

Mr. CROLL: What about the constitutions of some of the railway unions which refuse membership to people who are coloured. They are not in here.

Mr. GILLIS: That is mostly in the United States.

Mr. CROLL: Yes, and in Canada too.

Mr. GILLIS: You belong to a railway union, Mr. Chairman. Do you know of any railway union in this country which refuses membership to a Negro?

The CHAIRMAN: There may be some.

Mr. BYRNE: I am sure we cannot write any clause into this Bill which will provide for any local union having a discriminatory clause in their constitution. All I can see is to withhold the proclamation of this Bill until such time as they can amend their constitutions. Does not clause 6 in fact remove that stigma? You cannot take action against anyone because of his name. The whole purpose of this Act is to do away with discrimination. Therefore, local unions will have to change their constitutions in order to conform with the Bill except that clause 6 does away with the fact that you have an implication arising from their name as being a Catholic syndicate.

Mr. GILLIS: I see it this way: We have begun this Act. As far as I am concerned, I do not believe in stipulating these things because when you start to stipulate things, you provide loopholes. When you begin writing definitions into an Act, you pave the way for points of discrimination. We have taken this Bill and broadened it to cover the words "religion", "nationality", "ancestry", and all the rest of it. We have permitted everybody outside of Canada who wishes to come into Canada. But here is a legitimate part of the trade union movement which goes back for 50 years in this country. If the labour movement had been a little more active 50 years ago, perhaps there would not have been any Catholic confederations. They would all have been a part of the legitimate movement. But back in those years the people accepted the only leadership that they could get, and they have those old constitutions. They are making an effort to clean them up through their national conventions, but it all takes time to change the constitutions. And if we leave it as it is, these people are going to be in a position where their local unions can be wiped out, because of employers refusing to do business with them. That would create a kind of turmoil. They are recognized today as part of the legitimate trade union movement, and they meet with government and make representations, and all that sort of thing.

I think we should be a little bit careful. We have been going about this kind of fast. They take their leadership from among the rank and file. These boys are not as brilliant as a Clarence Darrow. If the Deputy Minister says that maybe a little delay in the proclamation of this Bill might enable them to check up on these fellows to change their constitutions that is all right with me. It is pretty difficult to write anything in here that is going to cure it all, but I think the Department of Labour ought to be very careful in shoving this thing through, until they get some kind of clarification of their constitutions in Quebec.

The CHAIRMAN: You have heard the motion of Mr. Cardin.

Mrs. FAIRCLOUGH: Do you think that we should number that clause 6? I wish the committee would consider whether it should be a part, it may be, of letter (a), say, of clause 3.

The WITNESS: I might say that I took up this provision with the Department of Justice and they suggested that it be put in at this place.

Mrs. FAIRCLOUGH: As a separate clause?

The WITNESS: No; as subclause 6 of clause 4.

Mr. CROLL: Yes.

Mrs. FAIRCLOUGH: I was not talking about clause 4, I was talking about subclause 4 of clause 3.