

Validity of Quebec Statute

He was referring to Bill No. 9 of the Alberta legislature, entitled "An act to ensure the publication of accurate news and information." He continues:

Freedom of discussion is essential to enlighten public opinion in a democratic state; it cannot be curtailed without affecting the right of the people to be informed through sources independent of the government concerning matters of public interest. There must be an untrammelled publication of the news and political opinions of the political parties contending for ascendancy. As stated in the preamble of the British North America Act, our constitution is and will remain, unless radically changed, "similar in principle to that of the United Kingdom." At the time of confederation the United Kingdom was a democracy.

I ask my hon. friend to note this:

Democracy cannot be maintained without its foundation: free public opinion and free discussion throughout the nation of all matters affecting the state within the limits set by the criminal code and the common law.

He goes on to say further, and this sentence may be of special interest to my hon. friend:

The federal parliament is the sole authority to curtail, if deemed expedient and in the public interest, the freedom of the press and the equal rights in that respect of all citizens throughout the dominion. These subjects were matters of criminal law before confederation, have been recognized by parliament as criminal matters and have been expressly dealt with by the criminal code. No province has the power to reduce in that province the political rights of its citizens as compared with those enjoyed by the citizens of other provinces of Canada.

I submit that this act, the "act to protect the province against communistic propaganda," assented to on March 24, 1937, infringes all these rights which I have mentioned, the right of freedom of speech, freedom of expression and of assembly, the right of presumption of innocence before the law; and on every count does so by flagrant invasion of dominion jurisdiction. Over a year has passed since that law was put into force. Ample evidence has been secured to show the manner of its application and the degree in which it has been employed to violate fundamental democratic rights. According to statistics I have secured from the Civil Liberties Union of Montreal there have been five padlockings and 124 raids and seizures, including two or three in the city of Quebec. And these figures do not include raids and seizures outside the cities of Montreal and Quebec which have been reported in the Montreal Star. In not a single instance have any of the persons or organizations affected been charged with any offence under due process of law, or convicted. These incidents can be described only as acts of terrorism.

[Mr. MacNeil.]

It has been contended by those who defend this legislation that it is necessary to suppress dangerous but undefined communistic or bolshevistic propaganda. I propose to show that in its application it has been seized as a convenient instrument to persecute those whose views do not meet with the approval of the premier of Quebec.

On February 23, Hon. Mr. Bouchard, leader of the Liberal party in the province of Quebec, publicly complained that copies of his newspaper, *En Avant*, had been seized under the padlock law in a raid in Montreal, and that the provincial police refused to return them. On March 23 some person or persons unknown entered the Montreal apartment of John MacCormac, Montreal correspondent of the *New York Times*, whose comments on the Quebec situation had been the cause of bitter resentment on the part of the premier of Quebec. Nothing was taken, but Mr. MacCormac's papers were thoroughly searched. The explanations offered by the provincial police were highly unsatisfactory.

Early in April the provincial police invaded the Cooperative Commonwealth Federation provincial headquarters, carefully inspected a display of posters, and issued a warning that the office was under close surveillance. On February 5, a parade of cars with banners in support of the boycott upon Japanese goods, organized by the Quebec Cooperative Commonwealth Federation and the League for Peace and Democracy, was stopped by the "red squad" and the banners confiscated. Several previous parades had been held without interference. Some months ago the chief of police at Quebec city refused in writing to allow the Grande Ligne Baptist mission to distribute the New Testament by colportage. This mission was warned not to hold prayer meetings in private houses, under threats that these private houses would be padlocked. Several raids were made upon the Montreal headquarters of the Canadian friends of the Soviet Union, and the premises were padlocked as a result. The material seized included:

Ten issues of *Saturday Night*.

Several publications of the Carnegie Endowment for International Peace.

Pamphlets and posters distributed by the Canadian Pacific Railway Company, who are agents of Intourist.

Four copies of *Current History*, one copy of which was returned, apparently, because it contained no article on Russia.

Eighty issues of *The New Commonwealth*.
Twelve issues of *The New Republic*.