Combines Investigation Act

Mr. CAHAN: That is a misquotation.

Mr. WOODSWORTH: Is it? Some of us apparently have to sit under the continual blowing of the horns of those who belong to the legal profession.

Mr. CAHAN: The quotation is, "He that bloweth not his own horn, for him shall no horn be blown."

Mr. WOODSWORTH: Possibly that is the reason for the activity of the lawyers in the house. Seriously, while undoubtedly there are benefits from a legal training there are also some things about legal training that make it very difficult for those who have had that training to realize new needs as they arise and to interpret some of the old principles as they relate to modern developments. We have, for example, the modern development of the corporation. The corporation is a purely artificial body created by law. It has nothing of human characteristics about it. As we often say, it has no soul; and yet we endow it with a certain immortality. It can live on and on even if the members who originally composed it have died. There seems to have been a beneficent provision in nature whereby individuals, once they have reached a certain age, pass off the scene and allow others to come along. Not so with corporations. So again and again we find corporations persisting when their usefulness has passed, and able to exploit the community because of the different circumstances that have arisen. These corporations are given privileges along a great many lines which would not be accorded even to individuals. We had an example in one or two of the statements made this morning.

What about "intent"? We insist that there must be intent to do so and so, and we get into prolonged casuistical discussions as to exactly wherein lies intent. Using an illustration that occurred to me before the Minister of Labour spoke, if a man carries concealed weapons, he is, I understand, thereby committing a crime. If someone is killed, the carrying of weapons may be used to show intent; but in any case simply to carry concealed weapons is a crime. But we apply no such simple procedure as that when it comes to corporations; that is another matter altogether.

Again the hon. member for St. Lawrence-St. George (Mr. Cahan) spoke of not making crimes where crimes did not exist. But surely with the coming of the automobile there have to be new crimes constituted because there is a new source of danger to human life and welfare, and what would not have been a crime on the road fifty years ago may become a crime with the modern automobile. I can readily understand how one with a trained legal mind will persist in thinking in terms of the horse and buggy age fifty years after the horse and buggy have ceased to exist; that is a danger to which the trained legal mind is subject. Combines give an opportunity for new crimes; they may themselves be crimes.

Again, we are told that we should not have investigations of private affairs, of a corporation's affairs. I suppose that goes back to the idea that a man's business was his own individual affair. But to-day can anyone really believe that business carried on by corporations is in any sense a personal affair? It is a matter that should be of interest to the public at large. I think it was when Woodrow Wilson ran his first presidential campaign that he gathered his speeches together into a book called The New Freedom. In that book there was an illustration that I remember. He said that in the old days it was not considered right, on the principle that a man's home was his castle, that anyone should be allowed to enter it without his consent. That is all very well. Then in the age of great corporations it is said, by analogy, that no one must as it were enter their premises-no one must be given the right to investigate what goes on in the corporation. Woodrow Wilson suggested the illustration of a great apartment block. In the United States, authorities were still considering the apartment block to belong to the owner simply because, though it might contain fifty homes, they were all under the one roof. In England, he said, they were adopting a wiser attitude. There the authorities took the position that although these fifty homes were under the one roof, each apartment was in reality a unit by itself. The corridors, on the other hand. the lighting and everything of that kind concerned the public, because the corridors corresponded more or less to the streets; and the corridors ought to be taken care of, lighted, kept sanitary, and policed just as a street. So Mr. Wilson said that we ought to have at all times the fullest publicity with respect to the business of great corporations. I heartily agree with that. But now, all these years afterwards, the hon. member for St. Lawrence-St. George still keeps to the old position and the old fiction. If I may say so I think this is very largely because of his legal training. He thinks that the public ought not to be permitted to enter the sacred portals of corporation offices.

Whether or not this bill is the best way of accomplishing the end in view, I think something more will have to be done than has so far been done to check the exploitation which has been carried on by these great