the War on Terror to be simultaneously laughable due to their incompetence, and scary due to their extensive powers.<sup>73</sup>

Other historians, such as Alfred McCoy in his book *The Politics of Heroin: CIA Complicity in the Global Drug Trade*, have focused particularly on the counter-productive nature of spy agencies with different goals than those supposedly directing them. This was also experienced by Canada specifically during World War Two, as the Minister of Justice rallied against the racist and unjust methods of intelligence gathering being used by the RCMP.<sup>74</sup> It is widely recognized that most intelligence accumulated in secrecy is useless, an idea confirmed by examination of the *Bulletins*.<sup>75</sup> Findings made by security apparatus typically have little influence on policy decisions, and instead have the greatest effect upon tactics used in warfare and international relations.<sup>76</sup>

Canada’s first spy agency was created due to securitizing pressures during World War Two resulting in infringements upon personal freedoms that were recognized and rebuked during the war by several influential sources, including the Minister of Justice at the time. Another important source of dissent was future Prime Minister and contemporary parliamentarian John Diefenbaker.<sup>77</sup> Such sentiments only grew in intensity after the war ended and the concentration camps were uncovered. Many average Canadians became deeply disturbed by the former race based concentration camps in Canada, which were in theory very similar to the European camps, aside from Hitler’s genocidal final solution for dealing with

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71. *Ibid.*, 171.

72. *Ibid.*, 172.

73. Paul Hanley, “RCMP ‘intelligence’ a danger to Canada,” *Times Colonist* March 6, 2015.

74. RCMP, 10 June 1940, *Security Bulletin*.

75. Paul Robinson, “Viability of a Canadian Foreign Intelligence Service, The New Perspective on Canadian Security Studies,” *International Journal* 64 (2009): 705.

76. *Ibid.*, 706.

77. John Diefenbaker, *One Canada: Memoirs of the Right Honourable John G. Diefenbaker The Crusading Years 1895-1956* (Toronto: Macmillan 1975), 223.

those inside the camps. The sentiment against infringing upon the freedoms of Canadians was continually presented by John Diefenbaker until he became the Prime Minister of a majority government, and passed the *Bill of Rights 1960*.<sup>78</sup> This document was intended to be a permanent constitutional protection of human rights in Canada, in order to prevent the abuses perpetrated by the government from occurring again.

Diefenbaker was unsuccessful in his endeavor to create a constitutional protection with the *Bill of Rights 1960* due to technical reasons. Canada did not yet have the power to unilaterally amend its constitution, and so the *Bill of Rights 1960* held no more legal force than average legislation. His dream was fulfilled in 1982, when the *Charter of Rights and Freedoms* was passed, based almost completely upon *The Bill of Rights 1960*. This means the tactics utilized in World War Two that prompted *The Bill of Rights 1960* must be unconstitutional under *The Charter of Rights and Freedoms*. Any inflammatory tactic utilized during World War Two that is identified as in use by the modern intelligence apparatus should be declared illegal if challenged in the Supreme Court of Canada.

Since there are several tactics that can be readily identified, such as racial and religious profiling, indiscriminate intelligence gathering, a lack of consideration for the human rights of detainees, this would make a compelling future challenge. Profiling based upon race is “undeniably” occurring during Canada’s war on terror, resulting in Arabic persons being heavily targeted by the intelligence apparatus.<sup>79</sup> Those who stand accused or suspected of terrorism are not always given a fair trial; instead the person may be given over to foreign governments to be tortured and permanently detained.<sup>80</sup>

Omar Khadr, a Canadian born Arab who was pushed into service for Al Qaeda by his parents as a child, was captured by American forces in Afghanistan and transferred to Guantanamo Bay prison camp for a decade without a fair trial.<sup>81</sup> During this period the

78. John Diefenbaker, *One Canada: Memoirs of the Right Honourable John G. Diefenbaker The Years of Achievement 1957-1962* (Toronto: Macmillan 1976), 31.

79. Rheem Bahdi “No Exit: Racial Profiling and Canada’s War on Terror” *Osgoode Hall Law Journal* 41 no. 2&3 (2003): 294.

80. “Alleged Afghan prison torture controversy slips quietly into history books,” *CBC* March 10, 2015, <http://www.cbc.ca/news/politics/alleged-afghan-prison-torture-controversy-slips-quietly-into-history-books-1.2567308> (accessed February 10, 2015.)

81. Daniel Schwartz “Omar Khadr tells his Guantanamo story in new documentary” *CBC* May 29 2015 <http://www.cbc.ca/news/canada/omar-khadr-tells-his-guantanamo-story-in-new-documentary-1.3089953>

Canadian government did not attempt to extract or protect Khadr, as it was their legal responsibility to do for a citizen such as himself, particularly as he was a child.<sup>82</sup> The Canadian government has even passed legislation that now allows them to formally strip convicted terrorists of their Canadian citizenship.<sup>83</sup> Though Arabic Canadians may have legal citizenship, it is a second-class version which can be disregarded and lost, not the substantive citizenship held by other Canadians which can be called upon to vouchsafe rights.<sup>84</sup> The entire situation is strikingly similar to the treatment of Germans, Italians and the Japanese during World War Two. Japanese Canadian citizens also suffered from a lack of substantive citizenship, and were rounded up and placed into work camps for years without trial because of a single major attack upon an American target by persons who looked like them.

The indiscriminate surveillance of the Canadian populace is another important parallel tactic used in the past and the present. It has already been noted that the police during World War Two attempted to install extra security at travel hubs in order to gather intelligence upon those people utilizing them. The police have done the same in the modern day, far beyond the scope imagined by their predecessors. Modern intelligence gatherers have been known to tap into people's computers through airport wifi, and even listen to telephone conversations in direct contradiction of firmly established Canadian law.<sup>85</sup> Investigators during World War Two were satisfied with placing every person of foreign ancestral origin under surveillance, whereas modern intelligence agencies track everyone both foreign and domestic.<sup>86</sup> The Canadian Intelligence gathering

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82. Gerald Caplan "It's the Harper government vs. Omar Khadr, again" *The Globe and Mail* May 29 2015 <http://www.theglobeandmail.com/news/politics/its-the-harper-government-vs-omar-khadr-again/article24708596/>

83. "New Citizenship Act allowing revocation of Canadian citizenship takes effect" *CBC* May 29 2015 <http://www.cbc.ca/news/politics/new-citizenship-act-allowing-revocation-of-canadian-citizenship-takes-effect-1.3093333>

84. Baljit Nagra, "Unequal Citizenship: Being Muslim and Canadian in the Post 9/11 Era" Department of Sociology University of Toronto Dissertation (2011): ii.

85. "CSEC used airport Wi-Fi to track Canadian travellers: Edward Snowden documents" *CBC* January 30<sup>th</sup> 2014 <http://www.cbc.ca/news/politics/csec-used-airport-wi-fi-to-track-canadian-travellers-edward-snowden-documents-1.2517881>; "Canada's spy agency may have illegally targeted Canadians: watchdog" *National Post* August 21 2013 <http://news.nationalpost.com/news/canada/canadas-spy-agency-may-have-illegally-targeted-canadians-watchdog>.

86. "NSA Spying On Canadians, CSEC Capable Of Similar Surveillance: Experts" *Huffington Post* June 8 2013 [http://www.huffingtonpost.ca/2013/06/08/nsa-spying-canada\\_n\\_3408662.html](http://www.huffingtonpost.ca/2013/06/08/nsa-spying-canada_n_3408662.html).

apparatus even watches social media for suspicious activity.<sup>87</sup> It is clear that not only are modern intelligence gathering services utilizing the same methods and tactics to gain information as their predecessors in World War Two, they are using them even more powerfully and egregiously.

The *Canadian Bill of Rights 1960* sections 1a and b which protect “the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law... (and) the right of the individual to equality before the law and the protection of the law” were drafted in response to the human rights abuses perpetrated by the Canadian Government in World War Two.<sup>88</sup> Matching clauses exist in the *Charter of Rights and Freedoms*, sections 7 to 9 protect legal rights and read: “Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. Everyone has the right to be secure against unreasonable search or seizure. Everyone has the right not to be arbitrarily detained or imprisoned.”<sup>89</sup> Section 15(1) of the *Charter* protects equality in Canada:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.<sup>90</sup>

It is self-evident that modern police profiling, mass surveillance and governmental disregard for the rights of prisoners and citizens do not meet the constitutional and moral standards set by the *Bill of Rights* and the *Charter*.

In the future as more modern documents become available scholars should attempt to further identify the origins of modern

87. Don Butler, “Watching Canada’s suspected terrorists: The lists our authorities keep” *Ottawa Citizen* January 13 2015 <http://ottawacitizen.com/news/local-news/understanding-the-rcmps-terror-watch-list>.

88. *Canadian Bill of Rights 1960* Justice Laws Website August 10, 1960, <http://laws-lois.justice.gc.ca/eng/acts/C-12.3/FullText.html>.

89. *Constitution Act 1982* Justice Laws Website <http://laws-lois.justice.gc.ca/eng/const/page-15.html> (accessed July 31 2015)

90. *Ibid.*

police tactics, both for the sake of historical preservation of knowledge and as an attempt to constrain the avarice of the Canadian government to expand its dominion. Knowing where a tactic originated from, and the results garnered from previous use, can help to assess the quality of that tactic. Canadian decision making bodies would greatly benefit from increased historical knowledge about the history of intelligence gathering, a subject which is still largely unexplored academically. Modern citizens, media and politicians will never be able to adequately understand and utilize intelligence gathering until historians sufficiently understand the history of how those intelligence apparatus' formed, operated and the legacy they left.

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