

We appreciate that an alternative category may be provided, that some groups—the Jews for instance, perhaps the same may apply to the Mennonites—may be considered under the category of an ethnic group. We do not wish to enter into the controversy of whether the Jews are a racial group, an ethnic entity, or a religious communion. There is no doubt in our mind that a case could be made out for each of the latter two categories, neither of which excludes the other. However, the religious element is common to both. Even the so-called secularist Jew, though he may not himself subscribe to all the tenets and practices of Judaism as a religion, will concede that the Jewish religion is the historic source of Jewish values from which their ethical imperatives are derived. The most consistent and historic definition of Jewry and Jewishness, the one common to Jews of all lands, is its basic religious identification. It would be a mockery of the intention of this legislation if for flimsy pretexts the category of religion were omitted.

One explanation is that the Jewish group would be embraced in the definition of the other two categories. The other two categories, we presume, would be race and ethnic origin. We would unequivocally reject race as a category as contrary to scientific knowledge and to Jewish tradition. As for ethnic origin, as stated above, we would not deny categorically that Jews are an ethnic group. However, it is apparent that Jews themselves differ on this definition. In the censuses of 1931 and 1941 the difference between the number of Jews in Canada who were Jewish by ethnic origin and those who were Jewish by religion was less than one percent. However, in the next two decades, perhaps due to growing nativization and acculturation, the discrepancy between the two figures widened. Of the 204,836 Jews by religion in the 1951 census, 11.3% were of some other ethnic origin. Of the 254,368 Jews by religion in the 1961 census, a much higher figure of 31.9% (81,024) were reported to be of some other ethnic origin. It is apparent therefore that many—Almost 32% of the Jews in this country—account themselves or are accounted to be Jewish by religion only and not by ethnic origin. The rest are content to be identified with both categories.

What emerges from this is that, however they may differ on the question of ethnic origin, Jews clearly constitute a religious group. The same may well be said of other religious groups.

We respectfully suggest, therefore, that in 267B (5)(b) the word "religion" be added to "colour, race, or ethnic origin" as a means of identification.

Wide Support for Legislative Action:

Since 1964 when a group of hate-mongers stepped up their agitation there has been a persistent feeling by Canadians in all walks of life, from all political parties, and from a representative cross-section of their communal organizations, that the government has a responsibility in curbing this unrestricted hate dissemination. This support has not been couched in terms of specifying the precise nature of the laws needed, but it has clearly stated that legal measures should be taken. It has come by way of via unanimous resolutions of the Manitoba and Ontario legislatures, a resolution of the Executive Committee of Metropolitan Toronto, resolutions of the Canadian Federation of Mayors and Municipalities and the parallel Ontario organization, the City Council of London, Ontario and the East Nova Scotia Mayors' Association. Three barristers' organizations—the Canadian Bar Association, the York County Law Association, and the Manitoba Bar Association—have passed similar resolutions. The Canadian Baptist Federation sent a telegram wire to the Prime Minister asking for remedial action, the Rev. James Mutchmor, speaking in Winnipeg as Moderator of the United Church of Canada spoke similarly, as did the Anglican Bishop of Toronto. The National Council of Women of Canada and the Canadian Legion, assembled in convention, expressed the desire for such measures as did several local Rotary and Kiwanis groups.

These spontaneous expressions reflect a groundswell of opinion across Canada that a curb be placed on the gratuitous and deliberate dissemination of hatred against racial and religious groups.

Honourable Senators, we appear before you today in support of the legislation embodied in Bill S-5 which we feel, subject to the comments we have made in several respects, is on the whole wisely conceived and drafted. The danger of hate propaganda, as has been stated, lies not in its quantity or volume but in its intrinsic quality, a quality which undermines the climate of our public life.

We have summarized the findings of the Special Committee—basically that legislation curbing incitement to violence and hate propaganda is called for. We have mentioned the example of Great Britain where similar