

ago. The legislation deals with what is commonly known as the chicken and egg war.

This piece of legislation is much more important to many Canadian citizens than a lot of the talk about the constitution taking place between the federal government and the provinces, because if that legislation is upheld by the Supreme Court of Canada there will be no Canada. There may be some kind of republican government operating on the basis of a number of independent states. The flow of trade between provinces would be jeopardized. Instead of the Supreme Court of Canada making its decisions known within a few days of the hearing, it postponed doing so. I had expected a postponement, but now I am informed that instead of a decision being rendered at the end of June this will not be done until some time in October. If this is so, it is certainly a disservice to Canada. The Supreme Court is not providing a service that provincial governments need and want. This case affects the incomes and lives of thousands and thousands of farmers, and an early decision is essential. I mention this as one of the things that a Supreme Court of Canada should do, but which the present Supreme Court of Canada appears to be reluctant to do. It is delaying a decision to a point that is detrimental to many Canadians.

I could also mention the number of cases that come before the courts arising out of new social problems. The judiciary has not been able to set a new pattern or to establish precedents in labour matters. In fact, it has appeared that the judiciary, where it has some leeway in making decisions that affect large numbers of people in the social sense, time and again falls back on the precedent of people's property rights that were in vogue some 400 years ago. The judiciary has not been able to adjust to present day social conditions. One could agree with the hon. member for Vancouver-Kingsway (Mr. MacInnis) that if we reduced the salaries of judges to the salary level of the poorest people in this country, and I am not suggesting that we do this—

**Mrs. MacInnis:** Nor did I.

**Mr. Peters:** Nor did the hon. member for Vancouver-Kingsway—but if we did this, then judges would understand and could sympathize with these people with respect to the conditions under which they have to exist.

What does a judge know about a young person aged 13 or 14 years in high school? What does he know of the society in which that child lives? What does he know of the things in that child's environment which encourage him to take marijuana, to take LSD, and to experiment with other drugs? I hear judges talking about pushers. They rule that this or that person is a pusher. I know of one case where the person charged with being a narcotics pusher was nine years of age. Sure, he was pushing them in the old sense, but he was not procuring drugs for the purpose of initiating others into their use, so as to develop a business. He was not making money out of it. But he was becoming popular in his school. In some cases he was using his own allowance to buy drugs, distributing them at cost to his fellow students. I am not suggesting it

#### *Judges and Financial Administration Acts*

was right but how is a judge, particularly one getting \$50,000 a year, going to relate to that type of element? How is he going to relate to many thousands of today's young people?

Young people wear different hair styles. In the main, they wear a hair style that has been in vogue throughout most of man's history. It is only within a relatively short period of time that men have worn short hair. How is a judge going to relate to a young person who has a different attitude toward society? Where does a judge getting \$50,000 a year fit in? He fits in with the business community. He fits in with the phony society that exists at that level. He fits in with the country club life style. I am sure that if his salary were that of the average Canadian, he would have a much better understanding of the general public.

In saying this, I am well aware that these remarks may also be applied to Members of Parliament. But in the case of a Member of Parliament some of the problem is eliminated. When a Member of Parliament receives an increase in his allowance he is expected to do more things, mainly involving his constituency. He is expected to donate more money for needy causes. But a judge does not have that type of expense. He fits into an environment where I am sure he has no difficulty in getting a reduction on almost everything he buys. He is in that social structure.

I always had difficulty at the bank until I got into the position where I had money on deposit in the bank. Now, I don't have any difficulty there at all. I am sure that if I went to borrow money from the bank I would be welcomed with open arms. The bank manager calls me by my first name, but I am not in the least bit in need of that kind of friendliness. When I had to go to Household Finance I was not on speaking terms with the manager of Household Finance. This is one of the weaknesses in our judicial system.

● (4:20 p.m.)

We have an Interpretation Act, Mr. Speaker, and I am sure any competent judge would be able to administer it, but the people drafting those laws are not as competent. There are loopholes in our laws that even the layman can find, but a judge must be able to interpret them in a social sense. Many of the laws are archaic and are interpreted without regard to the society in which we live. It may be that a good judge, and there are many, leads a very lonely life. I am not too familiar with the Bible but there is a saying that one must be like Lot's wife, above reproach—it may be somebody else's wife but I believe it was Lot's.

**Mr. Béchard:** Caesar's wife.

**Mr. Peters:** Maybe it was not the Bible—maybe it was Caesar's wife. In any case, the judge must stand apart from much of society. He may get all kinds of advice, but finally he must make the decision, and an onerous task it is.