

Senator Argue: If they feel they do not want to accept the suggested amendment, I would ask for a little further clarification. The National Farmers Union, as I see it, is a controversial organization. It has some very firm views on many things. A lot of people do not agree with the farmers union itself, and there are some things where some are for the farmers union and some are against it. On the question of feeding the Metis, some people think it great, others think that they have no business trying to do something like that. So it is controversial.

I think that as far as the resources are concerned, it is relatively poor organization, in the sense that the resources are limited. I would be highly surprised if the farmers union had funds to fight a series of court cases based on what we are asking this morning, if there should be an appeal from that. I do not know if it is possible. The legal counsel is here for the farmers union.

We should be very careful not to single out at this moment one corporation, one organization, for one kind of treatment, and let everybody else have some other kind of treatment, particularly if there is any danger whatsoever, that people who are opposed to the objectives of the farmers union could, by some means, use this kind of wording to see that a number of court cases were brought forward...

Senator Grosart: Mr. Chairman, that is surely...

Senator Argue: I would like to finish my statement. I would like to know from the farmers union whether or not they feel there is a danger in this amendment. If they are quite happy with the amendment, I am quite happy to accept it, in this situation. But if they feel there is danger that might flow from using them as a starting point for some other language, then I think we should vote against the amendment.

The Acting Chairman: Mr. Golden, what do you say?

Mr. Golden: First of all, the bill was drafted without any specific concern with this particular clause. This was actually taken from a precedent. I was trying to locate it in my file but I could not do so. There were a number of precedents on various aspects of this bill which were used and put together in lawyer-like fashion, as we do not always do things originally. This was not one of the things

dreamed up originally in my office, and also it was not brought in specifically.

I also want to say—and I am quite certain that I am speaking for the organization—that we do not want to appear in any way as wishing to hold an arbitrary kind of power or appear to wish to do anything unfair to persons which would result in a court action.

I think we are aware, from Senator Grosart's remarks, that the purpose of the amendment would be to open the by-law, to make the door more open than it is now. It is already open to some extent, but this would open it to the court to review it. I would indicate the kind of legal debate that is going on in court circles on this question. I am not always exactly in agreement, but I am an active participant. I think my position would be that it would tend to create legislation that might be used to hamper organizations.

I do not suggest that it is the intention. If this is widely reported, it might give people some ideas. I do not know.

Certainly, I do not think it is.

If it is the common practice of the Senate, that is the way it came before the Senate, because I drew it from the common practice. I would assure you, on the technical point that I have to make, that we do not want to ask for arbitrary power, but we would also not wish to open the door in such a way that we could be made a kind of legal whipping post.

Senator Argue: So you are for it and against it?

Mr. Golden: On behalf of the organization, I can say we would prefer the bill to go on as originally drafted on that clause, but I do not think I should express any views on the policy question.

Senator Argue: No. The Senate will deal with the policy question.

Senator Asetine: Is it your opinion that if the amendment were passed, that it would be possible for persons not in sympathy with the union, and outside the union, to have asked the union by legal means, by trying to make it show cause, other than is necessary.

Mr. Golden: I think it would provide a kind of legal argument. It is not easy to define. These things are not final, because they are always open to review. If a board that is elected is elected democratically, as it will be,