

J
103
H7
1941-1942
D4
A1
no. 2

I D E N T I A L

S E S S I O N
1 9 4 2

H O U S E O F C O M M O N S

SPECIAL COMMITTEE
ON
DEFENCE OF CANADA REGULATIONS

MINUTES OF EVIDENCE

NO. 2

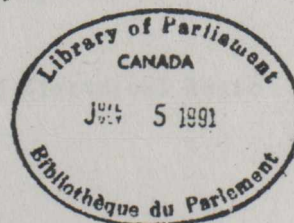
TUESDAY, JUNE 9, 1942.

WITNESSES:

Mr. H. Pease, Financial Secretary, Dist.
No. 5, United Electrical Radio and Machine
Workers;
Mr. A.A. MacLeod, Editor, Canadian Tribune;
Mr. J.L. Cohen, K.C. Counsel for the National
Council for Democratic Rights, Toronto.

HON. J. E. MICHAUD,
CHAIRMAN.

J
103
H7
1941-1942
D4
A1
no. 2



J
103
H7
1941-1942 3
D4
A1
no. 2

I D E N T I A L

S E S S I O N
1 9 4 2

H O U S E O F C O M M O N S

SPECIAL COMMITTEE
ON
DEFENCE OF CANADA REGULATIONS

MINUTES OF EVIDENCE

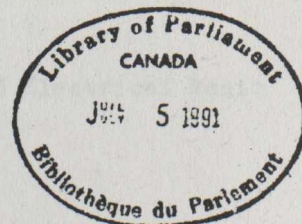
N O . 2

TUESDAY, JUNE 9, 1942.


WITNESSES:

Mr. H. Peace, Financial Secretary, Dist.
No. 5, United Electrical Radio and Machine
Workers;
Mr. A.A. MacLeod, Editor, Canadian Tribune;
Mr. J.L. Cohen, K.C. Counsel for the National
Council for Democratic Rights, Toronto.

HON. J. E. MICHAUD,
CHAIRMAN.





 Public Archives Canada Archives publiques Canada

861130

MINUTES OF EVIDENCE

House of Commons,
Room 375,
June 9, 1942.

The Special Committee on Defence of Canada Regulations met this day at 10.30 o'clock a.m. The Chairman, Hon. Joseph Enoil Michaud, presided.

THE CHAIRMAN: Gentlemen, we will now come to order. Minutes of previous meeting were read and confirmed. Correspondence dealt with.

THE CHAIRMAN: We have piles of letters, telegrams, circular letters and so on, all of which more or less ask for the same thing. At this meeting to-day appears a group of ladies and gentlemen, headed by Mr. J.L. Cohen, K.C. I shall now call Mr. Cohen to introduce the gathering.

MR. J.L. COHEN, K.C.: Mr. Chairman and members of the committee, the delegation present are present to-day on behalf of the Ontario Conference, National Council for Democratic Rights; and the personnel of the delegation is as follows:

Mr. A.E. Smith, Recording Secretary of the organization,
Rev. J.M. Freeman, General Secretary, Fellowship for a Christian Social Order, Toronto,

Rev. Fern A. Sayles, Clergyman, United Church of Canada, Welland.

Miss Birchard, pardon this terrible indiscretion. You should have been announced in the first instance.

Miss May Birchard, Member of the Board of Education, of the city of Toronto,

Mr. A.A. MacLeod, Editor of the Canadian Tribune,
Mr. H.J. Menard, Local 200, C.I.O., Windsor, Ontario,
Mr. M.G. Hay, President, Brotherhood Railway Carmen, Lodge 488, London, Ontario.

Mr. H. Peace, Financial Secretary, United Electrical Radio and Machine Workers, District No.5.

I, sir, have been retained to attend before you, gentlemen, as counsel on behalf of the group mentioned.

THE CHAIRMAN: Mr. Cohen needs no introduction to the members of this committee. He is well known to the public men of Canada. What is the wish of the committee? Should Mr. Cohen proceed now?

SOME MEMBERS: Yes.

MR. J.L. COHEN: Mr. Chairman and members of the committee, I regret the fact, catapulted as I have been in recent weeks, if not for months and years, from one situation to another, it has been physically impossible for me to complete as I would have liked to have done, on a matter of this kind and before a body of this character, a complete statement in writing, so to speak, of the representations to be made. But the circumstances to which I refer have just made it impossible; and I want the committee to bear with me and to give me its indulgence in that respect, as I shall have to deal with the matters involved extemporaneously other than reference to some documents here and one or two pencilled notes which I have made. Perhaps I can indicate generally the representations which this National Council desires to make with respect to the whole question of Defence of Canada regulations, without putting them in their particular order, but perhaps they would suggest themselves in this sequence: the first item would be such a clarification of amendments to regulation 21 of the Defence of Canada regulations as to particularize the kind of people and the particular circumstances which would justify an order made under that section. I do not have to labour the fact, as it is well known to this committee, that the counterpart of this regulation in Great Britain -- known, I believe, there as section 18-B -- refers to specific categories of individuals who may be detained under the primary provisions of that regulation; and they are all of a character which indicate that detention of the sort

provided for in 21 here, or regulation 18-B there, is something by way of auxiliary to the provisions which in time of war render alien enemies automatically liable to internment. That is, one does not have to inquire into circumstances, the mere status in a certain national sense automatically interns them once war is declared. And the regulation, as it originated in Great Britain, as I understand it from a reading of the document and from reading about the circumstances under which it is applied, gives it the character of a supplement, so to speak, to the provisions which automatically carry alien enemies into internment camps, having regard to the fact that there may be a fringe of people who, although technically citizens of the empire, and consequently not automatically liable to internment, are virtually, by reason of their association with hostile interests, in the same position as alien enemies; and it is only that auxiliary power, so to speak, which regulation 18-B seeks to apply here. The authorities in Great Britain in order to overcome the fact that the provisions covering alien enemies would not cover somebody who to all intents and purposes was in the same state of affairs as an alien enemy who, because of a technical position, was not immediately liable to internment -- you might have had somebody born on a British ship or you may have had somebody who was the first descendant of an enemy nation and still tied completely in sentiment and in point of view with that nation. Regulation 21 as framed in the first instance and as it still appears contains no directives at all, if I may use that term, as does regulation 18-B in Great Britain.

MR. HAZEN: What is that word?

MR. COHEN: Directives; there are no indications at all in regulation 21 as to the circumstances to which the regulation is deemed to apply other than the general statement that the Minister of Justice is to be satisfied that with a view to

preventing any particular person from acting in any manner prejudicial to the public safety or safety of the state, that person should be detained. The only direction is that the Minister of Justice be satisfied that the detention of a particular person is required in order to prevent him from acting in any manner prejudicial to the public safety or to the safety of the state. But that which is to be considered as being prejudicial to the public safety or the safety of the state is in no way indicated at all in this regulation and it enables an application as wide as the discretion of the minister may stretch.

MR. HAZEN: Section 18-B provides for a person who is a member of a hostile association.

MR. COHEN: Yes, sir.

MR. HAZEN: Does not it?

MR. COHEN: Yes.

MR. HAZEN: It does not necessarily mean a person of hostile origin.

MR. COHEN: No, not necessarily, no, sir.

MR. HAZEN: Do you think that conveys very much on the power of our section?

MR. COHEN: Oh, I think so, sir, very definitely, because it indicates an alliance in interest of outlook or point of view or policy between that person and the enemy.

MR. HAZEN: In our section it says the minister has to be satisfied. If the minister is satisfied --

MR. COHEN: With that I have not much --

MR. HAZEN: This is what it says: "The Minister of Justice is to be satisfied that with a view to preventing any particular person from acting in any manner prejudicial to the public safety or safety of the state."

MR. COHEN: My submission is in the first instance that the term "in any manner prejudicial to the public safety" is a

term so broad that it goes far beyond the type of thing suggested by the English regulation which refers to hostile associations; because, sir, it is to be presumed that anything within the covers of this volume which I hold, which is a consolidation of the Defence of Canada regulations, deals with all matters of public safety or safety of the state; because they are regulations brought into being as a result of the War Measures Act and for the purpose of covering public safety and safety of the state. That would imply that any one of the things provided for in the Defence of Canada regulations if breached by any person in the country would support the conclusion of the Minister of Justice that that particular person should be detained because he might do something prejudicial to public safety. That comes along very clear when we remember that since regulation 21 was first enacted regulation 39-C has been inserted, which sets forth a list of organizations. It says, "The following associations, societies, groups or organizations are hereby declared to be ^{shall} and be deemed to be illegal organizations." And then it goes on and sets out the number of organizations and provides quite properly for offences with respect to continuing membership in the illegal organization by advancing its interests.

MR. SLAGHT: If you do not mind interruptions, before you leave that 21 (1) may I say this? Regulation 21 (1), the first clause which is pointed out by my friend reads: "The minister if satisfied . ." of two things there, "with a view to preventing any particular person. ." and so forth and so on, "prejudicial to the public safety or the safety of state," provided he is satisfied that it is necessary so to do, may make an order. Do you or your client quarrel with that state of affairs, assuming that the minister, say, in a given case in good faith and after inquiry is satisfied that a person was about to act in a manner prejudicial to the public safety or

the safety of the state; assuming that after inquiry he acts in good faith, do you suggest that we ought to remove that from the regulations?

MR. COHEN: No, by no means, sir. On the other hand --

MR. SLAGHT: As I understand it, if you will permit me, it is his acting. His making of an order is predicated upon his being satisfied that the person is about to act in one or other of those ways.

MR. COHEN: Well, now --

MR. SLAGHT: And he has no power under this to make an order unless he is so satisfied. Is there a suggestion that he is not the proper person to make that order, if he is satisfied? You say there is no quarrel with the fact that if a person is about to behave in the manner there indicated he should be locked up. I fancy you agree with that.

MR. COHEN: Not only do I agree, but, speaking personally and I think on behalf of the group which wisely or unwisely retained me to speak here to-day, I very much adopt the very language you use as the language which should appear in regulation 21, namely, a person who is about to do something, and that that person should be detained and prevented, but there is no such indication at all in the regulation.

MR. SLAGHT: Oh, I could not agree with you there. If he is satisfied, with a view to preventing any such person from acting against public safety, he may make an order locking him up. Surely you do not want anything clearer than that. The power is there to prevent him from doing it and to make an order locking him up.

MR. MAYBANK: As I understand, Mr. Cohen, you would like to see something in there indicating the manner in which the person may so act in doing something prejudicial to the safety of the state and in respect of which the minister might be satisfied. The English counterpart refers to activity in the

furtherance of the objectives of the organization of a certain kind, and then something of that sort --

MR. COHEN: Something that should be particularized.

MR. MAYBANK: You say it is all wrong to put in "merely to be satisfied that the person is likely to act prejudicial"; what you want is a statement as to the manner in which he might so act or the nature of the act or --

MR. COHEN: Or the degree. May I put it this way? After all, the term "prejudicial to the public safety" is a relative term. In regulation 21 we are conferring an unlimited discretion and at the same time the greatest responsibility upon the Minister of Justice. He must necessarily, in the interests of the state, lean over backwards, not in favour of the subject but in favour of exercising the powers regulation 21 are intended to confer upon him. Now, then, the Minister of Justice, charged with that responsibility, must give -- I say he is driven to give -- the term "prejudicial to the public safety or to the safety of the state" the widest possible interpretation consistent with public safety, the widest possible interpretation and perhaps a wider interpretation than was ever intended by the House of Commons or by the Governor in Council when the regulation was framed. I say the Minister of Justice is entitled to receive by means of these regulations some directive as to the degree, so to speak, of the nature of the act which in the opinion of the regulation would be sufficient to warrant internment.

MR. MAYBANK: Mr. Cohen, if you won't take offence over this remark at this moment, may I say, as one member of the committee hearing you stress that point, I am reminded that lawyers usually introduce the weakest point first, and very frankly may I say it has very little weight with me.

MR. COHEN: There may be something in that technique, but I have yet to be persuaded that it is the proper one. I usually

take them as they come, if I may put it that way.

MR. MAYBANK: You go along.

MR. COHEN: I do not feel, speaking very sincerely, that it is the weakest point. I think it is the weakest point in those regulations.

MR. SLAGHT: Is this fair to put to you, to crystallize in my mind how far your people want to go? I can conceive probably one hundred different ways in which people could be about to act prejudicial to the public safety. One hundred is low. I can possibly sit down and indicate two or three hundred different ways altogether. Now, then, is there any particular way in which a man might act in a manner prejudicial to the public safety or to the safety of the state? Have your people in mind any particular way in which a man might act under that description and yet ought not to be locked up? If there is not then surely the inclusive language, while it is true it imposes full responsibility, the greatest responsibility upon the minister, it must not be forgotten that the whole Act is based upon our being at war. Can you tell me any act to be committed prejudicial to the safety of the state which ought to exempt a man from being locked up?

MR. COHEN: Well --

MR. SLAGHT: I should like to test it that way, by enumerating two or three hundred different ways that the minister could lock him up, and by leaving out two or three ways that would still be prejudicial to the state but that the minister must not consider in order to lock him up --

MR. COHEN: No, I am not suggesting, sir, any proposition of that kind that would involve the enumeration of two or three hundred ways or two or three dozen ways or two or three thousand ways, because as you say, sir, while we may enumerate those different ways there might be one more. We might enumerate two hundred and there would be two hundred and one, and that

one way could be left off. I suggest that that language should be framed and I would be very glad to try to frame language which would indicate, sir, what is prejudicial to the safety of the public and the safety of the state when we are concerned with war interests. I think that is the very least that one might ask to put in the regulation 21, because I say the term "prejudicial to the safety of the state" is a term which is flexible and broad enough to carry with it implications and shadows which might not be related to the war purposes.

The English regulation very clearly relates the application of the regulation to the war purposes, because you have constant emphasis on hostility.

MR. SLAGHT: Would you contend in war time that although his proposed conduct might be prejudicial to the safety of the state and the public safety but not on war activity that he ought to be free?

MR. COHEN: Well, sir, I do not think I would be fair to the question or to yourself or to the subject if I answered the question in that general form.

MR. SLAGHT: I think that is where you are forced to on your last statement.

MR. COHEN: No, not necessarily.

MR. SLAGHT: I think so.

MR. COHEN: Because the type of conduct that might come within the question as framed by you, Mr. Slaght, would be the sort of conduct that could be dealt with in the courts and the person apprehended and tried.

MR. HAZEN: Have you a suggested amendment to this section that you would like to submit to the committee?

MR. COHEN: Well, at this moment I would be obliged to say no, I have not had the opportunity because of my personal circumstances to get my representation down in the exact form. I should be very glad to submit something during the day; but

I do say in general terms the regulation should be tied in with the sort of thing which is set out in regulation 18-B. Unfortunately I have not yet made myself quite clear on the one phase of the representation which I am now making, and that is that the Minister of Justice necessarily must act to the most extreme limit, so to speak, in dealing with situations that might conceivably come within public safety and safety of the state unless there is some directive given to him. Now 39-C, as I started to say a short time ago, was not in existence when regulation 21 was passed. There was no such thing as a list of illegal organizations. There is no conceivable basis for 39-C except that. It relates to matters of public safety and safety of the state; that is all in the interests of matters related to the war. It was necessary or deemed necessary then to declare these particular organizations illegal. There is the manifest statement by the Governor in Council that these bodies have something to do, have some relation to the question of public safety and safety of the state. With 39-C before the Minister of Justice and with the power conferred by regulation 21 and the responsibility that goes with it, what is he to do about people who are known to have been members of these organizations? There is the express declaration that these organizations are in some way prejudicial to public safety. He may feel himself driven to the conclusion whether he agrees with it himself or not that any set of communications that any of these organizations who have been declared illegal may get out is sufficient to enable him to make an order under regulation 21 and without going into detail of any case because I do not think that would be proper here. I think it is correct to say that there are men to-day detained under 21 against whom the particulars alleged nothing more than the fact that they were at one time members or associated with those parties or with these organizations.

Is it to be assumed that mere membership in any one of these organizations is to be considered by the Minister of Justice as a reason for concluding that it may be prejudicial to the public safety or the safety of the state. There might at least, I suggest, once 39-C came into existence, have been an amendment to subclause 21 or to 39-C which would say in so many words, "Mere membership in or association with any of these organizations before they were declared illegal shall not in itself be a ground for any action under regulation 21." That is one amendment I would most specifically suggest. I think the Minister of Justice is entitled to that directive, to that indication.

MR. MAYBANK: Mere past membership?

MR. COHEN: Yes, up to the time they were declared illegal.

MR. BENCE: You say there should be something in the regulations to the effect that the mere fact they were a member of the organization before it was declared illegal should not be a basis for internment? You are proceeding on the negative proposition.

MR. COHEN: I am proceeding on this proposition, sir, that the Minister of Justice necessarily must feel that he must under regulation 21 act in its application in favour not of the subject but of the state.

MR. McKINNON: I do not agree with you at all.

MR. COHEN: I should say that. I feel if I were in the position of the Minister of Justice that I should lean over backwards in favour of the state, and not of the subject.

MR. BENCE: Carry on from there.

MR. COHEN: That being so, there should be some assistance extended to the Minister of Justice, indicating to him the point at which, in the opinion of these regulations or the Governor in Council, an act which might have some relation to the public safety in one sense is not sufficient to constitute detention

under regulation 21. The reason I say that is this: apart from the Minister of Justice, these advisory committees which are functioning, dealing with the objections to detentions, are constantly confronted by regulation 39-C when they are dealing with internees about whom it is said they were members of one of those illegal organizations. They feel there are certain directives in 39-C; but in fact there is an element to be considered in determining whether or not a person's freedom is dangerous to the state.

MR. SLAGHT: Under 39-C and 21 do you suggest that the Minister of Justice in reviewing the individual cases has not the freedom of judgment to say merely because this man belonged to, let us say, the communist organization at one time is not enough to move him to say under 21 I will order him interned? Do you suggest there is anything in the present regulation to prevent the Minister of Justice from going through that mental process in carrying it out?

MR. COHEN: No, Mr. Slaght, of course, I do not suggest that for a moment. What I am saying is there might be sufficient in the regulations to suggest to him that he should go beyond that and that the mere possibility --

MR. SLAGHT: Where is it?

MR. COHEN: Because of its unrestricted character. I cannot say more upon that point than that the regulation is so broad and general that the minister may be inclined to feel that there is a direction to him elsewhere in the regulations in other things declared to be related to public safety or safety of the state, and that he should so act in dealing with regulation 21.

MR. SLAGHT: That is not giving the minister credit for using his brains.

MR. COHEN: I do not know. Frankly, I am not here in any way to assess or estimate the manner in which the Minister of

Justice exercises the discretionary powers to-day. I say again I still think so frankly that he is bound to exercise that and lean over backwards in favour of the state particularly in times of great peril. I say that more specifically with regard to the advisory committees hearing these objections to detention and considering whether or not they should make a recommendation to the Minister of Justice pointed towards releasing detained persons or continuing the detention. I say that these advisory committees definitely find themselves confronted by 39-C.

MR. MCKINNON: Is that your experience?

MR. COHEN: Yes.

MR. MCKINNON: Before these committees?

MR. COHEN: Yes, very definitely, that is a problem to them.

MR. ANDERSON: Mr. Cohen, you suggested there might be a provision in the regulations to the effect that nobody should be detained merely because they had membership in one of those organizations.

MR. COHEN: Before illegality was declared.

MR. ANDERSON: Would you apply that to the Auslands organization of the National Sozialistische Deutsche Arbeiterpartei?

MR. COHEN: I would apply it to anybody ^{if} the term "mere" is included. Mere membership in itself should not be sufficient.

MR. SLAGHT: Membership in a nazi organization?

MR. COHEN: Mere membership. There should be something more than "mere."

MR. ANDERSON: What about the nationalist-socialist party?

MR. COHEN: You are referring to the nationalist-socialist party. I thought you referred to one of the parties listed here. I did not think that the German nationalist-

socialist party was in the list. That is a different thing altogether.

MR. ANDERSON: That is one of the organizations mentioned. I draw it to your attention.

MR. COHEN: Frankly I did not know there had been any such party in Canada. That comes within the things listed in 18-B, in that it is a hostile association. If the regulations were amplified in the way I suggest that would clearly bring in the nationalist-socialist party.

MR. ANDERSON: The list appears on page 53. That is only one. May I suggest here the list of the organizations is not the governing factor in acting under 21 at all. For instance, there have been numerous occasions when Jehovah's Witnesses were prosecuted. There have been a number interned, also some members of the Technocracy group. Perhaps some of these others have been interned; there is no relationship between the two in practice.

MR. MAYBANK: There is a large number of persons who pretty clearly belong to the communist party and who had not been interned in spite of the fact the minister is supposed to lean backwards in the interests of the state and if there is any suspicion at all that a person has been a member of the communist party then he should be interned. As I gather your submission, that is the way his mind is supposed to be working.

MR. COHEN: I do not think I would be fair if I suggested that is the way his mind is working. There may be a possibility of that.

MR. MAYBANK: That is the theory.

MR. COHEN: Yes, and what is more important some sections of the public may think that is being done. It seems to me there is some value in giving assurance to the public by means of such an amendment I suggest that mere membership in one of

those bodies other than bodies that are of hostile affiliation --

MR. MAYBANK: Such as the Finnish association, if we declared war, for instance, on Finland.

MR. SLAGHT: We have declared war on Finland.

MR. MacINNIS: Would this be your position, Mr. Cohen: the mere fact a person is a member of one of these organizations operates against him in case that he is even suspected before any evidence is adduced of any intended subversive action? And that section 39-C inhibits the review committees from acting as they possibly would act if the person was not a member of these organizations.

MR. COHEN: I would say, tend to inhibit. I mean that in this sense --

MR. MacINNIS: There is another point. In view of the fact that quite a number of persons have been released who were arrested or interned under these regulations because of membership in one of the parties, it would appear that it is not so much a factor now as it once was.

MR. COHEN: Well, perhaps that is why I refrain from associating myself with the complete term "inhibit"; but I do say without any hesitation that it tends to inhibit even to-day, and I respect the position of the advisory committees in that respect. It is a problem that is there. I think they would be assisted, I think that the people who are interned and who should no longer be there would be assisted in their cases and I think that public feeling generally about the matter would be improved if there were an amendment inserted in the regulations which made clear that mere membership --

MR. SLAGHT: These advisory committees have not asked us for any assistance along these lines.

MR. COHEN: I do not think it would be their function. After all, they are the advisors on the basis of the regulations

as they exist. They are not concerned with legislative phases, they are really concerned with judicial.

MR. SLAGHT: They would not hesitate to advise us, I think, in a polite way, if they were fettered that way. You suggest they might be fettered in exercising their judgment?

MR. COHEN: I can only suggest, sir, it is not for me to speak in the name of the members of the advisory committees or any of them. But I can, I think, go so far as to say that it has been obvious from such of the proceedings as I have taken part in, and I have within recent months taken part in a number, that they would be assisted in putting these matters through if a clear indication of that sort existed in the regulations. Now, I do not want to spend too much time on that because of the other matters which I desire to present to the committee. If I did I would then be taking up far too much of your time.

Dealing again, gentlemen, with regulation 21, I should like to put forward a suggestion which I remember making to my good friend, Mr. Anderson, if I can call him such, back in June, 1940, shortly after section 39-C was enacted. I think at that time it was put in the form of a memorandum which was placed before the committee that sat at that time, and that is that there should be something in the nature of an appeal proceeding or a review proceeding in relation to organizations just as is provided in regulation 22 in relation to individuals. There is no possible means by which any of the associated groups declared to be illegal can come along and make representation to any advisory committee. The parties can be interned as well as the individuals, and points of view can be locked behind doors or bars as well as individuals. And there are times when the internment of these parties or the jailing of these points of view should be ended in the interests of the state just as clearly as release of individuals. But these entities themselves cannot come forward nor can

anybody come forward on their behalf except to such a meeting as this committee and say, "Well, now, by reason of certain circumstances which we have been made aware of we, a group of citizens of good standing in the community, desire to go to an advisory committee or a special commission and make representation pointing to the fact that whatever may have been the case in June, 1940, X organization should not be continued as an illegal organization."

MR. MAYBANK: There has never been anything to prevent you as a citizen making representation against the inclusion of the nazis in 39-C; there has never been anything against you making representation but you will have to make your representation to the cabinet.

MR. COHEN: That is precisely the point.

MR. MAYBANK: Your whole point is you think there should be a tribunal to which the organization or any organization --

MR. COHEN: That would be empowered --

MR. MAYBANK: -- or somebody on its behalf, some well-wisher, put it that way, could speak in the same way as an individual could have his own private case brought up?

MR. COHEN: Precisely, the same type of hearing, so that it would be possible to bring extended evidence and an amplification of the evidence and so on. It seems to me there should be some judicial proceeding provided.

MR. MAYBANK: The individual to-day comes before the committee under the law.

MR. COHEN: Under regulation 22.

MR. MAYBANK: He makes his representation under this --

MR. COHEN: Yes.

MR. MAYBANK: -- under this law as it is and says, "I ought to be let out."

THE CHAIRMAN: The law does not apply.

MR. MAYBANK: Yes. He says, "Even under this law I ought

to be let out." That is his case.

MR. COHEN: Yes.

MR. MAYBANK: What you are pressing is an organization or some person acting on its behalf, its well-wisher, would say, "To accommodate the administration, or part of the administration of law, the Minister of Justice should have recommended that law to the cabinet and the government should have brought it into the House of Commons." You would then take that up with parliament and get it fixed. That is the position they would be in. You would have a judicial body pass upon what parliament had done with reference to a particular organization. You would have a judicial body pass upon the representations and upon the laws that parliament had enacted and represent to parliament that they had pulled a boner there.

MR. COHEN: No, I do not want to be walked into that position.

MR. BENCE: That is what it amounts to.

MR. COHEN: That would not be so.

MR. MAYBANK: Under the law the thing is wrong; that would be saying the law is wrong.

MR. COHEN: Not necessarily; there is such a thing as change in circumstances, changes in events.

MR. MAYBANK: I know.

THE CHAIRMAN: It all comes back to the same principle; in the case of ^{the} individual it is the applicability of the law as it exists to his case, to the facts and circumstances; while with regard to the organization under 39-C it is a matter of policy. You suggest that there should be a tribunal constituted to determine as to the wisdom and the policy of the government in declaring such and such an organization illegal.

MR. COHEN: No, I would not go that far at all. Perhaps

when I used the words "judicial tribunal" I should have indicated the limitation I envisaged. I did not anticipate that such a tribunal would do anything more than the advisory committees which dealt with the information from the detainees. They forwarded the facts.

THE CHAIRMAN: But on this point the policy enunciated in the provisions of section 39-C is the policy of the state made of the recommendation of the Minister of Justice to the Governor in Council. The present committee is a tribunal constituted by parliament. Parliament has sanctioned it and approved its obligation to do exactly what you are suggesting now. That is the tribunal.

MR. COHEN: I think that your suggestion overcomes the difficulty in which I am placed. If a committee such as this were a permanent committee that citizens could come to throughout the year as situations arose then certainly I would by all means agree that it would be a parliamentary committee that would be the proper forum to hear the facts. After all, that which I anticipate is only a statement of fact or advice, and I think it is better they should come from a parliamentary committee than from an outside --

MR. SLAGHT: The committee would hear courteously any views along that line put forth.

MR. COHEN: I appreciate that.

MR. SLAGHT: Nobody is to be refused.

MR. COHEN: Nobody. Presently, I should like to present full and complete information on the claim that the communist party of Canada should no longer be interned under section 39-C. I could not do that in a morning and I do not know that I would be justified in taking up the time of a committee of this sort on that at the moment, but I suggest some such body as this be available throughout the year.

MR. MCKINNON: There is no real limit on your time. Surely

you can condense the case that you have to make to a point where in two or three sittings you would be able to put your case over.

MR. COHEN: Frankly, this is my position. I did not think I would be justified in taking up all the time of this committee to do that.

MR. SLAGHT: Personally I thought that was what was going to be done.

MR. MAYBANK: I had the idea you were coming in here this morning chiefly to say to us just exactly what you have been suggesting, that you are to have the right to say to some judicial body circumstances generally have changed. We are not going to even agree that perhaps you should not have made the communist party illegal. For instance, for the purpose of argument, we say you are right, we now think circumstances are changed and you should not make it illegal any longer. That is the case I thought you came here to make.

MR. COHEN: I may say I can proceed with a great deal more comfort if I know now I will not be looked upon as trespassing on the time of the committee if I go on some extended length, because that will be necessary in regard to the matters I propose to deal with.

MR. McKINNON: That is what we want to know.

MR. COHEN: Thank you very much. Let me proceed to what is the crux of the representations made by this National Council, and that is the lines in 39-C which declare the communist party of Canada as one of the associations deemed illegal should be erased, and also with respect to two or three of the others that follow. I shall ^{deal} with them a little more carefully later on. In making that representation I should like to indicate first of all the vital questions on which, as I see it, the whole matter lies, and that is the war cause and the war effort. I do not know that there is

anything else that justifies the existence of this regulation or regulations. I take it for granted that in proceeding to a consideration of what is in the regulations or what should be added to the regulations has to be considered only in terms of their relations to the war with which we are engaged, and no other considerations apply.

THE CHAIRMAN: And in your case would it be fair to say it applies to the communist party, because I understand you are here to-day to make representations on behalf of the communist party?

MR. COHEN: No, sir, I am in no such position. I am here as counsel for the National Council for Democratic Rights which presents to this committee its opinion as a group of citizens in the nation, that an injury is being done to the national cause and to the war effort by continuing a ban on the communist party. I am certainly not appearing to-day on behalf of the communist party.

MR. SLAGHT: Is anyone here on behalf of the communist party?

MR. COHEN: Certainly to my knowledge there is nobody here. I should take it that some gentlemen with coloured costumes would like to know it if they are here. I would say page the R.C.M.P., if there are any here.

MR. DUPUIS: Is there any difference at all between the policy of your association and the communist party?

MR. COHEN: Well, sir, I am not in any position to answer that categorically because I do not know what is the policy of the National Council, unless I am asked as to its policy with respect to a particular subject, and for that reason I do not know that I can possibly attempt either to reconcile or otherwise. On the question of the request that the ban on the communist party be lifted I would say there is reconciliation between the policy of the National Council for Democratic Rights and the communist party,

and I think that could be said, for instance, of the various organizations represented by some of the gentlemen who are here in this delegation; that in so far as the Fellowship for a Christian social order states to this committee that they believe that the ban should be removed that on that point they are in complete approximation with the policy of the communist party.

MR. SLAGHT: Now, just there, are they or some other delegation going to be able to tell us what the policy of the communist party is? I want to have somebody who is versed with that party to tell us that, because how can we or you and these other organizations say that they want the communists released if we do not know what the basic policy of the communist party is?

MR. COHEN: I think that matter can be indicated to the committee through various documents which I have been furnished with during the course of the last few days; and if there is any further illustration of that I notice a request referred to --

MR. SLAGHT: How far back?

MR. COHEN: 1937; referred to in one of the Ottawa papers that a gentleman said to be missing has asked permission to appear before the committee and give the information in a regular way. Perhaps that can be done and my own remarks supplemented.

MR. DUPUIS: Mr. Cohen, excuse me.

MR. COHEN: Surely, sir.

MR. DUPUIS: Which organization under 39-C are you representing now?

MR. COHEN: I am representing no organization, sir, asking that 39-C be changed. As a lawyer, put yourself in my position --

MR. DUPUIS: That is not the test.

MR. COHEN: I appreciate that. I am answering very sincerely, too. I do not propose for a moment to have it suggested that everybody identified with National Council for Democratic Rights is necessarily identified with the communist party because certainly I do not so understand it and I am sure many members of the delegation do not so understand it and they would not be here if that was the case.

MR. SLAGHT: It would help us greatly if the members of your delegation could come forward -- I am speaking for myself -- and tell us what they know of the true communist policy, because they are here advocating reversal by the minister of his banning of that organization. I am sure they are all serious-minded people. They must have investigated and satisfied themselves as to the true purposes of communism or they would not allow themselves to come here to ask for the lifting of the ban. We should like to know the true purpose of this organization; we really do not know.

MRS. NIELSEN: Mr. Slaght, you would not ask me to outline the policy of the Liberal party, as I do not know it. I do not think it is fair to ask the present organization to outline the policy of the communist party.

MR. SLAGHT: Madam, your point is well taken. If people come here not purporting to represent the communist party but come as they have a perfect right to come and say we are dealing with another organization, but we do not come about our organization, that is not the point. We are right at the point now where we come to your committee to tell the Minister of Justice to reverse his finding about the communist party being a subversive organization. The first thing I would want to know, if anybody purported to do that, is what do you know about the policy and conduct of the communist party. If that is not done the weight that I would give to such a representation would be classed as zero.

MR. COHEN: Mr. Slaght may I answer the question which I understood was addressed to me? You and I above all others would not desire to pierce the reasons that prompt laymen sometimes to retain lawyers to present their case and viewpoints before the proper tribunal, and that is the point with regard to the material I desire to place before you. That is the position of the National Council for Democratic Rights. I have been furnished with certain material which seems to bear very directly on the case and which will, I hope, completely put before this committee the situation with respect to the communist party in so far as any of the affairs of the communist party are relevant to a consideration of the war effort and the war cause.

MR. SLAGHT: Are they not entirely relevant?

MR. COHEN: I do not know. The two items --

MR. MacINNIS: May I say that I think we are doing an awful lot of beating about the bush? We might as well be quite frank and deal with the situation frankly and we will save time. The situation as regards the communist party has changed within the last year. Now the communist party -- I do not know exactly what its legal position was; I imagine it was legal prior to Canada's entry into the war. I imagine whether legal or not it was carrying on without any molestation by constituted authority. That being the case the Council for Democratic Rights is here to-day asking that the communist party be restored to its former position. It is significant, I think, that these appearances were not made either in 1940 or 1941. I think this committee would save itself quite a lot of time if it just stopped beating about the bush. I think the National Council for Democratic Rights would save itself a lot of time if it did the same thing.

MR. SLAGHT: Hear, hear.

MR. MacINNIS: Because things have happened and the

situation is changed and we should take cognizance of that change in the situation.

MR. McKINNON: Yes, that is right.

MR. COHEN: Well, I am very appreciative of Mr. MacInnis' remarks in that respect. Certainly so far as I am concerned I have no desire to beat about the bush. I am anxious most deferentially to answer questions addressed to me by members of the committee as they come along. ^{am not able to} I suggest that the whole case should be based upon the suggestion that there has been some change within the past year, because in no particular has it been indicated to me that the thing which has changed during the past year is the only reason which brought about the ban upon the communist party. There have been several items indicated in the course of public statements and for that reason I am obliged to deal with all of these things that can be delivered to me. Consequently I intend to deal with it in that way. My first point is that the communist party supports the war. If I can give you that in some way obviously I should furnish it to you.

MR. SLAGHT: Personally I would not object to that.

MR. COHEN: Precisely. I intend to do that by reading the statement appearing in Hansard and the press statement and also some of the observations made at the hearing. As I understand the position there are two main arguments put forward on which it is now suggested the communist party should still be declared illegal. I propose to deal with each one. The first one, as I understand it, is that the communist party of Canada preaches, advocates the use of force and violence as a means of bringing about political, economic or social change. That has been indicated in public statements by the Minister of Justice and others as being one of the reasons which required the ban in the first place and which dictated its continuation later. And the second argument -- and I do not use the term "argument"

in a conventional sense -- which has been put forward for continuing the detention of the communist party now is that having regard to the fact that for a period during the war they openly declared, so far as they could openly declare, their opposition to the war, their present support of the war is not a thing which can be trusted so implicitly that we can lift the ban and get back to where we were. If I am wrong in my estimate of the facts or rather the grounds involved in consideration of the question I would be most appreciative to the committee if assistance were given me clearing up any misconception on my part. But I have appeared here to-day of the opinion that these are the two items upon which hinges the whole question of continuing the illegality of the communist party.

MR. MAYBANK: May I just see if I have your position correctly? In doing so may I read this to you:

"The communist international makes its aim to put up an armed struggle for the overthrow of the international bourgeoisie and to create an international Soviet republic. Only a violent defeat of the bourgeoisie, confiscation of its property, the annihilation of the entire bourgeoisie governmental apparatus, parliamentary, judicial, and military, administrative, etc.,-- will be able to guarantee the complete submission of the whole class of exploiters."

Now, Mr. Cohen, that is stated to be the position of the communist international. I think the next step is for the Canadian communist party, if they are definitely tied up with that, they should have the same aim. Then my question to you is, I think that is one of the points that you dispute?

MR. COHEN: Yes, sir.

MR. MAYBANK: That is not a correct portrayal of the communist party?

MR. COHEN: My instructions are directly to the contrary,

that the communist party of Canada neither supports nor upholds nor advances nor associates itself with the passage which you have read, and I have only been able to follow it in so far as listening to it being read enables me to do so. I would say very clearly, both on the instructions furnished to me, after I have now had an opportunity with the members' indulgence of reading that section, and on the basis of material in front of me that the excerpt just read by the member of the committee in no way represents the policy or programme, platform or activities of the communist party of Canada.

MR. SLAGHT: Are you speaking of the present day only?

MR. COHEN: I would say never did except in one technical sense which I will deal with in a moment.

MR. HAZEN: Sometime during the discussion I think we should have what the programme is.

MR. COHEN: I have it right here.

MR. MAYBANK: I read that but I did not get your answer.

MR. COHEN: The passage which you have read has been read to me at meetings of the advisory committees, so that I know from what source it comes. I do not want to pose as an authority on these matters because I am not.

MR. DUPUIS: Now, Mr. Cohen, excuse me.

MR. COHEN: Yes.

MR. DUPUIS: It is understood we do not want to waste your time and ours in discussing this matter of the illegality or legality of the communist party. You say you are now speaking with authority from the communists?

MR. COHEN: I said no such thing, sir.

MR. DUPUIS: Then what is the use of our arguing if you say the doctrine which was enunciated by Mr. Maybank, excuse me if I express myself wrongly --

MR. MAYBANK: It is quite all right.

MR. DUPUIS: Enunciated the communist programme which you

say is not according to the policy of the communist party.

MR. COHEN: I say --

MR. DUPUIS: Then you have no authority to speak on behalf of that party. If that is so how can we take your word?

MR. MAYBANK: May I say, Mr. Dupuis, what I read purported to be the communist international position. The next step was to tie that up to the Canadian communist party; so that it could be the one without being the other.

MR. DUPUIS: Yes, but the witness I think should be in a position to tell the committee that he has authority and can give evidence to show that this doctrine is not the doctrine of the communist party of Canada; otherwise we are wasting his time and ours.

MR. COHEN: First of all, I am not a witness.

MR. SLAGHT: I think with Mr. Dupuis the sooner we get to somebody who says I know what the policy of the communist has been in the past, but I am not a member of that party now since it has been banned, the better. Let us get some true view of what this party really is, ^{not} an advocate who does not appear for them but appears for somebody else and says I do not know what their policy is.

MR. DUPUIS: Excuse me, Mr. Cohen. I for one would be ready to pass any resolution to put a witness completely at his ease against any consequences of his frank declaration. I think there should be immunity for the witness, immunity or a guarantee, otherwise --

MR. COHEN: I am very thankful to the member for that suggestion. I do not know what I would be granted immunity from, because I am not here -- let us make this clear once and for all. First of all, I am not here as a witness; I am here as counsel. Secondly, I am here with documents in front of me which I suggest will explain authoritatively what is and what was the position at least until the time it was

declared illegal of the communist party of Canada precisely in the same way as the documents which you have before you declare what the principles and policies of the communist international are.

MR. SLAGHT: Are you going to tell us where you got these documents from?

MR. COHEN: I certainly will. I was furnished them by the secretary of the National Council for Democratic Rights.

MR. SLAGHT: Who is that?

MR. COHEN: Mr. Smith.

MR. QUELCH: You made a suggestion a little while ago where you referred to a certain statement appearing in the Citizen implying that a certain gentleman would appear before the committee. Is he not the proper person to outline the policy of the communist party?

MR. SLAGHT: He may be.

MR. QUELCH: Why could not the committee invite this gentleman, whom I take to be Mr. Tim Buck, to appear before the committee and outline the policy of the communist party? He could outline what that policy has been and what it is to-day. We could grant him full liberty to appear before the committee.

MR. MAYBANK: We cannot grant immunity.

MR. SLAGHT: He may have been guilty of a dozen things besides being a communist. Speaking for myself may I say I am not going to undertake to grant him immunity.

MR. COHEN: I am not a member of nor do I represent the British Labour party, but I think I can, given enough time, very clearly place before this committee from published documents and so on what was the position of the British Labour party. Nobody appeared here on behalf of the communist international to agree to the statement that Mr. Maybank just read that that was the point of view of the communist

international. That is something that has been taken from published documents; and it is by that means one is able to dig out an understanding and secure exemplification of the policy.

MR. MAYBANK: I was just going to say, Mr. Chairman, in furtherance of what Mr. Cohen has done, I respectfully submit that the position apparently being taken by Mr. Dupuis and Mr. Slaght is one which might act in the ^{weighing} of what is being offered here to-day. For example, when Mr. Cohen and other witnesses get through it will be quite open for us to say to ourselves, "Well, these debates and what is read made a pretty interesting case so far, but obviously they do not know much about what they are talking about; we are not going to pay much attention to it. It will be open to us to deal with it in that way.

MR. MCOHEN: I hope Mr. Slaght is not going to be unkind enough to say that about all my remarks.

MR. MAYBANK: It is open to us to do that.

MR. BENICE: I agree with Mr. Maybank. After we have listened to this and examined these things we can turn over in our own minds the weight we give to it.

MR. COHEN: Precisely, sir, it is. May I say this on the question of somebody coming forward and saying something with regard to the communist party that at the present time an outstanding officer of the communist party is interned not more than five miles from this building? This man is interned in Hull. His name is Norman Freed. And I would say there is no question there of immunity and so on because he is in custody. May I suggest that he be asked to come before this committee and state his position? I do not think there will be any question about the fact if Norman Freed appeared before this committee. He is one person who can speak authoritatively on that subject because he has an intimate knowledge of the

affairs of the communist party of Canada. I shall inform you later when I get to particulars as to what his precise position was. It was an important one. I invite the committee to ask Freed to appear and by that means the committee will get direct testimony that you are after. Now, may I proceed? The paragraph read by Mr. Maybank is an extract which has been shown to me, as I started saying earlier, at meetings of the advisory committee from 1920 documents of the communist international; and it was upon the strength of that document that Tim Buck and several others, I think Freed was one of them, were convicted in 1931 under section 98. There was no evidence at that time or any suggestion that the communist party of Canada was carrying on in any way any activity or advising any activity that related to force and violence; but it was held that since the communist party of Canada was affiliated with the communist international that therefore ipso facto it was open, so to speak, to whatever had ever been said on behalf of the communist international. That may be the correct legal result often urged at that time under those circumstances. I am not here to quarrel with that legal finding in Rex vs. Buck because although I think there is much to be said about it, but from the standpoint of this committee, concerned as it is with the affairs in 1942 and particularly with respect to the war, it is concerned with knowing if in fact under any legal authority, if in fact the communist party of Canada has been or is or is likely to engage in any policy of preaching force and violence.

MR. DUPUIS: Just a moment. Is the policy of the communist party to-day, which you claim to be legal, the same as it was in 1941?

MR. COHEN: No -- what year?

MR. DUPUIS: 1941. Is the policy of the communist party the same to-day as it was in 1940 or 1941?

MR. COHEN: On the question of force and violence?

MR. DUPUIS: Yes.

MR. COHEN: I would say yes so far as I know.

MR. DUPUIS: The same to-day?

MR. COHEN: Because I am reading from documents furnished to me that go back to 1937 to substantiate my point of view. After repeal of section 98 the communist party of Canada assembled in convention either in the year 1937 or 1938 and adopted specifically the constitution of the communist party of Canada, something which had never existed before and the absence of which made it possible to argue in the Buck case that the only constitution which prevailed which would indicate the policy of the communist party of Canada was the original 1930 thesis of the communist international which after all is a document which was drawn up with a Russian background and contemporaneous with the events as they existed at that time.

MR. DUPUIS: What year?

MR. COHEN: Either 1937 or 1938. I will give you that precisely in a few moments. I think it is 1937.

The preamble to the constitution reads as follows. I am reading now from a letter sent on the 30th of March, 1939, and published and distributed by Tim Buck who was then Dominion Secretary of the Communist Party of Canada to the Hon. R.J. Manion, M.P., who was then Leader of the official Opposition, which took issue with the statement made by Mr. Manion in the House of Commons that the "communists believe in bringing about socialism by bullets." That was back in March, 1939. It had nothing to do with the war situation.

MR. McKINNON: Did you say that was in 1939?

MR. COHEN: March 30, 1939. Here is a quotation from the preamble to the constitution. I want to say now I have asked those who have instructed me to try to find a copy of the constitution itself. Because of the fact that those who

would most easily be in possession of it are either in jail or in parts unknown it has not been possible to get that document. I would appreciate it if my friend Mr. Anderson, with his many ready sources of information and perhaps well stocked library, would be able to find the document. Here is the preamble:

"Socialism will be achieved only by means of the expressed democratic will of the majority of Canadian people."

MR. DUPUIS: That is Mr. Tim Buck speaking?

MR. COHEN: No, Tim Buck writing to the Hon. Mr. Manion, quoting from the preamble to their constitution.

"The Communist Party rejects and repudiates any proposal to forcibly impose Socialism upon Canada against the will of the majority of her people. The Communist Party repudiates and condemns all individuals and groups which seek to abrogate or subvert democracy."

That is the preamble to the constitution adopted by the communist party in 1937.

MR. DUPUIS: Mr. Cohen, you claim that since then that has always been the policy of the communist party?

MR. COHEN: I will pursue that further with documents indicating --

MR. DUPUIS: Just a minute. Have you got the manifesto of the communist party which was issued in May '41?

MR. COHEN: May '41?

MR. DUPUIS: There was a manifesto issued by the party then.

MR. COHEN: I have not. The communist party of Canada?

MR. DUPUIS: Yes.

MR. COHEN: I have not. If I could have the assistance of the committee in that respect I should like to have it so I could deal with it.

THE CHAIRMAN: Don't you think, Mr. Cohen, if you are trying to convince us of the communist party doctrine that you ought to produce these?

MR. COHEN: I can only say, sir, that I will make a note of the item you refer to and deal with it later in my remarks. May 1940 or 1941?

MR. DUPUIS: 1941 manifesto. In that manifesto there was a paragraph like this, "An overthrow of the ruling classes can bring peace to the people of the world." If such a principle were included in the manifesto of the communist party in 1941 would you approve of that?

MR. COHEN: I would say if the term "overthrow" as used in the context there suggests force and violence as the means of bringing about the change -- and I will have to read the manifesto, read the whole document, examine the paragraph and then deal with it. The mere fact, sir, that the term "overthrow" appears there in itself does not convey the suggestion that force and violence is being preached or advocated as a means of bringing that overthrow about. I would venture to say, sir, that one could examine many public documents of some classes at home and find the word "overthrow" used without any suggestion that the means by which it is anticipated that the overthrow will come about is a means of force and violence.

MR. DUPUIS: You are a good lawyer.

MR. COHEN: Well, thank you very much, sir. I can only say this, that any man who has a good lawyer but who has a bad case is not in a very happy position. In that particular case, I shall deal with the manifesto. I shall obtain a copy of it and I shall read it very carefully. If it presents clearly and unmistakably the suggestion that force and violence is being preached then I have been misled and misdirected with respect to this material; but I certainly would not care to

think by reason of the mere fact that the term "overthrow" appears --

MR. BENICE: Mr. Chairman, this is a very important subject and I find a very great deal of difficulty in following through the argument when Mr. Cohen is being continually interrupted. In saying that I do not want to be misunderstood or expressing the view that any member of the committee should not ask questions. I find it difficult to follow the argument when we interject questions. I suggest we allow Mr. Cohen to complete his argument and questions be put ^{to} him at the conclusion of his argument. We can make notes of the questions that we have to ask as we go along.

THE CHAIRMAN: I think that would be the easiest way to get a report of what Mr. Cohen has to submit to us so that we can determine the weight we may give to his argument.

MR. COHEN: Shall I proceed, then, sir? I think I was on the point of saying that it would appear to me that one has to test the programme and policy of a party, a political party or for that matter any other organization by the concrete things which it is doing, saying or advocating or making known, and not merely by the technical situation which operated in the Buck trial to bring about a conviction. I think an examination of the reasons for judgment will indicate that. It is from the standpoint of indicating what in fact and in actual life was the practice and policy of the communist party of Canada that I intend to proceed. It is directed to that point of view that I am proceeding now to read from these documents. The first thing I intend to read is the constitution which was adopted in the year 1937. I read from its preamble.

MR. McKINNON: The constitution itself is not available?

MR. COHEN: Not to me. I think it is available to the committee or perhaps can be made available to the committee,

I do not know. That preamble marks, so far as I have been able to find out, all of the discussions, published statements and approaches made by the communist party of Canada at least from that time on. And here again before I leave that whole back period I want to say again at no time in the Buck trial was ^{there} / any suggestion of actual advocacy in Canada of force and violence preached and so on.

The next document that I shall read is from an address delivered over the dominion radio ^{forum} on the 24th of April, 1938, by Stewart Smith who was then an alderman in the city of Toronto. This is an official publication evidently of the communist party of Canada because on the back there is a sort of coupon which one fills out if one wants more information about the communist party of Canada. This address was delivered over a dominion hook-up, I understand, and then later was reduced to print. It is entitled, "Whither Canadian Democracy." Then there is a question mark and then the following words appear, "The Communist Position." I do not want to take the time of the committee to read it all, but I will read the two paragraphs which appear under the heading, "The Communist Party Stand." They read as follows:

"Permit me to use this occasion to place on record once again the position of the Communist Party so that the enemies of democracy may not be able to confound democrats with the 'Communist bogey.' The Communist Party stands foursquare opposed to all anti-democratic forces, and will assist with all its strength to defeat by all proper and democratic means any clique, group, faction or party which conspires to subvert, undermine, weaken or overthrow any or all institutions of Canadian democracy by which the majority of our people have power to determine in any degree their own destiny. We stand completely and under all circumstances for the power of the majority of the

people to control the destinies of the nation. Any attempt, whether from within or from without, of any selfish minority group or clique to impose their will over the Canadian people will find the Communist Party fighting in the forefront with democracy and for democracy.

Let me make this more specific. The Communist Party stands for socialism, the abolition of the monopoly ownership and control of industry, credit and finance in the nation so that the material basis of democracy and prosperity may be re-established under the conditions of our day just as it was established one hundred years ago in the conditions of that day. But the Communist Party repudiates now as it has always repudiated all theories or proposals looking to the forcible imposition of Socialism upon the majority of the people. Such theories have nothing to do with the Communist Party and are totally alien and hostile to it. Socialism can be obtained exclusively through and by the democratic will of the people. When and if the majority of Canadian people by their own experience and as a result of educational work decide to abolish the monopoly control of our economic life, which breeds insane mass poverty amidst plenty, then we say that the democratic will of the people must prevail. History and fascism show that the democratic majority will be violently opposed by the power of monopoly capital. Under such circumstances, the Communist Party holds that the democratic majority led by the working class must assert its will to Socialism or democracy will perish."

Now, that is paralleled by the statement appearing in the brief -- and it is a rather comprehensive one running to 124 pages -- filed by the communist party of Canada before the Royal Commission on Dominion-Provincial Relations, that

is the Rowell-Sirois Commission. This was printed and publicly distributed, and I understand quite widely distributed in which on pages 14 and 15 under the heading, "The Position of the Communist Party" the following is stated:

"It may be well to add a further word of explanation of the position of the Communist Party.

We Communists know quite well where our place is in relation to these great issues in the political life of Canada. We belong on the side of democracy and progress, on the side of national unification to open the doors to economic improvement and security for the people.

There are those who would have people believe that the threat to Canadian democracy comes from the Communist Party. Reaction employs this cry to try to stampede people onto the path of fascism. But there are also genuine democrats who see a threat to Canadian democracy not only in reaction and fascism but also in the Communist Party. Such fears in relation to the Communist Party are entirely unfounded.

The Communist Party stands for socialism. But the Communist Party repudiates now as in the past all theories or proposals looking to the forcible imposition of socialism upon the majority of the people. Such concepts are utterly and completely foreign to the Communist Party. We never did and never will hold to a program of forcible establishment of socialism against the will of the people. Anyone who proposes the attainment of socialism other than through the democratic will of the people is alien to the Communist Party. The Communist program and policy rests exclusively upon the democratic will of the people. No genuine democrat need harbour any fears of the Communist party.

Scratch beneath the surface of those who inspire such fears and one finds an enemy of economic improvements for the people. It is the cold-blooded resolve of the dominant financial interests to withhold economic security from the people that is the very source of the threat to democracy. In organizing and leading the movements for higher wages, for social legislation, for economic security, the Communist Party is making a fundamental contribution to Canadian democracy because economic betterment for the people is the only basis upon which it can survive. If our understanding of history is correct, that is the surest road to socialism.

We speak, then, as a part of the ever-growing alignment of the democratic people of Canada. We are for complete national unification because it coincides with the path of democracy and economic improvement for the people. The democratic national unification work commenced by William Lyon Mackenzie and Louis Papineau one hundred years ago must be completed by the Canadian people of to-day. Every Canadian who truly loves his country and is devoted to the welfare of its people stands resolutely against the blocking of national progress by the provincial dismemberment of the nation at the hands of reaction. We must avert the imminent disaster of progress blocked and democracy destroyed by complete democratic national unification to open the way for economic and social security for the people."

This brief goes on to some 124 pages, as I have indicated, and examines in the most minute way the Canadian situation. I am not here called upon nor concerned with trying to demonstrate the correctness or incorrectness of their analysis of the various economic items here dealt with, but I do say this book is characterized throughout with a most

careful study of the economic objectives and conditions as they prevail in Canada and the legislative action that should be taken in respect to them. And certainly it far from exemplifies the point of view of a party that was not concerned with legislation as a means of bringing about change. I say the completeness of detail with which the whole question of Canada's condition, social and economic, are here examined and related to broad legislative proposals would be foreign to a mind and to a party and programme which was only concerned with force and violence as the means of bringing about that social change.

MR. DUPUIS: On this point I have to put another question.

MR. COHEN: I am not objecting, sir. Don't misunderstand me.

MR. DUPUIS: Are you in a position to state that the Canadian communist party has either by word or by writing dissociated itself with the Marxian theory?

MR. COHEN: The Marxian theory, to my knowledge, is something that is so broad that many people violently opposed to each other can both say that their political ^{thoughts} were based upon the Marxian theory. I think there are many C.C.F. people who would insist that they were the very political inheritors of Marx. I do not say they are wrong; I do not say they are right. I am not concerned personally with these claims; but the term "Marxian theory" is far too broad a base to be included in any one party.

MR. DUPUIS: As far as the question of the overthrow of government by violence is concerned, --

MR. COHEN: I would say yes, from these documents. If the Marxian theory propounds that as the inevitable programme, everyone, no matter what the conditions are, must agree that force and violence is a means of bringing about change

politically, socially and economically, if that is the Marxian theory, and I am not in a position to discuss here whether that is or is not -- if that is the Marxian theory I would say the platform and policies adopted and pursued by the communist party of Canada to that extent deviates from that theory. Whether or not the Marxian theory necessarily ^{dictates} / force and violence I cannot say.

MR. DUPUIS: Let us go a step further. Is there any writing of this Canadian communist party which goes to show that it has dissociated itself with the Lenin theory, for instance, which, as I understand it, advocates the overthrow of government by violence to put in its place the communist party?

MR. COHEN: Well, there again, sir, I do not want to be in the unfortunate position of seeming to debate the question. But I question seriously whether it need necessarily be said that whatever Lenin taught or wrote is directed to the inevitable conclusion that everyone in every country, no matter what the conditions are, force and violence must be directed and advocated as a means of bringing about social change. There is no suggestion in any of the material or programmes or policies of the communist party where this is exemplified. No where are there any documents that they ever in the slightest degree associated themselves with such a thing.

MR. DUPUIS: Are you yourself fully conversant with the theories of Marx and Lenin?

MR. BENCE:
Maybe he had to spend too much time to become a good lawyer to study those theories.

MR. COHEN: I do not for a moment suggest that I am qualified as an expert to speak either with respect to the final implications of the Marxian theory or the final

implications of what Lenin said and wrote; but I am prepared to say this, that like most political expressions, there can be inadequate opinions about them, and that the term "Marxian theory" to the knowledge of all of us is used by different people in different senses. Every branch of the socialist movement claims to be based on Marx; and every branch of the socialist movement is opposed to each other in respect to the principal manner in which the Marxian theory is to be carried out; and I do not doubt that the same thing would be said with respect to Lenin. A practical example that comes to my mind is that Trotsky when he was alive claimed along with his followers known as the Trotskyites they were the ones who were applying correctly the teachings of Lenin and that Stalin who was then and is now the leader virtually of the Soviet state and of the Russian communist party had deserted the teachings of Lenin. Here are two branches of the communist party then that war with each other in every sense of the word almost about what in fact the Lenin theory lays down. So I do suggest these abstractions that the Marxian theory and the Lenin theory convey force and violence are abstractions or phrases which begin to acquire connotations when they are used by some people in certain senses and one must guard oneself against accepting connotations when the word is used in another sense.

Now I think I had made the remark that the brief submitted to the Rowell Commission indicated an activity on the part of the party which was concerned with legislative changes and which had made a detailed study of conditions in Canada and I said it was quite foreign to the programme of activity and state of mind of a party that would be concerned with stirring up force and violence as a means of bringing about change.

This official pronouncement, the address over the radio, and this printed volume that was submitted to the Rowell Commission did not just emerge magically out of the atmosphere at that time; it resulted from the base laid down at the 1937 convention when the constitution was adopted, the preamble of which I have read to you. I have before me in that connection a document or printed booklet called, "Discussion. Issue No.2," which was published by the dominion committee, communist party of Canada, in preparation for the eighth dominion convention, October 8, 9, 10 and 11. I am informed it was 1937. Unfortunately the book itself does not give the year, but I am sure that we can trace back what year it was in fact by some reference to the public newspapers or something. By that means I shall be able to ascertain clearly whether I am correct when I state it was the year 1937. I have marked 1937 in pencil. The printed portion merely records the eighth dominion convention, October 8, 9, 10, 11.

MR. MCKINNON: This is the eighth convention. I presume they hold their conventions yearly and yet they did not draw up a constitution until 1937. What were they working on prior to that?

MR. COHEN: I think they were just working on their own initiative, so to speak, without any prepared constitution because the Buck case disclosed, as I understand it, that the communist party of Canada as such had no fixed or written constitution of their own and for that reason it was argued and successfully argued, successfully enough to convict him, that therefore it must be taken that the constitution and guiding platform of the communist party of Canada was the 1920 thesis of the communist international.

MR. SLAGHT: It was shown in evidence that delegates of the party here attended the international in Moscow, if I recall rightly.

MR. COHEN: Yes. I do not know that. I only know what was disclosed in the reasons. I do not know what the evidence was.

MR. SLAGHT: That is old stuff.

MR. COHEN: It is pretty old stuff. That is the point. I do suggest this, that even if the paragraph which was read from the 1920 thesis had never been changed and even if in fact the communist party in Canada had never adopted a constitution, which I am here giving the particulars of, that one would still have to test the actual programme of the communist party of Canada in terms of what it is actually doing and preaching and not in terms of something which is some historical constitution drawn up in 1920. Political platforms have a strange function for its architectural members. Perhaps I should not get into that subject. They are something like wings that seem to grow into the structure. You just do not change things. It took some time to clear up whether or not a certain party ought to be called Liberal-Conservative or Conservative. It got its name from some historical happening away back years and years ago. But the situation that brought about that hyphenation disappeared; but its disappearance did not bring about a change in the name until a very short time ago. The French national anthem carries the same revolutionary form which was sung by the revolutionaries in 1789. It became the national anthem. Is it to be assumed that every person who in any event responded to the national anthem and sang it word by word thought that he was marching on to the barricades and so on? These things have their historical origin. They grow up, they stay there, and nobody disturbs them because if you attempt to disturb it somebody will come along and say by disturbing that you are also disturbing something else. For that reason let us assume that the thesis of the communist international of 1920 had not been changed. You still must

determine their actual policies and determine particularly the actual policies of the communist party in Canada in terms of what are they doing or what have they been saying or preaching. I challenge anybody to suggest to me that the executive committee of a political party that went through the research work and thought on discussion and collaboration that would be required to produce this brief submitted to the Rowell-Sirois Commission would have one iota of energy or freedom left in its mind after drawing up this document, to think in terms of force and violence. Men and women do not go around with watertight compartments where to-day we think one thing and to-morrow another. A book of this sort is not produced in a day. The machinery of the whole organization would be going into it. People preparing that would be captivated by it; people who would listen to it would be captivated by it; and I would say that it indicates their actual life, not some historical thing that was passed in 1920; that the communist party in Canada was concerned with Canadian conditions in a detailed way and with legislative conduct that would be required to improve those conditions. I won't say there is no excessive language in it. In fact, I came across phrases which I personally would not use; but they are not related in any way to the force and violence theory. The document I would almost say is a statesman-like approach to the whole subject of legislative problems and financial problems.

MRS. NIELSEN: I was just wondering if that document was available.

MR. COHEN: I am going to leave it here.

MRS. NIELSEN: Does the library downstairs carry it?

THE CHAIRMAN: I do not know; we will find out.

MR. SLAGHT: It would be filed, madam, with all the exhibits of the commission. I think if you will go to the library you will find a copy there. Many briefs like this

were submitted and they were all made exhibits.

MR. DUPUIS: It has been published in the Red Book.

MR. COHEN: Before you go further I understand that you are here to prove that the communist party as it exists to-day and by its policy is legal.

THE CHAIRMAN: Should be legal.

MR. DUPUIS: To clear up a matter in my mind and I am sure some difficulties in the minds of members of the committee, are you in a position to tell the committee that the policy of the communist party of to-day still stands for class struggle?

MR. COHEN: Well, again, sir, you have taken one of those political slogans, and I am personally very nervous about using political slogans as the key to a political claim. The term "class struggle", sir, is a very flexible term within the term "Marxian theory."

MR. DUPUIS: No, it is very simple.

MR. COHEN: If by that you imply a struggle of force and violence, one party planning on passing and advocating a programme of using force to put the other party out of existence, I would say the communist party does not adhere to that.

MR. DUPUIS: Not particularly force and violence but raising prejudice, one class against another, for instance, the labour class against the capitalist and so forth.

MR. COHEN: I do not think there can be any question about the fact that every socialist party proceeds on the basis that there is an antagonism of interest not exactly in a personal sense, between those who stand for capitalism, if I may put it that way, and those who stand for socialism.

MR. SLAGHT: We have had the U.F.O. party and the Progressive party. I do not think it is any crime in this country to have a party composed of a class. Perhaps my

friend means the term to be strictly class overthrowing class.

MR. COHEN: That I say is certainly completely repudiated by this material. Now I was going on to indicate that these official documents which I have read did not just emerge as they did in 1938 at that time out of the atmosphere. They came from the considered policy adopted by the communist party beginning, I think, so far as recording is concerned, with the convention of 1937. The document I was just proceeding to read from was entitled, "Discussion" published by the dominion committee, giving the draft of the eighth dominion convention of 1937. I am subject to correction on the year. The dates were October 8, 9, 10 and 11. Now, here is the dominion branch circular distributed amongst their own people. It is distributed so that any section of the public can come across it, read it, find out what is in it, if they want to. This is a discussion amongst themselves before going to the convention. This is what is said on page 2:

"The Communist Party stands for the highest form of democracy, possible only on the basis of a Socialist society when the division of the people into classes of exploiters and exploited is no more. But to prevent Fascism, which would crush even existing democratic rights, however limited, we propose united action of all those who take their stand for progress against reaction.

In order to assist the unification of the forces of democracy against reaction and to clearly bring before the Canadian people our aims, we take our stand in favor of the following platform, which expresses the immediate interests and most burning needs of the majority of our population and the achievement of each of whose planks will serve to guarantee the forward march to a system of

society in which the exploitation of man by man has been forever abolished."

Then they give the items of the programme which are to follow and which constitute the programme, and I shall read some of them.

"1. A Living Wage for all Who Work by Hand and Brain:
Industry and the resources of our country must be used to give every productive worker a real Canadian standard of living, with a minimum annual wage guaranteed by law.

We propose the establishment of a 40-hour 6-day week for public works and private industry alike.

We stand for equal opportunity for women in industry and in all spheres of life and favor special legislative measures for the improvement of the wages and working conditions of women.

We propose annual vacations with pay for all workers.

We oppose amalgamation of the Railways, as proposed by Sir Edward Beatty of the C.P.R.

2. Social Security for All:

It is the duty of the Government to establish an adequate system of social insurance for the unemployed, the aged, the disabled and the sick.

We favor the improvement and the extension to all Provinces of mothers' and widows' allowances and old-age pensions.

We propose legislation to strengthen protection of life and health of all workers in factories and mines and equalization of all compensation rates to 75 per cent of earnings for all time lost as a result of accidents or industrial diseases, in order to protect workers against excessive and harmful speed-up systems.

We favor a Federal system of maternity and health insurance and in general support the establishment of uniform social security measures for all provinces.

We stand for adequate relief standards for all unemployed and oppose all discriminatory measures against single unemployed such as relief camps and hostels. As measures to combat unemployment by providing useful and necessary work, we propose slum clearance, building of thousands of homes needed by Canadians, completion of the trans-Canada Highway and the St. Lawrence Waterway, construction of the Peace River-Prince Rupert Railway, abolition of child labor.

We support the demands put forward by the Veterans' Organizations in regard to pensions, hospitalization and other needs of the veterans."

I pause for a moment to say that a political party concerned with stirring up discontent would be the last one that would come up with specific proposals for immediate amelioration of conditions that bring about discontent. It would be repeating these things and saying these conditions are the result of greed, and because of greed one group will acquire hatred of the other. They would not be making this exhaustive detail of how you could allay discontent.

"3. Guarantee the Land and Its Fruits to Those Who Till the Soil:

We consider it the duty of the Canadian Government to guarantee Canadian farmers their inalienable rights to possession of their land, their homes and their chattels.

We propose a renewable moratorium on debts pending a scaling down of debts that will provide genuine relief to the farmers.

We favor adequate special relief to the drought-stricken farmers, the working out of a crop-insurance program, and a program of rehabilitation of areas unsuitable for crop-cultivation that will be satisfactory to the farmers concerned.

We propose government regulation of farm prices with the aim of guaranteeing the farmer his cost of production, including an adequate living standard. Provision to be made that increased prices to the farmers will take place by cutting down profits of monopolistic middle men and not at the expense of higher prices to the consumer.

We favor a graduated land-tax to prevent the accumulation of large land holdings in the hands of insurance companies, banks and other absentee owners.

We propose reduced taxation on small operating farmers and the provision of government loans at nominal interest."

They did it on a most constructive objective basis.

Then we come to the section entitled "A Just Taxation Policy: Make the Rich Pay." I will just read that because one would expect in that you would have something that would give you an insight into their feelings. Here is what the text says:

To obtain the finances necessary to introduce urgently needed social legislation . ."

I cannot in my own mind parallel that with a party preaching forth on violence and a revolutionary approach to things. It would be giving itself away this way to deal with needed social legislation.

To obtain the finances necessary to introduce urgently needed social legislation and to balance the budget, the taxation system should be reorganized on a

just basis to relieve the workers, farmers, professional and small business people and to ensure that the rich and large corporations shall pay a share proportionate to their wealth. The main source of government finance must be a system of sharply graduated taxation upon incomes of over \$5,000 a year, upon corporate profits and surpluses as well as taxation upon tax exempt securities and large gifts and inheritances. People of small income, small property and home-owners must be protected against foreclosures and seizures and from burdensome taxes and high interest rates.

We favor nationalization of the entire banking system, of all railways and of the production and distribution of electric power.

We are opposed to the imposition of duties on imports which permit domestic monopolies to charge exorbitant prices to Canadians."

All that is contained under the title "A Just Taxation Policy: Make the Rich Pay." If there was to be anything provocative of social disturbance one would expect to find it under that heading.

"5. Civil Liberty and Religious Freedom:

We propose amendment of the B.N.A. Act to bring it into line with present-day social, economic and political needs in order to make possible uniform wage standards and social and labor legislation for all provinces.

We propose the calling of a Constitutional Conference that will be fully representative of all provinces and sections of Canada. Such a conference would work out by agreement necessary amendments to the B.N.A. Act whilst guarding the democratic rights of municipalities and provinces, in particular of French Canada.

We favor substitution of the present Senate by an elective body responsible to the people.

We stand for federal legislation which will establish labor's full right to collective bargaining and to organization in unions of their own choice, and which will outlaw company unions, labor espionage systems and other means of coercion by employers. We propose heavy penalties for employers guilty of discharging workers for union or political affiliation.

We favor electoral reform directed towards the extension of democracy (proportional representation, reform of the Electoral Act) to ensure more equitable parliamentary representation in accordance with population; strict limitation to election expenditure, equal division of free radio time and advertising space for each organized political party.

We champion the unrestricted freedom of speech, press, radio and assembly and the right of labor to organize and strike. We stand for the protection of religious freedom and equal rights for all religious and national groups. We call upon the people to safeguard these traditional liberties.

6. Keep Canada at Peace by Maintaining Peace on Earth:

Canada must do her part in helping to maintain world peace, aligning herself with those states who are striving to maintain peace, and working to strengthen the League of Nations and the machinery of collective security. The Government of Canada must accept its responsibilities in the League of Nations and assume her legal and rightful position to exercise, by virtue of her own legislative action, complete freedom on the field of foreign policy. Canada must disentangle herself from the sinister anti-democratic imperialist

intrigues and backstairs diplomacy of the Tory reactionaries at present guiding British foreign policy.

We propose nationalization of the nickel industry and of all armaments manufacture. We oppose Canadian participation in the armaments race that is contributing to the danger of a new world war."

That is all that appears under item 6.

"7. Canada's Future Lies in Hands of Youth -- Give Youth a Chance:

Canada can and must provide opportunity, education and work for our youth.

We support the Youth Act drawn up by the Canadian Youth Congress. This proposed act provides for jobs, educational opportunities and vocational training for all young people who have been deprived of opportunities by the industrial crisis.

We favor adequate minimum wage laws for male and female youth, and a Dominion system of scholarships and student aid from primary schools to universities.

Child-labor must be forever abolished from the Canadian scene.

Canada, our country, can be saved from economic and social ruin. The financial-industrial oligarchy is not all-powerful. Its power to-day is the result of division in the people's ranks. Its power will not be permanent. The destiny of Canada is in the hands of the people. We, who have made Canada one of the marvels of the modern world for her wealth and amazing productivity, can also make her one of the wonders of the world for the happiness and abundant life of her people. We who have built the plants, the machines and the productive system which enable Canada to stand in the very front rank of exporting countries, while more than a

million people are still dependent on relief, can put out unemployed back to useful work and raise our general standard of life and security to heights hitherto undreamed of by human society.

Together with firm resolve to claim our rights, to guard our country, to protect our homes and loved ones, let us unite and victory shall be ours."

There is the complete programme of the party before the convention on matters that they feel the Canadian people should be concerned with.

Then there are several articles in this same discussion talking about things that have relation to our subject here. They are the most commonplace sort of items that could possibly have been discussed. Here is an official spontaneous statement of the communist party from its dominion committee to its members indicating the kind of things they should be interested in and the kind of things they should study.

MR. MCKINNON: I do not think that was very spontaneous; there was a lot of thought given to it.

MR. COHEN: I mean spontaneous in this case, for it arose from the things they wanted to do and have done; it was not something fabricated so that it could be hung up on the wall and pointed to as an item of reference. It was an actual expression of what they were thinking and studying and trying to persuade others to think and do at that time. There was an article following that by Tim Buck. I won't read it, except the first paragraph:

"The most urgent immediate task confronting our Party, the most vital problem confronting the people of Canada is that of increasing purchasing power. This involves restoration of wages to the workers, more adequate salaries and incomes to the white collared

employees and professional people and establishment of fair prices for farm produce."

MR. SLAGHT: Was he an official at that time?

MR. COHEN: A dominion secretary, I think.

That was followed by another document also preceding the eighth dominion congress of the communist party of Canada, and this evidently is the report. I was correct, sir, in my reference to the convention as having taken place in 1937 because I find this document also deals with the eighth convention and specifically states that the convention was held in Toronto from October 8 to 13, 1937; so that the book definitely related to the 1937 convention. This is the report. I am reading from the title page. The title is "The People vs. Monopoly by Tim Buck, General Secretary of the Communist Party of Canada." I shall leave it here with the committee except I would like to be privileged at some time to have it restored to me because I may have occasion to use it in respect to other items, unless I fail to make any impression on this committee. In that event I will probably find myself at least to that extent footloose. In the course of this report there are statements made under several headings and I wish to read one or two. I should like to read one on pages 18 and 19, the official statement of the secretary, which corresponds to the president; that is, he is the leader of the party. He says:

"There is no blue-print for our future course but life itself is continually opening up splendid possibilities and the possibility of united action is becoming more definite both in Canada and on the international field. It finds its clearest expression in the enthusiastic unity being demonstrated by democratic people all over the world in defense of Spain and particularly within Spain itself where Socialists,

Communists, trade unionists, Left Republicans and Liberals are fighting shoulder to shoulder in the struggle to maintain civil liberties and the right of democratic self-government.

United action does not necessarily require unity in one organization. It involves only joint action or co-operative action to secure certain specific objectives.

The program of such a movement of united action will not be a program for the immediate establishment of Socialism. It will be a program of demands and action which are acceptable to all progressive people and which command united support. It will be a program for the satisfaction of the most immediate needs of the people, realizable even within the limits of capitalist society. Some people will emphasize certain demands more than others but in its totality the program will constitute the platform of struggle for progress against the efforts of reaction. Such a program does not contradict our Socialist aim. Its adoption and fulfilment will prevent the road of progress towards Socialism from being made a hundred-fold more difficult by the establishment of a Fascist regime."

I particularly draw attention to the statement "It will be a program for the satisfaction of the most immediate needs of the people, realizable even within the limits of capitalist society. Some people will emphasize certain demands more than others but in its totality the program will constitute the platform of struggle for progress against the efforts of reaction." Now, here is the official, as I say, statement before the convention, a lead being given, a lead which dealing legislatively with immediate needs and immediate situations whether they in

themselves represent socialism or not.

On page 25 under the heading "Towards a People's Programme" this official report of Buck reads as follows:

The labor, farmer and progressive movement is taking form on the basis of struggles to satisfy the urgent elementary needs of the people. The urgent needs of the people fall under the following six main heads:

(a) Legislate for Social Security

The people of Canada want progressive legislation. Canada at the present time has the least progressive legislation of any except four other countries of the two Americas. It is a shameful thing that there still remain three provinces, including wealthy Quebec, which have no widow's pensions and that, in those provinces which have such legislation a widow with two children should have to live on less than the inadequate minimum wage prescribed for a single girl. We need unemployment and health insurance legislation which will guarantee to all victims of sickness or involuntary unemployment, adequate maintenance for themselves and their families. Old age pensions at sixty, prohibition of juvenile labor, minimum wages for young male workers, and limitation of hours of labor, are all essential for the protection of the Canadian working people and a central legislative need today is trade union legislation which will guarantee to working people the right to join the union of their own choice and the right to collective bargaining through their own freely chosen representatives.

(b) Save Agriculture

The position of Canadian agriculture is a national problem. The plight of the prairie farmer is a national

emergency. Tenancy is increasing at a startling rate.

Agriculture is still the largest sector of Canadian economy and still maintains the largest single group of the Canadian population. The prairie wheat crop alone is as important in Canadian economy as the textile industry. Yet while the textile millionaires have been pap-fed by all federal governments at the expense of the taxpayers for nearly sixty years and the same can be said of almost every manufacturing industry, while C.N.R. bondholders have received an average of fifty million dollars per year from the treasury at the expense of the Canadian taxpayers regularly since 1917, what government aid has been given to agriculture?

The time has come when agriculture must be placed on the same footing. We need a comprehensive, national farm policy. Farmers must be protected against the condition created by the fact that they sell their products in a market controlled by the buyers and buy everything they need in a market controlled by the sellers. The Dominion government in co-operation with Provincial governments and the farmers' organizations must establish marketing boards and guarantee minimum prices for farm products. For the west a comprehensive scheme of rehabilitation which will combine water conservation, tree planting, renewal of implements and machinery, and, where unavoidable, transfer to other good land with adequate assistance should be worked out by competent authorities on which farmers of the dried-out areas themselves will participate.

Above all, the farmers of Canada must be guaranteed the right to till the soil. Eviction or foreclosure for debt against land, farm building or equipment, must be

stopped. For the prairie provinces where farm debts are now increasing through accumulation of unpaid interest, a debt holiday is absolutely necessary.

(c) A Democratic Fiscal Policy

The fiscal policy of the Dominion and the provinces needs complete re-vamping. Cost of government now absorbs twenty to twenty-five per cent of the national income. A large and increasing part of this burden is that represented by interest on the public debts. The tax structure needs to be drastically reorganized to place a larger measure of the burden of taxation on the shoulders of the class which receives the interest on this debt. This is not all. The problem of our public debt which is now a matter of concern to everyone, involves also the question of the control of Canada's financial system. The private banks of Canada hold more than a billion dollars worth of Dominion and provincial bonds. In some cases the Dominion government, needing an outlet for the bonds, has made the money available to the banks with which to buy them. In other words, the banks have not always had to invest 'their own money.' But the harassed taxpayers of Canada have to shoulder increasingly heavy burdens of taxation to pay interest to the banks on the bonds which the Dominion government advanced them the money to buy.

This must be changed by nationalization of the banking system. Instead of 10 private banks, and a series of trust companies which they control collecting a large percentage of the taxes by the people, this credit should be under the control of a nationalized banking system.

which certainly is not the tenet of a party advocating force and violence.

"(d) Give Our Youth a Chance

The National Youth Commission established by the King government marks the beginning of governmental recognition of the fact that the problems of the youth of Canada have become a matter of national concern.

The beginning made is totally inadequate but it shows that the Youth Bill and other proposals advanced by the Youth Congress are practical and should be given effect. Provincial youth commissions should be established to work in conjunction with the commission of the Dominion government. Municipal governments should be assisted in the establishment of vocational training centres and facilities be provided for our boys and girls to learn useful trades and professions and be paid adequate wages while they learn.

(e) A Democratic Constitution for Canada

The four foregoing points in common with our proposal to nationalize the nickel industry and public service industries raise the question of the jurisdiction of the Dominion government and the relationship between Dominion and provincial legislation. The Communist Party proposes that the labor and progressive movement of Canada should co-operate through legislative conferences in the formulation of proposals toward the working out of a democratic constitution for our country and join forces in the effort to secure its adoption. Provincial rights must be fully protected. The constitution of Canada must guarantee complete provincial autonomy and control in all matters concerning civil liberties, education, cultural and religious rights and in all matters concerning the

organization and co-ordination of municipal and provincial governments. It is an impossible situation, however, for the central government of a highly industrialized country like Canada to be able to legislate for the industry of the country and for protection of the people. The Dominion government must have jurisdiction over all questions of social legislation, regulation of industry and commerce and other matters of a like nature.

The Senate in its present form is a relic of the conception of aristocratic supremacy. In the sense that it was a carry-over from the 'legislative council' it is a vestigial remnant of feudalism. It should be stripped of its power to veto legislation enacted by the House of Commons and should be elective. Appeals to the Privy Council must stop. Canada's parliament must be competent to decide.

(f) A Foreign Policy That Makes for Peace

The Canadian people want a foreign policy which shall make for peace. We object to Canada being gradually and insidiously involved in the diplomatic entanglements which are the 'spider's webs' of the schemers who are working out the plans for a new balance of power and imperialist war in Europe. The most effective role that Canada can play in the British Commonwealth of Nations is the role of a true democracy. The representatives of Canada must express the will of the Canadian people in the councils of the Commonwealth instead of being, as they are now, instruments of British imperial policy in Canada.

Canada should play her rightful part as an American country and join hands with other peace-loving nations of the Western hemisphere in making America

a force for peace.

The manner in which Canada can best be an influence for peace in the British Empire is by loyally and honorably fulfilling all her obligations as a member of the League of Nations and it is upon the conception of a wholehearted participation and support of the League and all efforts toward collective security that Canadian foreign policy must be based.

The threat of war hangs like an ominous cloud over the capitalist world.

Never has there been such a widespread and general desire among the people for peace; but it is not enough to merely condemn war. We must influence government policy upon issues which are concrete and urgent today. This requires mighty mass movements in support of peace, but the people who desire to preserve peace are divided and unprepared. They are not effectively resisting the steady trend of governmental policy which threatens to involve Canada in war.

The fight for peace requires active mobilization of the world peace forces and direction of world peace opinion against the fascist aggressors. They must be curbed. We must help to defeat them in their invasions of Spain and China. International unity and action must defeat their designs to plunge the world into war.

As Mr. Peter Bryce, Moderator of the United Church, has said:

'The governments of the world should know by the strength of public expression that millions upon millions of people are being outraged in every humanitarian instinct as each day brings new stories of untold suffering from the arena of warfare.

'The mighty power of sentiment against all that is

involved in modern warfare may yet save the world from disaster if it is expressed, individually by the people of the world, and if it is crystallized into action by governments, compelled to do so through the sheer force of the weight of public opinion.'

In Canada, specifically, the struggle for peace, and the international peace campaign which is being organized and led by the League for Peace and Democracy is primarily a struggle to influence the policy of the Dominion government. War is not an inevitability. Even today the war-mad militarists of Japan could be stopped in their murderous totalitarian war against China if sanctions were rigidly applied by the states upon whose exports they depend.

The peace forces must develop mass public opinion and pressure upon the King government to bring about a change in foreign policy, to co-operate loyally in all measures making for collective security, and to join with all countries pledged to collective security, and to join with all countries pledged to collective security and the League of Nations in an effort to strengthen the League. The movement for boycott against Japan which has swept Australia and Britain and is spreading rapidly in the United States must be developed to shut off all trade between Canada and Japan until the barbarous warfare against China is stopped.

We greet the statement of brother P.M. Draper, president of the Trades and Labor Congress of Canada, calling for a boycott of Japanese goods. We pledge our full and unqualified support of such a boycott and will spare no effort to ensure that the purchase of Japanese products and the shipment of war materials to

Japan shall both be stopped.

The peace movement should demand of the King government that full publicity be given to the names of the individuals and concerns receiving armament and munition contracts.

We must organize tens of thousands of people in all the constituencies of Canada to bring pressure to bear upon their members of parliament, to demand of them that they place themselves on public record against war. Every candidate for public office should be asked for a similar pledge. Peace-loving people must be aroused to the fact that the issue of peace or war is being decided now. Continued retreat before the fascist offensive means war and if we want peace we must defend it."

Then they go on with a criticism of the C.C.F. party at the time. I won't read that; I do not want to get in wrong with anybody.

THE CHAIRMAN: Times change.

MR. COHEN: Then, I should like to read a paragraph which appears on page 39:

"VIII. We Favor Using Every Constitutional Possibility
for Progress

We Communists defend democracy because we face the struggle for progress and for socialism in all its phases and with all its implications. Defense of democracy is, today, the central task confronting progressive people. The decisive issue being fought out in the capitalist countries today is not fascism versus communism but fascism versus democracy. Defense of democracy is the decisive form of the struggle against reaction in order to keep the path of progress open. We do not help the most reactionary section of

the capitalist class to achieve its objective of a reactionary coalition by directing our main fire against the present liberal government, little as we are satisfied with its actions, many of which are calculated to satisfy reactionary big capital.

Today, the forces of progress are confronted with the task of maintaining their democratic rights. Reaction strives to crush the progressive movement precisely by narrowing and ultimately abolishing these rights; as witness Italy, Germany, Austria and other countries of Europe, particularly Spain. The gravity of the danger of similar encroachment upon democratic liberties in Canada in the event of a return to power of a government of reactionary Tories or a reactionary coalition may be judged by the length to which R.B. Bennett went; although world reaction had not at that time developed its program to the extent that it has now and world war had not yet become, as it is now, imminent.

It is clear, therefore, that the slogan of 'the main blow against reaction,' as the slogan around which the widest masses can be organized for social security, and maintenance of democratic rights is inseparable from a serious approach to the struggle for socialism." Frankly I am not familiar with what the political questions of Canada were in 1937 to know just what criticism that directs itself to, but evidently the position was that they were supporting the position that was being taken by the existing government.

Now I go on and deal with publications appearing in later years. The next item that I have is a printed book extending to some 135 pages entitled "A Democratic Front for Canada." I am still going to read from the report of

the dominion executive of the communist party of Canada the thirteenth session, June, 1938. Now I say that one would have to be a political Houdini to be circulating amongst the membership and sympathizers and adherents of the communist party and to be issuing those official pronouncements from which I have read and from which I will continue to read later and at the same time to be carrying on a policy of encouraging or advocating the use of force and violence as a means of bringing about social change. This document contains a very extensive report which was issued by Tim Buck, so it is said.

MRS. NIELSEN: What is the date of that report?

MR. COHEN: It was issued as being a report, subjects and resolutions of the thirteenth session of the dominion executive communist party of Canada, June, 1938. I would say the report of the official head of the party issued publicly that way would reflect their actual programme, the state of mind and motivation of those who were manifesting the policy and programme of the party and I should like to read -- frankly there are too many extracts --

MR. SLAGHT: Now you have made that observation which it is quite proper for you to make. Have you considered this, that undoubtedly the communist party have a platform and have things that they advocate and want to bring into effect? Are you not overstating the reasons that we should assume virtue in that party because in what they publish in Canada they publish it in a way that would not get them into jail? If they published these documents of theirs and advocated force to carry them out they would be landed in jail the next day. Are you not really over-emphasizing the virtue because you do not find something in these reports which would break our criminal law?

MR. COHEN: First of all I am not urging that you

assume that the communist party was virtuous in the sense that you accepted this programme. I am not here --

MR. SLAGHT: You say the international programme was undoubtedly advocating violence.

MR. COHEN: I would say in 1920, yes.

MR. SLAGHT: This --

MR. COHEN: Violence under certain conditions.

MR. SLAGHT: I think you are doing a very proper thing in bringing this official programme to our attention and putting it on the record. Is not there an underlying something behind that? If they want these things done they would not dare, if they were realists and had in their real objective the use of force, they would not dare to put it in these documents, because they would be brought before our courts for treason before we had any Defence of Canada regulations. I just raise that for your consideration.

MR. DUPUIS: Before you answer Mr. Slaght may I put it another way? These documents from which you are reading now were documents issued for the public.

MR. COHEN: For their own membership. The first one is discussion amongst the membership before the convention.

MR. DUPUIS: The public was able to get them?

MR. COHEN: I suppose so.

MR. DUPUIS: Have you got any documents which were secret and which were sent to members only or those of the organization?

MR. COHEN: That would controvert those?

MR. DUPUIS: Have you got any of those documents which were sent by the communist party?

MR. COHEN: Without appearing to be smart about it I would like to reverse the question and ask if you have any, if you have such documents, secret directives which do not agree with those official pronouncements?

If you have then they would certainly be relevant. I fail to see how I can be asked if I have secret documents unless it can be suggested there are documents which exist and which controvert those pronouncements.

MR. DUPUIS: You have not answered my question. Are you in possession of those documents which were sent merely to the members or chiefs of the party, yes or no?

MR. COHEN: I am not aware of any such documents. I have not been furnished with any such documents. If there are such documents and they are available before this committee then certainly I would say that it would be helpful to put one where I can examine it. If I could examine these documents to see what they are, peruse their text, I would then be in a position to deal with them. I cannot deal with an imaginary thing.

MR. DUPUIS: Do you admit that there are such documents which may have been sent privately merely to the heads or members of the party?

MR. COHEN: I think there is a very definite possibility, if you put it that way, that there may have been, yes, but I know of no reason to assume that there was or believe that there was.

MR. DUPUIS: Did you ask your clients to supply you with such documents?

MR. COHEN: I asked the organization which retained me to obtain for me and furnish me with all proper material which they could possibly locate that would indicate the actual policy and position of the communist party.

MR. DUPUIS: So if it is possible that there might be some secret documents they did not supply you with them?

MR. COHEN: If they exist, yes.

MR. DUPUIS: They did not give them to you?

MR. COHEN: If such documents exist then I have not been

furnished with them; but I say if there is a suggestion that they exist then if I am to be able to deal with this committee in the sense in which it was generally suggested I would deal with this subject, then I should like to be confronted with documents and put in possession of them. I cannot deal with secret documents and discuss and explain them if I have not seen them.

MR. DUPUIS: You deal now with Mr. Slaght's question.

MR. COHEN: No; I would say this, sir, that if this literature merely contained a critical approach to affairs in Canadian life and said there are rich and there are poor and there are exploiters and exploited and conditions of plenty and conditions of poverty and people enrich themselves out of natural resources and people who are rich do not care for the people who are poor, things of that sort, and just left it at that and did not come along with a positive programme as to means of dealing with these things, then it might be said that the communist party, if it was doing such a thing, was so far as its published position was concerned was sowing the seeds of discontent, calling the attention of the people to things about which they should be interested and disturbed about and telling the people they should do so and so about these things, there may be something unfair in that. But the documents I have read in their very internal nature consist of a platform of teaching the people whom they would be submitted to how these conditions ought to be dealt with. And in every instance where they deal with a specific item they offer a specific legislative proposal; and where they are dealing with a situation generally they disavow any such doctrine of the possibility of being able to bring about a national change or a socialistic change by imposing the will of the minority on the majority. I say, under these circumstances, it would

be inconsistent and inconceivable to suggest that there would be room left at all in the minds of those who are doing this teaching or in the minds of those who are responsible for those documents for a policy which was a complete variance with the one officially being advocated. My reason for commenting on the contradiction between the suggestion that this party was preaching force and violence and the things which I have read from these documents is that these documents and these policies endorse most emphatically the legislative approach as the means of dealing with the problem in the interest of convincing the majority of the people to use their democratic means of indicating and manifesting what that majority of the Canadian people want. And I say under these circumstances it would be, assuming for the moment, unless some private thing was distributed as suggested by the gentleman to the left of me physically --.

MR. DUPUIS: Most of the articles in the documents which you have just read are completely in accord with the policy of the C.C.F. party, the Social Credit party and some in the Liberal and Conservative parties.

MR. QUELCH: I should like to dissociate the Social Credit party **from** that.

MRS. NIELSEN: I was wondering if Mr. Anderson would be in a better position to answer Mr. Dupuis' question than Mr. Cohen as to whether or not he has any information about secret documents.

MR. SLAGHT: While we welcome your attendance here, madam, you are not a member of the committee and I do not think you should make that suggestion.

MR. MCKINNON: You are here by courtesy, that is all.

MR. SLAGHT: When you have matters like that to discuss I think it would be better to bring it to the attention of a member of the committee. I think we will have to

restrict our discussion to committee members.

THE CHAIRMAN: It is one o'clock.

At this stage of the proceedings discussion took place on meeting this afternoon and it was decided to meet at 4 o'clock.

---The Committee adjourned at 1.10 p.m.

(AFTERNOON SESSION)

The committee resumed at 4 o'clock.

THE CHAIRMAN: Is it the pleasure of the committee that we proceed? All right, Mr. Cohen.

MR. COHEN: Mr. Chairman, with respect to the suggestion made before the committee rose this morning, I have consulted members of the delegation which have accompanied me here and it was agreed that, if it meets with the approval of this committee, I should continue to outline my points until I shall have finished the one point that I was in the course of discussing this morning, that is, the question of whether or not it is a part of the doctrinal programme of the Communist Party of Canada to teach the use of force and violence as a means of bringing about social change; and that when I shall have finished that, that the balance of the afternoon would be taken up by two or three members of the delegation who would not be able to remain over until tomorrow.

MR. BENICE: Then I take it that you are dividing your presentation into two parts, and that you are going to complete the first section of it and then call on members of the delegation which have accompanied you to make their presentation. What do you intend to do with the other part of your presentation; namely, the fact that the Communist party before Russia came into the war was not favourable to our war effort. I understand you are to deal with that. Have you any idea in your mind as to when you would deal with that?

MR. COHEN: I will deal with that, if it suits the committee, tomorrow.

MR. BENICE: You will be available tomorrow?

MR. COHEN: Yes, I can meet whatever the situation is in that respect. Is that course agreeable, Mr. Chairman?

THE CHAIRMAN: It is perfectly agreeable to us, at least, as far as I am concerned.

MR. COHEN: I should like to refer for a moment to one general item with which I opened this morning, with respect to my suggestion that there should be some change made in the two regulations, 21 and 39(c); and it should be made clear that 39(c) in itself is not a basis for action under section 21. I should like in that connection to just say one word about the suggestion made during the session this morning that there is no connection between the two. In the first place, to my knowledge, at least so far as those internees who were directly involved in respect of the matters on which representations are being made today were never detained under section 21; and if it had not been for section 39(c), so far as their organizations were concerned, they would not have been interned. There was no move made under regulation 21 until these orders of illegality came out; which would suggest to me a very clear connection between declaring the organization illegal under regulation 39(c) and the detaining of certain persons under regulation 21. Now, I have had occasion to attend in recent months some of the hearings, they are held in camera, just as this session is; and I do not think it would be correct for me because I in another place which sat in camera heard things about these cases should make special reference to them in this place, which in respect of its own matters also sits in camera; so that I am in a somewhat difficult position there in the sense that matters have come to my attention that have a

relevancy to that argument; that is, as to whether or not mere membership in or association with one of these bodies before they were declared illegal has been put forward as a ground for continuing their detention. I do not think it would be wrong to suggest that there are cases of that sort; I mean, here they are, with nothing else suggested in the particulars and nothing else brought out in the course of their examination. The advisory committees are dealing with these questions, and recommendations are pending; but there is nothing to suggest that what occurred in respect to some of these cases may not have occurred with respect to others. And again I say that I feel I am prevented from making any specific reference to these cases because I am aware of them by reason of being allowed to participate in the proceedings which were held in camera, which effectively prevents me from making any specific reference to them; but I do indicate that there is a connection, and that it is a matter which this committee unfettered as it is in respect to matters of this kind may look into.

MR. MCKINNON: It is apparent from what you said that you must have something in your mind about the matter, and I think that you might at least tell the committee what you have in mind.

MR. COHEN: What I am trying to indicate, sir, is that in the history of the several cases which I have been privileged to attend it has been clear from the bill of particulars which is furnished to the objectors under regulation 21, and from the examination which ensues in which the objector is examined by the advisory committee in respect to the various matters appearing in the committee's file as supporting the contention that there is nothing more

than membership in or association with one of these organizations which has to do with these detentions; nothing else is suggested, either in the particulars or in the questions.

MR. MAYBANK: You could not make your point any more clear if you were to give a specific reference; and you say, that you were precluded from making a specific reference.

MR. COHEN: True.

MR. MAYBANK: Then I suggest to you that ethics would equally preclude you from the references you have already made. I do not say you are precluded, but it does seem to me that if a person is prevented from referring directly to what proceeded in a hearing held in camera the same thing would apply to any indirect reference thereto. I cannot see any difference between what you are doing now, honestly, and what you say you are precluded from doing.

MR. COHEN: I wasn't doing that.

THE CHAIRMAN: Pardon me; but you are making the assertion as part of the argument you were following this morning; that is, that the relationship between the provisions of section 21 and section 39(c) seems to you to be direct, and that it has come to your knowledge that some persons are kept in internment camps because of their association with some organizations which have been declared illegal; but the fact they were supposed to be members of these associations before the list of associations was declared illegal is one of the reasons why they are detained; is that it?

MR. COHEN: I went so far as to say that there are cases; and these are matters which come to my attention not necessarily from hearings which were held in camera, but

from the examination of particulars. There were cases where that was the only reason asked.

THE CHAIRMAN: I think that is sufficient for us now. If you want to pursue it any further you are at liberty to do so. We can find out the real facts if we want them without compelling Mr. Cohen to disclose anything which professionally he should not.

MR. COHEN: I was merely suggesting to the committee that the committee could look into these cases.

THE CHAIRMAN: Sure.

MR. COHEN: Where I am in fact inhibited. I do want to assure Mr. Maybank and the committee that I was in no sense, at least in my own mind, disobeying the restriction that rests upon me in respect to these hearings with which I was identified. I was watching Mr. Anderson very carefully and while I didn't ask him in so many words to check me I did ask him by way of expression to indicate when he thought I was going too far. I do not think I have at all exceeded reasonable bounds.

MR. MAYBANK: I do not say that I agree with you, that you were precluded.

MR. COHEN: That is true.

THE CHAIRMAN: But you thought you were, Mr. Cohen?

MR. COHEN: I would rather lean over backwards in that respect.

MR. MAYBANK: I do not think it ever should have been mentioned though at the moment. I think we would do better to keep to the question before us.

MR. HAZEN: You say you have been before the advisory committees a number of times recently?

MR. COHEN: Yes.

MR. HAZEN: Did you appear there as counsel for the people being heard here?

MR. COHEN: For the particular internee whose case was being heard.

MR. HAZEN: And at the advisory committee counsel had an opportunity of being heard?

MR. COHEN: Oh yes, and I must say that I am far from being critical at all of the attitude which the advisory committee takes.

MR. HAZEN: That is what I wanted to ask.

MR. COHEN: I am indebted to them in every sense of the word. I did not intend to offer any criticism.

MR. HAZEN: Does the advisory committee allow the accused to present his case, would you say?

MR. COHEN: Within the limits of the restrictions which are imposed upon them I would say yes.

MR. HAZEN: Do they try to bring out every fact in his favour?

MR. COHEN: I think they rather challenge him to bring out facts in his favour.

MR. HAZEN: I was trying to get your opinion as to how the advisory committees carry on.

MR. COHEN: I would prefer to be permitted to deal with that at the end of my remarks, because that has nothing to do with this national committee. I should be very glad, in a personal capacity and divorced from professional responsibility, if the committee thinks it at all worth while to hear me, to give you what impressions I have. They will be given quite honestly and objectively, within the limits of the restrictions placed upon me.

MR. BENICE: If we enter into that we might find ourselves under the obligation of calling somebody else to present the opposite view. I think it might be dangerous.

MR. COHEN: I shall have some representations to make to you generally with respect to advisory committee hearings.

MR. BENICE: In connection with section 21 the question is whether or not a man who has been found to be a member of an illegal organization comes under the provisions of the Act. You are dealing with the question of evidence. You are asking us to direct an advisory committee as to the weight they will put on certain evidence. It seems to me that is a most difficult thing for any committee like ourselves to do. We set up certain rules, and the committee has to deal with these rules, but we cannot go further than that and say to them well this particular type of evidence is not strong enough or that particular type of evidence is strong enough. Surely you are not suggesting, for example, that a judge should be restricted to any such extent; he has his rules of evidence, of course, but we cannot go any further than that.

MR. COHEN: That is quite true; but he also has his jurisprudence and the statutes and laws by which he is bound to be governed; whereas these advisory committees here have none of that and they must refer to various things in the regulations which would give them some clue as to what might be considered items prejudicial to public safety, and so on. They don't go to section 39 (c) -- I say there is a clue which does link up with section 21, particularly when we find that connection in respect to bringing section 39 (c) into existence; and this is planned to synchronize and work together. Now, I do not think it is going too far to suggest that it should be made clear to the committee that by proper amendment to the regulations

that the mere item in itself is not a matter upon which the Minister of Justice should base his administration; but, I do not need to labour that.

MR. DUPUIS: As a result of your personal experience in appearing before these advisory committees you say that you have discovered that some internees have been kept in internment camps just because they belonged to one of these illegal organizations mentioned in section 39 (c); is that your own experience after having plead cases before these committees?

MR. COHEN: No, I cannot say that, Mr. Dupuis -- if I may address myself personally that way -- at all, it would not be correct. I thought I qualified my remarks by saying the recommendations are pending in respect to these cases. I have only within the past two weeks concluded my argument on these cases, and it would be quite inaccurate for me to suggest at all that the detention is going to be continued in these cases; on the contrary, I am more optimistic in respect to them and believe the recommendation will be favourable, that their release will be recommended. But that is the situation brought about today; I mean, 1942; and the effects of this have been brought to my attention. My suggestion is that there may be others, but I will not go further than that, it would not be fair to do so.

MR. DUPUIS: Are you pretty sure that these internees were kept interned just because of that particular one regulation?

MR. COHEN: I would say I don't want it too general, because that would be incorrect. I would say there were some cases.

MR. DUPUIS: You are sure?

MR. COHEN: There were some cases in which I was interested and in which I have appeared. I would say there has been nothing suggested in the bill of particulars except that item.

MR. MAYBANK: I hardly think you are quite right, that there are people who have been interned solely because of membership.

MR. COHEN: Prior to the order of illegality.

THE CHAIRMAN: All right.

MR. BENICE: Let's not get into a long ranging mix up about these advisory committees.

MR. COHEN: I am not suggesting that the advisory committees are doing that.

MR. BENICE: I thought you were.

MR. COHEN: No, no; I have no basis for saying that the advisory committee will order or continue detention. It may well be that the advisory committee having heard the evidence and reviewed the matter will recommend their release; I personally am confident that they will do so. I may be wrong.

MR. BENICE: I have been listening at cross purposes.

MR. COHEN: I am very sorry about that.

THE CHAIRMAN: We will come back to the document of the Canadian Communist Party.

MR. COHEN: I was in the course of this morning, sir, reading from some of the official documents of the party and indicating that it was inconsistent to assume that the party was one of teaching force and violence in the light of the doctrines there set forth, and the programme there outlined; and I think that just for the chairman one of the members

of the committee pointed out that the programme as read from this official document would suggest that no difference between the doctrines and point of view of that party and say the C.C.F., or others. But I think that the subject might be illuminated to this extent, that there are definite items of difference in programme between say the Communist party and the C.C.F., obviously, or there would not be separate parties, I suppose. There are some differences in programme, I am sure. However, two or three important items have occurred to my mind during adjournment.

MR. DUPUIS: I think I was partly responsible for that view. What I meant was that many items in the programme of the Communist party as cited by you in booklets issued for the public in general, many of these items resemble and are similar to similar policies of other parties. I will go further than that; I am under the impression that it resembles very much the Quadragesimo Anno (forty years after) published by His Holiness Pope Leo the 13th as part of one of his famous encyclicals.

BB-1 follows.

As a matter of fact, that was quoted in the next booklet to which I was going to refer.

MR. DUPUIS: Mr. Slaght was correct when he said that only the good side of the policy was published and available to the public.

MR. COHEN: I do not know that Mr. Slaght suggested that at all; Mr. Slaght suggested that that might be the possibility.

MR. DUPUIS: He called them the virtues.

MR. COHEN: I have pointed out to Mr. Slaght that this document enunciated a programme; it did not merely contain critical comments on conditions in Canada. The important feature of the documents which I read this morning is that they emphasize the legislative majority will of the people's approach to a solution of the Canadian problem. In the course of that they have their political differences I presume with their political parties that function in Canada.

MR. MacINNIS: The policy changes from time to time; you are dealing with a specific time.

MR. COHEN: I am dealing with a period.

MR. MacINNIS: The line changes from time to time.

MR. COHEN: I suppose that applies to all of us.

MR. MacINNIS: Yes.

MR. COHEN: Except lawyers. We never change because we never have any points of view; we merely present the point of view of others.

THE CHAIRMAN: Political parties are not infallible or stationary.

MR. COHEN: The next volume I have is one published in June, 1938 - I think I mentioned it this morning -

entitled "A Democratic Front for Canada" and it contains the reports, speeches, resolutions of the dominion executive of the Communist Party of Canada at a session held on June 3 to June 6, 1938, at Toronto. The opening article, a somewhat extended one, is that of Tim Buck - a report delivered by Tim Buck under the same heading as the title "A Democratic Front for Canada"; and here too I see there is represented and emphasized and overemphasized that same approach to the solution, a treatment of Canadian social and economic and political problems as set out in the documents which I read earlier. I want to say to the committee that it is inconceivable that at an official convention the official report from the leader of the party to the convention giving the lead and the tone should be anything other than the actual accepted platform and programme of those who make up the party. One could carry on the sort of conspiracy that was suggested this morning if you were dealing with a very small group of people; you could officially print one thing and whisper around and say something that qualified or contradicted it, but one cannot do that with large numbers of people extending over a country as wide and as broad and as varied as ours, and those are the items which should and can only be taken as reflecting the policy and activity of the party in Canada.

MR. O'NEILL: That is my own opinion; you say it cannot be done?

MR. COHEN: I say this: it is a matter of opinion only if other documents or other material is available or evidence of their acts can be brought forward which

contradicts these, but where there is nothing else than merely to assume on the bare hypothesis that such a thing might be done, brings us into the realm of what is practicable.

MR. DUPUIS: I suppose you will admit that it is one thing for official documents to be spread among the public to induce them to enter into the Canadian Communist Party, but if, on the other hand, there are secret documents that are spread among the chiefs of the party - if this were so it would be cheating the public to do that?

MR. COHEN: I agree with that, of course.

MR. MAYBANK: While you can present such a policy as you are now, and I know what it is in advance, it is permissible for us to believe that a few of the leaders of the party got together and arrived at a conclusion as to why this should be the declared policy - you will admit the probability of that?

MR. COHEN: That is a more or less inevitable thing in organization affairs.

MR. MAYBANK: I think it happens in all parties.

MR. COHEN: Yes.

MR. MAYBANK: It would be quite permissible, for example, to believe that the leaders of this party got together and worked it out that this would be a pretty good policy because if you can get a group of these other fellows into the democratic front you will be able to control them and they will not realize it; that would be an idea; you do not have to believe that or admit it, but it could be so?

MR. COHEN: Yes, it could be so; but in the mechanics

I am not going to take up too much time in reading it. I will take the liberty of reading extracts of it typed and made available to the members of the committee.

MR. DUPUIS: I can tell you, that you would qualify as a good lawyer if you could convince me that this policy enunciated in what you are now reading and what you read this morning is the only policy of the Communist Party - if you could do that I would be tempted to belong to it.

MR. COHEN: You had better wait until I read more.

MR. DUPUIS: It expresses the idea that this is the only programme; that there is nothing behind it; nothing hidden.

MR. COHEN: Does not this illustrate, sir, the whole problem; I cannot prove anything. If, in fact, there is no other programme how am I able to prove it except by bringing forward these official documents which are put before me as a programme. If, in fact, there was another programme it would manifest itself by action of some sort, there would be an article in a newspaper, there would be some secret activities. If there is that belief in force and violence as the means of bringing about change, you cannot keep that idea back in the back corners of their minds, there must be something that will manifest it. And that brings me to another phase of this question.

MR. McKINNON: Of course, if we have the constitution of the party it would clear up a lot of these arguments.

MR. COHEN: I am going to see what assistance my friend can give me. I would like to have it.

MR. DUPUIS: On that subject I would like to put a straight question and I would like to have the answer

yes or no if that is possible. Suppose you are a member of this committee and it were proven beyond shadow of a doubt that there is a programme for the public but there is also another programme which is a subversive programme to overthrow the government by force and violence, if as a member of the committee you could discover that there are those two programmes, one for the public and the other for the intimate members of the party, and if you are convinced of that as a member of this committee, would you recommend that this be maintained in the articles?

MR. COHEN: I would not. I have no hesitation in answering that at all. But do you mind if I accept the hospitality extended by that question to the extent of saying that I would have to be very clearly satisfied?

MR. DUPUIS: Yes.

MR. COHEN: Assuming that that is done my answer is an unqualified answer to your question. I do suggest this to the committee that if there is any evidence of that sort or indication of that sort that I should be given an opportunity of knowing enough about it to be able to meet it in further reply to this committee, if it can be met. I want to say very candidly to this committee, if it cannot be met, that I personally would not be in attendance on this matter.

MR. MAYBANK: You want some particulars?

MR. COHEN: Yes, I want to say this to the committee, and perhaps I had better clear it up now, it was almost said this morning when something was suggested about my being granted immunity when I was here - it is true I am here in a professional capacity, retained and paid - of

course, not enough, I never am; never. Unless there is no power either of person or wealth in this country that could have retained me to attend on any case were I in any way not only unconvinced but doubtful about arguing the case in relation to the war effort.

MR. DUPUIS: I don't know; according to court custom and practice a lawyer is allowed to defend the accused even if he is convinced he is a criminal.

MR. COHEN: Yes, at the same time matters relating to the affairs of state are beyond the affairs of criminality. I want to be frank with the committee, and I hope one or two members of the chamber will not mind me saying this, that throughout the period when communists took the position they did with respect to the war and beyond that period until only recent weeks, at the most two months, I refused and constantly refused to represent any persons charged or associated with communist affairs. I did so throughout the period when leaflets were being distributed and when the Clarion was being confiscated and attacked and so on; and I agreed in this instance to accept this group of cases, although I have repeatedly rejected requests that I act in their behalf, because I personally was at least honestly convinced that the war effort was to be advanced by my arguing these cases. That does not mean that I have any right to invite the committee to accept my judgment as a basis for its own, but I do want the committee to have every assurance - and those who know me in any sense personally will realize its weight - every assurance that I am not here merely being used as a mouthpiece to present things which I do not myself

honestly feel have been established; and certainly when I come to deal with the question of the war effort and the relationship of this party to the war effort, no amount of influence upon me could secure from me any shading of the facts as I view the position in relation to the war that we should take with respect to the Communist Party.

MR. DUPUIS: Your committee would have to conclude that for many years you have been following closely their activities and their programmes and their manifestos; that you are not conversant.

MR. COHEN: By no means, no; I am only conversant in as far as I read and try to read intelligently, indiscriminately if I may put it that way, and in that way and by reason of that I act for many trade unions and very many other labour matters; so one necessarily is brought into an atmosphere and in contact with things where documents and newspapers and publications come to one's attention; but that is the nature of my contact with the whole subject matter. I will dispose of several quotations from the book report of 1938. On page 12 there is a heading "Communists on side of Democracy". I shall read that part:

"In this situation the guarantee of democracy against the growing danger of fascism and reaction lies in the strengthening of the democratic powers of the people. The only way it can be strengthened is by a united working class fighting consistently for unity of all democratic forces in the struggle for democratic unification of our country.

The position of our Party in relation to this great issue is clear. We belong on the side of democracy and progress; on the side of national unification to overcome the barriers to economic improvement; on the side of the people against the enemies of national unity, against the abuses of the monopolies and the trusts. The Communist Party stands for socialism but the Communist Party repudiates now, as in the past, all theories or proposals looking to the forcible imposition of socialism on the majority of the people. Such concepts are completely foreign to the Communist Party. We never did and never will hold to a program of forcibly establishing socialism against the will of the people. Anyone who proposes this is alien to the Communist Party.

The Communist program rests exclusively on the democratic will of the people. On the other hand, those who are fighting against unification of the country, against Dominion Unemployment Insurance, against economic improvements for the people, are the enemies of democracy. They are the people who would abolish democracy. Their cold-blooded resolve to withhold economic security from the people is even now leading them to encourage a threat to democratic government. Democracy can only be guaranteed if the power of these interests within the government is curbed and the people are given a larger voice in the shaping of government policies.

We speak, then, as a part of the ever growing alignment of the democratic people of Canada. We are for complete national unification."

Now, on page 14 - I only take this illustratively - throughout this report one will find completely an objective examination of conditions in Canada, whether or not they are correctly set forth is not my business or concern or I should think the concern of the committee; certainly there is no suggestion that if there is anything incorrect in any analysis here that it is deliberate or maliciously so. But the whole document consists of an objective examination of Canadian affairs and how those affairs can be utilized to clear up this problem. I quote from page 14:-

"The masses of the people of Canada press hard for more progressive policies and more progressive legislation."

I say no party approaching force and violence would lay this emphasis on progressive legislation.

"There is a general sentiment in favor of unemployment insurance. Every decent minded person in Canada agrees that legislation is necessary for the rehabilitation of agriculture and to provide opportunity for our youth. Almost every person in Canada today realizes the imminent danger of a general European war and the need for Canada to adopt a positive peace policy that will align her alongside the forces fighting for peace. The people in general want national unity, progressive legislation, and a policy that makes for peace."

And so on for the balance of that page.

There is a heading "Division of National Income", in which they indicate certain discrepancies in the way the national income is divided, and then on page 20 I read the following:

"The importance of this is that many people still use the time worn argument of 'it wouldn't help'. Suppose you do divide everything up. Certainly the Communist Party is not proposing anything so silly."

That is the proposal of taking whatever income there is and dividing it amongst everybody.

Under the heading "The Gathering Forces of Democracy", again the same emphasis is found on page 22. Then on page 24 there is the heading "The Platform for a Democratic Front". And then these words follow:-

"The widespread progressive movement growing throughout Canada must be organized and strengthened. It is the task of the Communist Party to contribute towards a rapid development of the program for this movement, and assist in providing leadership which will guide it in every stage of its struggle against monopoly capital. The common ground upon which all sections of the democratic progressive movement of Canada meet is the urgent need for defense of the interests of the workers, farmers, professional and middle class people against the ruthless exploitation of finance capital. What is required now is joint consideration of those demands, in

which our common interests are expressed with a view to achieving a measure of agreement. This will include demands common to all organizations in the general progressive movement. A program around which a democratic front will be rallied must be one which the people understand and which can be carried through by dominion and provincial governments under our present governmental set-up. Thus, it cannot be a fundamental program for the socialist reorganization of Canada because the majority of our people are not yet ready to support such a program. What is required is a series of proposals of a constructive progressive character aimed to satisfy the most urgent needs of the people and capable of enactment and fulfilment by provincial and dominion governments now, a program that can be immediately carried out by a parliamentary majority."

Now, I do not know that there could be any clearer intention of an approach to the handling of social, economic and political questions than the passages I have just read. I see the whole of this report and it extends on to some 41 pages all of which are thoroughly in accord with that emphasis, and there is not a line or a word in it which I have been able to find - and it is only within the last few days that I have been able to read it, so the matter is quite clear in my mind - not a word or a line which in any way suggests violence, provocation, discord, and the sort of thing that one associates with the forces of violence which were discussed this morning.

MR. O'NEILL: Those in opposition to the Communist Party have an argument which they put up and it is this, ^{it} that/is a very skilfully devised political platform to obtain power; that they were expected to see that the idea of gaining power by the sword and by revolution was not being taken kindly by the people of this country and they must change their tactics and they institute a platform of this kind and that certainly would appeal to any man who is working for a living; no man who is working for a living can quarrel with that platform at all.

MR. COHEN: That is true.

MR. O'NEILL: Absolutely; but I am saying that is what the people who are opposed to the Communist Party say. It seems to me that the Communist Party, in addition to their platform, if they called themselves the Liberal Party or the Democratic Party or some other party, but not the Communist Party, would not have to spend all their time trying to live down the name.

MR. COHEN: I think there is a great deal of force in that. I think there is a carry-over in the year 1942 of many impressions and many ideas necessarily associated as a result of historical matters connected with the term communist and the term communist' party. I think you are correct, sir. But the fact is that they are so called, and it is under that name that they operated at the time the ban was placed. There is no doubt also that it was a programme and a platform put forward to enable them, or at least a democratic front, which they speak of, to come into power, but it will be a coming into power by means which accord with order and in

accord with our social viewpoints.

MR. O'NEILL: Your opponents come over and say: when they get into power then they will bring about these things which they were formerly going to bring about.

MR. COHEN: By force and violence? If that were so the objective to the Communist Party rests not on force and violence as being their instruments but on the social, economic and political objectives which they have in mind; and if that is so certainly we dismiss the suggestion that it is correct to keep them as an illegal party for that reason; because every political party has a right to say: "We desire to develop our strength politically in and out of the House of Commons so we will be the majority party and so we can legislate into existence economic and social and political systems which we think are the proper ones." That is the legitimate aim of every party.

MR. BENCE: That is as far as force and violence go?

MR. COHEN: Yes, sir. As to getting in power as a lay man I say the only possible objection is whether they use improper methods as the course of getting in. If they want to pass laws that you or I or somebody else disagree with, that is something we take our chance on, if we are true to the very democratic principles by which we live and measure our laws and everybody else's behaviour.

There is one other reference in this volume, and that has to do with the article by another officer of the Communist Party who delivered a report to this session of the Dominion Executive of the Communist Party. This is by Sam Carr and the title is "Building the Communist Party" -- this is a report delivered by Stewart Smith,

and I read his pamphlet this morning - a speech delivered over the radio entitled "The Party Recruiting Drive in Southern Ontario". In the course of discussing plain ordinary technique about how you get members - something which always is a mystery to me, and I am never able to follow the energy with which all this is done - in the course of all discussion, there is the following statement:

"We must clarify to our party that when we speak of mass enrolment of new members we are not just speaking of ready-made people of some kind, but of the enrolment of masses of non-communist Canadian workers who desire to oppose fascism and fight through democracy to a new society, a socialist Canada."

I close with that reference so far as reading from any document is concerned on the question of whether or not force and violence were the basis on which the Communist Party approach the handling of political, social and economic questions.

I suggest that in addition to examining these positive manifestations, so to speak, of what the policy of the party was, in addition to being able to test the Communist Party by what it said, there is also a negative approach to the question, by indicating the things they did not do which one would expect them to do, if, in fact, they were a party building themselves up on the idea of utilizing force and violence as a means of being able to get into power and of putting everybody else out. What would such a party be doing? It would certainly, in the first instance, be drilling, probably surreptitiously;

that is the first characteristic of any party which believes that action based upon force and violence is the means of bringing about power.

CC-follows

that is the first characteristic of any party which believes that action based upon force and violence is the means of bringing about power.

CC-follows

These are not talents which are natural to people, they have to be built up. As I say, the very first thing any party turns to which proposes to use terrorism as a means of getting into power is to equip its people with the habit, the ability and the energy requisite for such things; to build up a technique of street fighting, and so on. That was the way Hitler and his gang got into power. They had the force and violence in theory. They did not propose to wait until the majority of the German nation approved of them, they were going to just muscle in, and if you are going to muscle in you have got to build muscle; so they did that; and drilled, and had uniforms, and they acquired weapons and the whole military technique; so that forsooth somebody happened to swing a hard fist, or do something even worse, the energy and the will and the knowledge and the equipment was there.

Now, is there any suggestion? I have heard none of it in any of the hearings that I have attended there has not been a single suggestion of any such tendency or any such manifestation on the part of the Communist party in Canada in terms of equipping itself towards carrying out this force violence theory; not one that I have heard, sir. And if there are any suggestions along that line, and someone has said that there are secret doctrines to that end, I should like to have the reference to such matters brought to my attention so they can be dealt with on their merits. Certainly I can say after the most careful examination I have been able to make of the whole subject matter there has never been any suggestion of any preparation in weapons or practice on the part of the Communist party which one would expect to meet and find and discover if they were in fact a terrorist party. And I say

that apart from the official pronouncements that I have read very completely, corroborated by the absence of other things which you would expect to find if they were terrorists. I think it is common knowledge that with respect to one of these organizations on the list, an Italian society, that there was found in the basement of a large building in the city of Toronto potential weapons ready lined up against the wall to be used. That would be an indication that that Fascist Italian was at least contemplating the idea of using force as a means of bringing something about. But there is no tittle of such evidence or suggestion with respect to the Communist party in Canada.

Now, I do not know, sirs, that I can usefully at this moment add very much to that phase of the subject unless and until there is suggested to me material or incidents which would suggest the contrary. I did make a reference this morning to a letter from Tim Buck to Mr. Manion; and desirous as I am of limiting the amount of time that I take from this committee I am going to ask leave -- I think I have read in Hansard that this is the style usual to such an occasion -- I am going to ask leave that that letter be printed in extenso in your record.

MR. MAYBANK: The whole letter?

MR. COHEN: Yes, the whole letter.

MR. MCKINNON: We all got copies of it a few years ago.

THE CHAIRMAN: We will put it on the record anyway.

MR. COHEN: This is the entire document and it was just sort of born our of circumstances and not evidently for the purpose of being exhibited some time later.

"The Hon. R. J. Manion, M.P.,
Leader of the official Opposition,
House of Commons, Ottawa.

Mar. 30, 1939.

Sir:

Having noted with interest your repeated avowals of faith in the principles of democracy I was surprised to learn that you had addressed the House of Commons in support of Mr. Lacroix's proposal to prohibit a recognized and completely legal Canadian political party from using the mails.

Your action was in such marked contrast to the traditionally established right of unfettered use of the mails for all legal purposes, the established principle in Canadian law that personal correspondence is inviolable, and to statements made by you in other places, that I doubted the authenticity of newspaper reports. A reading of your speech as recorded in Hansard (March 24, 1939) showed however, that, in addition to supporting the anti-democratic measure proposed by Mr. Lacroix you also made wild and utterly erroneous assertions concerning the party of which I am proud to be Dominion Secretary.

Inasmuch as you are leader of the official Opposition in the house it is impossible for me to simply dismiss your statements as "irresponsible". Therefore, having no opportunity to correct the false impression you created by refuting your baseless assertions from the floor of the chamber wherein they were launched I am addressing this letter of correction simultaneously to you and each other hon. member of the house.

In the course of your speech you launched the two following assertions:

'....the communists believe in bringing about socialism by bullets. That is their idea'....
'They believe in forcing socialism upon the people of Canada and the rest of the world'.

Doctor Manion, those two statements are false. Not only are they false but evidence of their falsity is readily available.

As a public man, responsible before the people of Canada for the advice and guidance that I offer to supporters of my party, I should hesitate to make an assertion concerning the aims of your party without supporting that assertion with appropriate and authentic references to its statements of policy or to speeches delivered by yourself. For example, I should not use the statement recently made by R. B. Bennett to the effect that 'Democracy, in essence, is government by those least fitted to govern' as an exposition of the policy of the Conservative Party under your leadership unless you or some other competent spokesman of the party had expressed similar sentiments. The fact that Mr. McCullagh commended Mr. Bennett for speaking so frankly as soon as he was free from the necessity of seeking votes did not prove that Mr. Bennett expressed your opinions or the viewpoint of your party. Your opinions find expression in your speeches and the policies of your party find expression in resolutions adopted from time to time by its members or their representatives. It is upon these that responsible men base themselves when forming a judgment or estimating your role.

A worthwhile estimate of the Communist party of Canada and its role can be arrived at only in the same way. You cannot evade responsibility for your statements and, as a public man, you owe it to yourself as well as to your constituents to ascertain the truth, especially when the facts are readily available.

Had you enquired you would have learned that, contrary to your assertion, the Communist party bases itself and its proposals entirely upon the democratic will of the people. It is not true that we 'believe in bringing about socialism by bullets'. It is not true that we 'believe in forcing socialism upon the people of Canada....' You may see the complete falsity of your statements by reading the reports and resolutions adopted at our Dominion convention following the repeal of section 98, by reading the draft constitution adopted by that convention or by reading any of the numerous public speeches delivered at various times by myself and other members of our Dominion executive.

The convention referred to emphasized the facts that: 'The Communist party is not a conspirative organization. We are not advocates of force and violence. On the contrary it is the reactionaries who organize for and provoke violence in their efforts to stop the advance of the working people. The Communists are a vital force in Canadian democracy'.

Similarly it is stated in the preamble to our constitution:

'Socialism will be achieved only by means of the expressed democratic will of the majority of Canadian people. The Communist party rejects and repudiates any proposal to forcibly impose Socialism upon Canada against the will of the majority of her people. The Communist party repudiates and condemns all individuals and groups which seek to abrogate or subvert democracy.'

It is possible that you have not studied the brief submitted by the Communist party to the Royal Commission on Dominion Provincial Relations. On page 14 of that considered statement of our party's position on matters of deep public concern to all Canadians you will find the following statement:

'The Communist party stands for socialism. But the Communist party repudiates now as in the past all theories or proposals looking to the forcible imposition of socialism upon the majority of the people. Such concepts are utterly and completely foreign to the Communist party. We never did and never will hold to a programme of forcible establishment of socialism against the will of the people....The Communist programme and policy rests exclusively upon the democratic will of the people.'

The fact, evident in your lack of knowledge of the policy of our party, that you had not acquainted yourself with authentic information might explain part of your speech but not all. In addition to the baseless assertions dealt with above, your speech contained misrepresentative statements which betrayed either a failure to grasp the essential feature of democracy or a repudiation of it. You declared: 'Then, why should we be so sympathetic or concerned about the free speech of people whose basic doctrine is the suppression of free speech?' You made a dangerous political statement there. In addition to the fact that there is no truth in the statement that 'our basic doctrine is the suppression of free speech' I must insist that your words betray either failure to think out the inter-relation of obligations and freedom under democracy or, worse, a readiness to excuse anti-democratic measures by asserting that the victims do not deserve sympathy.

We should be concerned, Doctor Manion, exactly because it is only by maintaining democracy that suppression of free speech will be prevented. If the freedom of speech of one law-abiding party or group or person is infringed, then democracy itself is infringed and each man's freedom of speech is endangered.

No sincere democrat would propose that inasmuch as Hitler and Mussolini propose to abolish parliamentary government therefore we should start to abolish it first. But, if you re-examine your own words quoted above, you will find that you came dangerously

close to such a position.

The sentence with which you followed that one was equally misrepresentative of the Communist Party and injured numerous members of the Church, Catholic and Protestant alike. People of all denominations belong to our party. Our constitution specifies that:

'Any person 18 years of age or over regardless of sex, race, color, religious belief or nationality, whose loyalty to the working class and devotion to the interests of the majority of the Canadian people is unquestionable shall be eligible for membership.' (Article 3--Section 1)

The widespread and sedulously cultivated propaganda that one of the main activities of the Communist Party consists in attacking the church and religion is false. The fact that our party numbers in its ranks communicants of almost every denomination is the best evidence of this. Furthermore the numerous Catholics, who are members of our party, are strengthened in their conviction that there is no conflict between their faith and their active participation in the work of the party on behalf of the working people by words of the Encyclical issued by the late Pope Pius XI in 1931 and again in his encyclical of 1937 in which he wrote respectively:

'That which first of all strikes the eye in our epoch is not alone the concentration of wealth, but also the accumulation of enormous power, a discretionary economic power, in the hands of a small number of men who usually are not the owners but simply the holders and managers of capital which they administer at their will.'

Thus one sees on the one hand the various classes of citizens engaged in an implacable struggle because those on the one side are possessed of great wealth, while others must on the contrary earn their bread and that of their families by hard daily work.'

The Communist Party welcomed the words of Cardinal Verdier addressed to the catholics of France on December 10, 1937 when he urged them to 'safeguard before everything else the dignity and freedom of the human being'. The dignity and freedom of the human being is very dear to us communists also. It is the ideal to the defence of which all our efforts are directed. It is true that communist philosophy differs from the catholic faith but the faith of a sincere catholic or a member of any other christian denomination implies more than an explanation of the world. It implies also a way of life and a code by which to live. A christian who really tries to carry the philosophy of the brotherhood of man into the activities of his daily life has much in common with the Communist Party because we have numerous vital interests in common. That is why the section of the report of our Dominion committee of June, 1938, from which most of this paragraph is quoted, concluded with the following paragraph:

'We, Catholics and Communists, have much in common with each other. It is necessary that we understand each other better and work together to make our Canada a better home for all of us.'

Communist philosophy is fundamentally different from the catholic faith and it is natural that there should be differences of opinion between you and I on that question. On the question of the democratic rights of legal political parties in Canada, however, there should be no differences unless one of us desires to infringe upon or abrogate those democratic rights. This makes your statement advocating limitation of the democratic rights of

the Communist Party startling and dangerous. Dangerous, not only to the labor movement but to members of your own party as well. You said:

'I don't believe the Communist Party in this country has any right to be put on the same basis as the other parties in this House.'

The only justification you suggested for this extraordinary statement was that the Communist Party has no representatives in the House of Commons. Have you forgotten that there are provinces in Canada where the Conservative party has no members in the provincial legislature? Would you consider it reasonable for the leader of the official opposition in one of these legislative chambers to stand up and propose in all seriousness that the Conservative party should be stripped of its democratic rights in that province because it had no members sitting in that House? Here, as in the case of freedom of speech, you lay yourself open to the charge of advocating the abrogation of cherished traditional democratic rights. I am not going to advance arguments against the position you adopted in this connection. Any man who has acquainted himself with the history of democracy and the essential features of democratic government will recognize at once the undemocratic thesis which your statement contained, while a man who is opposed to democracy would not be convinced by my arguments. I therefore refer it to the judgment of yourself and others who are interested.

I cannot conclude this letter without referring to the speech by which Mr. Lacroix introduced the Bill that you are supporting. This speech was made up almost entirely of mis-statements and statements directly contrary to fact. Among them was one vile and obscene accusation against a dignified old lady, profoundly respected by millions of people all over the world.

There was absolutely no basis or excuse for this obscene accusation and there is no explanation for it except possibly that of mental perversion. Not wishing to enter into public controversy with a man of the type of Mr. Lacroix, I addressed a personal letter to him in this connection. Inasmuch as he has failed to acknowledge the letter or make any public retraction of his slanderous statements I am attaching a copy of the letter herewith for your information.

While the persistent rumor that Mr. Lacroix is a member of an avowedly fascist organization does not necessarily prove direct fascist motivation for his Bill, it is significant that the only publication that gave publicity to his speech was the avowedly Nazi "Deutsche Zeitung fur Canada" which published it in full. Furthermore, there is an inescapable significance in the fact that your speech, equally with the speech of Mr. Lacroix, based upon a completely false premise, was directed entirely and solely toward barring the Communist party from use of public services. You did not make a single criticism of the subversive activities of the artificially created fascist groups

CC-12

in Canada who are avowedly committed to the destruction of democracy in the service of regimes that are widely recognized as enemies of civilization. This feature of your speech combined with its violent attacks upon and misrepresentations of the democratic socialist government of the Union of Soviet Republics suggests the inference that the Hitler and Mussolini regimes are acceptable to you. It also justifies the question as to where you stand at the present time on the fundamental question of government and political philosophy. Your speech suggests that you are prepared to infringe upon democracy. Its implied friendliness toward fascism and the Hitler and Mussolini regimes which stand condemned before the entire world as ruthless violators of international law and order justifies the question as to whether it is true that you and your party look with favor upon them. I, in common with every man and woman in Canada, have a right and a duty to ask these questions of the man who offers himself to the people for the position of Prime Minister of our country. In the interests of your own party as well as of the people of Canada I sincerely hope that you will make your position on these questions as clear as I am prepared to make my position on any question that is asked.

Yours sincerely,

(Sgd) Tim Buck

Dominion Secretary,
Communist Party of Canada

Now, I see, sir, that it is five o'clock, and if it should be possible at all for these committee members (delegation) to do so I think they should have an opportunity of addressing your committee; particularly those who will have to return tonight. In particular, I have in mind Mr. Maynard and Mr. Pease who are obliged to leave tonight as they are to be at work in their respective factories tomorrow morning; one lives in Windsor and the other in Toronto; and Mr. McLeod. I would ask that they be given an opportunity of addressing the committee and then, with your permission, I can resume on the other phase and wind up I think tomorrow morning.

MR. BENICE: Before we call these other people I would like to clear up that point about meeting tomorrow morning, as to whether there is a suitable time for us to have a meeting. I am very anxious to be present when the other part of this argument is presented.

THE CHAIRMAN: Would 10:30 o'clock tomorrow morning meet the convenience of the committee?

MR. BENICE: I would like, Mr. Chairman, for the committee to take cognizance of the fact that other parties who are interested in this committee have caucuses as well as the Liberal party.

MR. MAYBANK: I don't think we ought to pay any attention to that, of course.

MR. BENICE: We would like to be consulted before a committee meeting is held. Last Wednesday we had a caucus and I was unable to be present on that account.

THE CHAIRMAN: If it is the wish of the committee we will meet tomorrow at 10:30, unless there is a caucus. Who is going to speak next, Mr. Cohen?

MR. COHEN: Mr. Pease.

MR. H. P. PEASE, National Secretary of the United Electrical, Radio and Machine Workers, District 5, called:

BY MR. McKINNON:

Q. Just on that point; are you representing your organization or yourself? A. I am representing my organization.

Q. You were sent here by your organization? A. I was sent on the invitation of the N.C.D.R.; but our unit has sent in at different times wires to this committee and to the Minister of Justice asking that the ban be lifted on the Communist party. I may say that District 5 is the district designating the Dominion of Canada. We are one of the youthful unions in Canada; youthful only in years, not in experience. I think we have run the gauntlet as far as trade union activity is concerned and we pride ourselves on the amount of experience we have had in such a short time. We have had considerable dealings with workers in and around Toronto and our union has extended as far as Montreal and to Hamilton and to a number of cities in and around Ontario. I do not know whether it is necessary for me to go into a full explanation of that.

BY MR. HAZEN:

Q. Where do you live? A. Toronto, I work for the General Electric.

Q. How many members are there in your organization?
A. Approximately 5,000.

BY MR. DUPUIS:

Q. And it comprises what section of the country?
A. Primarily Ontario, the membership is primarily in Ontario. We have a parent body in the United States. We are an international union of some 350,000 workers.

BY MR. McKINNON:

Q. And you are affiliated with the C.I.O.? A. That

is correct. Our union and membership have at different times expressed themselves on lifting the ban on the Communist party, and I am not prepared to make any commitment one way or the other regarding the policy of the Communist party, except as they have affected and been related to our union. Some people here at present came at different times and addressed our organization and we know them from such experiences and the work they have carried on through the trade union movement. We know a number of them like Mr. Collins, who assisted us in a number of organization meetings when our leaders were not available. We could always call on these people and they always seemed ready to come and give us a hand; in order to speak to workers and explain just what the trade union movement was and in order to clear up a number of items in my mind; some questions that I was not familiar with since I have just broken into the union movement within the past five years. Our membership feels that it is a definite detriment to the war effort to have these people locked up at this time. It creates confusion in the mind of our membership when we find editorials in the Star; and our unions have written the Minister of Justice as to our position and our feeling with regard to anti-Fascist people like Otto Strausser and others being able to carry on their activities while persons who are supposed to be Communists, and some of stated they are Communists, are interned for -- as we have heard it stated here, no other reason than that they are members of the Communist party. We feel that they should be given the same consideration that every political party deserves; the right to a trial and to some consideration; make it open, that they should prove that the persons are

carrying on activities that are detrimental to the war effort. We believe that the release of the Communists in the internment camps today would tend to solidify and help us to organize further workers in the industries and help us to set up production councils in the different plants in order to obtain maximum production; and generally speaking that is our feeling on the question of releasing these men.

BY MR. McKINNON:

Q. Excuse me for interrupting you; on that point of releasing Communists, do I understand you to mean by that those who were interned for no other reason except that they were members of the Communist party; is that what you mean?

A. No, it was that the rights of the individuals should be protected. It should be proven that they were actually carrying on -- I mean there are people in the camps today who are interned because they are Fascist, and we will agree that measures had to be taken against them, this is a wartime period and we are willing to be regimented or give up our liberties in order to see that this war is won; but we do believe that the regulations are not being carried out in a democratic manner; and it seems that one party is subjected to more restrictions than another, and not necessarily the Communists. There are people in the camps who have had no charges proved against them, and we ask that they be released also; and also that while we are here primarily with this committee to ask that the ban be lifted and that the interned anti-Fascists at least be released. We have seen articles at various times about the properties of some language groups being confiscated and the like, but nothing we believe has really been proved against these people; and we ask that they also be allowed to continue their activities of the

past so long as they are not enemies of the state or so long as they are not carrying out actions which will be prejudicial to the safety of the state.

BY MR. BENCE:

Q. You are talking about labour people? A. That is right.

BY THE CHAIRMAN:

Q. Are there any members of your labour organization who are interned? A. At the present time, no. Brother Jackson, he was the leader of our union, and he was in the internment camp for six months but he is out at the present time functioning in an all-out attempt to set up production councils and to bring about harmonious conditions in a number of plants so that we can eliminate the bottle-necks and really prosecute this war in a manner that it has to be prosecuted in order to win.

BY MR. BENCE:

Q. When was he released? A. Last December.

Q. You referred to Otto Strausser, I think you called him an anti-Fascist; did you intend to say that? A. I am sorry, a Fascist. We wrote to the Minister of Justice on this question and we noticed and mentioned the fact that Otto Strausser had been carrying on what was in some quarters felt to be subversive activity and discrediting some of our allies. We know that it was quoted in Hansard; and we felt of a Fascist this was a perfect case being permitted, or at least to us it seems that he was permitted, to carry on activities while the anti-Fascists -- if we can use the term -- were carrying on activities that we did not feel were prejudicial to the state,

and that are not prejudicial at this time.

BY MR. McKINNON:

Q. Just on that point, that are not prejudicial at this time, do you believe that they were prejudicial at one time?

A. For one thing, I do not know a great deal about the policy of the Communist party. I do not know that anyone has ever had anything proved -- from my understanding of the way the Defence of Canada Regulations have been executed -- I do not believe anyone has ever been proven to have actually done anything which we could term prejudicial, or giving comfort or aid to the enemy; and that is what I mean when I say it should be proven that a person has actually been trying to do something that is going to hinder our war effort; such as giving out information about our troops or about the amount of production in a plant, which might assist the enemy in gauging our strength; then, certainly, those people should be dealt with. But, as I say, I have never heard any statements to the effect that these people have ever done anything like that, or had it proven against them.

BY MR. SLAGHT:

Q. Is it your view that we should wait until they do something so that we would have some concrete evidence on which to convict them and not move in anticipation? A. No. I can see that preventive measures are necessary but just where the line is --

Q. That is the difficulty a great many people encounter because it runs contrary to all opinion of justice; that any person must be considered innocent until he has been proven guilty. A. I understand that preventive measures are necessary and we will set up preventive measures, and we will possibly advocate in some cases that action should be taken

against persons.

Q. In some of the literature asking us to release anti-Fascists -- I have had a number of telegrams and so on, just today -- they seem to emphasize that because someone who is in custody now expresses an anti-Fascist idea and now desires to enlist in the armed forces, for instance; that he has a good ground to expect release on. Would you think there was any thing in this view that people who if they were Communists before can't claim too much credit because they are now fighting Germany in Russia. I want to present this view to see what your reaction is; because, if I understand the history of Russia during the time Mr. Stalin made an industrial alliance, in the early part of the war for reasons best known to themselves, to assist Hitler to defeat us and they went out of their way to do everything they could to aid him, and Russia did not come to the aid of Britain until she had her back to the wall, or to the aid of Canada or the other Allied nations; and it was only when Hitler in a breach of faith let us say -- terrific scoundrel that he was -- invaded Russian territory; then, for the first time all this patriotism advocating Russia becoming our ally bame to the fore; and now the proposal comes forward that we should treat these people --

A. As friends now.

Q. As friends, yes; and they are quite ready to overlook any of their notions of the past. Assuming that they endeavour to hamper the Canadian war effort; because of the fact that they find themselves fighting a common enemy, the same enemy that we are fighting; and I wonder if you could tell me your personal view of that whole situation. They did not undertake to help us when we were struggling with our backs against the wall, it was only when they came into the

war themselves that we heard all this talk about them being our friends. What is your viewpoint with regard to a situation of that kind?

A. I do not know the answer in so many words either; but I would say this, that this committee really has a big job ahead of it and a decision which this committee must make will be an historic decision, and I feel the gravity of the situation.

Q. Don't feel too sure, we will have successors next year, and possibly the year after that?

A. I do not know that I entirely agree with you on that point. I believe this thing is so serious -- there are a great many people who feel the same way, that it is essential that we mobilize our resources and manpower and everything that will give us assistance at this time and bring them in on our side and utilize them to the maximum.

Q. Let me give you an illustration and see how you feel about this: supposing we had over here a Jap who has been living in Canada since the outbreak of the war with Germany and prior to the outbreak of the war with Japan he had in open advocacy and everything else endeavoured to stifle Canada's war effort against Germany, and then when we get into war with Japan he comes forward and says I want to get into the Canadian army, I am thoroughly loyal now and definitely anti-Fascist, let me fight; would you send him into the Canadian army to fight?

A. I don't know. I think you have got me stopped.

Q. I did not mean to stop you. I am impressed with your sincerity, I am sure. I want to get you to help me to make up my mind on this question that I am evolving in my mind as to what is the right thing to do, and the danger is

in it too, of doing what you people are asking us to do.

A. The only thing I can say in answer to that is that I would have to go out of Canada to give you an illustration to meet the point. Over in Britain they are still allowing Communists to go into the army and to take important positions, I would imagine; and the same in the United States. And frankly I think that would be about my answer too; that we should follow the pattern set for us in these other countries.

Q. It is something well worth thinking about. A. They ought to have a chance.

BY MR. BENICE:

Q. Was your organization in favour of lifting the ban against Communists before June of 1941? A. Yes, we were. I believe shortly after the war started and shortly after the ban went on. I am not exactly certain about this, but my own feeling was that there should not be any ban against the Communist party. I think -- as I say, I would not like to swear to that -- I felt there was something lacking in the evidence that was being produced against these people.

Q. No, no; you misunderstood my point, I am not talking about internees at all. I am talking about the lifting of the ban on the Communist party.

MR. PLAXTON: Yes, and so is he.

WITNESS: I am a little confused then.

BY MR. PLAXTON:

Q. Did your organization ever deal, before June of 1941, with the question of declaring the Communist party illegal?

A. I am not certain whether we did or not.

BY MR. BENICE:

Q. You misunderstood me. I think you thought I was talking

about people who were in the internment camps and whether or not they should be released. A. I have been looking at it in that way.

BY MR. FLAXTON:

Q. And, is your organization in favour of that?

A. That is right.

Q. And, before June of 1941 was any declaration sent out? A. I am not exactly sure whether they sent in any declaration, but I always felt they should have.

BY MR. SLAGHT:

Q. Do you know any people interned that you are acquainted with that your organization is interested in? A. Mr. Collins is the only one I think that we have had a great deal to do with.

Q. Do you know about any others? A. I know some who have attended a few of our organization meetings and assisted us.

Q. Do you know anything about the grounds on which any of these men have been interned? A. I only know from what I have heard from other people around me.

Q. Who are they? A. Fellow workers, and what we read in the press.

Q. To what press are you referring? A. The daily Star.

BY MR. DUPUIS:

Q. Montreal or Toronto? A. Toronto. I had a point in my mind but you have taken it away.

MR. SLAGHT: I am sorry. We will let you come back to it. You see, if you knew the grounds on which these various individuals have been interned, had reviewed them yourself,

even though you are not a lawyer or acting in any judicial capacity; I personally, speaking for myself, would be more impressed with your advocacy for these people were I assured that you really knew something about the cases. I know a great many people advocate the release of these internees, and a lot of people have sent these telegrams to us who, I do not think, know anything at all about the real reasons for these people having been interned.

WITNESS: Oh, I know the point I was going to make. We have heard a lot here during the discussion about violence and terror and things of that kind, and about unions advocating those things. I do know this much that these people at all times conducted themselves in a well-mannered and citizen way -- if I can use that phrase -- they never advocated violence at any time. I do know that much from my own experience with these people. I do not know anything about the actual charges against them, except in the case of Brother Jackson -- and I am not permitted to disclose it either as I was one of the witnesses. I would say that these people always impressed me that they did not advocate violence at any time.

BY THE CHAIRMAN:

Q. Are these people members of your organization?

A. They are members of the steel workers -- an affiliate of ours in the A.F. of L.

BY MR. O'NEILL:

Q. I have stacks of telegrams and letters from people in British Columbia and Manitoba and from people in Ontario suggesting -- and I have seen the names of them here -- that these men should be released. I personally do not know the men at all, and I do not know any of the people who have wi

r or written to me. I do not know anything at all about it; but I am going to ask a question now, and if you don't want to answer it it is quite O.K. It has nothing to do with this question, I just want to ask it: it seems to me from the letters and telegrams that I am getting that an impression has now been created in the minds of a very large number of organized labour men and women that organized industry or some other forces are using the Defence of Canada Regulations and principally clause 39 (c) -- I think it is -- to intern men, but that the real reason why these fellows are being interned is because of their labour activities and their usefulness to labour organizations. Do you find there is any feeling of that sort? A. I certainly haven't any doubt about answering that question; that feeling is there; and I for one would stand up any where and say that I believe it is true. It is rather significant that the circumstances that brought about the internment of some of these people should have developed right in the middle of negotiations there at the General Electric; so it rather looks like that, and the person affected was Brother Jackson, specially. It makes you really suspicious and distrustful of the regulations that just seem to work against the best interests of the people concerned, the workers who were attempting to gain collective bargaining at that time; and we felt we certainly lost Jackson at that time when we could have used him; none of our fellows had any experience in negotiating with companies and we were faced with problems dealing with the company without any experience at all, and I am proud to say that we made a fair job of it; but we all felt that if Jackson had been there he would have done a much finer job.

BY MR. BENCE:

Q. You are referring to initial internment, not to continued internment before the advisory committee?

DD-1 follows.

A. Well, even in the case of the advisory committees although I have not any more information than you the feeling is permeating that even the advisory committees do not deal with the questions the way they should be dealt with, that small trivial things are introduced which I would not consider in hearing rumours, at least, of some of the charges that some of the men were picked up on, that do not warrant internment. They are not subversive, not sabotage.

Q. You said you believed they were interned because of their labor activities. Do you believe they are continued in internment camps by the recommendation of the advisory committee because they have participated in labor activities. A. I do not say the advisory committee has that information they were organizing and that they put them away for that reason, but I do say reasons are presented - - and I have no basis to substantiate my charges except as I say from the feeling everyone has amongst the workers I come in contact with, a feeling that the charges are cooked up, and some trivial reasons are given, and certainly it would not be because of organizing the workers because that would spill the whole game.

BY MR. McKINNON:

Q. Do you know how many trade unionists have been interned since the start of the war? A. I don't know the figures offhand but I know quite a few of the people who have been interned were quite active in the trade union movement.

Q. About a dozen, I think that is all.

BY MR. HAZEN:

Q. How many can you name? You have named Jackson and Sutherland. A. Collins, Steel.

BY MR. SLAGHT:

Q. Is your organization asking us to consider this - I am reading now from a telegram that came to me this morning from a man who signs himself, "Executive Secretary of the Vancouver Labour Council,"and he puts it this way to me, "Give favorable consideration to release of all interned anti-fascists." Is that your plea and the plea of your organization that we should recommend the release of all interned anti-fascists, that because they are anti-fascists they should be released regardless of what they were interned for? A. I wouldn't say the inflection that you give it is quite the thing we are asking. We are asking for the release of all people whom the government cannot prove were carrying on acts of sabotage and that is the reason for which they were interned. We are asking that you not intern anyone unless it is proven, as you say, that they might be intending to carry on acts of sabotage although even there you really have to draw the line pretty fine to know when a person is, and I would like to see the evidence personally actually proving that he was intending to carry on subversive activities or sabotage. I do not like the words "subversive activity". As an individual it does not mean anything to me;when you talk about sabotage that is something I can understand, and the rest of the workers.

Q. Of course, we all know if you blow up a bridge that is sabotage, but you are attacking not necessarily the integrity but you are attacking the capacity and judgment of the advisory committees. They are gentlemen who have been carefully selected, most of them judicial officials of many years standing. What do you suggest? Do you want us to abolish the advisory committees or is your attack on the personnel of the present committees, or do you know any of the gentlemen serving their country in that capacity now or anything of their past record for integrity and unbiased judgment. A. I don't think it is a question of their integrity. It is a question of the way the thing has been applied. As Mr. Cohen said this morning - although I could not have said this until I heard him state it - there is nothing in the regulations to really give them a lead to just what it is they are dealing with, and when they should intern a man or recommend internment and when they should recommend that he be released.

Q. Do I understand that you are attacking their capacity to perform the job they are assigned to? You said they paid attention to small things they should not give heed to. A. Only because the instructions to them are not definite enough. I do not say these people are deliberately recommending that these people be interned because of trade union activity.

Q. I was safeguarding you in that by telling you I did not understand you to attack their integrity but you do attack their capacity. What is your cure? Are you

going to fire them and put another body in there, or are you going to do away with advisory committees? A. You could maintain the advisory committees and change the regulations so their information would be a little more specific.

Q. Do you think that would cure men who are perverse enough to pay attention to trifles? A. I think it would if the information is specific, that it almost takes the onus out of their hands.

THE CHAIRMAN: Any other questions?

BY MR. DUPUIS:

Q. I understand your conviction is that the Communists helped the labour movement, and those who are interned are interned because of their activities in the labour movement; that is your impression? A. I would not say they are all that way.

Q. Some. A. I do say some of them are.

Q. What would you say if I have a position which does not give me enough to bring up my family and live according to the standards of living in this country, and if a man comes to me and says, "Look here, I am going to help you out, I am going to have your wages increased, I am going to see your children are well educated," and so forth, and he does that, but when he has my friendship, when he knows that I am grateful to him he comes to me and says, "Come with me and we will make a hold-up of a certain millionaire in the next street in Toronto," would you advise me to obey him? A. Certainly not, no.

Q. Isn't that the situation? I do not say it is but I

could like to know, and nobody has told us who represented the Communist party today that they know the secret policy, but if it were proven that the secret policy of the Canadian Communist Party had as its main programme the overthrow by force and violence of the government, if you knew that was true would you plead for them again? A. Certainly not. I appreciate a favor but I am also a citizen of Canada. I believe that in the long run you would be worse off by conniving with such people if such was their programme and you knew it, but as I say the only thing I know about these people is the actions they have carried on in our presence in the past and they never at any time indicated they believed in such principles.

Q. You have never been in the inner ring of the Communist party?

MR. MAYBANK: I do not think that question should be asked.

BY MR. McKINNON:

Q. I would like to put this question. You are primarily interested in the labor men who have been interned, as you say, as Communists, whom you yourself and many others of your workmen chums feel were interned not as Communists but through their labor activities. Suppose there was an Italian or German who was an officer of a labor organization and he had taken an active part in the labor activities down through the years, even to the point of probably leading a strike, and he was interned; would you think then he was interned because of his Fascist tendencies or because he was a labor organizer? A. If he

was a Fascist, if they interned him because he was a Fascist, do you mean?

Q. You can easily be both. A man can be a labor leader and also a Liberal or a Conservative. A. From my understanding of Fascists I do not think they look any too kindly on the trade union movement. That is just in answer to your question about Fascists.

Q. They did for a great many years both in Italy and in Germany. You know Germany was about the strongest organized country in the world until Hitler came into power. A. I don't know a great deal about that but my understanding was the first democratic force that the Fascists attacked was the trade union movement. That is what I have understood there. Governmental proclamations say the same thing, that it is up to the trade unions to get in there and fight in order to win this war because one of the first things they attack are the leaders of the trade union movement and the people who believe in democracy.

Q. I am just citing that case. A. The answer to that question is that if he is a Fascist it would be quite a different story.

Q. He would be interned as a Fascist, not because he had anything to do with labor in any shape or form? You generally recognize that as a fact? A. Yes.

Q. And that he should be interned? A. Certainly.

THE CHAIRMAN: Are there any other questions you wish to ask this gentleman? We have a couple of other gentlemen

to hear. Who is next, Mr. Cohen?

MR. COHEN: I would suggest because of the hour - and I take it you want to adjourn at 6.00 o'clock - that Mr. McLeod be given an opportunity of speaking to the committee and if there is time then we can hear from Mr. Maynard. Otherwise I would take it Mr. Pease is sort of speaking for the trade union end of the delegation.

A. A. McLEOD Called

BY THE CHAIRMAN:

Q. You residè where? A. Toronto.

BY MR. BENCE:

Q. What is your occupation? A. I am a journalist.

BY THE CHAIRMAN:

Q. And editor - - - A. Of the Canadian Tribune.

Q. Published in Toronto? A. Published in Toronto.

Mr. Chairman and members of the committee, first of all perhaps I should assume that the immunity offer to Mr. Cohen and others this morning who would presume to speak on behalf of the Communist party, might be granted to myself as a former officer of one of the organizations listed in the group of subversive bodies.

Q. What was the organization? A. That was the League for Peace and Democracy, of which I was for five years or thereabouts, the National Chairman. I want to be perfectly frank with you in case it should be news to anybody here that I was Chairman of the organization, that I did hold that post and that I take a great deal of pride in having

been the National Chairman of the organization. I want to say furthermore that the banning of this organization was quite uncalled for because the Order in Council - - -

BY MR. BENICE:

Q. Would you speak up? A. When the Order in Council was issued that organization was not in existence. It had been dissolved in the month of August, 1939, when the reason for its existence no longer maintained. It was an organization created for a specific purpose with a definite programme which it carried through for a period of four or five years, and I am not being at all nasty, and have no intention of being nasty, when I say that I would much prefer to have been Chairman of the organization and be the chief spokesman for its programme than to have been the leader of the Canadian government during that same period for I believe that the programme of that organization and the principles for which it stood, and for which it sought the support of the Canadian people, had it become a matter of government policy might have had some effect in sparing this world from the catastrophe through which it is now passing.

BY THE CHAIRMAN:

Q. Was it a Canadian or international organization?

A. It was a Canadian organization with international affiliations.

BY MR. SLAGHT:

Q. Do you mean the Prime Minister of Canada could have averted that war? A. I think the Prime Minister of Canada

could have helped to avert the war had Canada pursued the kind of foreign policy that was called for during the period from Hitler's advent to power. I think the ^{policy} foreign/of the government during that period was wholly negative, and that Canada did not exercise within the councils of the British Commonwealth of Nations the type of influence which might have resulted in a different foreign policy on the part of the British Commonwealth of Nations.

However, Mr. Chairman, that is water under the bridge. I do not think there is anything to be gained in discussing those questions today. I think that they are primarily questions for historians.

BY MR. MacINNIS:

Q. Might I ask, Mr. McLeod, what happened in 1939 to put an end to the usefulness of the League for Peace and Democracy. A. Mr. MacInnis, if you will let your mind go back to August, 1939, I think you will agree - and I am speaking to you now as a very consistent spokesman in the House of Commons for a policy and programme that approximated some of the things for which the League for Peace and Democracy stood - I think you will agree in August, 1939, it was quite clear that that fight for collective security, that fight for a strong league of nations which would have presented a common front against the aggressor was already lost.

Q. But there was still the fight against Fascism. A. Pardon?

Q. There was still the fight against Fascism to be carried on; that is the point. A. Yes, I agree there was the fight against Fascism still to be carried on, and as far as I am concerned I continued in a private capacity to carry on that fight. That is a matter of record. If it is looked into I do not think anyone will accuse me from August, 1939, down to date of at any time being identified with anybody who was promoting Fascist activities in this country. I have been an opponent of Fascism since it first appeared on the scene and I expect to be an opponent of Fascism until it no longer exists in this world. I merely mentioned these matters because it may very well be that a number of people here won't have me properly placed and may not be aware I was connected with some of these groups.

I want to say furthermore I have no hesitation in appearing before the committee in support of the proposition that the ban against the Communist party should be lifted and that all the men who are now in Hull jail should be released at the earliest possible moment. I take this position first of all because following the lucid exposition of Mr. Cohen this morning I think it is pretty clearly established that the Communist Party of Canada prior to September, 1939 - I have forgotten the exact date when it was banned - up to that date/^{at}any rate, the Communist Party of Canada was a legal organization with a programme that came within the limits of the laws of this country. There were, of course, many people in Canada who before the war were quite open in advocating that the Communist Party of Canada should be put out of existence, many people, and I have no doubt Mr. Slight was among those who felt for a period of years that although

the organization had a programme, although it was functioning in the country, that it was in effect a menace and a potentially subversive body.

MR. SLAGHT: You must speak for yourself and not for me.

WITNESS: I am sorry.

MR. COHEN: I should like to echo that remark of Mr. Slaght's.

WITNESS: I apologize. I am sorry, but it is nevertheless true that there were a great many people in Canada who were opposed to the Communists and who felt they should be put out of business at the earliest possible moment. I did not share that point of view. I, in one way or another, came in contact with these people, the leaders of this organization. I knew many of them personally, and I am frank to confess I always found them men of exemplary character who had the best interests of the people of this country at heart, that is, insofar as I understood their policy and their programme. I could see no conflict between the things they advocated and what in my judgment was good common sense for the people of Canada.

Then, when the war came and the Communist party was banned the Communist party, through documents that are a matter of record, opposed the war. On the basis of their opposition to the war they were declared an illegal organization and put out of business. I do not want on this occasion to discuss the merits or demerits of their policy. It is a very large subject. I doubt if it would be possible to exhaust it if the committee were to sit for a very long time, possibly beyond the life of this parliament. However, the government

decided that this organization could not be permitted to carry on and should be declared illegal. This was the very opposite of the policy of the British government which permitted the Communists to pursue virtually the same policy and pursue it with the same vigour.

BY MR. BENCE:

Q. The same policy in opposition to the war? A. Yes, in opposition to the war. As I say, I do not want to go into that matter now because I believe the matter is coming before you tomorrow through the argumentation of Mr. Cohen, or is at least to be discussed, and I think I should not take up time with that now. However, it is a matter of record that the Communist party today has abandoned that opposition, and that the Communist party is certainly very articulate in its support of the war, very much so.

BY MR. McKINNON:

Q. Just at that point, very articulate in so far as their support of the war is concerned - - - A. Yes.

Q. Is it a support of action taken against Fascists or is it something that they are doing to further the interests of Canada? A. Oh, I think so. That would be my view. I do not think there was ever anything in the programme of the Communist party to my knowledge - and I stand corrected if I am wrong- I have never been able to discover anything in the programme of the Communist party during the time I have known it and as outlined in those documents that constituted a menace to this country. I believe they have advocated policies that were in the best interests of this country.

BY MR. SLAGHT:

Q. Can you suggest what caused their changing from a policy of opposition to the war to a policy of supporting it? A. No, that is a matter they would have to speak for themselves.

Q. When are we going to hear them? A. That is in your hands, Mr. Chairman, and members of the committee. I should think this committee has power to subpoena anybody to appear before this committee.

Q. You told us you were in close contact or rather you had a great deal to do with their leaders. Notwithstanding that you have not had enough to do with them to tell us what you believe to be the cause of their change of heart from opposing the war in Canada to supporting it now. A. No, I would not presume - - -

Q. I would like to get at that because that is put forward to us as a reason why we should release them. A. Yes. Well, I would only echo what Mr. Cohen said this morning that within a short distance of the committee room there are people who are professed Communists who do not deny it, who presumably are in a position to offer their explanation. Whether it is accepted or rejected, of course, is a matter for you.

BY MR. MAYBANK:

Q. Mr. McLeod, would you say to this committee that it is not your opinion that the change has occurred by reason of the attack upon Russia? A. Well, I do not think - - -

Q. Would you not say that is your opinion? A. I do not think that is the whole explanation, Mr. Maybank. I do not think so. You see, I am unable to follow the position,

or accept the position, mentioned by Mr. Slaght a little while ago where he painted the Russians as a people who were working hand in glove with Hitler until Hitler struck at them.

MR. SLAGHT: I do not want to be understood as saying the Russian people but those who controlled the Russian government.

WITNESS: Yes, the Russian government.

MR. SLAGHT: Because it suited them.

WITNESS: The Russian government. That is something to which I personally do not subscribe because I do not think that a mere pact of non-aggression between two countries necessarily constitutes an alliance.

BY MR. SLAGHT:

Q. Do you not think shipping Hitler oil and supplies to shoot down Canadian soldiers was helping him? A. Well, if you would be prepared to admit that the shipping of scrap iron and nickel and lead and zinc and copper to Japan by Canada was helping Japan to destroy - - -

MR. MAYBANK: I think we ought to get away from that bogie.

WITNESS: If we are going to deal with the subject on moral grounds I think we have to be consistent.

MR. BENICE: You answer questions by asking another one. You are not here in the position of putting questions to the members of this committee.

MR. SLAGHT: I do not mind as far as I am concerned. It is proper parry and thrust.

MR. BENICE: I am not interested in what his views are about the government policy in connection with that. I may have my own views and I may express them at the proper time

and in the proper manner but here the witness is giving evidence and being questioned by us and I think he should answer our questions. If he does not know then he can just say so.

WITNESS: I would say, Mr. Chairman, all the oil Hitler got from Russia during the period of the non-aggression pact would not have kept his war machine rolling very long. That is to say, all the information I have seen on the subject does not suggest there was very much help forthcoming. I would always hesitate, as I am sure you would, to take Hitler's word for anything but if you look at the bill of particulars he gave in justification of his attack he complained very bitterly that he was not getting the stuff that he asked for. I would like to add this additional point that in my judgment during the period of the non-aggression^{Russian} pact did as much, if not a little more, to crimp Hitler's style by her own actions, political, diplomatic and military within some other provinces.

BY MR. BENICE:

Q. I just want to ask you a question. You said you could not give us the reason why they changed? A. Yes.

Q. Can you give us the reasons why they were opposed to the war effort after the declaration of war and up to the time of the change? A. I would not want to presume to speak for those people on that question. They undoubtedly worked out a position of their own. It might or might not make sense. I don't know. That is something that will have to be gotten, so to speak, from the horse's mouth, and I am not the horse's mouth.

Q. You don't know it? A. I don't know.

BY Mr. McKINNON:

Q. Mr. McLeod, you will agree that prior to Russia and Germany being at war that the attitude of the Communist party in Canada by being opposed to the war had a detrimental effect, at least to some degree, on Canada's war effort? A. Yes, I think that is true.

Q. Now, this committee, of course, has a responsibility on their shoulders. Suppose they recommend to the Minister of Justice that all interned Communists should be let out because they are anti-Fascists. A. Yes.

Q. The picture may change in another year or two years, and you have admitted that they were a hindrance to Canada's war effort, and if the picture changes what reason have we to believe that they would not be back in the same position as they were before? A. Well - - -

Q. Why should we think Canada's interests would be placed ahead of some other foreign country? A. Well, Mr. Chairman, and members of the committee, I think that is largely an academic question, and I would suggest that we take as our motto the lines of Cardinal Newman, "Lead kindly light, I do not ask to see the distance scene, one step enough for me." We have a job on our hands that has to be carried through, and I think we should be guided by what to me was the very profound wisdom of the British Prime Minister of England and the Prime Minister of this country when they said, "Whoever marches with us against Hitler is our ally." I do not think these are days when we should speculate about that. I do think that if the

Communist party is declared a legal organization, or if any of the people now in Hull jail are released, that the government now leading Canada's war effort should have from them commitments that the policy pursued in the earlier period would not be resumed. I think that would be the part of wisdom if it were felt that some positive guarantees should be secured from them, and that the Defence of Canada Regulations should make provision for any abrogation of the law or any infringement of the law. I think that is a perfectly sound position.

BY MR. SLAGHT:

Q. Would you go this far that a man who prior to Russia and Germany going to war had consistently opposed Canada's war effort, had endeavored to prevent young men from joining the forces to defend their country and then when war with Russia and Germany breaks out wants to get into our army, would you think he is a fit man to put in with our Canadian boys who were there from the first. A. Well, I think we should always make allowance for people who have a change of heart. There is no doubt in my own mind there are many people in the Canadian army today who were either Communists or who were sympathetic to the Communist movement.

Q. You may be right. A. I have heard those people have become very exemplary soldiers. As a matter of fact some months ago speaking in Mr. Maybank's city of Winnipeg, I noticed three men in uniform in my audience. I did not know who they were at the time but I discovered later they were the sons of three men in Hull jail, and I know two of those

DD - 19 follows

people at least have been promoted to the rank of non-commissioned officer in their particular units suggesting that despite the fact these young fellows feel that their parents are unjustly interned - one particular case is Jacob Penner's boy - whom I have seen a number of times, and I think young Penner is a credit to the Canadian army, and I think any Canadian can feel proud of his behaviour as a soldier.

BY Mr. MacINNIS:

Q. How would you say they were unjustly interned, assuming they are Communists, if as you admitted a little while ago they were hindering the country's war effort?

A. There was a difference of opinion between the Communists and the Canadian government and perhaps a majority of the Canadian people about the war. I am not prepared to admit they were grounds for putting them out of business. If the Communist party in England was permitted with complete safety to the state, a state that was in far greater jeopardy and danger than Canada has been up to now, and if those principles were adhered to as being necessary to the British conception of liberty and freedom of the subject, I think the situation would have been far better taken care of if the Communists in Canada had been compelled to justify their position in the eyes of the Canadian people. I do not think that a man who cannot be defeated in public debate is likely to be squelched and destroyed by putting him behind bars because I think that tends to arouse sympathy for him, and I believe that if the majority of the Canadian people were supporting the war effort with the number of communists in

this country being permitted freedom to express their opinions, I do not think that would have interfered with it very much. If they were guilty of physical sabotage, destruction of property, blowing up of bridges, or anything of that sort, I think there is only one place for such people.

BY MR. MAYBANK:

Q. As to the question of whether it was wise to intern, wise to ban the organization, whichever you happen to be speaking about, did I gather that your chief argument does not go merely to the question of the wisdom of the policy but rather the justice, that it is unjust to have them banned, it is unjust to have these men in jail? There are two different concepts. A. Frankly, if it were left to me, I would have pursued the same policy in Canada that the British government pursued in England.

Q. And had their policy been different would you still have followed the British policy? A. What was that again?

Q. Am I to understand from that, that having a different policy in England, a banning policy, you still would have followed the British policy? A. I do not quite follow you.

Q. Well, you say the British are doing so and so, let us imitate them, let us emulate them, and I say, if they had acted differently would you still emulate them? A. I think we would be in a little stronger position in the eyes of a lot of people. There are many people who feel that we have gone far beyond the requirements of justice and the safety of the state.

BY MR. McKINNON:

Q. We allow them to have counsel before the Board of Review. They do not do that over in Britain. We go further than Britain does. We allow any person interned to have counsel there. A. Except according to the gentleman who spoke to you a few days ago to his knowledge- and this was reported in the public press so I am not quoting something I got from any other source- to his knowledge no one had been interned in England because he was a Communist. Is that correctly reported?

MR. SLAGHT: That is right.

BY MR. SLAGHT:

Q. How far would you go? Take a German out here who was preaching Hitlerism; would your theory of free speech leave him uninterned? A. No.

Q. You say everybody should have the right to say what they believe? A. No, I think that anybody who was preaching Hitlerism in Canada would be likely before very long to be practising Hitlerism, and I would put him out of business at the earliest opportunity.

I will finish in just a moment unless you ask any questions. I would appeal, Mr. Chairman, to the members of the committee to consider this whole question without prejudice. I think we have to admit that during the past ten years there has been a great deal of what is commonly known as red bating. Many people have been accused of having sinister motives because of their associations, and so on and so forth, but if you actually sit down with them and get down to the bed-rock of what they stand for they would probably convince you they are not a menace.

BY MR. MCKINNON:

Q. Many people would agree with you up until the action they took after we declared war but that killed a lot of sympathy they previously had. A. Yes, but I think, Mr. Chairman, that a great deal of the pre-war prejudice carried over into the war period itself, and I, having seen a case that was made public, the particulars in the case of some of these internments, feel obliged to say that in my judgment there is absolutely no basis for internment whatever. Take, for instance, the case of Jackson. I suggest in the bill of particulars which was made public - - -

BY MR. ANDERSON:

Q. By whom? A. I have forgotten. I saw them in an editorial in the Toronto Daily Star. I don't know the source from which the particulars were obtained but I do know that the Toronto Daily Star and the Toronto Civil Liberties Association circulated a document alleged to be the particulars in the Jackson case which indicated his association with the New Democracy, his attendance at a Civil Liberties meeting in Montreal, and so on and so forth, and he was accused of having fomented the strike in the General Electric in Toronto when on the basis of testimony from the members of his own union he actually pleaded with the members of that union for a period of two hours to return to work so the man was certainly not guilty of any untoward act in that situation. I believe that there are other people who are interned in the Hull jail today whose retention there is a very scandalous/^{thing}in my judgment, and I think that the release of these men would be a great help to Canada's war effort.

EE-1 follows

and I am also of the opinion that the lifting of the ban on the Communists would help and not hinder the war effort of this country. I do not think I stand alone in this matter. I was reading only a short time ago the testimony of former Premier Blum of the Rouen Trials in France. Everybody knows who is familiar with Blum's government that he was very bitterly criticized and not infrequently denounced by the Communists, but when this man was standing in that court fighting for his life he made the statement which appeared in the New York Times and can be traced easily enough - I do not remember the exact date - that while the Communists had opposed him and had fought him, that he stood ready now to cooperate now with the Communists for the rebuilding of the French Republic.

BY MR. MacINNIS:

Q. Were not the Communists part of the United Front government of which Leon Blum was the head? A. No.

Q. They were a part of the United Front that elected the Blum government; they never went into the cabinet.

MR. SLAGHT: They kept him in office.

WITNESS: Their vote kept him in office in the same sense as Mr. Neill's vote, as an Independent, helps to keep the Prime Minister in office.

BY MR. MacINNIS:

Q. Were they not part of the United Front government in France in 1936, in the election that led up to that government? A. They were a block,

Q. But they would not go into the government and take their responsibility as part of the government?

A. Of course, an analogous situation might be your own

invitation to join the present government in the interest of the war effort. I do not know whether you would accept or not. I would think in this situation - and this is not any attempt to curry favour with the majority of the government members of the committee - I would think that the interests of Canada's war effort demand that there be no political crisis in this country and that the government be permitted to continue the war effort, and the government might find out sometime that in order to have a better war effort they could use the services of Mr. MacInnis as the Minister of Labour, but I doubt very much whether Mr. MacInnis, although he supports the war effort of this country, would feel disposed to accept the labour portfolio.

Q. There is no relation between that and the situation in France, that is begging the question. A. I do not think so.

Q. I am sure it is.

BY MR. SLAGHT:

Q. Suppose Leon Blum felt that way, do you think it is any help to us over here? A. I only cited it for this reason: if we follow the trend of events on earth today I think most of us will agree that the communists in whatever country they are found are helping the fight of the United Nations against Hitler. I am not suggesting, of course, that all the people that the Berlin radio announces as being shot were communists, because they are notorious for having been ^{made} responsible for everything. So many of them have been shot and many more will be before it is over. Thousands of them in Bulgaria and Roumania and Czechoslovakia and those countries have

suffered, and I am impressed by the discussion of people like Madame Genevieve Tabouis and other people who have been very hostile to the communists who now declare publicly that in their judgment the communists in France and other countries are a very powerful factor on the side of our allies which mean a victory over Hitler.

Last of all, I say I think this matter has to be put before you dispassionately; I think prejudice as far as possible should be kept out of the picture; I know it is possible to misrepresent the position of people; I have seen a very great number of very able men denounced and their motives impugned because at one time or another they associated themselves with known communists. I have seen no less a man than Lord Robert Cecil under very great stress as the result of the attacks made on him by certain people in England because of his chairmanship of the International Peace Campaign which was held up by certain people on that side of the water as a communist outfit. But in reply to that I remember at a meeting in Royal Albert Hall in London Lord Robert Cecil made this reply, that if communists were active in some of these organizations the same thing would apply to the League for Peace and Democracy if they were more active than people found to be comfortable. The main reason is that a good many people in Canada do not identify themselves with these movements. I can see instances where a perfectly good movement would have a preponderance of Liberals or Conservatives, but I think all too long a lot of worthy causes were left to these people, but there may have been times when some of them with more zeal than knowledge exploited them for

Q. That is not an answer. A. I am answering your question. If in releasing communists that involves giving the communists the right to organize a campaign of force and violence in this country then I am opposed to letting them out.

BY MR. O'NEILL:

Q. Getting back to the specific case of Jackson. You said that Jackson had pleaded for two hours with the organization to keep the men from going on strike?

A. Yes.

Q. I merely want to find out, if possible, why men are interned, if I can get down to that. What attitude did Mr. Jackson take in the negotiations prior to getting to the stage where he pleaded with them for two hours not to go on strike? Had he taken an attitude prior to that that there should be a strike? The reason is that it would be quite possible to get a body of men worked up to the pitch where you cannot do anything with them at all; they are going some place and you cannot stop them?

A. Of course, I cannot give you very great detail on it. I know Mr. Jackson was an organizer for the union that had recently come to Canada. I have no doubt he carried on a very energetic campaign in the General Electric Company to organize those men and his remarks were quite in line with the declared policy of the government affecting the right to organize as in P.C.2685, and being there with this energetic type of men I have no doubt that he contributed something to the determination of those people to win this right; but when it was clear to Mr. Jackson, by legal counsel or otherwise, I do not know, that such

political purposes.

BY MR. DUPUIS:

Q. Do I understand you to say that communists who are now interned in Hull are unjustly interned? A. Yes.

Q. Just because they were, before the declaration of war by Russia on Germany - they were isolationists or something of that kind? A. Yes.

Q. Now, I understand that in view of the fact that the situation has changed, the communists being on our side, and Russia being on our side, that we should release the communists unless there is some other unknown reason why they should be interned? A. I do not think they should be released because Russia is on our side; I think they should be released on the basis of their willingness to help this country defend itself.

Q. Now, let us go a step farther and take the case of one internee who is now in that state of mind; he is in favour of winning this war jointly with Russia and Canada and the United Nations; when the case appears before the Advisory Board evidence is shown that over and above his sympathy and his activity to win the war he entertains the idea and embraces the programme or policy of overthrowing the Canadian government by violence: now, would you suggest that the Advisory Board would retain him behind the bars? A. I would go a step further, and again I tell you that it is not a case of throwing any compliments around - I am not only opposed to the Mackenzie King government being overthrown by violence but I am opposed to its being subject to any kind of political trickery.

a strike would be an illegal act, he proceeded in the face of hostility on the part of members of his union to urge them to go back to work. Of course, I know that in a great many of those cases the published reports do not constitute all the evidence against the man, but I think in this respect we have to be on guard against so-called secret information to make sure that the secret information is of the character that is just and sound and can stand up in court. I do not believe that any man should be interned on the basis of somebody being shown a document the accused cannot see. I do not know whether that has been the case, although I have heard rumours of it;.

THE CHAIRMAN: Gentlemen, we will adjourn until tomorrow morning at 10.30.

--The committee adjourned to meet Wednesday, June 10,
at 10.30 o'clock a.m.

BIBLIOTHEQUE DU PARLEMENT
LIBRARY OF PARLIAMENT



3 2354 00485 549 3