

# ON MAGNA CARTA DAY

JUNE 15, 1215

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Magna Carta is the first of the great charters of liberty which guard the freedom of all citizens of British countries. The Canadian Minister of Justice on May 8th told the people of Canada that Magna Carta, the Petition of Right, and later charters and acts which have extended their principles, are part of the Constitution of Canada.

On this day, the 731st anniversary of Magna Carta, we should remind ourselves, and our government, what rights these charters guarantee, for in the past year these old established rights have been denied Canadian citizens by order of their government. What has been done today may be done again tomorrow.

## The Guarantees

By these charters and by our Constitution it is guaranteed:—

That no man shall be imprisoned or detained without being charged with any offence to which he may answer.

That no man shall be imprisoned or detained without cause being shown; and that a special order of the Crown as signified by the Privy Council is not sufficient cause.

That no man shall be imprisoned or detained without being brought to answer by due process of law.

That no freeman shall be seized or imprisoned or deprived of his liberty or property except by the lawful judgment of his equals or by the law of the land.

(From Magna Carta and the Petition of Right 1215 and 1628)

## And Their Violation

Thirteen Canadians were seized on February 15th, 1946, and forcibly detained, without any charge being made against them to which they might answer. Four of them were held for 17 days, four of them for 29 days, and five of them for 43 days.

For this forcible detention no cause was shown except a special order of the Crown as signified by the Privy Council.

During their forcible detention, those held were interrogated by the police and by the Kellock-Taschereau Commission, and the established safeguards provided by law for those accused of any offence were denied them. Is this due process of law?

On the basis of this inquisitorial procedure, the Commission published reports which in effect declared each of the thirteen people guilty of offences against the law before they had been charged with any crime or had been given the opportunity of an open trial. Is this due process of law?

**And Still** Although one of the orders by which the government gave these extraordinary powers to its officials has been repealed, the Kellock-Taschereau Commission has continued to call people before it and question them on matters which are now before the courts. The public does not know what use is made of statements obtained in this high-handed manner. Is this due process of law?

**And More** The Minister of Justice, in trying to justify the action of the government in taking arbitrary powers, said on May 8th: "Those principles resulting from Magna Carta, from the Petition of Right, the Bill of Settlement and the Habeas Corpus Act, are great and glorious privileges; but they are privileges which can be and which unfortunately sometimes have to be interfered with by action of Parliament or action under the authority of Parliament."

If this was intended as a statement of government policy, the people of Canada should feel profoundly alarmed. For these are not privileges granted by an indulgent government, to be withdrawn at will; they are rights won by the people in many struggles against governments. They are safeguards established by the people to restrain governments from acting arbitrarily. If we acquiesce in the injustices committed against thirteen Canadians, we may find that our own shield against injustice has been destroyed. Unless the great charters give protection to all citizens, they give protection to none.

"For what is done to anyone may be done to everyone; besides being all members of one body, one man should not suffer wrongfully but all should be sensible and endeavor his preservation. Otherwise they give way to an inlet of the sea of will and power upon their laws and liberties, which are the boundaries to keep out tyranny and oppression. And who assists not in such cases betrays his own rights and is over-run and of a free man made a slave when he thinks not of it or regards it not, and so incurs the guilt of treachery to the present and future generations."

From "The Just Defence of John Lilburne," 1653.

## A CALL TO ACTION!

### OUR PURPOSES:—

The Emergency Committee for Civil Rights is acting now for the following purposes:

(1) To conduct an educational program to remove as far as possible the prejudice against the defendants in the cases under the Official Secrets Act.

(a) By the manner of their interrogation prior to trial;

(b) By the way in which their cases have been publicly prejudged by the reports of the Kellock-Taschereau Commission;

(c) By the fact that the Commission has continued to hear witnesses in relation to matters now before the courts.

(2) To set forth the basic rights of Canadians and to take steps to protect every Canadian from arbitrary suspension of those rights.

(3) To raise an Emergency Civil Rights Fund for the above purposes and for legal and technical assistance where needed.

### WHAT TO DO:—

We ask our fellow citizens to take action in support of these purposes:

(1) Clip this advertisement and bring it to the attention of your friends and associates. Discuss it and have it endorsed in your organization or club. You can have additional copies for distribution, and copies of our previous statements, on request.

(2) Write to your M.P. or to the Prime Minister at the House of Commons, Ottawa, urging rapid action by Parliament to protect civil rights. (Last month, spokesmen from several parties in Parliament urged that a Canadian declaration of rights be enacted into law. The Minister of Veterans Affairs gave his assurance on May 18th that the question would be considered carefully by the government "at the earliest opportunity".)

(3) Let us know that you are in agreement with us by endorsing our purposes. Send us a contribution today.

### EMERGENCY COMMITTEE FOR CIVIL RIGHTS

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### MAIL THIS COUPON NOW!

To: THE EMERGENCY COMMITTEE FOR CIVIL RIGHTS  
54 Buxley St. Toronto, Ont.

I endorse your statement of purposes.

I would like.....free copies of this advertisement for distribution.

I would like.....free copies of your previous statement.

I would like to receive future material from you.

I would also like to contribute to the Emergency Civil Rights Fund, and I enclose cheque/money order for \$.....

(Make cheques or money orders payable to  
EMERGENCY COMMITTEE FOR CIVIL RIGHTS)

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