

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Friday, January 27, 1967

MR. SPEAKER: I wonder before we proceed if I might bring to the attention of the House that we have 24 Grade 11 students from Ste. Agathe School under the direction of Mr. Delaquis. This school is situated in the constituency of Honourable Member for LaVerendrye and they are on my right. On behalf of the Members of the Legislative Assembly, I welcome you here today.

And on my left in the gallery we have 37 Grade 11 students from the Arborg School under the direction of Mr. Butler and Mr. Newman. This school is situated in the constituency of the Honourable Minister of Education, that is the Gimli constituency. On behalf of all the Members in the Legislative Assembly, I welcome you all here today.

The adjourned debate of the Honourable Member for St. John's. The Honourable the Attorney-General.

MR. LYON: Mr. Speaker, I wonder if I might have permission to have this matter stand.

MR. SPEAKER: Does the Honourable Minister have leave? The proposed resolution of the Honourable Member for St. John's.

MR. CHERNIAK: Mr. Speaker, I would like to help the House proceed with the Order Paper and I wonder if I could look for a little guidance on this. There is a possibility that it will be thought that the items mentioned in this resolution have been covered by either the White Paper or the Throne Speech and I am quite prepared if whatever Minister is responsible for these three items would indicate to the House an understanding or an undertaking that the legislation will be brought forward to this Session, I would be pleased to withdraw the resolution, with leave of the House of course.

MR. LYON: Mr. Speaker, perhaps I could help my honourable friend, speaking on what I presume is a point of order, and his desire to tidy up the Order Paper. Item No.(a) on his resolution, there will be a motion before the House I think it will be in the next votes and proceedings with respect to a resolution on the Expropriation Act to be referred to the Standing Committee on Orders and Regulations. With respect to Item (b) and (c), these matters, as he knows, are referred to in the White Paper and the White Paper of course is going to be referred to a Committee of the House during the present Session.

MR. CHERNIACK: Under the circumstances, Mr. Speaker, I ask leave to withdraw this resolution.

MR. SPEAKER: The proposed resolution of the Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, in comparing this resolution with some of the proposals made in the White Paper it appears that some of the items are covered but others are not. I would therefore ask for leave of the House to withdraw Items 1. and 2. 4. and Item 8. Either that or withdraw the entire resolution and resubmit it in the form that I would intend to present it.

MR. ROBLIN: If I may just comment on the proposal, Mr. Speaker, I would agree with my honourable friend if he would withdraw it all, it could be reintroduced; those portions that are not covered. And perhaps if he would be willing to discuss it with my colleague the Provincial Secretary, he could make it clear to him which items we thought we were covering in the course of the business of the House and which were perhaps not covered so that we could meet my honourable friend's convenience.

MR. HANUSCHAK: I'd be happy to, Mr. Speaker.

MR. PAULLEY: ... it would be on the mutual undertaking of members of the House if they would not attempt to use the withdrawal to introduce resolutions in their own name. I'm sure no member of the House would do this in view of the statement made by my colleague.

MR. SPEAKER: Does the honourable member have leave to withdraw the resolution? The adjourned debate on the proposed resolution of the Honourable Member for Russell. The Honourable Member for Brokenhead.

MR. USKIW: Mr. Speaker, I would like to have this stand for the present time; if other members wish to carry on on the topic it's fine, but I would prefer that this matter stand at the present time.

MR. SPEAKER: Does the honourable member have leave to allow this to stand? The proposed resolution of the Honourable Member for Emerson.

MR. JOHNSTON: Mr. Speaker in the absence of the Honourable Member for Emerson I would beg the indulgence of the House to have this matter stand.

MR. SPEAKER: Does the Honourable Member have leave? The Honourable Leader of the Opposition. Proposed resolution.

MR. CAMPBELL: Could we have this one stand too, Mr. Speaker.

MR. SPEAKER: Does the Honourable Member have leave? The adjourned debate on the proposed resolution of the Honourable Member for St. George. The Honourable Minister of Highways.

MR. LYON: In the absence of the Honourable Minister could we have permission to have this matter stand please.

MR. SPEAKER: Does the Honourable Minister have leave? The adjourned debate on the proposed resolution of the Honourable Member for St. Boniface, The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, in reading this resolution as presented by the Honourable Member for St. Boniface, the question that comes to my mind is one whether it goes far enough and whether it in fact says what we feel it ought to say. The resolution asks for granting people 18 years of age and over the right to vote in provincial elections. However, in a society such as ours in the Province of Manitoba, there are many elections other than those that may be defined as strictly provincial elections; so this is a factor that ought to be considered.

There are a couple of other points that I wish to make before I deal with that particular point and that is this: the question that people often ask why is there something magic about that figure of 18? Why make a distinction between 18 and 21. We seem to have managed to get along reasonably well all these years by making age 21 as the qualifying age to vote. Why lower it to 18? Now there are, I feel, a number of valid reasons for lowering the age required. One of the main reasons is that in our society at 18 years of age as a rule an individual assumes a different position in life. He assumes different responsibilities. Up to the age of 18 as a rule he is attending school, attending high school, he is the recipient of benefits offered to him by the community, by his family. At age 18 even though he may continue to attend school his role becomes somewhat different. In a majority of cases if he is continuing with his education he now has to assume some responsibility for the financing of his education. If he is not attending school, he is out working and needless to say his responsibilities then increase.

I suggest, Mr. Speaker, that if the individuals responsibilities are going to increase at age 18, if at age 18 in the vast majority of cases he is going to be called upon, in fact in many cases forced by society to assume those responsibilities which people over the age of 21 have, then I suggest that he ought to have the privilege to participate in and take part in all responsibilities and all privileges extended to adult society; and one of them of course is that of electing a government -- that of electing those individuals whom he wishes to be his spokesmen at whatever level of government that he may be concerned with.

We also realize that there is another very important point that could not be ignored and that is -- and all of us are striving for this I am sure -- and that is to have a better informed electorate. At every election we hear this complaint time and time again about the apathy of the voters, the poor turnout at the polls. There are surveys in polls conducted which tend to indicate that many people aren't even aware of what's going in the political scene at election time, between elections, aren't aware of the role, of the function of their government, aren't even aware at times of who their representatives are at the various levels of government. Therefore, Mr. Speaker, I wish to move an amendment to this resolution, and the amendment is as follows: Moved by myself and seconded by the Honourable Member for Kildonan that the resolution be amended by deleting the word "Provincial" in the last line -- that is the last line of the operative portion of the resolution -- and adding the following after the word "Elections", in the last line: "Over which the Provincial Legislature has control." And further, No. (2), by adding the following: "Be it further resolved that this government institute a more intensive program of instruction dealing with the structure, function and operation of all levels of government in Canada." And (3), by adding the following: "Be it further resolved that the government of Canada be requested to consider the enactment of legislation to reduce the age of qualification of federal electors to 18 years." If I may . . .

MR. SPEAKER: Mr. Clerk, can I -- for the benefit of the Honourable Member for Burrows I am advised that we must deal with this amendment as you have presented it now. So I must put the question with regard to the amendment in this regard.

MR. SPEAKER presented the motion.

MR. SPEAKER: Are you ready for the question?

MR. ROBLIN: Oh, I'm sorry. You're putting the question or is it in order to move the adjournment?

MR. SPEAKER: I had in mind putting the question.

MR. CAMPBELL: On a point of order, I gather that my honourable friend the member who moved the amendment was wishing to speak on it and I would think that it was not meant to be your ruling, Mr. Speaker, that this question had to be put immediately. I think all that you were intending to rule was that before he proceeded, having made his amendment, that before he proceeded to speak on it that it should be read to the House.

MR. ROBLIN: It's actually our custom -- and I'm sure we'd have to look up in the book for this one to be sure of the detail -- but it's usually our custom to move the amendment either at the beginning or the end of the speech, not in the middle of it, and it might be thought that if moved in the middle the mover was speaking twice, and probably that's the point which bothers the Speaker and the Clerk. It would seem to me therefore that it would be our custom as a rule to put the question now, but I suspect that it could be adjourned. I'm anxious to adjourn it if it could be.

MR. PAULLEY: . . . point. Mr. Speaker, I think that due to the newness of my colleague in this House, he is not fully aware of procedure insofar as presenting amendments are concerned. The custom, as I understand it, of this House is that we speak to the main motion and then, if we desire to make an amendment, we do that following our speaking to the main motion or to the amendment before proposing an amendment to the amendment, and then having moved the amendment it precludes us from talking directly to that amendment as my colleague indicated that he might be prepared to do.

So I think, Mr. Speaker, there's a difference -- I understand there's a difference between the custom in this House and the custom at Ottawa where the reverse is done, where the amendment is moved and then the mover speaks to that amendment. So I think, Mr. Speaker, that we'd be perfectly prepared to accept what I think is your suggestion that the question now before the House is the amendment. My colleague is precluded from talking any further in respect of that and you reading the motion puts it before the House as a separate motion and it's now in order for somebody to move the adjournment of that.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Or if the honourable member wishes to speak, not on his amendment but before introducing his amendment, why not give him leave to withdraw his amendment and speak on it, then present it at the end?

MR. PAULLEY: As far as we are concerned and as far as my colleague is concerned, Mr. Speaker, that would be quite agreeable and I thank the Member for Selkirk, but I was just endeavouring to point out what our custom was in this respect.

MR. ROBLIN: If the House is willing to allow the member to withdraw the amendment at this stage and introduce it later, we have no objection.

MR. SPEAKER: It was the opinion of the Chair that the honourable gentleman had spoken to the main motion and that he intended to put forward an amendment. I read the amendment and I intended to put the question and it would have gone on from there I thought. However, thank you for your opinions, and if the honourable member would care to take advantage of the suggestion that he withdraw this for the time being, I could hand it back.

MR. HANUSCHAK: I would appreciate that consideration all right.

MR. SPEAKER: You are withdrawing this by leave? -- (Interjection)-- I had that in mind too. Yes, take that back.

MR. HANUSCHAK: I wish to apologize to the House.

MR. SPEAKER: Now I understand the honourable member is speaking to the main motion now, is he not? Very well. The Honourable Member for Burrows.

MR. HANUSCHAK: I wish to apologize to the House for having caused this inconvenience, but I suppose over a period of years the practice that I have followed is one that is commonly followed in other meetings and this, I must admit, is a new procedure for me.

It would make it rather awkward and cumbersome, in fact illogical, if we were to deal with the resolution as it stands and only allow people of 18 years of age and over to participate only in one type of election. After all, we have municipal elections; we have school board elections; and we do have federal elections and referendums of various sorts and so forth for which one of the main qualifying points is the age requirement, Canadian citizenship and so forth. Therefore, Mr. Speaker, if we are to lower the age requirement, I suggest that it be done for all elections, all elections conducted under the jurisdiction of the laws of Manitoba. Not only that, Mr. Speaker, I would also suggest that if we do adopt this resolution, which I hope that we will, that we would then communicate our desire to the Federal Government with the request that consideration be given to a similar change at that level.

(MR. HANUSCHAK cont'd)....

Also, Mr. Speaker, there's tremendous need for a more intensive education program to be conducted in our schools, whether it be done on a formal basis or informal basis, but there is need for a more intensive education program at all levels. Now it may be said by some that the Canadian history course offered in Grade 11, there's provision in it for instruction in the operation of our system of government. However, every student does not reach Grade 11, nor is this point dealt with to the same degree or with the same emphasis in all classes. I would therefore suggest, Mr. Speaker, that some attempt be devised whereby there would be a continuing form of instruction in the structure of our government, its function and its role, commencing in the elementary grades and continuing through high school, and this I suggest, Mr. Speaker, could be done, this form of instruction could be incorporated into other subjects. Consideration could also be given to giving second thought to the old civics course that we had. I'm not suggesting that it be re-introduced in its form as it existed then, but what I am suggesting is that the principle of offering instruction in public affairs, in government, be considered and that at some level, at some stage in a student's educational career, an opportunity do be given him at which time he could deal with the matter of government in its entirety as one unit of instruction.

After all, and this I have mentioned before and it's a point that all of us agree with, that we do wish to have an informed electorate. The only way that we could hope to achieve this is by offering the people some guidance, offering them some direction, and the time to start, Mr. Speaker, is at the public school level. There is no individual that is too young to learn something about the operation of government. It may have to be presented to him in a different manner, in a different way at his level of course, at his level of appreciation, but certain concepts can be impressed upon the child's mind regardless of how young he or she may be.

At the present time, speaking as a guidance counsellor, I do know that in the guidance program the matter of government, the matter of the law and the responsibility of the citizen in our community is a topic that is dealt with. However, there is need for more time, for more emphasis than what the guidance program allows, because in the schools wherein there are group guidance classes for the students, it is as a rule no more than one period a week, and that one period a week also has to be devoted to other matters, matters other than government. Therefore, I say this topic is far too important, it's far too important to be brushed aside or to be dealt with just in a matter of two or three brief periods a year. It's a tremendous responsibility that each and every one of us bear, the responsibility of electing our government. It's one of the greatest responsibilities that we bear, therefore I suggest, Mr. Speaker, that the government do consider giving the young people of our generation, and of the generations to come, adequate preparation and training to assume this responsibility.

Having said this, Mr. Speaker, it is now my intention to move an amendment to the resolution presented by the Honourable Member for St. Boniface, and I wish to move, seconded by the Honourable Member for Kildonan, the following amendment: Let the resolution be amended by deleting the word "provincial" in the last line and adding the following after the word "elections" in the last line: "over which the provincial Legislature has control." (2) By addition the following: "Be it further resolved that this government institute a more intensive program of instruction dealing with the structure, function and operation of all levels of government in Canada." And (3) By adding the following: "Be it further resolved that the Government of Canada be requested to consider the enactment of legislation to reduce the age of qualification of federal electors to 18 years."

MR. SPEAKER presented the motion.

MR. ROBLIN: Mr. Speaker, I should like to move, seconded by the Honourable Minister of Education, that the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Assiniboia. The Honourable Member for Kildonan.

MR. PETER FOX (Kildonan): Mr. Speaker, this resolution on the minimum wage, in my opinion, certainly doesn't go -- it goes in the right direction but it doesn't go far enough at the present time. I just recently read where there was a Conference on Poverty by the federal and provincial groups and they defined poverty at levels - at anyone below \$3,000. Now \$1.25 won't bring them up to that under the working conditions and the hours that we have at the present time. The \$1.25 will still keep them below the poverty level. Now if we are serious about this matter I think we should at least bring people out of this level and above that.

(MR. FOX cont'd).... The present minimum wage that the government had amended and became a dollar at December 1st is only a dollar, this is even lower than the proposed resolution. I do think the government, if it is serious in this matter, should look at this question and do something about it. There are many ramifications to low wages and I'm sure I don't have to enumerate all of them, but they are the things that create slum areas and dropouts amongst the children of the people who earn in the low wage areas. They do create social problems, rehabilitation, and all these things are a drain on the resources of the province as well.

Further to that, Mr. Speaker, this does not cost the government any money to take a leadership role and suggest that wages be raised at the minimum level to a higher level so that they will bring people out of the poverty earning levels. There are many myths about minimum wages, that they cause unemployment and so on. I think that we realize today that these are untrue. Minimum wages coming up do not cause unemployment, especially at the present time when we have a buoyant economy, as we are being told continually from across the House, and I agree that we have. I think the government should accept its responsibilities in this regard and do something about it. It should not pass this responsibility off to the Minimum Wage Board; it should accept it itself. The Minimum Wage Board should not be used as a crutch so that the government can say, well we're waiting for reports here, and consequently these things go by.

Now, the minimum wage has to be altered from time to time according to the conditions prevailing. If the cost of living is rising, this has to be taken into account, and if you have a Minimum Wage Board which has to sit and go around the country taking hearings and then has to come back and report, too much time is lost, and of course as I say, it should not be the responsibility of a board of this nature; it should be responsibility of the government.

Therefore, Mr. Speaker, I would like to propose an amendment to the motion, which reads as follows: I move this amendment, seconded by the member for Burrows, that the motion be amended as follows: By deleting the figure "1.25" in the second line and substituting therefore the figure "1.50." (2) By deleting all the words after the word "be" in the third line and substituting the following: "under constant review by the Minister of Labour so that the minimum wage may be changed without delay whenever deemed advisable."

MR. SPEAKER presented the motion.

MR. DOUGLAS M. STANES (St. James): Mr. Speaker, I beg to move, seconded by the Honourable Member for Rupertsland, that the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The proposed resolution of the Honourable the Leader of the Opposition.

MR. CAMPBELL: May we ask for this item to stand, Mr. Speaker, please.

MR. SPEAKER: The proposed resolution. The Honourable member for LaVerendrye.

MR. VIELFAURE: May I have this matter stand please, Mr. Speaker.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Brokenhead. -- Is there no one to speak on his behalf?

MR. LYON: It's adjourned, Mr. Speaker, in the name of the Member for Arthur.

MR. SPEAKER: I beg your pardon. The Honourable Member for Arthur. I'm sorry.

MR. FRED T. KLYM (Springfield): I beg the indulgence of the House, Mr. Speaker, to have this stand.

MR. SPEAKER: The proposed resolution of the Honourable Member for Brokenhead.

MR. USKIW: Mr. Speaker, in view of the fact that the Honourable Member for La Verendrye has a similar resolution and submitted somewhat before I submitted mine, and in view of the fact that there is mention of this particular resolution or portions of it in the Throne Speech, perhaps in order to tidy up the Order Paper that I might withdraw the resolution.

MR. SPEAKER: Does the honourable member have leave? The proposed resolution of the Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I beg to move, seconded by the Honourable Member from St. John's, that WHEREAS it is a fundamental principle of the English common law that the Courts will not make an order compelling the performance of work by individuals; and

WHEREAS it is in the interests of the continued existence of a free society that this principle be maintained; and

WHEREAS the Courts have recently extended the use of injunctions by making such orders; THEREFORE BE IT RESOLVED that this House re-affirm the principle and enact

(MR. GREEN cont'd) . . . . Legislation

(a) that no injunction granted by the Courts shall compel the performance of work by an employee for an employer; and

(b) no person shall be held in contempt of Court for the reason that he refuses to work or to return to work.

MR. SPEAKER presented the motion.

MR. GREEN: Mr. Speaker, the question on which I rise to speak today is one which I have given considerable thought to and also one which I have had considerable practical experience with. This of course, Mr. Speaker, will be an acknowledgement to many of the members of this House who don't already know it that I have been involved in considerable litigation involving trade unions.

Now, Mr. Speaker, I wish to make it abundantly clear before commencing with the body of my remarks that I do not feel that I come here as a spokesman for any particular group; I don't feel that the New Democratic Party comes here as representatives for any particular group. We feel that our policies and the positions that we take in this House are for the good of the entire community and that is the reason that we take them, and I submit, Mr. Speaker, that it's because we take this very attitude that we represent everybody in our community that we are often accused of having the interest of trade unionists in mind in dealing with many of the resolutions which are before the House. The reasons for that, Mr. Speaker, are quite obvious. They are that the New Democratic Party does regard the people who are in trade unions as having the same rights and duties and obligations and to be entitled to the same benefits which this society has to offer, and are entitled to be governed by the same rules as govern other members of society. Now, Mr. Speaker, I submit that sometimes, and all too often, the members of other parties in this House do not take that attitude, and that's why they sometimes suggest that we are pleading for special interests.

Now, Mr. Speaker, I wish to emphasize that whenever I have taken the position, either as a lawyer or as debating in panel discussions or the like, or in any other capacity and indeed before this House at this very time, but that whenever I have been debating an issue involving trade unionists I have never requested that the trade unionists be given rights that are not accruing to every other member of this society. And I ask the members of this House to check me up on this, to examine my remarks, and on any occasion when they see that I am asking for a special right for a trade unionist, and I submit that they won't find any, that they let me know about it and I'll be glad to be ticked off for doing so, because, Mr. Speaker, I don't take that attitude at all. I take the attitude that what the trade unionists are seeking for themselves and the positions that I from time to time have advocated on their behalf are positions which put these trade unionists in exactly the same position as every other group or group of people or group of individuals in society. Now I make this statement, Mr. Speaker, and I make it with particular emphasis to the members of the LP Party who for some reason have never been able to understand why they haven't won support from people who are generally associated with trade unions, and I submit that they haven't understood the position of these employees. Now the reason that they haven't understood the position of these employees is that they still have an anachronistic regard for these people as somehow belonging to the employers who employ them.

Now I wish to put this position quite clear, Mr. Speaker, and it's not a position that is particularly one which is adopted by trade unionists. I take the position that no employee has a property right in his job, and where they start asking for that they are asking for too much. On the other hand, Mr. Speaker, no employer has a property right in his employee, and where they take that position they are asking for far more than they are entitled to. I submit further that the present state of the law and all of the labour legislation which has been passed by the various provincial governments and the federal government of this country is legislation which has interfered with the rights of the employees so as to put these people in a lesser position than other groups who are competing in our society and trying to make their way according to the principles of our way of life. And nowhere, Mr. Speaker, is this particular characteristic to be seen more clearly than with regard to the granting of injunctions by the courts of this land.

We often hear the trade unionists articulate their frustration with injunctions by saying that we should abolish the ex parte injunction. Now for the benefit of members who don't know, an ex parte injunction is an injunction that is obtained by somebody walking to the Court

(MR. GREEN cont'd). . . . House and going into a Judge's office, presenting an affidavit to him and asking that persons be ordered to do certain things. The other side isn't there. That is, there is no representative of the other side in court at the time --(Interjection)-- An ex parte injunction. Sometimes they are asked to do certain things.

MR. LYON: Very seldom.

MR. GREEN: Well, very seldom, but the times that they do it, Mr. Speaker, they are out of line. I agree that this is very seldom but the times that it has been done is too often. The very few times that it's been done has been too often and this is what this resolution seeks to avoid.

Now, Mr. Speaker, the trade unionists have articulated against this form of injunction by asking for the abolishment of ex parte injunctions, and I hasten to say, Mr. Speaker, that I understand their position in this regard. I understand their frustration with regard to ex parte injunctions and I understand their taking the position against ex parte injunctions, but I submit that that is not the problem, that the ex parte injunction as conceived by the Common Law Courts over the last 100 years has been a perfectly reasonable method of adjusting rights as between people, and the grounds upon which ex parte injunctions were to have been granted by the decisions of the courts which granted them were very very rare indeed.

I submit that they have been extended to include things that were never ever intended by any court in any land. As I say, injunctions that have been granted that have been complained about are complained about because they have been used against trade unions in methods which have not been used against any other group in our society. And so, Mr. Speaker I don't speak here and put a resolution. I don't ask and I don't draw resolutions calling for the abolishment of ex parte injunctions although that has been done in certain jurisdictions and perhaps should be done in this jurisdiction. It is not the ex parte injunction that's the evil. It is what the injunction contains. It's what it says, because we could abolish the ex parte injunction tomorrow and this doesn't remove the evil. It merely means that it would take 4 days to get the same injunction that is now obtained in one day and then the trade unionists who are affected by such an injunction would feel the same frustration and would be put in the same inhibited position as they are now being put by the granting of an ex parte injunction.

Now I have two resolutions on the Order Paper, Mr. Speaker, which I think demonstrate what I am trying to say today. The first one and the one that I am now speaking on deals with ex parte injunctions that relate to the compelling of people to go to work. Now, Mr. Speaker, it is not a doctrinaire socialist position - it's never been said by doctrinaire socialists; it is a position that has been evolved by the Common Law of England over the past 300 years that the courts recognize that they would not enforce a contract by specific performance. That is, they would not compel somebody to perform personal services; they would not say to two people who have contracted together, whereby one is an employer and one is an employee, they would not compel the employer either to retain the services of the employee nor would they compel the employee to continue to work for the employer. They didn't say that the contract didn't exist or that there were no rights accruing under it, but they would not compel the person to work. They would say that because you didn't work your employer suffered damages; or they would say to the employee, because your employer didn't continue to employ you you suffered damages; and they would compensate them by a money award but they would not compel the performance of human personal services.

And there was every good reason for that position, Mr. Speaker. The reason is that one thing that the English Common Law treasures above all others is the dignity and freedom of the individual, and once any court, Mr. Speaker, assumed to itself the jurisdiction of compelling work, they were in fact acting contrary to the freedom and dignity of the individual. And there was another reason, Mr. Speaker. The courts recognized that people working under court order were little better than slaves and the courts would not compel slavery, because, Mr. Speaker, if you could order a person to work, then presumably a week later you could make another order that he work harder, and presumably a week later if he didn't work harder, you could compel a sheriff to go and stand beside him to see that he worked harder, and if you could compel a person to work, Mr. Speaker, then the law had the mechanism within it to compel him to work for less money. The courts recognized that because of the dignity and the characteristic of the human being which requires him to treasure freedom as more than anything else which he could possess, the courts would not make that type of order.

I ask to read, Mr. Speaker, from a case which was decided by an English court back in 1890 which dealt with an employer trying to enforce an apprentice to continue to work for him, and the court said, "I should be very unwilling to extend decisions, the effect of which is to

(MR. GREEN cont'd).... compel persons who are not desirous of maintaining continuous personal relations with one another to continue those personal relations. I have a strong impression and a strong feeling that it is not in the interest of mankind that the rule of specific performance should be extended to such cases. "So that was the decision, Mr. Speaker, of Fry, L.J., a law lord of the English Courts. I don't assume that he was a doctrinaire socialist because the Honourable Member from Lakeside correctly pointed out that the socialists hadn't been in a position to appoint judges, but regardless of whether he was a doctrinaire socialist or not, Mr. Speaker, he made good sense and he made sense consistent with the evolution and the dignity of the English Common Law.

So it is not something radical that I am proposing here today. I am proposing the most conservative of all affirmations, that we adopt the position of the Courts of England that no court injunction should be permitted which would require the performance of work.

Now, Mr. Speaker, it certainly is not my intention to engage in intellectual exercise. I am not here asking that we look into a problem which doesn't exist. It is my suggestion, Mr. Speaker, that the last several decades has seen an evolution in the area of industrial relations which is leading to and has in fact led to a departure from the English Common Law principles that I am here referring to. I refer, Mr. Speaker, to what has occurred with the Federal Government in the railway legislation whereby they not only set rates of pay but they said that people are to go to work or they are subject to going to jail. Now at least, Mr. Speaker - and I don't condone it - but at least this was done by legislation. I hope as I stand here today that I can keep a pledge to myself that if I had the power to do so, I would never legislate that way. I would never legislate to the extent of saying you are to go to work or you are to go to jail, because I think that with that type of legislation comes the possibility of the end of freedom in any country which moves toward it.

I was personally involved, Mr. Speaker, in a case - and I am going to refer to a case which occurred in the Manitoba Court of Queen's Bench. It involved the Plasterers' Union and the Builders Exchange.

MR. LYON: I was wondering if the honourable member could tell us if that case is presently before any court in the country.

MR. GREEN: No, that case is not before the court.

MR. LYON: It's disposed of?

MR. GREEN: It has been disposed of.

MR. LYON: In the Supreme Court?

MR. GREEN: In the Court of Appeal of the Province of Manitoba.

MR. LYON: And is the Appeal period through?

MR. GREEN: My honourable friend is thinking of another case which is still pending, which I have not referred to, and if my honourable friend wishes me to refer to it - and I am sure he doesn't - I will. I am referring to a case which has been disposed of; decided by the Court of Appeal; the time to appeal has expired; judgment has been entered; people have been forced to work, worked, and some of them left the province because they wouldn't work under a court order; so we need have no fear as to the status of this case.

MR. LYON: I just figured to keep my honourable friend within the rules and I am happy he is doing that himself.

MR. GREEN: I always appreciate my honourable friend's help. And now, Mr. Speaker, I am going to read, and I am not going to mention the names of the courts because I don't think it is relevant. The employer went down and got an ex parte injunction Mr. Speaker, which said the following: "It is further ordered that the members of the operative Plasterers and Cement Masons International Association, Local No. 334, Winnipeg, employed by any one of the plaintiffs" - and here there is a list of employers - "who ceased work" - This was their crime "or failed to report for work at the projects on which their respective employers were engaged in on July 21, 1964, be and they are hereby strictly enjoined to return to their respective places of employment forthwith". That's what the injunction said and that injunction was handed to each of the plasterers. They got a Court Order which said that you have ceased to work and you are to return to your respective places of employment forthwith.

Well, Mr. Speaker, in all fairness, let me say that I saw this injunction on a Friday morning, that I immediately phoned the solicitor for the company and told him I was going to see the same judge to point out what this order which the judge had signed had contained. He met me there. He argued that the order was perfectly all right; I took the position that,

(MR. GREEN cont'd)..... without waiting for the day on which this was returnable, which was the following Wednesday, that that paragraph be stricken, and in all fairness it was stricken. But, Mr. Speaker, there was an order in existence which was handed to a group of employees which presumably they could have gone to somebody else who could have said, "Well, the Judge told you to go to work and I think you should." They could have refused to go to work; they could have then been picked up and sentenced to jail for contempt of court because they didn't go to work, and at that stage, Mr. Speaker, it wouldn't be a consideration as to whether the order should or should not have been given. The only consideration would be whether they should or should not have obeyed it, whether it was a valid order or not.

Well, four days later this question was argued again, because an ex parte injunction, as I pointed out, only lasts four days. Four days later it went before another judge of the Court of Queen's Bench and the other judge looked at the various orders, and I want to point out to you that at that time it was not alleged against these employees that they were doing anything except that they didn't go to work. They weren't picketing the company premises - they weren't charged with picketing; they weren't convincing other people not to go to work - they were, as a matter of fact, employed on other jobs where they were earning ten cents more an hour than their employer was paying them; but the fact that they were not at work was held by the court to mean that they were on strike and then the court made a very unusual order. It didn't order the men to go to work, but it held that they were on strike and told them that they were to stop striking. Well, they weren't doing anything. As I pointed out, they weren't in front of the premises; they weren't holding signs. The allegation against them was that they were not working and the judge held that that constituted a strike and he ordered them to stop striking.

Now this case then went to the Manitoba Court of Appeal, and in the Manitoba Court of Appeal it was argued just as strongly as I'm trying to impress this House today, and I hope with more success today than I had before the Manitoba Court of Appeal, but I assure you that we argued it as strongly as we know how, and the lawyer for the employer relied on the proposition that the contract between this union and this company contained a provision which said that the men will not stop working; there will be no work stoppage. And there was indeed a clause in the contract which said that there would be no work stoppage. The employer argued that although the English Courts would not order people to perform positive services, that it wouldn't order them to perform work, it could enforce a negative covenant, that it could order you not to do something. And I wish to explain, Mr. Speaker, that this stems from an old English case - approximately 100 years ago - where an opera singer contracted to work for a certain opera house and no other house, and the court held that although we can't order her to sing for the opera house that she was working for, we can tell her that she can't sing for any other opera house. So the court said that we can't enforce the positive covenant but we can enforce the negative covenant, and in the case of the plasterers' union the court said although we couldn't make an order forcing these people to work, we can order them to stop not working.

Now that, Mr. Speaker, is in effect the order and there can be no doubt of it, that they ordered these people to stop not working because that was the only thing that they were complained of having doing. And this order, Mr. Speaker, decided by the Court of Appeal for the Province of Manitoba, was made the basis of other orders which I won't refer to. But I suggest Mr. Speaker, that not only the Manitoba Court but the courts generally, and I think in the United States, and I submit legislatures, are adopting the notion that employees can be made to work or go to jail.

Now, Mr. Speaker there was a very interesting comment made the other day by the Honourable Member from St. Boniface when he advised the Minister of Education - and I respect his right to do this, this is a matter of conscience - that I wish to announce to this Legislature that I am not going to work to try to sell your education program. Now I may disagree with the Member for St. Boniface, but I would say that he has the right to say that I am not going to sell this program.

Mr. Speaker, I would suggest to you and my learned friend - my honourable friend the Minister says there is no contractual responsibility - I would suggest to you that if he entered into a contract with the Honourable the Minister of Education and agreed for valuable consideration that he was going to sell this program - and let's throw it aside because it's a red herring, the question of whether he can get paid for doing something by the legislature, etc. - but let's say that he agreed to sell the program and then he said I found out something about

(MR. GREEN cont'd)... this program that I don't like and I'm not going to sell it. The Minister of Education's remedy is to sue the Honourable Member from St. Boniface for damages, not to sue him to sell the program. I don't think that there's anything clearer but that that is the case, but I suggest, Mr. Speaker, that in the area of industrial relations we go haywire. We adopt remedies for the purpose of doing things which we otherwise would never adopt, and Mr. Speaker, isn't it obvious that this is the case?

In 1962, we had approximately 700 doctors in Saskatchewan who said that we reserve the right not to work under these doctrinaire socialist laws; we won't go to work as long as there's a statute in existence in the Province of Saskatchewan which says that people can pay for their medical expenses collectively through a government agency. Was there a single newspaperman, was there a single columnist, was there a single legislature, was there one reasonable person in this country who suggested that somebody go to the court and get an injunction to make those doctors doctor? How ridiculous that would have been, and yet, Mr. Speaker, when the railway workers - and my honourable friend says there was no contract - all right, when the railway workers decided that they won't work for the amount of money which they felt was not sufficient to pay for their services - and other people sometimes take that position, the members of the Cabinet took the position that they were not getting paid enough and I suppose the railway workers sometimes feel that they are not getting paid enough - is that right the Honourable Leader of the New Democratic Party? --(Interjection)-- The contract expired - no contract - and yet we had advice from all over the country: Get these people back to work, and if they don't go to work put them in jail. And not only did you have that thing said, you had a government enacting legislation to that effect. They said that the economy of the country is in danger; the security of the -- people are going to lose money; we're not going to be able to sell the grain and other such things. Well surely, Mr. Speaker there was no greater danger to the people than the danger which existed to the people of the Province of Saskatchewan when the doctors stopped doctoring, but that's something that we in this society say that everybody has the right to do. We draw the line at legislating together an economic relationship involving personal services.

Now, Mr. Speaker, this is not a new problem. The only thing that is new about this problem is that the Legislature appears to take a hands-off policy, that somehow we in this Legislature say that we didn't pass that law. Well you're wrong. Every day that that law exists and you don't change it, you pass that law just as if you stood up on your feet and said "aye, I agree with it," because you're not changing it and the courts in fact say that. They say, "Well, the Legislature hasn't done anything about this, they are not referring to this particular case, they must think it is all right." This is the Assembly which is responsible for making the laws of the Province of Manitoba and those laws that are being administered and adjudicated by the courts across the way are your laws just as if you wrote every word that's in them, and I suggest to you that this Legislature owes the responsibility to reaffirm the principle that people will not be required by court order to work, and I referred previously to the fact that this is not a new situation.

In England, Mr. Speaker, there was a period of at least forty years when the courts made decisions affecting trade unions and the Legislature had to step in and say this is not what we intend. The courts made another decision - and if the Honourable the Attorney-General wishes the citations I won't bore the rest of the Legislature with them - the courts made other decisions and the Legislature came in and said, "No, you cannot impose this on free citizens of our society." The courts made yet a third decision and the Legislature came back and said, "No, this will not do," and I'm suggesting that this Legislature go through the same growing pains in industrial relations that were gone through by the courts of England between the years 18 -- well I can go back to 1799 to 1927.

Now in this particular situation, Mr. Speaker, the courts appeared to say -- the Legislature appears to say, "well, we have nothing to do with it." Well I've said, Mr. Speaker, and I repeat, we have everything to do with it, and I suggest that there should be nothing more conservative with a small "c", and nothing more liberal with a small "l" and nothing more consistent with the principles of the New Democratic Party than that people not be subjected to this type of order, because I don't care, Mr. Speaker, if I was the administrator of a Socialist Government - and I make this statement now and hope that my principles will carry me through the time when I think indeed that we will assume this type of responsibility - that we will not permit this type of order to be made. This is something which is basic to every group in this House, not to the members of the New Democratic Party. This is something

(MR. GREEN cont'd).... more traditional to the members of the Liberal Party than it is to ours, but certainly it is basic to all of us, and I only say that because the Liberal Party is a political organization that probably has a longer history than ours. Certainly I'm not going to suggest it has a more important history, but it has a longer history.

Now, Mr. Speaker, we say that not merely because we believe that it's a position which affirms the dignity of the human being, we say this because it is also the only practical course of action for this Legislature to take. It has been proved time and time again that any attempt to enforce economic relations as between individuals does not work out. There can be no better example of this, Mr. Speaker, than the New York Transit strike, where the courts made an order ordering certain business representatives to order certain transit employees back to work, and then they ordered - in fact they ordered the representatives to go to jail because they didn't order the people back to work - I suppose the union was at that time considered to be a slave driver - but we won't order the men back to work but we'll order the business agents to order the men back to work. So they put these officers of the trade unions in jail because the transit employees didn't go back to work. When the union continued negotiations with the government and finally made a settlement and they got an increase in wages, they went back to the work on the subways, and a court made a decision at the instance of a petitioner in the State that the wage increase be removed. Why should it be removed? Because there was a law, and indeed there was, which said that any wage increase that is obtained as a result of an unlawful strike is illegal, and not only can that wage increase not go into effect but I think that for a certain number of years they weren't entitled to an increase in wages, and in fact the court made this order - the court made an order that the wage increase be removed.

Well Mr. Speaker, what a mockery! What a spectacle to the state when the Legislature had to meet and rescind the decision of the court, give these people the wage increase and let them continue. I don't condone the employees nor do I condemn the state. What I am saying is that it is impractical and impossible to suggest that we can maintain industrial relations by having people work under the threat that if they don't work something bad will happen to them.

The teachers in Quebec, I understand last week were ordered to go back to work. Now, Mr. Speaker -- did they go back to work? I know that for a few days they didn't go back to work but I wonder whether the Minister of Education would think that we had a satisfactory situation in Manitoba if the teachers on his staff were teaching because they were afraid to go to jail. What type of teaching would come out of that type of situation. In any event, they didn't go back to work for several days and I'm not going to comment on that. All I'm commenting on is the fact that people will not work unless the economic relationship between them and their employer is one which commends itself to both sides. We cannot solve that economic dispute by laws. It's impossible; it is just as if to say, Mr. Speaker, that you are going to require an employer, because he has a collective agreement - and my honourable friend the Attorney-General is very concerned that there be an agreement - that we are going to require an employer to stay in business and pay the rates that he has agreed to pay, even though he is losing money or is not making a return on his investment, that we will require him to stay in business because he has an agreement setting working conditions, and by the way, I suggest that the agreement doesn't guarantee employment nor does it guarantee that the business will continue.

Did our representatives of the public take that position with the Winnipeg and Central Gas? Did they say that you have got a franchise and you said you will sell gas at a certain rate, and because you have that agreement you must continue to provide that gas in perpetuity; we don't care whether you make money or not, get money from the shareholders to continue you in your gas operations. Mr. Speaker, what I am trying to urge on this House is that you cannot create employment relationships through the agency of a court or through the agency of a Legislature. We have to face the fact that not every problem in our society is soluble by even those who have the wisdom of this House or even those who have the wisdom of the court. It's in the nature of mankind and it's in the nature, Mr. Speaker, I suggest, of a good society that not every problem is soluble, that the solution that is suggested is far worse than the cure. I remember being in a courthouse, Mr. Speaker, when it was said, "Well, yesterday these people weren't working and a certain building wasn't going up and today they are working and the building is going up."

Well, Mr. Speaker, if it was the objective of our laws that buildings go up, then the Pharaoh had better laws than we have and we should take a look at his laws, because he got

(MR. GREEN cont'd). . . . those pyramids built. I suggest to you that that's not the objective of our laws. The objective of our laws is to preserve the integrity, the freedom and the dignity of the individual and to preserve individual rights, and as long as a person is behaving within his rights, that the law will not come against him. That's right, and I submit that the Honourable the Attorney-General - and I'm sure he doesn't feel this way - won't suggest that a person who stays home and lies in his bed is not acting within his rights, yet a person of that kind was served with an injunction that he has to go to work.

MR. SPEAKER: I wonder if I may interrupt the honourable member and tell him he has five minutes, and probably he could conclude in that time.

MR. GREEN: Thank you, Mr. Speaker, I certainly can fit the speech to the time. If I had ten minutes, I'm sure I could expand.

Well, Mr. Speaker, I am here pursuing a principle which should commend itself to every member of this House. I'm not suggesting that people have the right, even at this stage, Mr. Speaker, even to suggest that somebody else doesn't work or to convince them not to work. I'm suggesting that a man who goes on a fishing trip because he doesn't want to work for his employer any more is not on strike. I'm suggesting that a group of people who say that we won't work for this employer, we are not asking him for anything, we don't want an increase in wages or anything, we just won't work for him, because he happens to be on a job for somebody they don't like or because he happens to hire non-union help or for any other reason, are not on strike. They are not working and that the law will not compel them to work. You may be able to collect -- and my honourable friends opposite have tried to facilitate the collection of substantial damages against the trade unions. They passed this bill which enabled an employer - the employers came and they said we can't sue these people; they do all kinds of terrible things and we can't collect damages from them. They weren't able to cite any cases in which this happened but they provided and they facilitated these people, the employers, with a law whereby they could sue their employees for damages. I say that if people disobey the law, if they don't fulfil their contract, let the same remedies be available to the employer in this case as are available in every other case, let them collect damages but don't let's pass laws requiring people to go to work. I submit, Mr. Speaker, that that is the trend which our courts are taking and I submit that it's not something that the courts are doing. I submit that it's the atmosphere - it's the atmosphere of legislators; it's the atmosphere of courts; it's the atmosphere of frustrated people who feel that the only way something can be done is to require these people to work whether they like it or not.

Now, Mr. Speaker, I just want to refer to two other examples which are closed; the time for appeal has expired and no decisions before the House; nothing pending. Before these decisions came out - and I don't know whether my honourable learned friend the Attorney-General was in office at that time, that is in his present position with his present portfolio - there was another case where a group of men didn't go onto a project at the airport and an application was made to the Labour Board, and the application was made to the Labour Board that these people didn't go to work, and the Labour Board said, "Well, if the only thing you have to say about these people is that they didn't go to work, we can't offer you a remedy. There is nothing wrong with merely not working" - and the case didn't go any further. Then there was another case at the Misericordia -- by the way, somehow, somehow even though these people didn't go to work on that day the airport building got constructed by three people working without the compulsion of a court order or a legislative order.

Some time later at the Misericordia Hospital a group of bricklayers decided that they wouldn't work with non-union people. The Attorney-General at that time initiated a prosecution - I don't know whether that was the present incumbent - it went before the court, the magistrate heard the case and he dismissed the case saying it wasn't a strike. I submit, Mr. Speaker, that at this point the employers, and the Builders Exchange in particular, became frustrated and after this they went to the court and got two injunctions - several injunctions, which they couldn't get by either prosecution or proceedings before the Labour Board.

Now, Mr. Speaker, I am a practising lawyer; I believe in the integrity of the courts; I believe in the impartiality of the courts; I believe in the goodwill of every man who holds judicial office; but I say that these people are human beings and they can't help but be impregnated by atmosphere, and the atmosphere now is leading us to the stage where we find it easy to say that we are going to make this kind of an order. I say that it's the responsibility and duty of this Legislature to change the atmosphere to what we all know should be the case. Thank you for your indulgence, Mr. Speaker.

MR. CAMPBELL: Mr. Speaker, would my honourable friend allow me to ask him two questions?

MR. GREEN: Mr. Speaker, I would be most happy if my honourable friend would ask me two questions. That will probably give me another few minutes.

MR. CAMPBELL: My honourable friend realizes I am sure, Mr. Speaker, that I am at a disadvantage in this regard because I cannot debate my questions and he can take time to answer them, but I would like to ask my honourable friend if he said in the earlier part of his speech - and I didn't want to interrupt him to ask a question at that time - I understood him to say that the members of the LP Party - and I assume that he was meaning our party in spite of the inexact terminology - was he saying that the members of this Party have advocated the principle that the employer has a property right in his employees?

MR. GREEN: Mr. Speaker, let me first of all say that when honourable friends over there, and over there, stop referring to this group as the NDP Party, we'll start referring to them as the Liberal Party. This has gone on for some time now and my honourable friend who asked the question .....

MR. SPEAKER: ..... answering the question.

MR. GREEN: The answer to the question is that I said that the members - and I'll start and I hope the others carry on - the honourable members of the Liberal Party have a longer standing tradition in believing that the employee is not the property of the employer than have the members of this Party, and I ask them to follow their own traditions. I say that there are people in the world - not Liberals, no, not by any means, not true Liberals in any event or not knowledgeable Liberals - who believe that an employer has a property right in his employees.

MR. CAMPBELL: Mr. Speaker, that was near the end of my honourable friend's speech that he said that. It was earlier in his speech that he made the quotation that I object to and I wanted to get it on the record without any doubt. Did he say that the members of this Party had advocated that the employee has a property right?

MR. GREEN: Mr. Speaker, I hardly recall saying that. I certainly don't intend that, and what I intended was what I said in answer to my honourable friend's first question.

MR. CAMPBELL: Mr. Speaker, my second question .....

MR. SPEAKER: If I may interrupt the Honourable Member for Lakeside for a moment, I am sure that the Honourable Member for Inkster would check this out in Hansard tomorrow and probably he could reply to the satisfaction of the honourable member.

MR. CAMPBELL: Mr. Speaker, my second question to my honourable friend who has made such an excellent presentation of this resolution: If the jurisdiction lies within the competence of this Assembly, why has my honourable friend not presented a Bill rather than a resolution?

MR. GREEN: Mr. Speaker, may I say to the honourable member, as well as to the honourable members, I'll present this in any form in which they'll pass it, and if they pass this and if they want me to introduce a Bill tomorrow, I'll introduce a Bill if I have their support and the support over there.

MR. SPEAKER: Are you ready for the question?

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Member for Logan, that debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

..... continued on next page

MR. SPEAKER: The proposed resolution of the Honourable the Member for Inkster.

MR. GREEN: Mr. Speaker, one a day - I beg leave to have this resolution stand.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, may I ask that all the other resolutions standing in the name of the Honourable Member for Inkster be adjourned?

MR. SPEAKER: That's one, two, three, four in all. I don't know. I think we'll abide by the rules. Order please. The proposed resolution of the Honourable Member for Inkster. He asked leave that it be allowed to stand. Agreed?

The proposed resolution of the Honourable Member for Inkster.

MR. GREEN: . . . . have this matter stand, by leave?

MR. SPEAKER: Proposed resolution. The Honourable Member for Inkster.

MR. GREEN: . . . . for leave, Mr. Speaker.

MR. SPEAKER: I would ask him to take his seat after he's . . . . Proposed resolution. The Honourable Member for Inkster.

MR. GREEN: . . . . for leave, Mr. Speaker, to have this matter stand.

MR. SPEAKER: Does the honourable member have leave? The adjourned debate, the Honourable Member for Logan. The Honourable Member for St. Vital.

MR. DONALD W. CRAIK (St. Vital): May I ask the indulgence of the House to have this resolution stand?

MR. SPEAKER: Does the honourable member have leave? Proposed resolution. The Honourable Member for Logan.

MR. LEMUEL HARRIS (Logan): Mr. Speaker, I move, seconded by the Honourable Member for Wellington, WHEREAS automation has and will affect the employment opportunities of every Manitoban, now and in the future, and WHEREAS the problem is beyond the ability of any one group of society to solve; THEREFORE BE IT RESOLVED that the Provincial Government give consideration to the advisability of establishing a committee comprising representatives of government, management, labour and agriculture to consider the effects of automation and recommend such measures which will enhance the moral, economic and sociological well-being of Manitoba in relation to the effects of automation.

MR. SPEAKER presented the motion.

MR. HARRIS: Mr. Speaker, what is automation? To different people it means different things. It involves different responsibilities. Now I would go to management. To management automation represents a more efficient and competitive way of doing things. Now that is fine. I am glad to see that management says that. But in some countries of the world they are not asleep at the switch. They are going ahead and examining this thing. Down in the U.S.A. we might say various things about them, but still they are looking into this thing and trying to take up the impact that it is doing to the worker in the United States.

Thomas J. Watson, President of the I.B.M., wrote: "We can't argue that technological change and automation are not labour-saving devices." Of course they are. They do cause displacement of people. In fact, to do so is one of their major purposes. They may also upgrade people or increase prosperity of an industry so that more are employed. There are three main approaches that we might take towards handling technological change and the unemployment it creates. Now you could retard it and spare ourselves the pain of adjusting to it. Oh, it's quite simple, like they're doing here. They say, "Oh well, we'll ignore it, because we don't want to be bothered. It's too much fuss. We have so much around us, we don't care for the rest of the world. This thing is coming in."

But let's examine this thing as we go along and see what we can get from this thing. We are pointing out here what management is saying, and I agree with him 100 percent. Let it come on and take the benefit of it in increased leisure, spreading employment around by adopting a short work week.

Now when you say that here, after all, people through the generations have worked in the country, and it is wonderful of them that they did it. But we are coming to a day and age today where we see these various machines, and you people can remember the hardship in various places, when they didn't have the bulldozer. Oh it's quite simple now. You see, the old bulldozer came along and he just pushes away like about fifty elephants, and he does an enormous amount of work and he changes the landscape and everything else. Well, in my youth these various things were there for eternity. Nothing could shift it, but today, with our machinery -- you take the Seaway. I wonder with the modern machinery today whether they could have made the Seaway. The rock that was in there, the machines took heavy punishment.

(MR. HARRIS cont'd)... Man couldn't go in there and do them things, but with these various machines we can do these things. But I say, these machines are putting a lot of people out of work. Let's accept the fact. Don't say, "Oh no, for this machine coming in it doesn't displace nobody." Well, you might think so, but someone says, "... it does." You only have to go back on the farm and see. When I first came in this country I went out on the farm, and there were threshing crews, stookers and what have you. Thirty and forty people working, a harvest crew, on a farm. Today what have you got? You've got about two men, one man on the combine and the other man with a truck behind him taking the stuff away. But for all that saving, with regard ... two people working, is there any difference in the price of wheat? That's another question.

Now, I will say, automation, accept it fully. Push it ahead with vigor and exploit its benefits while controlling its hazards. Now we are getting down to something. Sure we want this thing. Why should I come and work ten hours in one place when I can do it in an hour or less? American General Electric statement on automation declares: "Management has an obligation to insist upon technological progress, including automation. Pre-plan the human side of automation as well as the technical side. Assist employees in the benefits of automation and help them to recognize the opportunities it creates."

Now, you see, there are people in this world that seem to go along and take this thing and study it as they go. Now all we ask here is a committee to study this thing, to look at this thing so that this thing when it comes in here -- it is in here; there's very little of it now. All we've got in here, in these factories and so on, it's all mechanized. Well, I would like to say, Mr. Speaker, to the worker, automation represents an impersonal device which threatens to deprive him of his livelihood. Mechanization, not automation, is here in Manitoba to a large extent. Men have to work harder because of that, because you haven't got true automation. He has to work on a belt. They speed that belt up; that man works on that belt and that thing is coming a little faster; they've got to speed it up and that man is working beyond his endurance, and towards the end of the day - he puts in an 8-hour day - and he's put in 16 hours because that belt is going faster than his body can actually take it. So we say, "We won't do that." Ha. That's only human nature, to exploit your fellow men. Sure, we're all good fellows. We're good as long as somebody don't see us.

Skills. I can remember in the factory where I worked years ago, when they killed these animals they had men. You people have been out in the bush and have shot deer and everything else, and you know how you skinned the deer. These men, they took their knives and skinned that cattle. They made a wonderful job, and they were at such a high premium that if a man quit he just had to walk into another plant and they'd just grab him like that. Today, some chap from the smaller packing houses went over to Russia, of all countries, and he saw they were using a machine over there, so he took the plan of this machine and he came back here to Canada and perfected it. It used to take two men ten minutes or more to skin a hide off. Today with this machine they call a Moscow mule they can skin a cattle in one minute. Now, I am not against these things, but they take the skills away from the people and the people have to work in there and they go back in there as labourers.

Now this is what I say. We have to live together and each man has to live, and if we don't give him sufficient to live on you're going to take all the profit and going to give him peanuts. Well, there's no economy at all, because the man cannot buy things that he shouldn't actually have. I have seen these things. When I was a young lad I went down the coal mine. The coal mine was sunk, oh I would say in 1880, and at that time they didn't have the means, the mechanical means of doing things then that they have now. They sank the shaft about a half a mile down in the ground, all by hand. When I was there - it was in 1921 I went down there - when I was there I walked three mile ... and some of those people were working in coal seams 2 foot 9 in height, and they worked in that 2 foot 9 and they worked it all by hand. Then they fetched in later, as the time went on, the coal cutter. It was a wonderful thing but the man that worked on the face, on the coal face, didn't get ....., he got less. They got mechanical belts. The coal cutter came along just like on the farm when they cut the grain, the coal cutter came along and cut the coal out. All the man had to do then was to shovel the coal on the belt. There was more coal going out but he got less.

Now you can see, Mr. Speaker, that if we have to conquer this thing we have to work together. We have to have a committee to sit down and study this thing and see the effect it is going to have on the economy of Manitoba. We can't have a few with plenty and the rest with nothing, because then we have no economy here at all.

(MR. HARRIS cont'd).....

There is a need today of all working together, and it can be seen. Let me tell you, not long ago I noted in a leading journal of a major industry that 96 percent of a group of corporate officials subscribe to the principle as a basis for bargaining that, and I quote: "The company is entitled to all of the savings resulting from the introduction of labour-saving equipment. Such a contention is of course absurd. Our heritage of skill and know-how belongs to the people as a whole and must be used in the national interest. Our heritage of scientific knowledge has been handed down by succeeding generations of artisans and skilled workers, and comes from the countless contributions which they themselves have made in the work place."

Now we come here and you often wonder why I get up and talk. Maybe my glasses are a little different, I don't know, but I say this: I see things maybe you just ignore, or you just don't want to see them. You say, "It's not my problem," but this is the problem of Manitoba. This is the problem of the world today. After the Industrial Revolution in England they got so much stuff, they went to these countries and they said, "All right, we'll give it to you on loan. You pay us back." And right to this day they never got paid back. They're doing the same as the United States is doing right now. They are loaning money to this country, they are loaning wheat to that country, they are doing this, they are doing that, but I'll bet you if we could come back here about 100 years from now, we'd find out the United States is never going to get a penny back from that, because these people haven't got the money. They haven't got the money to pay them and it is up to us to give them the knowledge to help them to help themselves. I know that it's almost an impossibility, because sometimes I think I get up and I might as well sit down before I get up. I'm just that type of Irishman, though, I'm going backwards instead of forwards.

I just read there the other day in India they can grow rice four and five crops, at least four crops, through the year. They have the water there; they have everything. It's just that you have got to get them people united. This is things we have got to do. We have automation; we have everything that goes -- we have the atom bomb, we have everything else. Are we going to blow ourselves up or are we going to put ourselves out of existence because we won't recognize this fact. So I say, Mr. Speaker, I'm putting this thing forward to you once more and I hope that you will take some recognition of what I am trying to tell you today. Thank you very much.

MR. ROBERT STEEN (St. Matthews): Mr. Speaker, I move, seconded by the Honourable Member from Roblin, that the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The proposed resolution, the Honourable Member for Elmwood.

MR. PAULLEY: May we have this stand, Mr. Speaker, please?

MR. SPEAKER: .....the Honourable Member have leave? The proposed resolution, the Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Member for Kildonan, that:

WHEREAS the Act of Parliament incorporating Trans-Canada Pipe Lines Limited specifically states that the main pipe line for transportation of gas from Western to Eastern Canada shall be located entirely within Canada; and

WHEREAS the said Trans-Canada Pipe Lines Limited through its subsidiary company, The Great Lakes Gas Transmission Company, has been authorized by the Government of Canada to construct that portion of a second gas transmission line from Emerson, Manitoba to Sault Ste. Marie, Ontario through American soil; and

WHEREAS the capacity of the proposed gas transmission line shall be greater by 44% than that of the existing line, the existing line being 30 inches in diameter, and the proposed line being 36 inches in diameter and thus may become the primary route for gas transmission; and

WHEREAS the routing of the proposed gas transmission line appears to be contrary to the intent of the legislation incorporating Trans-Canada Pipe Lines Limited; and

WHEREAS the routing of the proposed gas transmission line through the United States is not in the best interest of Canada, economic and national; and

WHEREAS any action adversely affecting the economic and national interests of the Dominion of Canada similarly affects the Province of Manitoba;

THEREFORE BE IT RESOLVED that this Legislature convey to the Government of Canada its displeasure with the action of the Government of Canada allowing a portion of a second major gas transmission line to be constructed through the United States of America.

MR. SPEAKER presented the motion.

MR. HANUSCHAK: Mr. Speaker, this matter has been before the House of Commons and various committees in this country and the United States for several months now. It has been bandied about. It has not been finalized as yet to my knowledge, not unless something has happened within the past few hours that I was not aware of. The most recent information that I have was that made available yesterday at which time it was stated that the subsidiary of the Trans Canada Pipelines Limited is applying for an extension of time and also for permission to re-state its case to the American authorities, to the American body to whom application has to be made for permission to construct a line through the United States. As the matter stands now the Canadian Government has -- in fact had granted the Trans Canada Pipe Lines, or rather its subsidiary the Great Lakes Gas Transmission Company, permission to go outside Canadian territory, to go outside the jurisdiction of the Government of Canada, and now of course it's a matter of negotiating with the American authorities for permission to construct that line.

Now this, up to now, has been and still remains a matter of Federal responsibility, but I suggest to you, Mr. Speaker, that it is of extreme importance and one that certainly deserves the time of this House for consideration.

For the past 2 1/2, 3 weeks we have been dealing with local issues, with issues affecting and concerning the Province of Manitoba, but I would suggest, Mr. Speaker, that we do devote some time to the consideration of matters related to the Dominion of Canada at large. After all, we are a part of that great country and I feel that it is very timely in view of the fact of this being the Centennial year, and in three years time we are approaching our own Centennial, and I would hope that by the time 1970 rolls around we will be in a position to tell the people where we stand insofar as our policies are concerned with reference to international affairs, because in the area of trade there is direct communication between our province and corporations and business concerns outside it, be it in other provinces of Canada or in other countries. And after all, we are not self-sustaining; we do not have all the commodities that our province requires or that our country requires. Import, export is a matter of very vital concern to us and therefore, Mr. Speaker, I feel that it is time that the government do present a statement of policy on the question of international trade and in particular on the question of foreign ownership.

Not only, Mr. Speaker, am I interested in hearing the government's policy on this matter and the matter of foreign ownership, but I would also be most interested to hear the thinking of my colleagues on the right, the Liberal Party. At times it's somewhat difficult to distinguish the policies of the two in this area and perhaps this may give both of them an opportunity to display their true colours and thus assist me in seeing the line of distinction if there is one.

An attempt had been made to get discussion onto this issue in our debates in connection with Monoca, Churchill Forest Products, but that didn't seem to draw out any -- or did not steer the debate in this direction. And there are other reasons why we should give some consideration to this matter. We are concerned about the development of Manitoba's resources. From time to time there may be, and no doubt is, need for foreign investment, for some form of a controlled foreign investment, and therefore now may be the opportunity for ourselves to establish guide lines with respect to this matter.

Now let me just give you some of the historical background behind this resolution. Last August, or six months ago, the Prime Minister of Canada made a statement on the 25th of August rejecting a proposal of the Trans Canada Pipe Lines to build a pipe line through the United States, and he gave the following reasons for rejecting that application:

1. The opinion of the board is that the margin of economic advantage for this project as compared with the alternative of Trans Canada increasing its facilities in Canada, is not as large as has been calculated by Trans Canada. The economic advantage would have been very slight. This was the first reason for rejecting the application that the Prime Minister of Canada gave.

2. The government does not believe it to be in Canada's best interest that the future development of facilities for bringing Western Canadian gas to its Eastern Canadian market should be located outside Canadian jurisdiction and subject to detailed regulations under laws of the United States which are naturally designed to protect the interests of the United States citizens.

(MR. HANUSCHAK cont'd).....

3. The third reason given by the Prime Minister was that this decision does not imply any lack of confidence in the continuation and development of the co-operation between the natural gas industries in respect of regulatory agencies in the two countries. On the contrary, approval of this application might give rise to future difficulties where United States regulatory authorities might be put in the embarrassing position of having to resolve a conflict between their duty under United States laws and their desire to co-operate with Canada.

4. However, the gas transmission industry is a public utility on a vast scale, and it is important to Canadian national well-being that the development of its main lines between west and east should, we believe, remain wholly under Canadian jurisdiction.

Those were the reasons given by the Prime Minister of Canada.

MR. SPEAKER: I wonder if the honourable member would, for the record, quote the name of the document from which he is speaking.

MR. HANUSCHAK: This is an excerpt from Hansard that I am reading from. This appears in Hansard .....

MR. SPEAKER: Of this House?

MR. HANUSCHAK: Of the House of Commons.

MR. SPEAKER: Thank you very much.

MR. HANUSCHAK: When this matter came up for debate in the House of Commons, the Leader of the Opposition stood up and sang "O Canada, we stand on Guard for Thee" just as loudly and as strongly as I'm quite certain the members of the government of this House have done from time to time, and should do. Whether or not the members of the government of this House are in the same camp as the Leader of the Federal House, I don't know, but anyway, Mr. Diefenbaker did indicate his opposition to allowing this natural resource to find its way outside the jurisdiction of the Dominion of Canada on its way to the Eastern Canadian markets, and rightly so; and I agree, I agree with the stand taken by the Leader of the Conservative Party in the House of Commons, because this arrangement -- it was a bad one; it was a bad one on three counts. Firstly, this was a sellout of Canada's national interests, an absolute sellout of our economic interests and a violation of the Trans Canada Pipe Line Act. Yet strangely enough, some six weeks later, on October 6th, on October 6th, the Government of the Dominion of Canada reversed its stand; reversed its stand and allowed Trans Canada Pipe Lines by its subsidiaries to proceed with its application to construct a pipe line through American territory.

Now I suggest to you, Mr. Speaker, that allowing, that allowing the construction of this pipe line through American territory is a violation of the Trans Canada Pipe Lines Act. The Pipe Lines Act specifically states that the principal line of transmission of gas shall lie within Canada, and how can anyone argue that this proposed line of a greater capacity will remain a secondary line is beyond my means of comprehension. Surely, Mr. Speaker, if the proposed new line of a 44 percent greater capacity will be constructed, it's quite unlikely that it will continue, that it would function at some level below capacity, and with the increased demand for gas it's bound to become the main route for the transportation of natural gas from the Western Canadian sources to the Eastern Canadian markets.

I suggest to you, Mr. Speaker, that this was a sellout of our economic interests. True, there is a saving, there is a possible saving of about \$75 million in distribution costs over a ten-year period; that is, by following the southern route through the United States; but on the other hand, over the same period of time, through the operation of the multiplier effect that this pipe line or any new industry, or any new operation has, there'll be a loss of between \$700 million and one billion dollars to Canada, lost in income that Canada would be deprived by the existence of the line south of the American border, and this I suggest to you, Mr. Speaker, a portion of this income would be a loss to Manitoba. We're not that far away from Ontario. I'm quite certain Mr. Speaker, that much of the labour force would come from Manitoba that would be hired in the construction of this line. There would no doubt be many of the contractors engaged in that type of business operating in Manitoba who would be working on that project.

I also suggest to you, Mr. Speaker, that allowing a gas pipe line of this type to be built outside Canada's territory is a sellout of our national interests. Our Prime Minister speaks of the merits of continentalism, of the value of economic integration, economic co-operation, but I suggest to you, Mr. Speaker, that history has proven time and time again that political control follows economic control. You cannot possibly hope to increase economic control,

(MR. HANUSCHAK cont'd) . . . . to strengthen economic control from foreign countries without running the risk of the political control swinging over in the same direction. That has not happened and there's nothing to indicate that it would not happen if that were the case here.

Now I'd like to make this point clear, Mr. Speaker, that I'm not opposed to foreign investment in our country, but provided that it is a planned and a controlled investment for a specific purpose in a particular manner, and in a manner that would not be prejudicial to the national interests of our country. The argument that bringing in more American funds into Canada would raise the economic level of Canada - there's nothing to prove that. There's nothing to prove that because even with the injection of more American funds into Canada, Canada may eventually become nothing more than another depressed area of the United States, and the United States do have depressed areas, within its territories. It's rather interesting to note what attitudes the existing financial control that American interests have in Canada, what attitudes that that has developed. Yesterday there was reported in the Toronto Globe and Mail, a story dealing with the Mercantile Bank, and at the hearing Mr. Rockefeller announced that the purchase of the Mercantile Bank was finalized in 1963 and that he did call on Mr. Gordon, at that time Minister of Finance, he called on him as a matter of courtesy, as a matter of courtesy to inform him of the deal; coming into the Dominion of Canada, buying a bank, dropping in to see the Minister of Finance and telling him, "Oh, by the way I've just bought one of your banks." And he was somewhat surprised when Mr. Gordon told him that this isn't quite the way that things are done in this country of ours but he may run up against a few little technicalities that he'd have to cope with such as government approval, and this surprised him.

Now whether Mr. Rockefeller is making any other similar purchases in Canada or not I don't know. For all I know, maybe he is making purchases of this type right in our own Province of Manitoba. Maybe he's thinking, maybe he had made purchases of this type in Northern Manitoba, Mr. Speaker. But what disturbs me most, what disturbs me most is the inconsistency in the thinking, the inconsistency in the logic displayed by our Federal Government from the position taken by the Prime Minister on August 25th and the complete reversal on October 6th. Now this summer we're having the Pan American Games in Winnipeg. I don't know all the athletic events that will be staged there, but I would suggest, I would suggest to you, Mr. Speaker, that maybe this should be communicated to the Pan American Games Society that an event in somersaulting be . . . . .

MR. SPEAKER: I hesitate to interrupt the honourable member but I wonder if the things that he is discussing right now have anything to do with the gas line, pipe line transmission Company. I realize that it requires some explanation but I do feel that he's getting rather far afield.

MR. HANUSCHAK: I'll just simply say this, Mr. Speaker, that what this does demonstrate is an about-turn on the part of the Federal Government and I've yet to see any athletes in the art of somersaulting that could excel the exhibition performed and displayed by the Liberal Party at the Federal level.

Now Mr. Speaker, it is important to the people of Manitoba to know where the Federal Government stands on this matter. It is important for the people of Manitoba and citizens of the Dominion of Canada to know what the government's policy is with respect to international trade, with respect to the utilization of our natural resources and the manner in which they will be utilized and the benefits that will be derived by the people of Canada from their use. This the people of Manitoba would like to know, and the actions recently displayed, or over the past few months displayed by the government in Ottawa, leave the people of Manitoba in a complete dilemma because its position just changes practically from day to day. So surely, Mr. Speaker, we in Manitoba cannot endorse this type of performance. We cannot condone this type of somersaulting and thinking that had occurred in the House of Commons over the past few months.

Now I feel quite certain, Mr. Speaker, that the honourable members in this House on the government side and those who are members of the Liberal caucus are men of principle and men of character, and that they realize that any action that adversely affects the Dominion of Canada would have its repercussions here in the Province of Manitoba. We can't close our eyes to this, and we owe it to our people, and we owe it to ourselves to make ourselves heard in Ottawa. We are part of the Canadian economy and we are sincerely interested in building a Canadian nation with a Canadian identity, and certainly nobody in this House, Mr. Speaker, would be party to any act the result of which would erode the Canadian nation to the point where its actions would be guided by decisions made in Board rooms in New York.

MR. SPEAKER: Are you ready for the question?

MR. MCKENZIE: I move, seconded by the honourable member from .....

MR. MOLGAT: Mr. Speaker, if the honourable member is going to adjourn the debate, I wonder if I might be allowed to say a few words. I am not rising to defend the Federal Government on this matter; I think they are quite capable of doing that on their own. But I think it's only fair that when we have heard one side of the story from the honourable member who has just spoken, that possibly the other side also should be heard, so I would like to point out some of the omissions in the presentation that has just been made by the member from Burrows.

I don't think there is any question about it, that the government in Ottawa had made a decision on the announcement of the 25th of August that it would follow a certain course, and at a later date made a different decision. If he wanted to have an argument on that, there certainly is none. There was a change in the decision of the government. --(Interjection)-- Well I intend to tell you why if you would just hold your peace. In fact, if you had been prepared to read in Hansard the balance of the argument you could have had the answer.

I don't intend to read all of Hansard but I think in this case that the first thing to point out is that the National Energy Board who are the body responsible in the first place, recommended from the outset the line should be through the United States. This was their recommendation. Now it's true that when that recommendation came in they said there were other considerations outside of their direct responsibility which the government should look at, and based on those other things the government at that time arrived at a different decision from that of the National Energy Board. The government at that time said that "the basic point in their decision is that once a 36 inch pipe line system through the United States was established, it would almost inevitably become the main line," and I'm quoting directly from the statement that was made by the Prime Minister. This is the basic point.

Well, between the time of that announcement -- that was August. Between the time of that announcement and the 4th of October the facts are that Trans Canada Pipe Lines proposed some changes. They came in with a new proposal dealing with this very basic point. The government's basic objection, as pointed out then, was the fear that in fact if this new line went in, the line that presently is in Canada would become a secondary line and possibly decrease in use, and so Trans Canada Pipe Lines came back with a further proposal and their proposal is quite clear. My honourable friend may say that he doesn't know how they can put more gas through a 30 inch line than they can through a 36. I am told that by proper compression they can, but in any case Trans Canada Pipe Line has clearly given the undertaking that more than 50 percent of the volume of Western gas required to supply Eastern Canada will be transported through its main line traversing Northern Ontario. That is their commitment after the 25th of August.

Trans Canada have also agreed to accept as a target that by the end of 1976, 60 percent of the Eastern Canadian gas requirements would be transported through the Northern Ontario main line and accepted as a long-range objective to transport 65 percent of the volume for Eastern Canada through Northern Ontario.

Now these were new proposals by Trans Canada Pipe Lines after the 25th of August, which changed the position. The other one then is that the company could never dispose of its interest in the Great Lakes Transmission Company without the approval of the Government of Canada. In other words, if they were allowed to proceed with a new subsidiary company to build this new line, it was with the clear understanding that the control of that company would remain within Canada unless there was approval from the Canadian government that ownership could be changed. I think it might be good to point out that 92 percent of the shareholders of Trans Canada Pipe Lines are Canadians. They are not Americans - they are Canadians, so I don't think it is fair to say that there was a change of opinion between the 25th of August and the month of October without a change in circumstances. There was a substantial change in circumstances.

Well Mr. Speaker, I am not going to go into a long debate on this; I think that the debate really belongs in the Federal House rather than here, but I thought it would be useful to at least point out that there were new considerations and new developments between the time of the original decision and the final decision. So I think, looking at this from the national standpoint - and we here in Manitoba are not directly connected in this matter except from the standpoint of national policy - from a national standpoint I think that all of us agree that we want to have maximum Canadian control of all our affairs. Looking at it from the standpoint of the two parts of the country who are most vitally concerned, that is Eastern Canada who are

(MR. MOLGAT cont'd), . . . the users of the gas and particularly the provinces of Saskatchewan and Alberta who are the producers of the gas, we are not in the fortunate position at the moment of being one of the producers. Some day we might be but at the moment we are not, but our two Western neighbours are and they are vitally concerned in this, and they are concerned at seeing this proceeded with very quickly because as they stand now their exports are limited. Well, the line through the United States does provide the advantage of being built much more quickly for one thing. It's going through easier terrain. It can be done immediately. It can be finished, I am told, two years ahead of an improvement in the Canadian line. They could then get their product for sale in Eastern Canada and in United States very much more rapidly. This will open up for them some important export possibilities to the United States of Canadian gas, which I am told the line strictly through Canada would not do. It will mean for the Eastern Canadian consumer a substantial drop in price as compared to the extension, or the further development at this time of the Canadian line, and so there are substantial advantages for Western Canada from the standpoint of export and for Eastern Canada from the standpoint of lower costs. These are matters I think that need consideration.

Now if we were to say, "Well, taking into consideration those economic matters, still from the national interest we are losing control," then I would say by all means we have to look at that seriously, but it seems to me that with the commitments made by the company as to the main line remaining in Canada, as to the ownership remaining in Canada, that the Canadian interest is in fact protected. I really don't see what an extra line running underneath the ground through a piece of American territory, how this is going to very adversely affect Canadian integrity at this point, Mr. Speaker. If it were to mean that at some time the Americans could cut off supplies to Eastern Canada, then obviously it would be a matter of concern, but if in fact the bulk of the transport will be on Canadian territory, if the company is committed to that, I don't see that the long-range Canadian integrity is damaged by it. And so all things considered, Mr. Speaker, it would appear to me that while the honourable member can certainly make a case of somersaulting if he wishes, that if all aspects are considered and if he were to speak today as a member of the Legislature of Saskatchewan or Alberta, faced with substantial gas deposits, supposing we had that in Manitoba, supposing we were looking for exports, supposing we were looking for opportunities to sell more to the United States and to Eastern Canada, I wonder if the honourable member would make the same speech in this House.

MR. MCKENZIE: Mr. Speaker, I would like to move, seconded by the Honourable Member from St. Vital, the adjournment of the debate.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The proposed resolution, the Honourable Member from St. Boniface.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, I would like to move, seconded by the Honourable Member from Gladstone, that:

WHEREAS on June 17, 1963, the Willard Commission submitted the second section of a Report, being the section dealing with personnel, to the Minister of Health; and

WHEREAS the terms of reference for this section of the survey as set out by the Minister of Health were:

1. The adequacy of the supply and distribution of hospital personnel;
2. The adequacy of educational facilities for training hospital personnel in sufficient numbers to staff present and future hospital facilities; and

WHEREAS the Provincial Government did very little, if anything, to follow the recommendations of this Report; and

WHEREAS there exists in Manitoba a serious shortage of hospital personnel; and

WHEREAS many beds in Manitoba hospitals are not in use because of the shortage of nurses;

THEREFORE BE IT RESOLVED that this House regrets that the Government has failed to provide for the necessary hospital personnel to use to full capacity the present hospital facilities, let alone providing for the staffing of the projected new hospitals.

MR. SPEAKER presented the motion.

MR. DESJARDINS: Mr. Speaker, I hesitated a bit in proposing and moving this resolution today. I felt that maybe I should wait until we got into the estimates of the Department of Health, then I realized that this would not change this resolution at all, the validity of the resolution, and in fact some of the constructive criticism and also, I hope after showing how much we are in trouble because of the lack of leadership of this government, I think that

(MR. DESJARDINS cont'd).... probably it would be better if I proceeded now and it might, as I say, help the Minister - I hope it will assist the Minister - in preparing some of his notes that he will give us before the estimates.

Now we know that in 1963 the Willard Commission brought in a report, the second part of a report. The Willard Report actually consists of two different sections, two books. The government did some work in the first part on the construction of hospitals - and I will not discuss what was done in this, if it was enough at this time - but did, I am tempted to say, absolutely nothing, but I will give the benefit to my honourable friend and say very little if any. Nobody can quarrel with me, nobody can deny that there exists here in this province a very serious shortage of nurses, and nobody can deny that we have a shortage of doctors - also I include doctors here because they certainly are needed in the hospitals - and nobody can deny that we have a shortage of beds.

Now it is true that we will - not in our lifetime I would dare to say - that we will never have too many nurses and too many doctors, but this is no reason why we should give up and say we won't do anything about this at all. Why do we have these? Let's take first of all the nursing profession. Why do we have this shortage of nurses? There are many reasons: the low wages; the lack of proper pay or representation from the nursing profession; the lack of education facilities; the conditions existing; and also the work that the student nurses have to go through when they are getting their education. Now those, of course, account to a certain degree of the reason of this shortage, but they are all, they are all factors.

Let's look at the wages in this province. I think that the nurses asked for an increase of 15 percent and this hasn't been given to them. They are getting less now in the Greater Winnipeg area for instance than most of the larger cities in the country. We seem to say here in Manitoba that we can't afford the wages, the scale must be lower, and if we take this attitude they will always be lower and we will never have enough. They have asked for \$375.00 and this is not being granted. We have never recognized anyone to speak for them. We always try to appeal in their interest, obvious interest in human nature, in doing something for your fellow man, but unfortunately we forget about them. Nurses, who, mind you, must take quite a course and go through quite a bit to get their diploma - I'm not even talking about those that have degrees now - do not get their demand of \$375.00 to start. Their full salary - and I dare say that most of you if not all of you have had some stay in the hospital and you see the good work that these, I say young ladies because most of them are young ladies - the work that they do.

Well these people, for all that they do, the broken shifts and the night work and so on, receive quite a bit less than the Cabinet Ministers in the province get only in tax-free money, and we're afraid to give them a 15 percent increase. Then we have kept them that not only when they graduate they are not too sure of getting an adequate salary, but then when they are going through this three year course they are to a point subsidizing the Manitoba Hospital Commission. The former Minister of Health, when I asked him a question a few years ago about the reason why the student nurses had to work and why they had to work at night and why they had to work so many hours, told me that this was all needed for them to gain the experience. If he cares to challenge me, I will find us an answer and I'll be ready to quote and give him the page. At the time I was told that there was very little of this, that they needed this work to learn. I questioned this and I also questioned the information that I was given, because many nurses were working way more, putting in longer hours than we were given here in this House.

Now we have a report that many of the experts in this field feel that to receive a diploma the nurse could very well have a two year course instead of a three year course and do away with some of this work. It's in here in black and white - and by the way this is an excellent report and I aim to congratulate the Minister when we come to his estimates because I think that this is very good - but in all this time, year after year, when I and other members of this House stood up in this Chamber and asked our friends to do something for the nursing profession - very little done. This report states that it would take quite a few nurses just to replace the student nurses if they go on a two year course because they were giving a lot of value, a lot of service in the hospital. Approximately a year ago I was a patient in General Hospital, and during two of the three shifts the head nurse was a student nurse. Mind you, she did excellent work - I am not complaining of lack of care - she did excellent work, but she was a student nurse and she was taking the place of somebody else and wasn't being paid for it. In fact, some of the hospitals charge tuition for three long years, and then after working this period of time they cannot even get - I won't even say a 15% increase but an increase to \$375.00.

(MR. DESJARDINS cont'). . . . I think that the government certainly has to take the blame on this. Well then they say, what could we do? They could have looked into this before.

Finally, after the Minister after being challenged - and I think I begged, I prayed and everything for them to do something - and they decided to have this committee and this committee brought in a good report. It's no use being destructive in this, this will be good if the government follows it, but we are so far behind because of the lack of leadership of this government who is more interested in building monuments instead of dealing with human beings. The monuments that I am talking about are the hospitals - empty hospitals, my dear Minister of Welfare - empty hospitals because you did not show the leadership to develop the personnel to staff these hospitals. The former Minister of Health can shake his head as much as he wants. He can ask - he knows what he can do but he can also ask Dr. Bradley if it is not a fact that 60 to 65 beds in General Hospital are not used. Is that right or isn't it?

.....continued on next page.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Let's ask him.

MR. DESJARDINS: All right, let's ask him right now. We'll ask him right now if we can find it. Can somebody find it for me? -- I think it's in here. And this is the case in many other hospitals. We cannot staff these hospitals adequately, we must have the student to do the work, and even at that we have to close certain beds. --(Interjection) -- All right, we'll ask Dr. Bradley. He was anticipating this because he answered this on November 15th, 1966. "Dr. Leonard Bradley, Executive Director of the Hospital, said, 'About 60 to 65 beds can't be used because of our lack of nursing staff,' Dr. Bradley told Winnipeg's Public Health & Welfare Committee." Maybe he meant that he had too many nurses and he didn't want to make any of them jealous so he thought he would close the beds, and that might be possible, but I can only read that he didn't have the proper staff. As I say, this government does not show leadership; it did not attach any importance to this part of the report that dealt with the personnel.

And now we are building hospitals. I am not against that. I think that we need hospitals, but I think it should be a little more realistic to start using the beds we have. I think it would be more realistic. Maybe my honourable friends from across do not agree with me -- I don't know - but I think it would be realistic to start using the beds. And it's not only Dr. Bradley that said this, there are a lot -- every single hospital talks about a shortage of nurses. This was one way. You might say - I was talking a little while ago about paying the nurses a little more money - you might say that maybe I follow the example of my honourable friends to the left and just talk about spending, but I say that we could save money. If we used these 60 beds we might not have to build that many more beds in other hospitals, and certainly anybody knows that if we use these 60 or 65 beds in this hospital and others in other hospitals that we would save money. There's no doubt about that. But we did not do anything on this part - we didn't do enough - and we were very lucky to keep the girls down, not to give them decent wages, at least if they knew, as I say when they graduate, that they could have this help.

Now there's another thing that we've talked about. They use these hospitals -- you know how much a bed costs? It's not just a bed, four posts and a mattress, for a couple of hundred dollars. A bed in a hospital - the Minister of Health could probably tell us - I think it's over \$20,000, quite a bit more than that, and if there are 65 that aren't used, that's pretty bad. Now, we know that there's an awful lot of wasted time during weekends in the hospitals - again we go to the lack of nurses - they can't work night and day so we only take the emergency operations on the weekends. If you really want to rush, you go in on a Friday because it's a lost week-end, you're there for nothing except spending your money. We certainly -- with more staff, more personnel, we certainly could use this hospital to full capacity, use all the beds, and use the beds in the operating rooms and so on during the weekends. This is another thing that could be done. This is again because the government does not worry about that part that dealt with hospital personnel.

If we may leave the nursing profession for a while -- oh, I should say this, that we have practical nurses and I think that the government did quite well on this. Mind you, I hope they are not going to rest on their laurels because there's an awful lot more to do, but they certainly have come a long way and I hope that we will keep on in developing these girls that are certainly doing an awful lot.

Now let's look at the doctors. What do we do to keep our doctors here? What do we do to keep our doctors here? What leadership is the government showing? I see some puzzled frowns on the faces. Well many of the doctors - some are leaving and some of them will leave because they are not part of this privileged doctor who can have his patients admitted to the hospitals. They are what you might call "courtesy doctors." They have about ten percent of the beds at their disposal and they form 90 percent of the Manitoba Medical Association. The Manitoba Medical Association has been asking the government to do something about this. There have been lots of complaints. How can you ask a young doctor to come in and practice in Manitoba if he can't get his patients in the hospital, if he loses his patients who, although they like him, but in a last resort they have changed doctors because another one will get them in?

Now, mind you, this is difficult, because there is a battle now between the university, the hospitals and the commission, and I certainly would not be one that would like to see us lose in the research. We need university hospitals, but the government has got to come out with a clear-cut policy - the government, not a few doctors representing the Winnipeg Clinic or any other clinic, the Manitoba Clinic or any of those clinics, the larger clinics, not only

(MR. DESJARDINS cont'd).... them - the government must come out with the policy. The government should have a committee that would consist of hospitals, of universities, of the Manitoba Hospital Commission, of the Manitoba Medical Association, and this committee chaired by the Minister himself to spell out the policy, to be able to tell the young doctors that might be interested in coming to Manitoba that there is a hope. We've got to have a clear-cut definition of university hospitals, but we've got to be able to take care of our doctors.

Talking about research and university hospitals, I think the Honourable the Minister of Health would be the last one to tell me, in fact he would never tell me that he's not satisfied with the work done at St. Boniface Hospital. I'm very proud of St. Boniface Hospital and I think all Manitobans should be. It's not only the people of St. Boniface, it serves all the metropolitan area and I think it has quite a reputation. I was very pleased and interested in the article that appeared in the Free Press - I think it was the Free Press - a few weeks ago on a Saturday, that let us know a little bit about this heart team that we have here. A few years ago we used to send these people to Mayo. Now they have one of the best records in North America. I know some of those doctors personally and I know their work, and I know how dedicated they are. I'm very proud of St. Boniface Hospital - I'm not saying it's any better, I could say the same thing for General and the Children's I'm sure - but I've mentioned now the three teaching hospitals in Manitoba. Do the members know - the Minister of Health knows - but do the other members know that there isn't one single professor from St. Boniface Hospital - that teaching hospital - not a single one?

A few years ago I asked the Minister why, and he said that they could, but it's a known fact that they've had to leave St. Boniface. He might say, "I have nothing to do with this," but when there's discrimination he should have something to do with it. .... I know who names these professors. It is this group - if you don't want to use the word clique - of doctors who are already there and they name the people from their same hospitals. Can't we get one or two from St. Boniface Hospital? Don't you think it would help? I was speaking to a doctor today and I was asking about this - a doctor from St. Boniface, one that you know very well - and he said that if this keeps on -- he said, in fact, "I'm starting to look somewhere else. I have enquiries in Alberta." And he says, "We have been working, and if we can't get anything at all - we're not getting paid that much - but if we can't get some recognition, if we can't do something here at St. Boniface to give us the prestige that's needed, something to help in the education of young doctors," he says, "I'm leaving this province."

Now I asked the Minister this two or three years ago, and I know that he has an awful lot of confidence in the people of Manitoba, in his staff and his advisors, but when there is discrimination - and here I charge discrimination - with the salary that they talked about, this is why they have the salary, to take the responsibility, and I think that he not only has the right but the duty to look into this, and I hope that he will this year because there is not a single professor that comes from the St. Boniface Hospital, unless he wants to get up now and tell me that he can't find a single qualified one in St. Boniface - then I'll keep quiet, then I'll be happy - if he wants, or anybody else on that side of the House, anybody from the Cabinet can tell me that they haven't got the men at the St. Boniface Hospital. This is what I'm talking about - leadership - of taking your responsibility to get the personnel to staff these hospitals with doctors and also with nurses.

There's another thing we can do. We could try to get more -- as the Chairman of the Commission recommends, why didn't the government try to do something to attract the male nurses. Mind you, they wouldn't have to leave as often to get married as some of the girls do or to have a family, and I think that the men are more stable. They're not quite as interested in travelling - most of the time they can't afford it, they have to take care of their families - couldn't we try to have a program that would encourage the male nurses to take charge in the rural areas for instance where there's an awful shortage of nurse? Maybe we should pay them a little more. Would that be wasting money? Wouldn't that be saving money? There's an awful shortage of nurses in the rural areas too - more so - couldn't we have the male nurses as a special program that would appeal to these people and that we would then have them take charge of these hospitals in these rural points? They might - some of them, many of them might be married to other nurses and they could help, they could get help from their wives. This would make a good life. As the man in charge of a rural hospital, I think that with fair salaries so that the man doesn't starve, I think that he would be very interested in going in the rural parts of Manitoba if there was a special program or something to interest him. I think that this is something that could be done.

(MR. DESJARDINS cont'd).....

These are all things -- it's easy to say we have a shortage of nurses, I know, and I hope that the government will recognize their failure. This is the reason for this motion. This is not just to embarrass the government, we've been saying the same thing for three or four years. The one good point is this, if we bring in legislation -- if we bring in legislation -- and this is the report of the Minister of Health's committee on the supply of nurses. Did we need this? I don't think they brought in too many things that are completely new. A lot of these things were -- some of the things were mentioned in the Willard Report and the Hall Report, and then the chairman of your Hospital Commission here made certain recommendations, the Nursing Association, the Manitoba Medical Association, different hospitals -- it's not new. I remember mentioning here that these nurses should not have to work if they're getting an education that's enough for their experience, and I was told that this -- what I was told was wrong. I was told that they just worked enough to get the experience, and it is wrong. It's proven here in the report that the Minister of Health asked for. But we didn't do anything about this before. Are we going to do anything now?

I hope, and I certainly will have more to say during the estimates of the Department of Health if the Minister is not announcing -- does not tell us that he will bring in legislation and bring it soon on this thing. It'll be a long time catching up. Sure we're ready to forget about the past. We're not going to do anything with the past except we've got to learn by our mistakes. The government, and if the Minister of the department can bring in progressive legislation in this department, better conditions, use a little imagination to bring in attractive programs to encourage the nurses, and if he could try to look into what I've mentioned about this discrimination that existed at different university hospitals and if he can correct it, I certainly think that we will be on the right track, but I think that it will take us a long time to catch up. There's no doubt about that, but at least we will be doing something and the nurses and the technicians and the doctors will know that there's a future in Manitoba. We have a shortage of nurses, but the Hospital Commission reduced the budget of St. Boniface Hospital, amongst others -- and I say St. Boniface Hospital, not that I'm getting any inside information except that I happen to be with my MLA, the Leader of the NDP, on the Board of Advisors of St. Boniface Hospital, and this is public knowledge.

MR. SPEAKER: I wonder if I could interrupt the Honourable the Member. It's now 5:30 could he .....

MR. DESJARDINS: I'll finish in one sentence. I just want to say this, dealing with this, that we have a shortage of nurses, they say, but St. Boniface received a drastic cut, not as much as General and others, but out of this, what wasn't approved there is \$158,000 in nursing salaries. Now you figure that out and explain what that means.

MR. ELMAN GUTTORMSON (St. George): I wonder if the House would permit me to make an announcement that I think you would all like to know about. We have in our press gallery at the moment the new oyster eating champion of Manitoba. Frank Roberts of CKY ate 235 raw oysters in one hour last night and is the new champion.

MR. SPEAKER: On the debate a few moments ago -- not the oyster one, the one before that.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Public Utilities, that the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. LYON: I beg to move, seconded by the Honourable the Provincial Treasurer, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 p.m. Monday afternoon.