

a court. I would pay him an adequate salary and not the paltry pittance now given our Superior Court judges. There should be no question of cost. The cost of running this court for several generations would be trifling compared with the millions of dollars lost in the nine day railway strike—millions lost in earnings to the railway workers themselves, to men across Canada who became temporarily unemployed, the cost to industry and the black eye received by our tourist trade. The other two men on the court would not have to be lawyers, but men of high standing and experience in social and labour questions. I am thinking of a man like Mr. MacNamara. And what a magnificent appointment the late Minister of Labour would have made!

Some Hon. Senators: Hear, hear.

Hon. Mr. Farris: At one time I was thinking of college professors, but I came to the conclusion that they would not be acceptable unless they had a wide experience outside of their own profession. Three men might constitute a court, but you could have a fourth. I am only suggesting, of course, what could be done.

Hon. Mr. Moraud: Would my honourable friend suggest how he would enforce the decisions of that court?

Hon. Mr. Farris: I would enforce them in the same way that any other court decisions are enforced. I can understand my honourable friend thinking "Well, perhaps you could not do it today". That is one reason I say this subject must receive the backing of public opinion. I was greatly impressed with what Mr. St. Laurent said in the House about enforcement of the temporary enactments. He said in effect that in the last analysis you cannot enforce it by the power of the State unless the power of the State is supported by public opinion.

I am glad that my honourable friend from La Salle (Hon. Mr. Moraud) brought this point to my attention. I have had the honour of being asked to speak at the joint meeting of the Canadian-American Bar Association in Washington this month, and I propose to discuss the question of the administration of justice, and to suggest that when this immediate crisis of war is over and we are back to normal conditions—which I hope may happen soon—the permanent solution ought to be along the lines of an international court with full jurisdiction to deal with the problems of all nations. It would be just as impossible as anything in the world to establish such a court today,

but I have the faith and the hope to believe that some day it will be established. If I propose this to these lawyers, I am wondering if somebody will say "What a foolish thing for you so suggest when you cannot even enforce a labour regulation in Canada by a court that has a mandate for that purpose".

Honourable members, we must put our own house in order before we can ever hope to successfully achieve the same results in a wider and international field. I say to my honourable friend from La Salle that if you set up the very best court you can in this land and secure responsible, fair, impartial and competent men as your judges, and their decisions, having the sanction of the nation, are not accepted by labour, then this country is in a hopeless condition. But I for one do not believe that. I think the average working man is just as anxious as is industry to have a fair adjudication of any problem that comes up. I believe that when this question is properly put to the people of Canada, and when they have thought about it as respects the past and the future, they will give their support to it.

This labour relations court should not be hampered by any undue rules. Its judgment should be final and binding on all parties, and enforceable by the supreme power of the State the same as is any other judgment. As I say, I would not hamper the court by laying down limits as to its authority, any more than parliament has done in its handling of the present strike. All it has done is to say that if the dispute is not settled within a certain time an arbitrator will be appointed. The arbitrator will decide, through his own conception of justice and fair play, the right treatment to all parties concerned. You cannot lay down a finer or higher test of the administration of justice than that.

Honourable Senators, I have taken a lot of your time, and perhaps I have made statements that may be criticized as being unfair to labour. I did not intend them to be interpreted in that way. My only reason for making this speech was that this question is of such great importance that I wanted to point out the dangers in the future as indicated by the realities of the past. I would ask honourable senators to give this question their most serious consideration.

Some Hon. Senators: Hear, hear.

On the motion of Hon. Mr. Reid the debate was adjourned.

The Senate adjourned until tomorrow at 3 p.m.