

BY MR. BERTRAND:

Q. Do you know -- A. And if they have changed that attitude or that stand I would say that is their meat, it has been their meat in Canada --

BY MR. BENCE:

Q. Let us presume that they have, that there has been evidence for and against that kind of thing in this committee; but they advocated the same thing in peace time, and following your argument there is no reason why they should be legal in peace time if they advocated that, any more than they should be legal in war time. A. Right.

MR. BLACK: We had them prosecuted in 1937, was it not?

MR. BENCE: In 1931, under section 98 of the Criminal Code, but that section was eliminated.

MR. BLACK: That was in peace time.

MR. MAYBANK: I think the point there, Mr. Black, is that they were prosecuted under section 98 but section 98 was wiped out.

MR. BLACK: I know; it should never have been.

MR. MacINNIS: I think Mr. Bence has put his finger on the question that we have to deal with. This organization was legal in Canada prior to the war. It was declared illegal not because of anything in its programme or in its philosophy in regard to the overthrow of existing societies. It was declared illegal --

MR. BERTRAND: I would not be ready to admit that.

MR. MacINNIS: I am quoting nothing but the facts. It was declared illegal because of its danger to the state during a time of war because of subversive activities. Now, if that is removed I do not believe that this committee can take upon itself to recommend its continuance because -- the continuance of the ban -- because of its philosophy or its programme, because we have nothing to do with these things.