

with those from other social groups gives the reader little sense of the actual “practice” of inegalitarianism — a practice that required two sorts of parties joined in an unequal relationship.

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William Kaplan — *State and Salvation: The Jehovah's Witnesses and Their Fight for Civil Rights*. Toronto: University of Toronto Press, 1989. Pp. xii, 340.

The immediate future of this book is clear. It will be included in all university courses in history, political science and law that are concerned with the development of civil rights in Canada. During the twenty years after 1939, politicians and courts dealt with (or failed to deal with) several situations involving what we now think of as the fundamental rights of Canadian citizens. Among them were the ramifications of Quebec's Padlock Law, the legal prohibition on membership in the Communist Party, the treatment of Japanese-Canadians and the secret trials consequent on the Gouzenko case. But none of these — important as they were — illuminated quite as dramatically or for so long the deficiencies in the jurisprudential basis of Canadian civil rights as did the legal battles over the prosecutions of the Witnesses of Jehovah; nor did any of them contribute quite as much as the Witnesses to repairing those deficiencies. It needs scarcely to be added that the Jehovah's Witnesses made their contribution not by being champions of freedom of religion and speech, but because in the face of prosecution and persecution mainly by the state, they were fanatical in demanding of politicians and courts alike every last *quantum* of their own liberties. The arguments of their lawyers, especially Jacob L. Cohen and W. Glen How, forced the development of new law and what the Witnesses won for themselves was extended to all Canadians.

That is the subject matter of *State and Salvation*. Parts of the story have been told before, but Mr. Kaplan has added new material and given us a much deeper and fuller account. It is organized into four inter-related sections, the first of which concerns the ban itself. In July 1940, in the Defence of Canada Regulations (drafted by a committee of senior civil servants under the authority of the *War Measures Act*), the Jehovah's Witnesses were declared to be members of an illegal organization. There will be no disagreement with the author's judgment on that prohibition:

This ban ranks as the single most serious interference with religious liberties by the state in all of modern Canada's history (xi).

Proclamation of the ban — it was done by order-in-council without parliamentary debate — resulted in about 500 prosecutions and despite growing opposition after 1942, it remained in force until the summer of 1944, albeit in an amended form.

The second section covers the absurd attempt to force Witness school children to express loyalty to the secular state by saluting the flag and singing the national anthem. That was very much against their wills and the wishes of their parents since Jehovah's Witnesses believed that all human organizations (except their's) were instruments of satan. Vigorous prosecution of those who refused, Mr. Kaplan tells us, was confined to the City of Hamilton. But there, the Board of Education conducted

what can only be called a crusade, which saw Witness parents incarcerated for contributing to juvenile delinquency, with their children transferred to the care of the state. The Ontario Court of Appeal eventually overturned the convictions, but the Hamilton Board only acquiesced when the Supreme Court of Canada refused to hear their appeal of that decision. William Kaplan is surely correct in attributing responsibility for that whole sorry mess to Gordon D. Conant, Attorney-General of Ontario, who could have prevented it (as was done in other provinces), but who refused to intervene.

The third section of *State and Salvation* deals with the Witnesses' response to the *National Resources Mobilization Act* and the legislation and regulations that went with it. They were the most extreme of those who objected to the war on grounds of religious principle. Not only did the Witnesses refuse to join the armed forces, but they also declined to participate in alternative service programmes. Early in the war, they usually sought exemption on the familiar basis of conscientious objection. Later, however, they tried in court to establish that each and every one of them was a "minister of religion" and that, consequently, all should be excused according to the provisions of the NRM Act. Government lawyers retorted that, on the contrary, none of the Witnesses qualified for ministerial exemption. The courts agreed and although he thinks that the judgment was an error, Mr. Kaplan points out that the same decision was made in Britain, Australia and the United States. In any case, the Witnesses resistance brought charges and trials — both military and civilian —, convictions and imprisonments and, for hundreds of them, confinement to work camps where until the last was released in 1946, they proved to be the most troublesome of all prisoners.

The fourth section is much more familiar. It is an account of the relentless persecution of the Jehovah's Witnesses by Maurice Duplessis in Quebec from the end of the war until the final judgment (1959) in the Roncarelli case by the Supreme Court of Canada. By that time, the Court had extended as much protection to civil rights in Canada as the state of the law then permitted: the definition of sedition was sharpened to exclude mere insult (*Boucher vs. R.*, 1951); freedom of speech and religion were judged to be necessary attributes of Canadian citizenship and, therefore, *ultra vires* of provincial legislatures (*Saumur vs. the City of Quebec*, 1953); and the supremacy of the rule of law was reaffirmed (*Roncarelli vs. Duplessis*, 1959). All of those opinions were written by Mr. Justice Ivan Rand who emerges as something of a hero in Mr. Kaplan's pages. Yet, fundamental rights in Canada still rested upon a shaky foundation since, while they seemed to be beyond provincial reach, they could be abrogated (as they were in October, 1970) by federal action. Consequently, Mr. Kaplan concludes *State and Salvation* with an Epilogue which traces the Witnesses' continuing involvement in the cause of civil liberties down to the achievement of John Diefenbaker's unsatisfactory bill of rights. They did not contribute directly to Pierre Trudeau's *Charter*, so, there is just one brief reference to it.

This is an excellent book. William Kaplan has organized a complex whole with admirable clarity and precision and the Canadian experience is constantly compared to that of Britain, Australia and the United States. His cast of characters includes politicians, judges and lawyers, civil servants and administrators, RCMP and military officers and even some individual Jehovah's Witnesses like the young boys Arthur Ellison and Robert Donald who suffered the wrath of the Hamilton Board of Education. In retrospect, it all seems scarcely credible and indeed demands explanation.

Mr. Kaplan offers one. He argues that although there were other factors involved, the single most important reason for the initial ban by Ernest Lapointe, for its maintenance until 1944 by Louis Saint-Laurent and for the post-war reign of terror by Maurice Duplessis, was the implacable hostility of the Roman Catholic Church in Quebec. Although there was little hard evidence, Mr. Kaplan is probably right, but only if he will allow a correction and an expansion. He conceives of the Church as a powerful, dominating influence in the province and presents his account almost solely in religious terms. Yet, devout French Canadians (from among the elites, anyway) were probably not motivated by the arrogance of triumphant omnipotence but, rather, by an awareness of growing weakness. Secularization of public institutions was, after all, only a few years away. And Catholicism in Quebec of the time was, in any case, very much a part of French-Canadian nationalism which was much less charitable and which demonstrated at times an unfortunate tendency to xenophobia. None of that, of course, is an excuse for the treatment of the Witnesses, but it is an explanation.

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Diane P. Koenker et William G. Rosenberg — *Strikes and Revolution in Russia, 1917*. Princeton (N.J.) : Princeton University Press, 1989, xix, 393 p.

Diane P. Koenker et William G. Rosenberg sont tous deux spécialistes de l'année 1917 en Russie : la première a déjà écrit (1981) un très beau livre sur les travailleurs de Moscou; le second a publié (1974) une étude remarquable sur les libéraux. Ils unissent ici leurs efforts dans le but d'élucider une question encore trop négligée dans l'historiographie de la révolution russe de 1917 : celle des rapports à la fois intimes et complexes entre grèves et révolution. Ce choix de leur objet d'étude est d'autant plus justifié, estiment les auteurs, que les grèves

were (...) central to Russian politics and society in 1917 (...). They constitute a critical point of entry into the complex historical relationships between social activism and political change (8).

Se basant sur une documentation impressionnante et variée — revues et journaux (surtout de Petrograd et de Moscou), mémoires, collections de documents portant sur l'année 1917 publiées par les Soviétiques, rapports fragmentaires d'inspecteurs d'usines —, Koenker et Rosenberg ont répertorié le déclenchement de 1 019 grèves entre le 3 mars et le 25 octobre 1917 et touchant un minimum de 2 441 000 ouvrières et ouvriers. Phénomène de masse en perpétuelle mutation, la grève présente alors en ce pays plusieurs caractéristiques intéressantes : retenons-en quelques-unes.

Les auteurs établissent, mais sans le démontrer de façon très convaincante, des rapprochements entre les temps forts de la grève — regroupés en trois étapes, chacune de plus grande intensité que la précédente et comparée en détail l'une à l'autre : du 19 avril au 6 juillet, du 29 juillet au 26 août et du 16 septembre au 25 octobre 1917 — et les principaux événements politiques de cette même année : crise d'avril (Milyukow