

Government Orders

And it is not true that because a strike has broken out that the opposition can be prevented from speaking about it in this House. Events have taken a very strange turn this week.

The Bloc has been vilified for wanting to recognize rights that exist in law, in legislation passed not by a foreign Parliament, but by the Parliament of Canada, legislation that provides for the right to strike, that recognizes the existence in Canada of this fundamental democratic right.

Some hon. members: Hear, hear.

Mr. Bouchard: In a democracy such as ours, in a country in which we have often been faced with labour disputes and in which we have acquired some experience in resolving this sort of conflict in a civilized and competent manner, it is vital that we take this opportunity to examine the need to maintain some sort of balance.

Mr. Speaker, I believe I am disturbing the people across the way who are speaking.

[*English*]

The Speaker: Order. Colleagues, this debate is so important that we are sitting on a Sunday. It is a very historic sitting. I would ask all hon. members to have the courtesy to please hear out the person who has the floor at this time and all other members who will be speaking in this debate.

[*Translation*]

Mr. Bouchard: Mr. Speaker, we have a system of law. We live in a society governed by laws. We have a parliamentary institution, and a government, charged with enforcing existing legislation. The entire Canadian legal system as it relates to labour relations is based on the freedom to negotiate, on the objective of ensuring peace between the parties to an industrial dispute and the harmonious operation of the factories and workplaces once the dispute has been resolved. I believe that the freedom to negotiate is a key element in all of this.

The freedom to negotiate is dependent on the balance between two powers: the very important economic power wielded by the employer, which is countered by the union with its own brand of power, given to it under law in the form of the right to strike. It is a legislated right.

One would think that, generally and normally, when both parties exert pressure, when they act in good faith without anyone trying to disrupt the process, when they are willing to make concessions, with common sense prevailing, an agreement will eventually be reached. The legal system and government services are designed to help reach an agreement because everyone understands that the best and only effective solution is a negotiated solution.

What happened in this case? They may well criticize the Bloc Quebecois for being the only party in this House which defends the legal system of free collective bargaining. Well and good,

but they forget that the main culprit in this dispute is the government, in particular the Minister of Labour, who turned into an employer in this matter.

They will say that, the opposition being the opposition, it will attack the government and try to bend the truth a little. It is common practice in politics.

● (1320)

Instead, let us read the report and conclusions of an impartial witness, conciliation commissioner Hope, whose job was to observe, minute by minute, the progress of the negotiations.

This report contains devastating comments on the behaviour of the government and the Minister of Transport. In this matter, the government, far from favouring settlement and protecting against any external disruptions the progress of the usual settlement mechanisms whose results are based on free collective bargaining, sought to disrupt and destroy this balance by siding with the employer. I would even say that it became an employer. The government behaved like an employer in this matter. I would go so far as to say that it prevented the official employers from negotiating.

Let us suppose for a moment that we are all CN presidents—we would be happy in some respects, of course, as this would be a remarkable promotion—and that our representatives, reporting on the discussions, tell us that we ought to make concessions on our demands to drop non-monetary clauses, that if we make no concessions, the resulting strike would hurt us and that the public may not appreciate our behaviour during the negotiations, so that we must make concessions.

Normally in such conditions, an employer makes concessions and uses some common sense to reach a compromise with the union, which is also under pressure. But why would an employer negotiate when, like the president of the CN in this case, he has the government's assurance that it supports his position, as denounced in the Hope report, when he knows that the government is 100 per cent behind him and that, in the event of a labour dispute, the government will take out the bludgeon to quash immediately the right to strike and pass special legislation providing for a third party to impose working conditions? There is no motivation to do so.

In fact, the employers did not negotiate in this case. They did not negotiate because they relied on the complicity, I would say the collusion, of the Minister of Transport, expecting him to make sure that back to work legislation would be tabled in this House within hours of the start of a strike or lockout.

So, what was bound to happen did: the employers put on the table major clawback demands and, according to Mr. Hope, refused to negotiate. They even refused to consider the possibility that their demands be discussed or revised in any way, or that reservations be made about them. They did not even take part in