

Agricultural Products Act

I cannot see how we can stabilize agriculture without long-term agreements at prices satisfactory to the producer; and I cannot see how agriculture can be stabilized without some effort being made to reform our trading program. I repeat that during the war the stabilization of agriculture was recognized by the farmers as a goal only to be realized by long-term agreements and long-term contracts which make up a part of those agreements, for the products which they produce in quantity. The government must now redeem the pledge made during those years by setting up machinery to assure our farm population of markets at adequate prices for the future.

I believe that through the sacrifices made by the farmers in the past—particularly during the war years when they could have capitalized, as we all know, on the shortages which then prevailed—they have earned the right to demand and obtain long-term agreements which will permit of satisfactory floor prices for their products. I believe they have earned as a right from the state the enactment of legislation which will guarantee them in the future against the disaster which often comes with prevailing surpluses. We do not want to return to the prices of the mid-thirties—I do not think anyone wants that—and the Canadian people as a whole owe such legislation to the farmer as a debt of honour because of the farmer's acceptance of low prices during those war years. They owe it because of the importance of stabilizing this great industry, and the effect that would have upon the welfare of our whole Canadian economy.

Mr. E. D. Fulton (Kamloops): This bill now before the house, Mr. Speaker, seeks to continue for the third year the Agricultural Products Act which was passed in 1947. Such study as I gave it at that time and have been able to give it since convinces me that it is not an act which can properly be called a marketing act. That is the first feature to which I desire to draw attention. Further than that, in my opinion it is unconstitutional, unnecessary and undesirable; and I propose, as indicated by the leader of this party, to vote against it.

It is unconstitutional, Mr. Speaker, because it is based upon the existence of an emergency which does not in fact exist and which has not been established. I am not going to dwell on this phase of the matter beyond saying that there are certain members in the house, particularly in the socialist party, who would have us believe that the constitutionality or otherwise of such legislation is of no importance, and that farmers are not interested in whether or not it is constitutional. That is not a correct statement and it cannot be supported. Every occupational group, every person in the country is concerned with

whether or not legislation is constitutional, and everyone is hurt as much as his neighbour by legislation when it is not constitutional.

Farmers want constitutional legislation which gives them control over the marketing of their own produce. This act does exactly the opposite. It could not do the opposite if it were not unconstitutional, because it could not take away, it could not interfere with the rights of the provincial boards which the farmers have set up. It does that, and it does it because, amongst other things, it is not constitutional. Perhaps I should put it this way. Because it is unconstitutional it does things in that respect which it otherwise could not do, and therefore because it is unconstitutional it is opposed to the best interests of the farmers. They have a definite interest in seeing that the constitution is preserved in this, as they have in every other respect.

Secondly, the act is unnecessary. What is desired, and what could be given, is a producer marketing act. As the house knows, Mr. Speaker, such an act was placed on our statute books in 1934. The dominion Natural Products Marketing Act was passed in 1934. That was an act which the agricultural producers of this country wanted. It was an act which they welcomed, and as they welcomed it so, most of the provinces passed complementary legislation. So far it is only under that legislation that the producers' boards which have been set up can exist, because when it came to office the present government had the dominion act submitted to the courts for a declaration that it was ultra vires. That declaration was given and the dominion marketing act was void. Therefore the only producers' boards we have at the present time are those which were set up under the provincial legislation passed at or about the same time as the old dominion legislation.

It should be observed in passing that this party has consistently and persistently advocated the re-enactment of dominion marketing legislation, which would give the producers control of the marketing of their own produce. That stand has been reiterated through the years and was again enunciated in the clearest possible terms at the national convention held last fall. It is still our stand, and it will be our stand. Because that is our position we shall support in principle, as was indicated by the leader of our party, Bill No. 82, which is on the order paper, and which to a degree at any rate does give the producers control over their own produce. Because that bill is on the order paper and will be introduced into the house, the arguments against this bill are reinforced.

[Mr. McKay.]