

religion. In the early days endeavours were made to repress individual liberty in connection with religion, but it was found that this end was not accomplished. I might say to the hon. member for Wetaskiwin (Mr. Irvine) that the greater the repression, the better for any new movement. History has demonstrated this to be the fact.

I would ask hon. members opposite to use their calm judgment; if this panic spreads among the members of the house no one knows what may happen and what numbers of people may suffer. Repression is repulsive to the Anglo-Saxon. The way to keep communism from our country is to endeavour to work out some measures which will benefit the masses of the people, and if we can do that we need have no fear of communism or of a revolution, in my opinion. The people cannot be blamed if they gather in groups and talk and scheme about a new social order. Surely it is their right to do so, especially when we have hundreds of thousands of unemployed, not only in this country but in every other country in the world. Surely, when they have lost their all and have become charges on the state, they have a right to endeavour to take steps to better their conditions and talk about a new social order. Sometimes I think the city of Ottawa is as far removed from the rest of Canada in her knowledge of actual conditions as Siberia is removed from the rest of Russia. I do not think you can properly get the viewpoint of the rest of Canada from this city.

For all these reasons, and many others, Mr. Speaker, I shall take great pleasure in voting for this measure to repeal section 98.

Hon. MAURICE DUPRE (Solicitor General): I did not intend at first to take part in the debate, but as I listened to the arguments of the ex-Minister of Justice (Mr. Lapointe) I thought I should say a few words. I heard the hon. gentleman speak in favour of the repeal of section 98, and one of the arguments he used was that the other clauses in the criminal code are quite sufficient to deal with the situation. This is the legal opinion of a high personage whom I respect, but it is not my opinion. I do not agree with the hon. member for Quebec East when he says that section 98 is legislation that should be repealed; on the contrary I think it is the only legislation which adequately meets the case against communism. In my opinion, and it is only a personal opinion, sections 87, 89, 130 to 136 of the code do not sufficiently cover communism, and if the hon. member for Quebec East is right, which I deny, then sec-

tion 98 is only a mere repetition. If it is only a repetition why oppose it so strongly?

There is a very simple way of nullifying the purport of section 98 and that is for every man in this country to abide by the law and not to try to soviet or revolutionize or to overthrow the social order by force, violence or physical injury to persons or property. Section 98 does not affect the ordinary trade and labour organizations or unions; they have nothing to fear from that section. The law abiding citizen has no reason to be apprehensive of section 98, and the section is by no means an attack on the right of free speech. Any citizen may advocate the most radical changes and criticize in the most emphatic language our institutions and laws; it is only when force, violence or physical injury to person or property is used or threatened to be used that the section applies.

An additional argument advanced by the hon. member for Quebec East is this. He said that such legislation is arbitrary and contrary to the ordinary rules of British justice and British procedure. I presume my hon. friend meant en resume that it was opposed to liberalism. I wonder what liberalism he meant. Is it his own liberalism or the liberalism practised by his party in the province of Quebec? A study of the Quebec Alcoholic Liquor Act will show that by that act are abolished all the writs of prerogative. By section 139 no writ of quo warranto, of injunction or of certiorari may be granted; no writ of mandamus and no writ of prohibition may be issued. Even the sacred rights of habeas corpus are abrogated by section 130 of the Quebec Alcoholic Liquor Act. Another Quebec law, the Alcoholic Liquor Possession and Transportation Act, also abolishes all these writs of prerogative, including even the habeas corpus; whereas section 98 of our criminal code does not abolish the habeas corpus although it is for a higher purpose than the Quebec liquor acts, its object being the maintenance of peace, order and good government.

It is very amusing to hear our friends advocating the principles of liberalism. On the one hand we see the ex-Minister of Justice advocating the repeal of section 98, and on the other hand we find his friends in Quebec abolishing the writs of prerogative and habeas corpus. It reminds me of what I heard one day in Quebec; it was on the 14th of January 1933. The Liberals gave a big demonstration to their chief, the leader of the opposition, at