

*Competition Bill*

**Mr. Baldwin:** Mr. Speaker, I am glad that I at least got compassion, because it was hon. members on the government side who got the support from the NDP.

Having disposed of the NDP, particularly the hon. member for Assiniboia, I should like to turn to another aspect of this bill. In the debate that has raged on about this bill and its predecessors in parliament, in the press, by labour and in the country generally, many people have professed to see different things in it. To me, it is just one more episode in the long story of the growth of authoritarianism, the demand by the government to be able to interfere further in the lives and activities of all people, and that is not just shown in the bill itself but in what it represents and the trend it indicates.

This drab mediocrity of officialdom, confronted with problems beyond its limited comprehension, has posed one answer, and that is to give it more power so it can fix things up. The minister and his officials have stumbled and blundered away over the last year or so; they have advanced and retreated, then finally brought in bills and withdrawn them. Now they have come up with this scissors-and-paste job in this new proposal as a formula for what? To truly and effectively help the inflation-ridden consumer, is that its design? I suggest there is only a miniscule of effort in this regard. To exercise any real constraints over those in industry who are large enough and unscrupulous enough to victimize the public, is that the intent? Well, I suggest there is a little bit of that here and a little bit there, but not very much in total.

Does this bill do anything about the growing capacity of big labour to squeeze the people of this country, sometimes just in the interests of those professional labour politicians whose concern is in staying on top of the pile? I suggest nothing of that sort appears in the bill at all.

The history of legislation dealing with combines and restrictive trade practices here in Canada, in the United States, in England and in Europe has all been of a pattern; a checkered story of failure to find a legislative form which can contend with the natural forces of the market place, where the vaguely defined public interest often gets lost in the millions of individual transactions involving goods and services.

The chronology has been to legislate, litigate and prosecute, followed by a long list of court failures. Anyone who is at all interested in reading the court records or the law reports will find a long series of judgments on the appeal side of the court level which shows that I am correct, and that the failures of litigation under the combines legislation have been considerable. After these failures, it has been the practice to legislate again, with ringing statements that the right formulae have now been found. Then we see more litigation and again the admission of failure. This process has gone on like that ad nauseam. If this minister and his supporters really believe that this bill will be any different, then I say to his face that the government is either negligent, stupid or deceitful, or a combination of all three.

Some of my colleagues have dealt with this aspect of the matter in more detail, but I leave it by telling you just as forcefully as I can that when this bill is passed, as I assume it will be passed, we will be opening up a Pandora's box of litigation in the courts and before the com-

mission; a lawyer's paradise in which the arguments will run the gamut from lack of jurisdiction based on a constitutional position to technicalities as to the meaning of the fine print in this bill. I say, Mr. Speaker, that we should bring everything out into the light. We should make the corporations, the companies and the unions aware that this government is concerned and will take action; but this bill is just another example of government shirking. It is much easier to pass off consumer complaints to one commission or another than to take an active role in finding solutions to these complaints.

● (1420)

Many years ago, before I came to this place, I was involved closely in a study of the workings of the combines legislation during the course of my private practice, always on behalf of the consumers. Since coming here, I have been concerned with it in this House, from 1959 to 1960 when the then government attempted to deal with the question of resale price maintenance and other amendments, and I have watched the attempt from time to time to bring in new laws. I kept track of the jurisprudence and read some of the statutes, so that I am not unfamiliar with the combines law and the restrictive trade practices regulations. I say, through you, Mr. Speaker, to the minister, that I see nothing in the present bill which suggests to me that it will be any different or will offer any real relief or assistance to the people of Canada, particularly the consumer who is so monstrosly overwhelmed by existing conditions. The fact is that events are in the saddle and ride mankind. This bill does not go to the root of the trouble; it does not even scratch the surface.

I shall not go into any detail in connection with the few clauses which deal specifically with aid to the consumer. Others have dealt with them effectively. They are apparent, they are obvious and have some value. I suggest they will have a minor effect here and there, but on balance in my judgment not a great deal. The answers to the real complaints of consumers in these times of skyrocketing prices ultimately will be lost in the legislative jungle of this bill. Canadian families will still suffer from such practices as double-ticketing and the like, and the stores will only become more adept at changing stickers. This bill is not the answer.

When we, as members, come to make the assessment of whether or not we can conscientiously in our opinion support this bill—and speaking for myself I say I have not come to that decision—we will have to put on the scales the defects which are inherent in the legislation, in particular, the wide extension of powers which have been thrust into the hands of the Restrictive Trade Practices Commission. Man's seeking, probing mind creates many wonders, but also many problems and dangers, such as the Frankenstein of atomic and hydrogen nuclear weapons which might well have destroyed us and still pose threats, or the pollution-producing industrial activity of the large overcrowded centres of population. To me, it is the institutions of government which are most likely to do the worst damage. History shows that invariably the means we establish to control and order our affairs end up by going out of control and, too often, a society commits suicide like a skier starting an avalanche and riding it down to destruction. So it is with the government. It grows bigger

[Mr. Baldwin.]