

I pointed out to the minister then, and I do so again to-night, that communism was not defined in the act. In the upper house in the course of a debate one member sought to identify communism and socialism. The premier said there would be little difficulty in making decisions, for communism could be "felt." That really means that any one whom the premier does not like may be termed a communist. For example, the premier stated that Mr. Joseph Schubert was a communist. Mr. Schubert is an alderman of the city of Montreal. I pointed out at that time that there were two courses which the government could take. Either they could disallow, or they could refer the legislation to the supreme court. I drew attention to some of the evils that were likely to follow if this legislation remained on the statute books, a number of which evils have already come about. I pointed out that if this legislation remained in force, all bibles might be seized and destroyed and all churches padlocked.

Mr. DUPUIS: Have they been?

Mr. WOODSWORTH: Their distribution has been prevented. I suggested that some of the passages from the writings of the early Christian fathers might not be permitted under the terms of that act. I referred to many of the reformers in Great Britain who could be termed communists under this legislation. I suggested that it might be possible to padlock McGill university. That has not been done as yet, but certain individuals have not been permitted to speak at that university. I suggested that it was indeed fortunate that this House of Commons was situated where it is because even our library might be padlocked.

The Minister of Justice did not give a very satisfactory answer at that time. Speaking as a responsible member of the government he said:

For many years the power of disallowance has not been resorted to by the government of Canada.

The minister referred to the fact that the power of disallowance of dominion legislation by the imperial parliament no longer existed. He continued:

I would not say the same condition would apply to provincial legislation, but it has often been stated by the courts that within the sphere of their own jurisdiction the provincial legislatures are sovereign. I do not think that in a federation such as this the power of disallowance could easily be exercised by the central government. I believe the provincial legislatures feel that they are still supreme and sovereign within the sphere of their jurisdiction.

He rather laughed at my suggesting that this legislation should be referred to the supreme court.

I believe that fundamentally the case which I presented some fourteen months ago still stands. At that time the Minister of Justice promised the most serious consideration of this matter. If he has been giving effect to that promise, his mental processes must be working very slowly. I suggest that they must work more rapidly if a great injustice is not to be done to still greater numbers of our Canadian citizens.

Since March of last year events have moved on, and there have been many applications of the act. The organization to which I belong has been called into question. In *Le Canada* of October 26 there is a report of an interview which Mr. Duplessis gave in connection with the padlock law. During that interview he said:

If the law was worthless why has the C.C.F. and other movements of communist inspiration opposed it so strenuously for the past year?

And so on. If I, a member of the Cooperative Commonwealth Federation, am told by Premier Duplessis that this organization is of communist inspiration and I am thereby brought under this law, it is a pretty serious thing for both myself and the Cooperative Commonwealth Federation. I consider that I have a perfect right to bring my grievance and the grievance of this organization before this house.

Since that time there has been so much opposition to the act that a society has been formed, originating in the city of Montreal but spreading to various parts of Canada, called the Canadian Civil Liberties Union. I notice on their letterhead the names of W. D. Lighthall; Hubert Desaulniers; R. L. Calder; Raoul Trepanier; D. T. Goodwin; J. K. Mergler—not a group of foreign communists but a group of quite well known and highly respected citizens. I think that in itself gives us pause and makes us understand that the situation is a serious one. May I give a few facts gleaned from the bulletins which they send out.

The first action under the "padlock" act (passed March 24, 1937) took place November 9, 1937. Between November 9, 1937, and January 27, 1938, the act was applied fifty times. Four places were padlocked: *Clarté* (French weekly paper), November 9; the Artistic Print Shop, November 9; the Old Rose Print Shop, November 10; the Ukrainian Farmer and Labour Temple Association (alleged communist school), January 25.