

*Maintenance of Railway Operation Act*

from Essex East repeated it today. We do not think a railway strike is necessary; we do not think a strike should take place. We have also indicated quite clearly in my hon. friend's amendment that we, like the government, would use compulsion—the compulsion of legislation—if absolutely necessary in order to prevent that strike.

Therefore on those two points, that there should not be a strike and that there should be legislation, if necessary at this time, to prevent a strike—to prevent it, not to stop it after it has taken place—we and the government are in complete agreement. Where we differ is as to who should pay the price.

**Mr. McGrath:** Who paid the price in Newfoundland?

**Mr. Pickersgill:** I can well understand why a backbencher on the government side should seek to raise a diversion at this point, but—

**An hon. Member:** Quite a diversion.

**Mr. Pickersgill:** —I will deal with the matter that is before the house. I will continue to deal with it as far as I can in the objective way in which I have sought to begin, and to deal exclusively with this matter, because it seems to me that this question is of such gravity that it should not be encumbered by anything else and that we should all seek to understand the points upon which we agree and the points upon which we differ. Incidentally, I had hoped it would be possible to differ on these points without the imputation of unworthy motives on either side.

I think there is a difference, and a fundamental difference. I would even go so far as to say that for me this represents the fundamental difference between the fundamental philosophies of the two main political parties in this house. However, I am not going to put forward any philosophical argument. I am simply going to make a practical argument with relation to the measure which is now before us. What the government has said is that the workers must go back to work, that after this bill has passed through parliament and received the royal assent it will be a crime for the workers not to go back to work until May 15. In other words, this is a measure of forced labour. Moreover, the men must go back to work at a wage which Mr. Justice Milvain said was substandard.

That is the position taken by the government. In other words, the workers must pay for this postponement, pay in delay, if nothing else, by having to wait for five and a half months, I think it is, in addition to the 11 months they have already waited for something which Mr. Justice Milvain said would fill the gap; the new gap, not the old gap that existed in 1957, but the additional

gap which has been created since the end of 1959. The government is saying that neither the taxpayers nor the companies should bear the cost of this postponement, but that the cost should be borne by the workers.

Now we on this side say that the temporary cost until May—and I emphasize the word “temporary”, as the government properly did, for its part—we say that if there is to be a delay in the final determination of all these matters the sum of approximately \$5 million which the Canadian Pacific Railway would have to pay between now and next June is not an undue burden for them to bear in these five and a half months, having regard to the fact that at that time a general review of railway finances will take place, and, if an injustice has been done to the C.P.R. this government, with the consent of this parliament, can remedy that injustice.

We agree that there must be a delay in the final determination of some of these matters, because the government must have the royal commission's report before it can determine some of them—not the wage question, but some of the others. But we do not think the workers should lose in the meantime, nor do we think that a charge should now be made on the treasury. I want to make very clear, as did my hon. friend the Leader of the Opposition (Mr. Pearson) yesterday, that we do not think the position of the C.P.R. should be prejudged. We simply say that, instead of denying to every railway worker \$61 which he needs, some of which he should have received months ago, the C.P.R. is better able to do without \$5 million for a few months, some of which it will not have to pay until the last month. In other words, as Mr. Mackenzie King said, we put the human values before the material values. That is the simple difference between us.

If the amendment put forward by my hon. friend the Leader of the Opposition were adopted by this house then it is true, as was stated on the radio, that it would kill this bill. But directly the present measure was defeated the government could introduce another bill to do the simple justice which Mr. Justice Milvain recommended, and I venture to say it would pass through this house in all its stages in 10 minutes.

The Prime Minister (Mr. Diefenbaker) who, through the Minister of Labour (Mr. Starr), is asking this house to compel the workers to go back to work without any additional pay, expresses horror at the idea that we should compel the C.P.R. to pay out a possible \$5 million between now and next May. He says the situation was different in 1950 because the railways had agreed to the four-cent

[Mr. Pickersgill.]