

railroad," unless I have something in the way of money in my pocket to enable me to travel. That is the important thing, and it is dependent on a measure of economic independence. To-day, if a man is to have freedom of association with his fellow workmen, he has to have some sort of economic security. That economic security can be swept away by the ukase of his employers.

This bill relates to the refusal of employers to recognize a trade union, or the intimidation of workers. I recall a rather celebrated case in the west in which one of the judges made a very strong statement with regard to the dangers of intimidation. This statement is taken from the charge to the jury of Judge Metcalfe in the *King v. R. B. Russell*. The judge said:

There is no right in this country under our laws so sacred as the right of personal liberty. No right of labour or capital, about which there has been so much declamation, is so sacred or so carefully guarded by the law of the land as is that of personal liberty. But personal liberty is not liberty of the body only. It is also liberty of the mind and will; and the liberty of a man's mind and will to say how he will bestow himself and his means, his talents and his industry. This is as much a subject of the law's protection as is that of his body. . . .

Take it from me, in strikes you can incite terror without hitting a man over the head. You can incite terror of starvation; you can incite terror of thirst. Is that not quite as effective as inciting by bodily violence? Your stomach will bring you quicker than a crack on the head sometimes. . . .

In this instance I quite agree with what Judge Metcalfe said. He made this charge to the jury with the idea of pointing out how dangerous it was for strikers to practise intimidation, but surely the principle is the same, precisely the same in the case of the employer. If employers intimidate, threaten to dismiss a man, that intimidation, according to Judge Metcalfe, is just as much an invasion of his liberty as if the man were hit over the head. I am inclined to think that we have minimized altogether too much this aspect of the matter, and have allowed men in authority, such as employers, to threaten. As I said a few minutes ago, if an employee breaks a piece of machinery he is under the penalty of the law. An employer who dismisses or threatens to dismiss a man for no other reason than that he belongs to a trade union is guilty of intimidation, which ought not to be permitted. If the intimidation were on the other foot, as it were, it would be prevented by the law.

I come back to the explanatory note appended to the bill. I would ask hon. members to give consideration to this, because it seems to me eminently fair:

[Mr. Woodsworth.]

The purpose of this bill is to prevent employers from refusing to employ, or from dismissing employees, or conspiring with others therefor, for the reason that they are members of a trade union.

As it is lawful for workmen or employees to form themselves into trade unions and to bargain collectively, it should, as a matter of public policy, be unlawful for employers to seek by overt acts or intimidation, threats or conspiracy to prevent them from belonging to such trade unions.

I hope that in considering this bill hon. members will recall that we are not living under conditions which prevailed one hundred years ago; we are living under modern industrial conditions. We are not living in an age when labour was considered to have very few rights, as then labour had very little power either economically or politically. More than that, I would ask the members to consider that it is definitely in the public interest that we should not allow reactionaries in our midst to indulge in practices which almost inevitably lead to strife and bitterness and often to riots. Some blame the men who in desperation go on strike; blame rather the employers who refuse to recognize the unions which, for their protection and interests, the men are seeking to form.

Right Hon. ERNEST LAPOINTE (Minister of Justice): With part of the remarks of the hon. member for Winnipeg North Centre (Mr. Woodsworth) I am heartily in accord, and I am sure that all hon. members of the house are.

Mr. BENNETT: Hear, hear.

Mr. LAPOINTE (Quebec East): We are all in favour of unions, I am strongly in favour, we all are, of recognizing the right of labour people to organize into unions.

Some hon. MEMBERS: Hear, hear.

Mr. LAPOINTE (Quebec East): I have said so on different occasions. I have said more than that; I have said that, at this stage of the history of the world, for employers to deny that right is—

Mr. WOODSWORTH: Criminal.

Mr. LAPOINTE (Quebec East): —stupid. But my hon. friend wants to go further than that. He wants to make a crime of something which in pith and substance relates to contract and comes under property and civil rights, and under our constitution is within the jurisdiction of the provinces. My hon. friend shakes his head, but the provinces have almost all of them enacted legislation like that which he wants us to enact by means of the criminal code. More than that, my hon.