

HFA/AG
March 15, 1943

Memorandum for the Prime Minister

The Expropriation of Land belonging to Japanese and to Canadians of Japanese race in the Protected Area of British Columbia.

1. Protests have been received concerning the liquidation of the property of Canadian citizens of Japanese race in the Protected Area of British Columbia.
2. It is possible under a recent Order-in-Council, P.C. 69 of January 19, 1943, for these assets to be liquidated without the consent of the owner and even if it is not in his interests that they should be liquidated.
3. What has shocked the consciences of the people who are making a protest is that it is possible for a Canadian citizen of unimpeachable character to be deprived of his property without his consent even though there is no military reason for doing so. It is true that he will receive pecuniary compensation, but this benefit may be illusory because he may be practically forced to spend this capital sum in maintaining what other Canadians would consider a decent scale of living. In any case pecuniary compensation is not usually considered adequate by someone whose normal livelihood is derived from the land he owns.
4. It must be remembered that the Canadian citizen is almost certainly one against whom no offence has been proved or alleged. He has already been called on to make very great sacrifices in the interests of public security:
 - (5) Through no fault of his own, he has been deprived of his major earning power;
 - (6) He has been removed from his home;
 - (7) He has seen his children's educational opportunities gravely impaired;
 - (8) He is made uneasy by the menace of deportation from Canada.
5. There are a number of reasons why it is undesirable that Canada should follow a policy, even towards Canadian citizens, which is open to these reproaches:
 - (5) The Prime Minister stated in the House of Commons that

LESSON 3 SOURCE 3.6 MEMO: ANGUS TO KING

Canadians of Japanese race would be treated justly;

- (6) The compulsory sale of the home of a law-abiding citizen whose only offence lies in his race appears to be in entire conflict with the principles set out in the Atlantic Charter to which the Canadian Government has adhered without making any specific reservations;
 - (7) The compulsory sale of these properties is in complete conflict with British traditions of justice;
 - (8) The compulsory sale of these properties is in conflict with United States policy, and indeed with constitutional law in that country;
 - (9) Everything which tends to turn a national war into a racial war is likely to prolong the war and make the establishment of a lasting peace more difficult;
 - (10) It will be hard for Canada to ask other countries to refrain from racial persecution if her own hands are not scrupulously clean.
6. It will be seen from the attached correspondence that the Reverend W. H. A. Norman of St. George United Church, Vancouver, compares the Order-in-Council to the Nuremburg laws against the Jews in Germany. This is, of course, not quite fair since the Order-in-Council provides for pecuniary compensation.
 9. In view of the foregoing it is recommended that Order-in-Council P.C. 469 of January 19, 1943 should be amended so that no property may be liquidated without the consent of the owner, unless it is so clearly in the owner's interests that the property should be liquidated that the custodian, acting as a trustee would act, could agree to the liquidation.

Henry Angus to Robertson, 15 March 1943,
file C-4606-13-40, Vol. 3121, RG 25, LAC.