

Jehovah's Witnesses and the Second World War: Resistance to Militarism and to Alternative Service

James Penton, *University of Lethbridge*

In 1976 Macmillan of Canada published my *Jehovah's Witnesses in Canada: Champions of Freedom of Speech and Worship*. In that work I gave a picture of how Jehovah's Witnesses' predecessors, the Bible Students,¹ were treated during the First World War. I described how members of relatively new religions were not accorded the same rights to exemption from military service that members of more traditional peace churches were. In the case of the Bible Students, Justice Lyman Duff ruled that they were not an "organized religious denomination" despite the fact that they had been in Canada since 1882.² The result was that some of their young men who refused to accept conscription were treated brutally, as was a Pentecostal, David Wells, who was evidently used so viciously that he died.³ But this was not all: during 1918 Bible Student religious publications were banned. Anyone possessing them was faced with the possibility of being fined \$5,000 and sent to prison for five years.⁴ While none were subjected to such draconian penalties, many Bible Students were rounded up and given severe sentences that sometimes included heavy fines and imprisonment.⁵

During the Second World War, Jehovah's Witnesses were treated even more harshly. The Canadian government outlawed them by order-in-council under the War Measures Act on July 4, 1940, and they were to remain under total ban until October 14, 1943. During that period many Witnesses were arrested, in one case in Quebec for distributing pamphlets with no more than quotations from the French Crampon edition of the Bible.⁶ In another incident in Montreal, the police broke up one of their services while they were celebrating the Lord's Supper.⁷

As far as Witness conscientious objectors were concerned, they were between a rock and a hard place. Under the National Resources Mobilization Act, the government raised a home defense army of men who were given the unflattering name "Zombies." Until late in the war they were not required to go overseas. Of course, members of peace

churches objected to being drafted even for this army. As is well known, certain Mennonites and Doukhobors appealed to agreements granting them exemption from conscription made with previous Canadian governments by their forefathers. But the general public took the position that “conchies” should be forced to serve along with everyone else. Thus, Mennonites suggested that their young men be allowed to perform alternative civilian service. So, beginning early in 1941 the government established work camps in Alberta, British Columbia, Saskatchewan, Manitoba and eventually in Ontario. But unlike other conscientious objectors, Jehovah’s Witnesses could not claim membership in their particular religious movement. To have done so until late in 1943 would have been to admit that they were members of an illegal organization.

Although there were some Jehovah’s Witnesses in the camps in 1941 through 1943, they were simply listed either as members of no religion or as Bible Students. But what seems strange is that even after they were legalized in late 1943 authorities sometimes refused to recognize them as conscientious objectors. For when conscription became the law of the land military draft boards frequently attempted to induct them directly into the army. When they refused to don uniforms, some gave evidence that they were manhandled rather brutally. Opposition Members of Parliament received reports of such alleged occurrences from Windsor, Ontario, and Winnipeg, Manitoba.

The Reverend Ernest Hansell, Social Credit Member of Parliament for Mcleod, a member of the Church of Christ and, along, with Baptist T.C. Douglas, about the only Canadian clergyman who ever spoke publicly on behalf of Jehovah’s Witnesses, read an affidavit from a Mrs. Eva Patzer which asserted that she had visited her brother, Gordon Mark Morrow, at Fort Osborne barracks at Winnipeg on 23 April, 1944. She related: “At the time his face was swollen, and one hand was bruised across the back of the wrist.” Morrow had informed her that “three members of the army had previously struck him with their sticks behind the ears, on his hands and wrists, and then they had in addition struck him with their fists.” He had also claimed that “some soldiers tied a loaded pack on his back, which was secured by a rope fastened around his throat, that he was violently pushed around, and the rope cut off his breath.” Finally, he had asserted that the soldiers “threw him violently to the floor and then jumped on him with their knees,” which caused him internal pain and led him to believe “that he had a broken rib or ribs.” A similar instance was reported in a statement by Stephie Klymuik of Whytewold, Manitoba, concerning another Witness, Adam Remando, at Fort Osborne. She had visited him on April 16, a week before Mrs. Patzer had seen Morrow. At the time, according to her declaration: “Remando then informed me he had been

put on a bread and water diet for refusing to put on the uniform, that his clothes had been violently torn from him and destroyed, and he was forcibly dressed in a uniform and ordered to pick up a gun, which he refused to do." In addition, he asserted that "he was beaten and badly injured and put under an ice cold shower for twenty minutes, and that later on a gun was tied to his arm for several days."⁸

Not surprisingly, both the military and the government denied these charges, but the Cooperative Commonwealth Federation leader in Parliament, M.J. Coldwell, chided them for allowing the military to investigate these matters in secret and clear itself of blame.⁹ Yet nothing was done about these charges of brutality despite the fact that the cold-shower treatment allegedly administered to Remando followed what had been done to Bible Student conscientious objectors in Manitoba in World War I.¹⁰

It seems true, however, that most Witnesses who were drafted into the army were not brutally treated. Rather, what generally happened was that they were court marshaled and sent to prison. Late in March 1944, T.C. Douglas asked in the House of Commons how many men were in prison for refusing to obey military orders as conscientious objectors.¹¹ Less than a month later, perhaps as a direct result of this question, twenty-eight men – mostly Jehovah's Witnesses – in jail in Regina, Saskatchewan, were granted rehearings and sent to alternative service camps as bona fide conscientious objectors.¹² Still, others were imprisoned, particularly in Headingly Jail in Winnipeg, and were not released until the end of 1945, some time after the war had ended.¹³

After 1943 Jehovah's Witnesses became one of the largest groups within the camps, and there can be no doubt that they were treated more severely than other conscientious objectors. Because the government came to require that conscientious objectors who were farm workers must pay everything that they earned above \$25 per month to the Red Cross,¹⁴ the Witnesses found themselves in serious trouble. Furthermore, although as farm workers and independent farmers many would ordinarily have been exempted from military service,¹⁵ the government held that they could not claim exemption as such if they had earlier claimed to be conscientious objectors.¹⁶ So when the Witnesses refused to pay the required levy, they were arrested, jailed briefly, and then sent to alternative service work camps. In certain instances that caused great hardship, as in the case of Colin Youngberg of Harptree, Saskatchewan. Youngberg was a farmer with an elderly mother and a sick sister dependent on him. Yet when he refused to pay the required amount to the Red Cross, the Mounted Police came to his farm, found him on a tractor seeding his crops, stopped him, and conducted him directly to jail. A month later he was moved to

an alternative service work camp.¹⁷ Later in the war, during a time when Mennonites, Hutterites and members of other faiths were being released for agricultural work, Witness farmers were being sent to the camps.¹⁸

It is true, however, that in the late spring of 1946 most Witness farmers and farm workers were released from the camps. But one group of their brethren remained there – “pioneer evangelists,” or door-to-door Witness missionaries. Had these men been members of practically any other faith community, they would have been granted exemption from military and alternative civilian service as regular ministers of the gospel. Yet none of them were recognized as such, and from 1944 through early 1946 the police continued to arrest those who had up until then avoided military conscription or alternative service. In one instance they arrested a man named Donald Morrison at the end of a funeral service that he was conducting at Balsam Creek, Ontario, and chased a number of other funeral attendees through the woods in order to apprehend them.¹⁹ Thus, some 65 of them were kept in the camps until August 15, 1946, nearly a year after the Second World War had ended.²⁰ Legal attempts to have them recognized as ministers were of no avail.²¹

Disgracefully, the government provided no clothing allowance for alternative service workers and often left wives and children of Witness men held either in jail or in alternative service work camps nearly destitute.²² Despite the fact that Minister of Labour, Humphrey Mitchell, suggested that the wives of these men were exaggerating their and their children’s plight, his deputy, Paul Martin, had stated in Parliament in answer to a question from T.C. Douglas, that “unfortunately their [Witness alternative service workers] dependants have to rely on their own resources, their cases being parallel to cases of men committed to prison.”²³

But what shows above all that the government was really persecuting Jehovah’s Witnesses is that even after the end of the war the government tried to maintain control over pioneer evangelists outside the camps. On March 15, 1945, when the war in Europe was about to end, Selective Service officers ordered William Lloyd Evans to report to work at the First Co-operative Packers of Ontario at Barrie because he was not gainfully employed even though he was receiving \$40 per month as a pioneer evangelist. When he refused, he was arrested, sentenced to three months in jail and fined one hundred dollars. But the Appeal Court overturned his conviction,²⁴ and *Saturday Night* editorialized:

Whatever other objections may be laid against them, the Witnesses of Jehovah perform a useful function in about any

society as defenders of the rights and liberties of the common citizen. They have just achieved a notable victory, after two appeals, in securing a judgment from the Ontario Court of Appeal that a Selective Service Officer has no right to place his own interpretation on the expression "person not gainfully employed." One of the "missionaries" of the society was ordered to work for a packing company on the ground that he was not gainfully employed when he was actually earning up to \$40 a month in his missionary capacity. His remuneration was not large, and many people feel his occupation was not very essential, but the regulations are silent on both these points. It would have been a natural disaster had it been held to be the law that a man cannot be employed as a missionary at \$40 a month by the Witnesses of Jehovah, when plenty of people are employed at similar work and similar remuneration by other religious bodies of higher social standing.²⁵

The reasons why Jehovah's Witnesses were treated with such harshness by the Canadian government and its representatives deserve some analysis. In the first place, it must be admitted that the Witnesses were thoroughly contemptuous of "religion, politics, and commerce," and they never tired of saying so in the most obstreperous fashion. As Stanley High of the *Saturday Evening Post* wrote:

For conscientious cussedness on the grand scale, no other aggregation of Americans is a match for Jehovah's Witnesses. Defiance of what others cherish and revere is their daily meat. They hate all religions – and say so from the rooftops. They hate all governments with an enthusiasm that is equally unconcealed. On phonograph records, sound trucks, the radio and in a Noah's flood of literature, they admit, without conscious blasphemy, that they hold a prior lien on the Almighty. On the rest of us – the Great Unwashed – they look down their spiritual noses. We, they say, have got 'it' coming to us, and 'it' – as they triumphantly prove by Scriptures – is due almost any time.²⁶

The Bible Student-Witnesses founder, Charles Taze Russell, had accepted a form of date-setting, pre-millennial eschatology from Adventism and British Evangelicalism that had caused him and his followers to regard all secular governments as under the control of Satan. He and his followers therefore took a strong stand against military service during the First World War. But that was not all: Russell had brought about much opposition to himself and his followers by taking

doctrinal positions that flew in the face of traditional Protestant and Catholic theology. He accepted Adventist mortalist or conditionalist teachings regarding the nature of humankind and denied the doctrines of the immortality of the soul and hellfire. He also denied such central, main-line doctrines as the Trinity and the Incarnation. To him, Jesus was the Christ, the Son of God, but while on earth he was no more than a sinless man. Thus he had come under severe criticism from many clergy who attempted to brand him as a religious charlatan.

So when the First World War began, Russell condemned both the clergy of the main-line churches for their support of the war and all forms of militarism in the strongest terms. For example, he wrote in a *Watch Tower* magazine in 1915 the following caustic statement:

Recently in Canada the Editor was astounded by the activity of the preachers there – especially those of the Church of England. One was out in Khaki uniform marching through the street with the volunteers. Asked by a college friend, “Did I see you in the ranks?” he answered, “Yes, I wanted to encourage the boys.” “And did you think of going to the front, to the trenches?” “Not a bit of it.” He was merely acting as a decoy to get others to the front, just as a bull which they have at one of the Chicago stockyards meets the animals about to be slaughtered and, tossing his head in the air, becomes their leader up the gangway leading to the slaughter. There he knows his little niche, into which he glides and is sheltered; while the others drive and press one another forward to the slaughter.

In general, his anti-war statements did not affect Russell negatively in the United States at the time because that country did not enter the war until the spring of 1917, some months after his death at the end of October, 1916. However, in July of that year he had been taken off a train at Gretna, Manitoba, and deported to the United States for opposing Canada’s part in the war.²⁷

While Russell may have been somewhat tactless in his opposition to the clergy and to war, he was mild in comparison to his successor, Judge Joseph F. Rutherford. For in the fall and winter of 1917-1918, the Bible Students unleashed one attack after another on the war and clerical support for it.²⁸ At the same time they outspokenly opposed military service. Thus, their literature was banned in Canada in January, 1918,²⁹ and eight of their American leaders, including Rutherford, were charged and convicted under the U.S. Espionage Act for discouraging recruiting in the spring of the same year. In June of that year seven of them were sentenced to twenty years imprisonment and an eighth leader to ten years in the Atlanta, Georgia, Penitentiary.³⁰

At the time, the Bible Students, soon to call themselves Jehovah's Witnesses, were in many ways like some of the radical sectarians of seventeenth-century England during the period of the Commonwealth. Furthermore, they are interesting historically in that, unlike most sectarians, they have not accommodated themselves to the larger societies in which they live, as did the Mormons or Seventh-day Adventists or, conversely, move into community isolation as have the Amish, Hutterites, and some Mennonites such as those who moved to Mexico in the 1920s from Manitoba and Saskatchewan. Rather, they have maintained sectarian attitudes respecting many of the values held by the larger societies in which they live,³¹ but they have not separated themselves physically from their non-Witness neighbors. And since 1919 in particular, they have carried on a door-to-door preaching work in which they have proclaimed the near approach of Armageddon and the destruction of everyone and everything outside the Witness community, specifically the clergy of other faiths. Thus they have made themselves extremely unpopular with most segments of the societies in which they are found, and they have been outlawed by the Nazis, Fascists, Communists, and in numerous democratic countries such as Australia, Canada, and France. While the United States has never banned them outright, it has persecuted them terribly over their refusal to participate in patriotic exercises such as the flag salute and because of their resistance to military and alternative civilian service. Furthermore, during the years 1940 through 1943, they were subjected to a great deal of mob violence in that country.³²

But there is another side to this matter. Russell and the early Bible Students were much less militant in their attitudes to other faiths and to secular society than Rutherford and Jehovah's Witnesses have been since his day. So there can be little doubt that the radical sectarianism of Jehovah's Witnesses has arisen, in part at least, from the fact that they were wrongly persecuted prior to and during the First World War at the behest of the clergy of the main-line churches. Persecution frequently tends to make a community become more militant, as is evident today from the behavior of both many Jews and Muslims.

In Canada the Bible Students suffered a ban on their literature and the physical mistreatment of their conscientious objectors because of the animosity of public officials and members of the Protestant clergy, particularly in western Canada.³³ During the 1920s and early 1930s they first had radio licenses taken from them and later Judge Rutherford was banned from speaking on other Canadian radio stations.³⁴ In addition, their missionaries were often arrested, prosecuted, fined and imprisoned, particularly in Quebec, on charges of disseminating literature without a license and for sedition.³⁵ Early in the Second World War they were banned outright because of a request from Jean-

Marie-Rodrigue Cardinal Villeneuve, the Roman Catholic Archbishop of Quebec.

Prior to becoming Archbishop of Quebec and a cardinal of the Church of Rome, Villeneuve had served as the Bishop of Gavelbourg, Saskatchewan, where he undoubtedly became thoroughly aware of Jehovah's Witnesses because, at that time, Saskatchewan was probably the most important centre of the Witness movement in Canada. Be that as it may, it is certain that Villeneuve held authoritarian values more in keeping with the principles of Italian Fascism than those of the democratic, English-speaking world. Nonetheless, because he was hostile to German Nazism and was very influential in French Canada, the Liberal Party government of William Lyon Mackenzie King often felt it wise to do his bidding – something made evident with respect to Jehovah's Witnesses.

This is clearly shown by documents in the Public Archives of Canada. For on June 27, 1940, Monseigneur Paul Bernier, the chancellor of the Catholic archdiocese of Quebec, wrote the following letter, as translated from the French, to the private secretary of Minister of Justice Ernest Lapointe:

His Eminence the Cardinal [Villeneuve] would be pleased if you would draw the attention of the Right Honorable Mr. Ernest Lapointe, Minister of Justice, to the enclosed leading editorial concerning the publications of *The Watchtower* or *Jehovah's Witnesses*.

Certain books and booklets still being sent by post, especially the magazine *Consolation*, are the most demoralizing and destructive of the spiritual forces of the nation.

I thank you in advance, dear sir, for the attention that you will give to this communication.³⁶

On July 4 next Lapointe replied through his private secretary as follows:

I have made it my duty, on receipt of your letter of June 27, to comply with the wishes of His Eminence the Cardinal, and to draw the attention of the Minister to your request and also to the editorial published in *L'Action Catholique* on the subject of the *Watchtower*, *Jehovah's Witnesses* and *Consolation*.

Mr. Lapointe has authorized me to communicate to you by phone the confidential message that the organization called *Jehovah's Witnesses* will be declared illegal this very day, with the express wish that you communicate it to His Eminence the Cardinal.

This communication is to confirm what I have said to you by phone.

I understand that His Eminence the cardinal will, in due course, be informed of the ministerial decree concerning Jehovah's Witnesses.³⁷

Villeneuve was pleased and thanked Lapointe for this "prompt and happy solution" for having outlawed "the so-called 'Witnesses of Jehovah', the plague of Christianity in America."³⁸

But what did all this have to do with trying to control pioneer evangelists in late 1945 and holding a number of them in alternative service camps until the late summer of 1946? The Witnesses believed privately, probably correctly, that it was to keep them from being freed to move to Quebec to proselytize there. And while there is no direct proof to show that this was the case, it seems that there was no other reason for their continued incarceration except, perhaps, governmental vindictiveness.

While it is difficult to excuse the overt, legalized persecution outlined above, in some ways Jehovah's Witnesses had themselves added to their problems by taking certain doctrinal positions that left them open to attacks by officialdom. For one thing, Judge Rutherford had foolishly decided to give his own, non-dictionary definition of the word "religion." According to him, *all religion* was false worship and of the devil. So by that definition, Jehovah's Witnesses were not a religion.³⁹ It was therefore easy for Canadian authorities to argue that since Jehovah's Witnesses were not a religion, they could not have regular ministers of religion. Hence, none of their officers at their headquarters in Toronto (after 14 October, 1943), their "company servants" or congregational overseers, or their evangelists, all of whom used non-traditional, non-religious titles, could claim to be ministers of a religion and therefore exempt from conscription or alternative civilian service. Governmental officials also argued that since no province had recognized any Witness official to solemnize marriages, there was further reason to deny ministerial status to any of them.

So lawyers appealing for relief for their Witness clients under the First Amendment in the United States or Section 116 of the Australian Constitution Act that guaranteed freedom of religion had to do so by arguing that in a legal sense Jehovah's Witnesses *were* a religion despite Rutherford's caviling at the word. Ultimately, they were able to get certain courts to accept this position. Their first victory came in Australia in 1943 in the case of *Grundy v. the King*.⁴⁰ Then, in 1945 the United States Court of Appeals, Seventh Circuit, took the same position.⁴¹ But nothing of a similar nature took place in Canada.

The assertion that Jehovah's Witnesses were not members of a religion was not the only problem that they brought upon themselves. Russell and Rutherford had held that there should be no clergy-laity distinctions among their followers, and Rutherford asserted that all of those followers were ordained as ministers at baptism by immersion. While from a Witness standpoint this made sense in that all were and are required to carry on a public "preaching" or proselytizing work, it was not one that secular governments were, in general, willing to accept. Although in the *Grundy* case an Australian court decided not only that Jehovah's Witnesses were a religion but also that Grundy, a full-time pioneer-evangelist, was a minister, and United States courts eventually took the same stance, as noted above Canadian courts refused to do so.⁴² Only after the Second World War were Canadian governments and Canadian courts finally prepared to recognize certain Witnesses as "ministers of religion." This began when the Saskatchewan government of T.C. Douglas granted them the right to solemnize marriages.⁴³

It is interesting to note that during their time of travail during the Second World War the Witnesses had few defenders except for civil libertarians in Parliament like John Diefenbaker, Ernest Hansell, and CCFers T.C. Douglas, Angus MacInnis and several others. Outside Parliament virtually no clergymen spoke up on their behalf, and even other conscientious objectors showed little sympathy for them. Many Mennonites and Hutterites thought that because of their "cussedness," the Witnesses brought many of their troubles on themselves.⁴⁴ Yet, as it became obvious that the war in Europe was being won, liberal-minded Canadians began to take a more sympathetic attitude toward the Witnesses. Some recognized that there was nothing "alternative" about alternative service for those not subject to conscription, that not all conscientious objectors had been forced to pay supposedly required contributions to the Red Cross, and that the government had allowed the Doukhobors to flout regulations involving alternative service.⁴⁵

No doubt *Saturday Night* was correct in its assessment, for Jehovah's Witness conscientious objectors played an important role in laying the basis for what was to be an ongoing fight for religious freedom in Quebec under Canadian law. The Chief Alternative Service Officer of the Department of Labour had complained: "In the case of Jehovah's Witnesses, we realize that they complain about everything."⁴⁶ But it was by such complaining, not only to Selective Service Officers but to Members of Parliament, and by constantly appealing to the courts that the Witnesses gained greater freedoms for themselves and, ultimately, for Canadians at large.

What Jehovah's Witnesses learned from their experiences during the war prepared them for an ultimately successful, fifteen-year battle

for religious freedom in Quebec. And it was during that battle that they popularized the idea of a constitutionally entrenched Bill of Rights that they hoped, if adopted, would protect them from the machinations of the Quebec government of Maurice Duplessis. On two occasions they circulated two nation-wide petitions calling on Parliament to create such a document.⁴⁷ No doubt, then, when John Diefenbaker became Prime Minister, he knew there was much support for the Parliament to pass a Bill of Rights – something it did.⁴⁸ Furthermore, there is evidence to show that Pierre Trudeau was influenced by Jehovah's Witnesses to have the present Canadian Charter of Rights and Freedoms entrenched in the Canadian Constitution.⁴⁹

But even more important was the Witnesses' litigation before the Supreme Court of Canada. In *Boucher v. the King*⁵⁰, the court ruled that Jehovah's Witnesses were not guilty of sedition for having severely criticized the Catholic Church and Quebec officialdom. Thus, it narrowed the meaning of the term sedition significantly. In *Chaput v. Romain*⁵¹ the Witnesses obtained protection from police harassment for themselves and all other Canadians. In *Saumur v. Quebec*⁵² they were declared a religion and equal before the law with all other faiths. And finally, in *Roncarelli v. Duplessis*⁵³ the court showed clearly that a premier of a province who was also an attorney general could not punish a citizen by taking his liquor license away for having exercised the legal right of posting bail for Jehovah's Witnesses. Thus, it clearly circumscribed the powers of elected officials throughout the country. This decision cost Maurice Duplessis more than \$60,000.

In effect, what all this means is that despite their pugnacious nature, or perhaps because of it, Jehovah's Witnesses established their right to freedom of religion in Canada. While doing so, they made significant contributions to the civil rights of all Canadians.

Notes

- ¹ Until 1931 the people who are now called Jehovah's Witnesses were commonly called "Bible Students" or "International Bible Students." The name Jehovah's Witnesses was coined by Watch Tower president J.F. Rutherford.
- ² See M. James Penton, *Jehovah's Witnesses in Canada: Champions of Freedom of Speech and Worship* (Toronto: Macmillan of Canada, 1976), 35.
- ³ *Ibid.*, 60, 61.
- ⁴ *Jehovah's Witnesses in the Divine Purpose* (Brooklyn, NY: Watchtower Society and International Bible Students, 1959), 75-76.
- ⁵ On February 18, 1918 the *Ottawa Evening Journal* reported that three wagonloads of Bible Student literature had been seized in Ottawa, and five Bible Students had been arrested. On March 9 the *Ottawa Evening Journal* stated that two had been fined \$500 each and sentenced to sixty days in jail. In a letter to Chief Press Censor Ernest Chambers dated March 25, 1918 as found in file CPC 206-B-6 in the Public Archives of Canada, W.G. Brown asserted that five of his Bible Student brethren

had been fined a total of \$2500. Later, many other Bible Students throughout the country were arrested and fined.

⁶ *Debates of the House of Commons*, 1943, Vol. 5, pp. 4853, 5199-210.

⁷ *Ibid.*, 5199

⁸ *Debates*, 1944, Vol. III, pp. 2905-9.

⁹ *Ibid.*

¹⁰ I have given a detailed account of the treatment of Canadian Bible Student conscientious objectors during World War I in Penton, *Jehovah's Witnesses in Canada*, 57-62. But to examine the original reports of cold-shower treatment, see the *Winnipeg Tribune* of January 18, 1918 and the *Winnipeg Free Press*, January 25, 1918.

¹¹ *Debates*, 1944, Vol. II, p. 1862.

¹² A memorandum from Major-General Letson to the Minister of National Defence, 20 April 1944. HQ. 1161-3-4, Vol. 3 in the Public Archives of Canada (hereafter PAC). *Ibid.*, Vol. 4.

¹⁴ Order in Council Amending the National Selective Service Mobilization Regulations and National Selective Service Civilian Regulations – Service of Dukhobors, Mennonites and conscientious objectors P.C. 2821, Canadian War Orders and Regulations, April 19, 1943, Section 252 (5) (6) (7), pp. 5, 6.

¹⁵ There is no evidence that farm owners were legally required to pay the “contribution” to the Red Cross, but officials sometimes demanded it of them. Judge J.N. Hanbridge of the District Court of Humbolt, Saskatchewan, remarked concerning this: “I would just add one thing and that is this, that in the course of evidence it was mentioned that these men were just picked out to make an example. That may be necessary but it seems strange to me where all conscientious objectors are not put on the same footing that the Alternative Service officer should happen to pick out two farmers who were farming in a very large way and apparently very essential on the land, engaged in an occupation which the authorities at Ottawa deemed so essential that they worded Section 9, ‘The Board shall, upon application of a person employed in agriculture, grant him a postponement order until further notice.’” He then stated that a man should not be confined to an alternative service work camp simply because he was a conscientious objector when, otherwise, he was not subject to conscription. Otherwise, “the regulations were merely a subterfuge for the imprisonment of men on account of their conscientious belief or religious view.” *Leonard Ratz vs. Gill* (unreported).

¹⁶ Memorandum from J.G. Rattray to Major Benoit “re circular Memorandum No. 576”, June 4, 1942 NANRP, PAC.

¹⁷ As a close family friend, Youngberg and the events surrounding his case were known to me personally at the time.

¹⁸ This is shown by a simple analysis of the numbers of Witnesses in the camps in comparison with the numbers of members of other faiths in them in late 1944 and 1945. The records of the five alternative service camps in the national parks of western Canada indicate that during the period from April 1, 1944, through March 31, 1945, out of a total of 595 camp workers, 226 were Jehovah's Witnesses, 206 were Mennonites and 101 Hutterites. But during the following year, out of a total of 456, there were 283 Witnesses, 100 Mennonite and only 44 Hutterites. While some of these Jehovah's Witnesses were pioneer evangelists, most were farmers and farm workers. J.D.N. MacFarlane, “Operation of Alternative Service Work Camps in National Parks for the Period April I, 1944 to March 31, 1945.” J.D.N. MacFarlane, Operation of Alternative Service Work Camps in National Parks for the period April 1st, 1945, to March 31, 1946. Both in NANRP in the PAC.

¹⁹ *Ibid.*, 1944, Vol. v, pp. 5260, 5261, 5509.

²⁰ On July 10, 1946 John Diefenbaker asked in Parliament: “How many Jehovah's Witnesses are still being held in concentration camps?” *Debates*, 1946, Vol. 3, p.

3308. It seems likely that this question caused the government to finally release the Witnesses held in the camps. The Minister of Labour by way of P.C. 3030 did this.
- ²¹ *Rex v. Stuart*, [1944] W.W.R. 86; 81 C.C.C. 349; [1944] 2 D.L.R. 331 at 338 affirming; I W.W. R. 469. *Greenlees v. Attorney General for Canada* [1945] O.R. 411; [1945] D.L.R. 641 808; [1946] O.R. 90; [1946] ID.L.R. 550 affirming.
- ²² *Debates*, 1944, Vol. 3 pp. 2615-17.
- ²³ *Ibid.*
- ²⁴ *Rex v. Evans*, 2 C.R. 9; [1946] O.W.N. 594 (C.A.).
- ²⁵ *Saturday Night*, June 8, 1946.
- ²⁶ Quoted in Leonard A. Stevens, *Salute! The Case of the Bible vs. the Flag* (New York: Coward, McCann & Geoghegan: 1973), 32.
- ²⁷ *Winnipeg Free Press*, July 8, 1916.
- ²⁸ This was done, in particular, in a series of broadside leaflets called the *Bible Students Monthly* and in a very strange book called *The Finished Mystery* that prophesied God's destruction of the churches in late 1917 and – when God failed to act as the Bible Students thought he should in that year – in 1918 in a second edition.
- ²⁹ *The Canada Gazette*, February 9 and 16, 1918.
- ³⁰ *Jehovah's Witnesses in the Divine Purpose*, 79, 80. The Witnesses claim that Rutherford and six of his associates were sentenced to eighty years. In fact, they were sentenced to four terms of twenty years each that were to run concurrently.
- ³¹ The Witnesses refuse to perform military service, to vote, do jury duty, engage in patriotic exercises, celebrate religious or national holidays, and refuse blood transfusions. Any Witness who uses tobacco or narcotics is disfellowshipped (excommunicated) and shunned.
- ³² For accounts of this history, see A.H. Macmillan, *Faith on the March* (Englewood Cliffs, NJ: Prentice Hall, 1976); David R. Manwaring *Render unto Caesar: The Flag Salute Controversy* (Chicago: University of Chicago Press, 1962); Leonard A. Stevens, *Salute! The Case of the Bible vs. the Flag* (New York: Coward, McCann and Geoghegan, 1973); and M. James Penton, *Apocalypse Delayed: The Story of Jehovah's Witnesses* (Toronto: University of Toronto Press, 1985 and 1997).
- ³³ The Vancouver Ministerial Association had had their secretary, the Reverend. E. A. Cooke, write to the press censor to have Bible Student publications prohibited. But it was a January 1918 sermon by the Reverend Charles G. Patterson, the Presbyterian minister of St. Stephen's Church in Winnipeg, that finally brought about the ban on Bible Student literature. The evidence for this assertion may be found in the Canadian Public Censor's file CPC 206-B-6 in the Public Archives of Canada.
- ³⁴ For a detailed account of these events, see my chapter in *Jehovah's Witnesses in Canada* titled "The Battle of the Air Waves." Discussions of many of the circumstances surrounding them may be found in *Debates of the House of Commons*, 1928, Vol. 2, p. 1951; Vol.3, pp. 3621-24, 3659-63, 3663, 3664, 3666. *Debates*, 1932-33, Vol. 3, p. 2619; Vol. 4, pp. 3581, 3631, 3632, 4149, 4150, 4151; Vol. 5, p. 4672.
- ³⁵ *Brodie and Barret v. the King*, (1938) S.C.R. 118; 65, C.C.C. 289; 3 D.L.R. 81; *Duval et al v. the King*, (1938) 64 Quebec K.B. 270.
- ³⁶ This letter may be found in the Lapointe papers in Public Archives of Canada file EL-TJ.
- ³⁷ *Ibid.*
- ³⁸ *Ibid.*
- ³⁹ In the late 1930s Jehovah's Witness paraded publicly with signs saying: "Religion is a Snare and a Racket."
- ⁴⁰ Unreported.
- ⁴¹ *Hull v. Stalter*, [1945] 151 F. 2d 633.
- ⁴² See note 21 above.

- ⁴³ Douglas was a committed civil libertarian, as were members of his party. Furthermore, he was well aware of how the Liberal government in Ottawa had used its powers against Jehovah's Witnesses in what members of the Opposition had called "persecution." It is not surprising, then, that he and the CCF Saskatchewan provincial government were the first to take steps to grant them the right to solemnize marriages.
- ⁴⁴ The Witnesses were almost Gandhian in their use of what amounted to passive resistance, something that was in sharp contrast to the more quietist approaches of Mennonites and Hutterites. Several Mennonites who have studied the camps or were inmates in them have expressed disdain to me for some of the behavior of Jehovah's Witnesses. However, the Witnesses were reacting to what they thought was persecution and injustice. Quite rightly, many felt that they should never have been sent to the camps.
- ⁴⁵ John Diefenbaker pointed this out in the House of Commons. See *Debates* 1944, Vol. 3, p. 2561.
- ⁴⁶ Letter from L.E. Westman, Chief Alternative Service Officer, to R.A. Gibson, Director of Lands Parks and Forest Branch, Department of Mines and Resources, January 25, 1945. NANRP.
- ⁴⁷ The first petition, circulated in March 1947, obtained over a half million signatures. The second was circulated in September 1948 and obtained over 625,000 signatures.
- ⁴⁸ Jehovah's Witnesses regarded the Bill of Rights as unsatisfactory because it was not entrenched in the constitution, did not apply to provincial jurisdiction, and could not override other federal legislation.
- ⁴⁹ For an excellent evaluation of their role in promoting constitutionally entrenched rights, see Gary Botting, *Fundamental Freedoms and Jehovah's Witnesses* (Calgary: University of Calgary Press, 1993), 65-116.
- ⁵⁰ 9 C.R. 127; 96 C.C.C. 48; [1950] 1D.L.R. 657 reversing 8 C.R. 97; 95 C.C.C. 119.
- ⁵¹ 1955, S.R.C. 834; 114 C.C.C. 170; 1 D.L.R. (2d) 241.
- ⁵² 1953, 2 S.C.R. 299.
- ⁵³ 1959, S.R.C. 121; 16 D.L.R. (2d) 689.