

Combines Investigation Act

retailers simply as a method of self-protection against unfair competitive practices and enormous power in the hands of giants in the distributive trade, against which they have found themselves individually powerless to protect their position, but against which they found an effective answer, and the only effective answer, in the practice of resale price maintenance.

That being the case, I submit it is a reversal of history, a turning back of the clock, a retrograde step to the laws of the jungle to take away the protection of resale price maintenance and throw open the doors—and do not let us be prisoners of words—not to free competition, in the assumption that this must always be a benevolent process, but to throw open the doors to cut-throat competition, to unfair trade practices—

Mr. Coldwell: That is capitalism.

Mr. Fulton: Do not talk nonsense. It is not capitalism, and you know that well—which we would be doing by eliminating resale price maintenance, without providing some alternative form of practice. May I point out that there is a vast difference between private enterprise and laissez-faire, unrestricted, unfair competitive practices.

Mr. Noseworthy: What kind of enterprise is that?

Mr. Fulton: The whole course of our laws under the capitalist system over the last fifty or one hundred years has been, in this field, in the direction of eliminating unfair competitive practices. The whole purpose of combines legislation, which has been supported by all parties in the house, under the capitalist system is to prevent the abuse of power. We in this party are opposed to the abuse of power, whether it be by private individuals or by the state. We are always in support of those laws which will set limits to the abuse of power and make possible the exercise of freedom by the small man, while at the same time preventing the large man from finding it possible, in the pursuit of his livelihood under a so-called free competitive system, to crush the small man out of existence.

As I say, that has been the trend in our laws in this field for the last fifty or one hundred years. It has been the trend of the marketing laws, both federal and provincial, which we have devised. Those marketing laws are designed not only to provide for orderly marketing, in the literal sense of the term, but I think it must be admitted that they are designed to protect the weak against the strong. They recognize the fact that the individual farmer, with his limited economic power—that is, the small farmer—is unable

to stand up against the large or unlimited economic power in the hands of other farmers as well as in the hands of industrial concerns.

Recognizing that the farmer cannot survive in all cases by himself, our marketing laws have been designed to enable the weak to survive against the strong, and also to prevent to some extent what might be described as natural forces from operating to the extinction of the individual.

I do not intend to pursue at greater length what might be described as the theoretical line of argument. I do believe, however, that it is important to recognize the fact that this has been the trend in our marketing laws and in our combines legislation. That has been its design and purpose. And in the light of those facts, to talk of this system of price maintenance as something that flies in the face of our competitive system, to hold it up as something designed to increase the power of some people in the state rather than something designed to protect the small man, is simply to beg common sense.

It is true that what we have done by legislation in the field of agricultural marketing, and what we have done by legislation in the field of labour unions, the retail merchants have done in their own field by their own system of resale price maintenance. But as the hon. member for Brant-Wentworth (Mr. Charlton) pointed out this morning, to eliminate resale price maintenance without substituting something else is to turn back the whole course of history and give rise to the very serious probability that we will also be opening the door to giving powerful commercial firms the protection the farmer now has, by inviting the powerful commercial packing firms to ask that the protection the farmer now has under our marketing legislation should be eliminated so that the farmer, too, may be exposed to the threat of powerful big interests in this country. That situation is, I submit, one which the Minister of Agriculture (Mr. Gardiner), the Prime Minister (Mr. St. Laurent) and every responsible minister and member of this house must look upon with most serious misgivings. In my view, if nothing else were required that alone would justify us in pleading with this government not to push through this legislation before they have provided some alternative protection for the small man, before they have provided something to which he can turn so he will not be left at the mercy of powerful big interests in this country who are so solidly behind the present legislation.

When the Prime Minister spoke on this subject this morning he repeated the arguments which have been made before, namely that the answer to the arguments of those