

*Labour Conditions*

lation represents the will of both parties or whether it is merely because the Minister of Labour and the Prime Minister (Mr. Pearson) made a commitment to the Canadian Shipping Federation. There is only one way we can find out, and that is for the government to accept the amendment moved by my desk-mate, the hon. member for York South (Mr. Lewis), and let this matter go to a committee of parliament and allow the parties concerned to come before representatives of this house and tell them whether or not this is their will.

The minister said that the I.L.A. officials were agreeable to this. Does he know that of his own knowledge? Did he sit in on these discussions? Of course not. What he tried to do, instead, was to argue that the union did not mind this legislation, but that for purposes of public consumption they had to appear to oppose it, and therefore there was no disagreement from the union. He suggested that since the federation wanted this legislation there was no reason why this house should not pass it.

Surely, Mr. Speaker, if the union is not opposed to this legislation, then we do not need the legislation. The purport of this bill can be incorporated into the collective bargaining agreement. If they are opposed, then we should not be passing this legislation. If they are in agreement with it but do not want to accept it of their own volition, then I would ask why the government should require this parliament to go through the farce of passing legislation for two disputants who want compulsory arbitration, but want to have it imposed upon them. If the minister is serious about what he said this afternoon, then let me repeat that part of his speech where he said that the nub of this question is: Does this legislation represent the will of the two parties concerned? That is the whole issue. We do not know whether it does represent the will of both parties.

The very best that the minister has been able to tell us is that the union counsel said: Well, it was the government's responsibility and if the government passed the law, then the union would obey it. That, Mr. Speaker, is what any good Canadian would say. That is what I would have to say. If this parliament passes a law, then I have to obey it. I may disagree with it; I may agitate to get it changed; but as long as it is the law of the country I have to obey it. However, to say that because the union admitted that it would have to obey the legislation means that it

[Mr. Douglas.]

agreed to the legislation is a distortion of the facts. The Minister of Citizenship and Immigration and the Minister of Labour ought to know that the union has denied saying that they were in agreement with this legislation.

We in this party, Mr. Speaker, are not only opposed to compulsory arbitration in this particular instance; we are opposed to compulsory arbitration on general principles. In a free society we have no right to impose by law the conditions under which a person will sell his labour. Everyone agrees that we have reached the stage in our modern society when we must try to find some alternative to strikes. Strikes have largely become an outmoded weapon. There is not time to discuss that subject now, but it is the question that we ought to be tackling—the whole problem of how we cope with automation in a technological society without periodic strikes and economic dislocation. That is a big subject, but certainly the answer does not lie in compulsory arbitration.

● (9:50 p.m.)

I want to tell the minister that he aroused a lot of fears across Canada when he was piloting his estimates through the house by his speech suggesting compulsory arbitration and labour courts as a possible way of dealing with labour disputes. Following close upon that we now have his introduction of legislation providing for compulsory arbitration with respect to dockworkers in Montreal, Quebec and Trois-Rivières.

I say to the government that they have set their feet along a dangerous path. Does the government think it can stop the effects of the precedent involved in this particular piece of legislation? Already the Canadian Shipping Federation is taking the position in Hamilton and Toronto that the findings of the commissioner who has been appointed shall not only be binding upon employees in Montreal, Quebec and Trois-Rivières but also in other places.

**Mr. Nicholson:** Would the hon. gentleman permit a question?

**Mr. Douglas:** Yes.

**Mr. Nicholson:** With respect to the position taken in the instance cited, was it not agreed by both parties that the men would go back to work in the Hamilton area on the strength of what might be decided by the commissioner in the St. Lawrence ports dispute? Was that not what was agreed to by both parties?