

Maintenance of Railway Operation Act

proceedings before the conciliation board; second, resumption of railway services; third, immediate reinstatement in employment of persons laid off as a result of the strike announcement; fourth, the making of appropriate regulations; fifth, the issuing of notice that strike action has been suspended; sixth, the preservation of rights and privileges of both companies and unions under the Industrial Relations and Disputes Investigation Act; seventh, expiration of the act on May 15, 1961, or at such time when the new agreement shall be signed, whichever is earlier.

Mr. Speaker, comparisons are perhaps inevitable between the action being taken now and the action taken in 1950. It is not my intention to revive discussion on the merits of that action.

Mr. Pearson: You have done that already.

Mr. Starr: In choosing the present course the government is acting in a manner calculated to preserve the interests of both parties consistent with a due regard for the interests of all Canadians.

There was, of course, another course the government could have followed. The government could have let the strike go on. This was the course followed in 1950.

Mr. Pickersgill: It was not.

Mr. Starr: This course, above all, did not commend itself to the present government. The disastrous nature of the consequences of such action have already been pointed out. In 1950, when the strike had been in progress for nine days, Right Hon. Mr. St. Laurent asked parliament to deal with a "national emergency." We are taking action now so that another national emergency shall not happen. In 1950 Right Hon. Mr. St. Laurent went on to say:

—even in times of profound international tranquillity—

A disruption of railway service would be the occasion of a:

very serious disturbance.

And that:

a prolonged tie-up would wreck this country.

Mr. Speaker, this is what we are moving to avoid; this is what we must not have. The present bill will prevent such a situation while at the same time leaving both parties in full freedom to resume negotiations without prejudice. This is by far the most reasonable and workable method of dealing with a difficult and potentially disastrous situation.

Hon. L. B. Pearson (Leader of the Opposition): Mr. Speaker, in rising to oppose this bill—because that is what we on this side propose to do, with full regard to the

[Mr. Starr.]

seriousness of the situation and to the matters dealt with in the bill—I must first express my surprise that in a matter of this importance, which justifies in that regard all the words that the Minister of Labour (Mr. Starr) has used about its importance, this bill was not introduced—as has been the case in similar situations in the past—by the Prime Minister (Mr. Diefenbaker) himself; and I say that without any disrespect, of course, to the Minister of Labour. However, no doubt the Prime Minister will have occasion during this debate to express the views of the head of the government, and naturally we expect to receive those views in the House of Commons.

In view of certain apparent misunderstandings that may have been created I would like at the beginning to say a word about the procedure that has been followed and the attitude of the opposition to that procedure. When the Prime Minister mentioned yesterday the desirability of facilitating and expediting in any reasonable way consideration of this legislation, we on this side responded at once and indicated that we would do our best to meet the wishes—the reasonable wishes—of the government in that regard. Indeed, I said this, and I quote from page 311 of *Hansard*:

We—

That is, the official opposition:

—will do everything that we can on this side to facilitate and expedite consideration of this legislation.

Again, without saying anything further, and of course without committing ourselves in any way on the stand to be taken in regard to the legislation, we will do our best to facilitate parliamentary discussion of it.

The stand that we are taking on this legislation was indicated in the statement made by my hon. friend the member for Laurier (Mr. Chevrier) on Monday last. Like the Minister of Labour, we on this side regret, of course, that negotiations between the railways and the unions have broken down and that the intervention of the government—an intervention which in our view was too late—was unsuccessful.

Indeed, on that point, Mr. Speaker, on November 15, when it became clear that there was a break-down between the unions and the railways, the Minister of Labour said, as reported in the press, in answer to a question that he planned no immediate action in the dispute. In his statement the minister gave us his version of the events leading up to this situation, the effect of this legislation on that situation, and indeed to support the government case he went back to the situation in 1950.