

prevent anyone from exploiting the general public in connection with these serious diseases, because if anyone is exploited and as a result of that does not get medical advice the consequences could be very serious.

Hon. Mr. HAYDEN: That may be the most commendable purpose in the world, and I am not quarrelling with it. What I am questioning at the moment is the particular method that you are trying to take to achieve that purpose. After all, you do not bring in an elephant to swat a fly, and I am suggesting that you do not need all the power and scope of language that you are asking for here. The question of whether or not to prosecute would depend upon the general impression that somebody in the administration would get as to whether the advertisement was proper or not, as to whether the advertisement implies that a treatment is being advertised. That is not a proper state in which to leave the law.

Dr. MORRELL: Well, from our experiences, sir, we feel that we do need the wording that is here in order to reach the objective which I think we all agree is desirable and necessary.

Hon. Mr. ROEBUCK: The gentlemen before us should realize that they are specialists in the field and that they are really assuming the right to form judgments. We are not specialists—at least some of us like Senator Hayden and myself are not specialists—and we are looking at it as an ordinary person, from the public standpoint. Naturally we are taking a different attitude to that of these gentlemen. Specialists become enthusiastic in their particular field, and in this instance I feel that this measure goes a little too far. I recognize the necessity for some of this legislation; but at the same time I continually regret the complacency with which the public will permit interference with its common law liberties and freedom. Freedom, as you know, takes a little bit of courage, but it pays off. The people who will submit to being pushed around and bossed, will get an awful lot of it; and that has been the trend for a long time. There seems to be more and more restrictive legislation passed. This is true the world over; the classic example today is South Africa. Many of us here are anxious to hold back restrictive measures of this kind, to regard advertising as a common law right, and in instances where there is an attempt to interfere with it, we ask that you show us the absolute necessity for it. That is the principle of law involved here when there is a proposal to interfere with a common law right. If you have a right to go to the court to sustain your position, it will support you at far as it can.

Hon. Mr. FARRIS: It seems to me that the new words added are the least objectionable.

Hon. Mr. HAYDEN: Correct.

Hon. Mr. FARRIS: The only word of which there might be any criticism is the word "treatment". How long has that been in the Act?

Mr. CURRAN: Since 1934.

Hon. Mr. FARRIS: I think it is very proper that advertising with regard to these diseases outlined should not be allowed, that is, advertising to prevent or cure them.

Hon. Mr. ROEBUCK: You started with "cure" did you not?

Mr. CURRAN: No; "treatment" has been in the legislation since 1934.

Hon. Mr. ROEBUCK: Prior to that it was "cure".

Mr. CURRAN: No. prior to that—

Hon. Mr. ROEBUCK: You started off with cancer, and legislated against advertising of cures for cancer.