

*Government Orders*

and particularly when the strike is protracted over a long period of time.

I do not like it, but I have an obligation to remind members and the Canadian public that during the period of the strike three vessels were lost at sea off the east coast of Canada with a loss of life of 48 seamen.

The Minister and the President of the Treasury have made it abundantly clear that there is no linkage between the strike situation and the loss of these vessels. But that loss of life, that dramatic event of a ship going down to the bottom of the sea with all personnel aboard, focuses our attention on the fact that the services provided by the Canadian Coast Guard are vital to seamen and persons who go out on the sea in ships.

The member from Dartmouth and other members have said in this House of Commons that there is no risk, there is no danger, there is no immediate problem. Of course the coast guard have indicated that they would provide emergency services and have in cases. That is not the point. The point is that there is an important government service available to ships and persons who navigate our waters and that service is not being provided. Had the strike been settled after a short period of time or had there been some immediate hope for settlement, it may not be that we would have to deal with back to work legislation. But that was not the case. The government has a duty to act and did act.

There have been numerous cases in the past when the House has considered back to work legislation and invariably the House has co-operated because there was a recognition that government services affected on railways, in postal services and in other essential services had to be restored and reinstated.

A current member of the House who was a former Minister of the Crown, the member for Papineau—Saint-Michel, has stated the circumstances under which back to work legislation is justified. I have repeated this several times but I am going to repeat it once more because I hope hon. members will listen to this criteria,

especially members of the Liberal Party, because it comes from a Liberal.

• (1240)

The member said in 1978: “Unfortunately, however, there are times and situations when the spirit of compromise and the demonstration of good faith, so necessary on the part of all concerned, are found wanting. In such circumstances the federal government, as custodian of the economy and protector of the public interest, must assume its responsibility.”

We have in Canada a process of collective bargaining that has been developed over a long period of time and which resolves most, if not all, cases. This is one case where collective bargaining was not effective to resolve the matter in dispute. The Parliament of Canada that makes the laws proscribing collective bargaining, which creates the right to strike, now has to intervene to enact a new law to resolve the situation.

At the same time, every effort has to be made to continue negotiations to ensure that if the parties can reach a sensible agreement that is in the interests of all Canadians and of the particular workers involved, then of course that is the course of action that we would like to see followed and completed.

Because I think there has been in this debate disinformation that might affect people in Canada who expect from their parliamentarians fairness and good and proper treatment for all Canadians, I want to indicate some events that led to this strike.

First, we do not have in place in Canada a clear definition of essential service and we do not have legislation that prohibits strikes and work stoppages in relation to those essential services. Of course that is our fault as parliamentarians, all of us, for not bringing forward legislation that would make it clear that we cannot have work stoppages that affect some essential services.

Considering that void in the laws of Canada, it is essential for the well-being of all Canadians that when events do occur that involve withdrawal of essential services we must meet the exigencies of that situation. In this case there was collective bargaining over a long