

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 30, 1980

The Assembly met at 10 a.m.

On the Orders of the Day

WELCOME TO STUDENTS

MR. N.E. BYERS (Kelvington-Wadena): — Mr. Speaker, I am pleased to introduce to you and through you to the members of this Assembly, 35 Grade 4 students from the Wadena Elementary School. They are seated in the Speaker's gallery. They are accompanied here this morning by their teachers, Mrs. Michaluk, Mrs. MacDonald, Mr. Glennie and their bus driver, Mr. Krakowski. The Wadena students have travelled some 135 or 140 miles to be present for the question period this morning. The Grade 4 class from Wadena, as a rule, makes an annual visit to this Assembly in the latter part of May or the early part of June and they are very pleased that they are able to observe the Assembly in progress on this year's visit. I hope all members of the Assembly will join me in welcoming them. They have a very full agenda today — the Museum of Natural History and the RCMP Museum and other points of interest in the city. I hope their visit here will be informative and educational and that they will come back again and that they will have gained a better understanding of the operation of the Assembly as a result of their visit.

HON. MEMBERS: — Hear, hear!

HON. J.R. MESSER (Kelsey-Tisdale): — Mr. Speaker, I also would like to take this opportunity to introduce a group of Grade 8 students. I believe they are just coming into the Speaker's gallery now. They are from the community of Porcupine Plain which is in the centre of my constituency. They are 22 in number. They, also, have travelled some considerable distance to visit our capital city, to see our legislature in process and to take advantage of the question period which will be following very shortly. They are accompanied by their teacher, Mr. Bill Zolkavich, their chaperones, Mrs. DeForest and Mrs. Pete Atenaud and their bus drivers, Kashmir and Ted Kwiatkowski. I hope all members will join with me in welcoming these students not only to the Legislative Assembly but to Regina and in wishing them an interesting, enjoyable and educational time while they are here and a safe journey home. Thank you, Mr. Speaker.

HON. MEMBERS: — Hear, hear!

QUESTIONS

Cost Sharing of Drought Program

MR. E.A. BERNTSON (Leader of the Opposition): — Mr. Speaker, a question to the Premier. The Minister of Agriculture has indicated several times in the House that there was an agreement or a commitment at the deputy minister level as it relates to cost sharing on the announced drought program. In response to a question yesterday in the House of Commons agricultural committee, as it relates to this cost sharing, Mr. Whelan said: no, we did not make that commitment. No federal minister could do that until he has concurrence with his treasury board and with his colleagues in cabinet. The deputy minister and none of his officials have made that kind of commitment that I believe Mr. MacMurchy, the Minister of Agriculture in Saskatchewan has said. He goes

on to say: I get a little sick and tired of making announcements and then saying you are just going to do it. Obviously one of them is not telling the truth.

I wonder, since the Minister of Agriculture has not given the commitment that the program will go on, with or without federal funding, and since there seems to be some confusion in this whole area, would the Premier give the farmers of Saskatchewan the commitment today that the program will proceed with or without federal funding as has been done in Manitoba?

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY (Premier): — Mr. Speaker, I have listened with a good deal of care to the answers of the Minister of Agriculture to that same question a good number of time sin this House. I don't have anything to add to the very complete answers given by the Minister of Agriculture.

MR. BERNTSON: — Supplementary question. Can we take it from that answer then, Mr. Premier, that there is no commitment to the farmers of Saskatchewan as it relates to the drought program?

MR. BLAKENEY: — Mr. Speaker, I invite all hon. members to take it as the Minister of Agriculture has indicated. I think reading his answers will give a clear understanding of just what commitments have been made.

MR. BERNTSON: — Well, Mr. Speaker, obviously the Premier is waffling on the whole thing. Supplementary question, will the Premier (and we all know what the Minister of Agriculture has said) tell us why you will not give the commitment to the farmers of Saskatchewan for the drought program?

MR. BLAKENEY: — Mr. Speaker, I believe I recall the Minister of Agriculture giving an announcement in this House of a drought program with 10 points. I do not have anything to add to the very complete report which the Minister of Agriculture gave in a ministerial statement and his subsequent answers to the questions now being directed at me which he has already answered.

Negotiations with Interns

MRS. J.H. DUNCAN (Maple Creek): — A question to the Minister of Health. The interns of the province are now in a study session situation and providing only emergency services to the major hospitals of the province. What action, as Minister of Health, are you proposing or willing to take to rectify the situation?

HON. H.H. ROLFES (Minister of Health): — Mr. Speaker, as Minister of Health, I am not involved in the negotiations. I think the member for Maple Creek realizes that. The negotiations are going on between the interns and the residents and the college of medicine which is conducting the negotiations. I can tell the member for Maple Creek, as far as I know at the present time, the offer made to the interns and residents is certainly in keeping with offers that have been made across this country. Saskatchewan is well at the top level in payments to its interns and residents in this country.

MRS. DUNCAN: — Supplementary, Mr. Speaker, it would appear that the interns don't quite agree with you, Mr. Minister. The last time the negotiating teams met was a week ago today. Since you have become Minister of Health the public of Saskatchewan has

seen a threat of a strike by the nurses, CUPE and the SGEA strike which affected many facets of the health care system and an admitted confrontation on your part with the doctors of Saskatchewan. Would you not admit that your policy of confrontation with the health people in the province is doing nothing more than having a detrimental effect on the health care system in Saskatchewan?

MR. ROLFES: — Mr. Speaker, if only the Minister of Health for Alberta would be in the preferred position that I am in, I think he would easily trade . . . (inaudible interjection) . . . I don't need to pretend. I know the Minister of Health in Alberta needs to pretend and so do some of the other ministers.

Mr. Speaker, there may have been a threatened nurses strike; we had none. Alberta had theirs and there was a lot of confrontation, not only with the Minister of Health but also with the Premier of Alberta. I think we all recall that on national television.

The SGEA is not a union with which I negotiate. I think the member for Maple Creek has her facts wrong in that particular regard. SEIU (Service Employees' International Union) settled and has signed an agreement. I wish the relationships between the doctors and the government in Saskatchewan were as good in Alberta where the minister again has threatened (not only threatened but said he will proceed, and the Premier of Alberta as well) to proceed with legislation to outlaw extra billing. Mr. Speaker, I think the relationship between the health care associations and organizations and the Department of Health in Saskatchewan and the minister have never been as good as they are at the present time, and I want to thank the member for Maple Creek for bringing up this topic, and giving me the opportunity not only to pat myself on the back but also to set the facts straight before this House.

SOME HON. MEMBERS: — Hear, hear!

MRS. DUNCAN: — I have a supplementary, Mr. Speaker, to the Minister of Labour. The interns have indicated a willingness to go to arbitration to settle their disputes. Will you as Minister of Labour intervene to settle this work slow down as the public has lost its confidence in the Minister of Health?

HON. G.T. SNYDER (Minister of Health): — I'm not sure the member is directing that question to the Minister of Labour in any more than a facetious way. I would think that the collective bargaining process will function in the way in which it's expected, and I think there would be a resolution in the normal course of events without interference by this minister or any other minister of the Crown.

Additional Staff for Hospitals during Summer Months

MR. L.W. BIRKBECK (Moosomin): — Mr. Speaker, I would direct a question to the Minister of Health. Notwithstanding your lengthy reply to the concerns described by the member for Maple Creek regarding the health care administration, or the non-health care administration of your department, I would like to indicate to the minister that there are about 200 bed closures pending in the city of Saskatoon due to a staff shortage over the next two or three months. I would like to know, Mr. Minister, what proposals your government has at this point in time to bring on additional staff and to see that these bed shortages do not take place, in light of a lengthy line-up of elective surgery patients who are on the lists now, and a lengthier list that's going to be coming from these obvious shortages of beds and staff shortage?

MR. ROLFES: — Mr. Speaker, first of all . . .

MR. BIRKBECK: — I would like to ask the Attorney General and possibly the Minister of Mineral Resources to keep their mouths shut and the Minister of Health might answer the question.

MR. SPEAKER: — Order. That's my job and if the member for Moosomin would stay out of my area of responsibility, I'll stay out of his.

MR. BIRKBECK: — Then I'd hate to have you ask the questions, Mr. Speaker. At any rate, I have described to you what I and members of this House and this opposition feel is a very serious problem. We have a staff shortage (not just in Saskatoon, but in particular in Saskatoon) causing shortages of up to 200 beds because of their closures. Mr. Attorney General mentioned just elective surgery as one of the problems, but certainly with 200 beds closing in one city. I think that's a pretty big problem. I think it's incumbent upon the minister to accept his responsibilities and to answer the question in the House today.

MR. ROLFES: — Mr. Speaker, I'll be very pleased to answer that. The reason I did not answer it before is because the member for Qu'Appelle was interfering and I couldn't answer the question. Mr. Speaker, I think in my estimates I indicated (certainly the budget indicated) that there was substantial increase in staff for hospitals, and most of those went to the three hospitals in Saskatoon. If I recall correctly, I think there may have been an increase of about 150 staff for the three hospitals in Saskatoon. Bed closures during the summer are not new to Saskatchewan and not new to other provinces. It happens all the time. Doctors, nurses and other people want to have holidays; so they close some of the beds during the summer and they increase the amount of elective surgery done other times of the month.

Certainly hospitals are requesting more staff. I would be very surprised if they didn't. But, Mr. Speaker, we have made substantial moves in this regard and I think the case that the member is making simply is not borne out by the facts. The waiting list in Saskatoon and Regina has substantially decreased over the last few years. I think this government has done well in meeting the needs of the two major cities and we are addressing ourselves to that problem. I will, however, say to the member that I know we have some pressing problems. We have discussed it with the hospitals. My officials have met with them, Mr. Speaker, and we are aware of the problems but they are not of the same seriousness as the member for Moosomin is trying to make them.

Plans to Ship Ore for IPSCO

MR. R.A. LARTER (Estevan): — Mr. Speaker, a question to the Minister of Mineral Resources. Mr. Minister, it is my understanding that the IPSCO (Interprovincial Steel and Pipe Corporation) plant is reaching out as far as is economically possible in bringing in scrap metal to IPSCO. With the huge Alaska pipe line order pending for over \$400 million and the need for raw materials for the IPSCO furnaces, can the minister tell this House, are plans being formulated to ship ore from Ontario or from other provinces to fill this urgent requirement?

HON. J.R. MESSER (Minister of Mineral Resources): — Well, Mr. Speaker, let me say that is has not been conveyed to me by any source including IPSCO that they have a shortage of supply for their expanded market and their expanded production. I know that they are looking at expansion that will, in the not too distant future, require other

than scrap production to keep them going. There are discussions (not that I am internally involved in them) plans and other actions that are currently being contemplated to provide a secure source of product for the operation so that it can attain its ultimate level of expansion and provision of steel for the prairie market.

MR. LARTER: — Supplementary, Mr. Speaker. Mr. Minister, I understand that in this ore process or bringing this ore in that there had to be a process of mixing ore with coke or coal. I wonder if the minister knows of any future plans to extend facilities at Estevan or Bienfait for this mixing process for the IPSCO plant?

MR. MESSER: — Mr. Speaker, there are not any direct considerations or discussion being given to that proposal at this point in time but that's not to say that they have been ruled out. Nor is it to say that we are assuming that may be the alternative or the solution to the problem the member raises. It's an option.

MR. LARTER: — Final supplementary, Mr. Minister can you tell us what kind of results, positive or otherwise, there were on the testing of lignite coal in West Germany and also in the IPSCO plant?

MR. MESSER: — We are not enthused with the results of the tests that we have run on lignite coal as far as its contribution to the steel process.

Error In Know Saskatchewan Quiz

MR. BERNTSON: — Mr. Speaker, a question to the Minister of Education. I have here an example of the stupidity and insensitivity of the Department of Education called the . . .

MR. SPEAKER: — I ask the member to put his questions in such a manner that they don't invite debate. I think the member will admit that would be inviting debate.

MR. BERNTSON: — I agree. Mr. Speaker, and I think most hon. members would agree that's beyond debate but I accept your ruling.

It's called the Know Saskatchewan Quiz for the students in Saskatchewan; Division III, question 32 (it's a multiple choice thing, Mr. Speaker) says:

Monsieur Athol Murray founded: (1) Luther College in Regina, (2) Campion College in Regina, (3) Notre Dame High School and College at Wilcox, (4) College Mathieu, Gravelbourg.

We go to the key, Division III, question 32 and it says (4) College Mathieu at Gravelbourg. My question to the Minister of Education (and I, quite frankly, don't see the humor in this) is, several students who have written this exam, or this quiz, have difficulty getting 100 per cent. I wonder what the Minister of Education will do to correct the false impression the department is leaving around the countryside in the schools?

HON. D.F. McARTHUR (Minister of Education): — Mr. Speaker, I regret very much that the Department of Education is capable of having a printed error in some of its documents, and I will certainly take whatever steps are necessary to ensure that we correct that quiz in the appropriate way.

MR. BERNTSON: — Mr. Speaker, would the minister take it upon himself to advise all the schools and the students as to the incorrectness of that particular question?

MR. McARTHUR: — I'll certainly take it upon myself to advise them of the correct answer to that particular question.

MR. BERNTSON: — Thank you, Mr. Speaker. I have one more example. Question number 25 says: The present Leader of the Progressive Conservative Party in Saskatchewan is: (1) John Brocklebank, (2) Colin Thatcher, (3) Grant Devine, (4) Tel (Tel) Malone. Now we go the answers — Division III, question number 25 — Tel Malone.

Mr. Speaker, a moment ago you tried to define to the member for Moosomin what your function is in here, and I wonder if you'd exercise that function now?

MR. SPEAKER: — As soon as I'm able to subside my mirth, I will.

MR. BERNTSON: — My question to the Minister of Education is, would you also advise all of the schools and the students in Saskatchewan as to the correct answer of this particular question?

MR. McARTHUR: — Mr. Speaker, there is a great deal of confusion as to what is the correct answer. I think the fact that the people who prepared the document and made the error points out exactly the difficulty the hon. members opposite and the Conservative Party are having. That is clearly an indication that the hon. members should do something to clarify to the Department of Education and the public who really does lead that party over there.

MR. D.G. TAYLOR (Indian Head-Wolseley): — A supplementary question, Mr. Speaker. I notice in a publication called Saskatchewan Schools, there are a number of pictures of the Minister of Education — 13 I think, if I remember correctly. But pertaining to this quiz, Know Saskatchewan, which I believe to inform the students of Saskatchewan what the situation is in their province, I see again a pictorial question (this is for Divisions I and II students — very impressionable students). It says here, which picture shows the Premier of Saskatchewan? Looking at it, I see a picture of the Premier, Mr. Blakeney; Mr. Devine; Mr. Malone; and the fourth picture (could you believe?) is of the Minister of Education, Mr. McArthur.

Now, my question to you, Mr. Minister of Education, are you using the Department of Education to become better known in your possible bid for the leadership of the NDP?

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — No.

MR. SPEAKER: — Order.

AN HON. MEMBER: — Do you notice they didn't ask the question who is the Minister of Health?

MR. SPEAKER: — I can't ask questions, but I hope they spelled my name right. The Minister of Health.

Day Care Centre Concerns

MR. ROLFES: — Mr. Speaker, yesterday the Premier took notice of a question from the member for Rosetown-Elrose, Mr. Swan, on whether or not there was a shortage of day

care spaces in the city of Regina. Since I am the Acting Minister of Social Services, it falls upon me to answer the question.

Mr. Speaker, first of all I want to tell the member that over the last four or five years the number of spaces in Regina has increased from about 440 in 1974-75 to a total of 1,130 today which is almost a 700 space increase in the city of Regina. Mr. Speaker, at the present time another four or five applications are before the Department of Social Services. They are working on these. It should increase the number of spaces by about another 150 to 200. I am told by the officials that they welcome any further applications for additional spaces. I think we do recognize that there is a further need. The department is quite prepared to have a look at all legitimate applications for further spaces. They will address themselves to that problem. But I think an increase of 700 spaces in a period of four or five years, more than double the number of spaces available, is not a bad track record (although I think we could increase the spaces even further in the city of Regina).

MR. H.J. SWAN (Rosetown-Elrose): — Supplementary to the answer which you have given me. You said in four or five years and you said 1974. I would like to say, perhaps it would likely be seven years. That is about 100 per year. And the city has been growing very rapidly during that period. My question to you is, what are you really doing to provide space for the people in Regina when we are hearing continually that when the people apply for a place for their children, they are waiting up to a year and one-half before there is a place available for them to go to day care?

MR. ROLFES: — I already indicated to the member that since January 1, 1979, the day care division has licensed three new centres. There are centres right now which are advertising for additional children. They are not filled. It would indicate to me, if day care centres in the city of Regina are advertising for a month or five or six weeks for additional children, that maybe the need isn't quite as great as the member for Rosetown-Elrose is indicating to this House.

The department is addressing itself to the problem. The minister has announced in this House during his estimates that he is having a review of the complete day care program, I think that review will be completed in the next few months and the minister will then see if new emphasis ought to be placed on the day care program. I think we are aware of some of the needs in our urban centres, particularly Saskatoon and Regina. I think the department is addressing itself to the problem. I am not saying there isn't a need. But I am saying the need isn't nearly as great as it was a few years ago. We are gradually moving to decrease that need and to meet those needs which are being asked for.

MR. SWAN: — Supplementary to the minister, I, as well, asked a question about the problem that had been on the news about the A-1 Alliance Day Care Centre. Is there an investigation taking place? What stage is it at?

MR. ROLFES: — Mr. Speaker, an investigation of the A-1 Alliance Day Care Centre (which now I believe is called the Hillsdale Day Care Centre) did take place by the department officials and they are satisfied that there was no misappropriation of funds or serious child abuse. There were some problems related to the quality of the day care program that was offered before. They are working with the present board to try to alleviate the difficulties they are having. I think, Mr. Speaker, the day care program at Hillsdale can best be served, not through a public inquiry, since there is no evidence to show that there should be a public inquiry, but by a close communication between the

present board and the department. I think if it is left at that level the problems will be resolved in the very near future.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cowley (Provincial Secretary) that Bill No. 105 — **An Act to amend The Legislative Assembly and Executive Council Act** be now read a second time.

MR. R.L. COLLVER (Nipawin): — Mr. Speaker, here we are again. I see the Premier is running out so I won't summarize. I was going to summarize . . . (inaudible interjection) . . . Oh, did we. That's fine. I was going to summarize the points that have been made so far for the benefit of the Premier. But I notice there are one or two in the Chamber, Mr. Speaker, who didn't get an opportunity, didn't quite get an opportunity to understand all of the points so I'll just very briefly summarize. I don't want to be repetitive in any possible way, Mr. Speaker, but I will summarize.

First of all, Mr. Speaker, it has been brought forward by the government mover and one or two members to my right that the issue is one of money. This of course is absolute and utter nonsense. I believe that the issue is not money, and last evening I announced to this Assembly that I had instructed the Clerk to see that any moneys payable to me personally, covered by this bill, be deposited in a special account that would be automatically transferred to the United Way of Nipawin. That will be done, Mr. Speaker, and it will be done as long as I am a member of this Legislative Assembly.

Secondly, Mr. Speaker, I tried to emphasize to the members opposite and to a few members to my right, that the bill is ridiculous, absolutely ridiculous, because after it is passed in this Legislative Assembly, the member for Swift Current and I could declare ourselves as Liberals and would fall right back into the category that this bill doesn't cover. You see, Mr. Speaker, if we declare as Liberals, we'd then become members of a party that did run and was registered at the time of the election, and this bill doesn't eliminate that.

Mr. Speaker, there's some suggestion of, if you are accepted by a party . . . I don't think that's correct. The member will know that there have been, from time to time, attempts by constituency associations, even within this very same legislature, to unseat members by suggesting that they should resign, or by reneging or denying them. The point is, that didn't affect them one way or another. The point is, if they declare themselves as a member of that party, they are, in so far as this Assembly is concerned, members of that party. So the bill is ridiculous. Absolutely ridiculous . . . (inaudible interjection) . . . That's correct, that's correct. God forbid that we should have to declare as Liberals, but nevertheless that's just to make the point that the legislation, as it's written, is absolutely ridiculous in addition to being an attack on freedom.

I suggest to you, Mr. Speaker, just to continue the summary, that the Premier himself said that independents don't fare very well in the Legislative Assembly, and he wasn't surprised that we decided to adopt the party system. The Legislative Assembly Act as it's presently written recognizes that, and the main reason of course is because of the way the rules of the House are organized. The way the law is written at the moment enables individuals and members to take advantage of secretarial services and research

help that would not be made available to independents. That, of course, is another prime reason to want to do your job well as a member of the Legislative Assembly, to take advantage of the party system. And if there are no parties that subscribe to the views you have as a member, and if you sincerely hold those views, then, Mr. Speaker, it is incumbent upon you to perhaps begin another party and develop the support for the other party.

I suggested that the only reason why you want to enact this bill is because the people within the constituency are saying, we don't want our tax dollars to go to help the people who would break up the country. We have never stated, nor do we now state, that we are going to work to break up the country. We say the country is breaking up at any rate, and is going to break up; options have to be presented to the people now, not after the country breaks up and we have to face the kind of alternatives that perhaps the people don't want without having a proper look.

Mr. Speaker, just as an aside during the course of the summary, I want to make a comment about a shot that came across the floor last night from the member for Assiniboia-Gravelbourg. I didn't want to say anything about it last evening because, quite frankly, it might have struck home too personally in some instances. The member suggested that what I'm saying here is exactly the same as being attracted to a girl friend when you are contemplating divorce, or going out with a girl friend when you're contemplating divorce.

Mr. Speaker, that analogy, although I don't agree with it at all, could be carried to the next extreme; what this bill is attempting to do is to shoot the make-up artist because the philandering husband is looking at a pretty girl, and you should stop the pretty girl from getting make-up to make herself prettier. Put blinders on the fellow who is contemplating divorce, they should have marriage counselling. I don't think it is going to do any good whatsoever to hide the pretty girls who are wandering around the rest of the town. I don't think it is true at all. As a matter of fact, if they have a neighbor or someone who says, you're wrong trying to solve that problem because eventually you're going to break up anyway, why not examine some of the other alternatives now? — you don't shoot that guy or you don't put him out of business. Because quite frankly, if he doesn't examine the alternatives that are around, if he doesn't look at them and reject them, then he'll never made the marriage work . . . (inaudible interjection) . . . Well, I thought it was. I thought the comment by the member yesterday would be tough to follow as well.

I'm sorry for the benefit of the Minister of Labour that he finds things difficult to follow. I suggest, Mr. Speaker, that if he supports the concept of this legislation, he certainly does find things difficult to follow. The point is that he is attacking himself; he is attacking his rights; he is attacking every right of every member of this Assembly. He is attacking the rights of the people in the province to be represented by whosoever they want and he is attacking the rights of members of the Assembly to have free ideas and associate the way they like. So, it is difficult for him to follow anything if he supports the concept of this legislation.

The point is, you don't hide the facts from people if you are trying to solve their problems; that's the point for the benefit of the Minister of Labour. You don't say to the people of Canada; hey, wait a minute, we have to stop presenting the case for possible union with the United States. We cannot present that; we have to put down the people who are presenting that. Why? Because we are trying to effect a union here, Mr.

Speaker, if the union with the United States of America is so attractive, you don't hide the cosmetician who is making the case for them. You let him come out front and say exactly, precisely what he wants to say. As a matter of fact, you encourage him to say it. Why, Mr. Speaker? Because if that marriage is to succeed, if Canada is to succeed, they have to face all of the external and internal pressures on them and face them down. That's the point, Mr. Speaker.

Now, Mr. Speaker, here is the Minister of Labour, who unfortunately all the time speaks from his seat, using unparliamentary words like treachery. I don't think it is incumbent upon the minister to do that either on his feet, or in his seat. But if he wants to continue doing it in his seat, I'm going to continue to introduce it into the record. Treachery, he says, treachery against the public purse, Mr. Speaker. There are those in the province of Saskatchewan who sincerely believe that the NDP by seizing all the assets and trying to attain all the control in the province is treacherous. They believe that. They believe that they are using the public purse to further the ends of four or five people in cabinet who would control everything. As a matter of fact, I listened to members of the Assembly just yesterday raise that very same issue in this House. They said control, control, control; that's all you are interested in. You won't listen to anybody else. The four or five people in your cabinet are going to try to control things. And they consider it to be treacherous, using the public purse to further advance the aims of five people in the province.

You see, Mr. Speaker, it just depends on your point of view. One time, I had a very interesting fellow tell me that all of life was dependent upon one issue; all of life's problems were dependent on one issue. It depends on whose ox is being gored. If your ox is being gored, you're going to be very concerned, but if someone else's ox is being gored you don't give a darn and you might even help that ox get gored. Well, Mr. Speaker, that is not the way a free society works; that's not the way a democracy works.

As a matter of fact, I don't even mind telling you who this fellow was. I disagree with him at the time about oxen being gored and I disagreed with him about a lot of things. His name was Mark Baltzan (?). The members opposite will know that fellow's name and will know that I've disagreed with him on many things. Life does not depend on whose ox is being gored. There's more to life than that.

The member for Assiniboia might recognize that there's more to life than that and that it's necessary sometimes to think about others or to put yourself in other people's places. I ask the member for Assiniboia to put himself in the place of the member for Swift Current and the member for Nipawin. I ask him to do that just temporarily, Mr. Speaker. I don't ask him to do that permanently. I ask him to think about believing in an issue so strongly that you would take what some would consider to be radical action; what some would consider dramatic action; what some would consider to be suicidal action. You want to present that case and you see no other alternative but to take the action that you do. And you find yourself in this position.

You obey the laws totally and suddenly a majority says to you, the law is deficient, when in fact that isn't the case. The law isn't deficient at all because we just did it a year ago. It wasn't another Assembly either; it was this very Assembly that passed the law a year ago. So the law wasn't deficient.

I ask the member for Assiniboia if he believes in the adage, do unto others as you would have them do unto you, and to place himself in the position of minority who espouses a cause which he sincerely believes, which he is doing legally, in which he is not attempting in any way to incite violence, riot, or to incite anything more in people than

awareness of an option that may be available to them. I ask him to put himself in those shoes and then say that he would take the action that the Government of Saskatchewan is taking today. I would think that the answer would be no; I would think that the answer would have to be no because he knows that there were times when Christian people were in the minority.

I might tell the member for Assiniboia just a brief history of my own. My ancestors, Mr. Speaker, originated on the streets of London. They were Baptists who sincerely believed in their Baptist upbringing. As a matter of fact, most of the male members of my family over the last 200 years have been Baptist preachers. They arrived in the United States in, or about, 1750 and the reason they went there is because they and their relatives were being hung from the lamp posts.

Now, if members opposite would like to read history about what the Baptists had to face on the streets of London in those days, they were not very popular because they espoused the cause that they believed in sincerely. They weren't popular at all and they carried it to the extreme. People were actually hanging them from lamp posts and so they decided to go to the new world. At the time of the American Revolution, they decided that they wanted to stay with the king. They didn't believe that the revolution would best protect them. They had decided by that time that the problem for Baptists had eased in England, which it had. And so they came across to southern Ontario and settled in and around Simcoe in 1787. The town of Simcoe is probably the only area in North America (as a matter of fact it is the only area in North America) where the name Collver is as familiar as the name Smith in other parts of the country. That's where they settled.

The member for Assiniboia will realize that there have been occasions, because of those sincerely held beliefs on behalf of Christianity, where the majority did not support the view; the minority sincerely held the belief, and the majority attempted to use its majority to suppress them. That's what this bill is all about. The member for Assiniboia shakes his head. I ask the member for Assiniboia, what else is it about?

Is it about money? The answer is, no. I have answered that question. Is it about whether or not a party was registered at the time of the last election? I answered that question by saying that the CCF itself ran under the banner of the CCF, which was a farmer co-operative party. In between elections it held a convention where they joined with organized labor. By the way, in a great many cases at the time, they were a large number of farmers (the Minister of the environment will know) in western Canada who (I don't say the majority but a large number) were members of the CCF and who were very, very upset that they would join and link formally with organized labor and call themselves a new party, the NDP. Then they went back and resumed their place in the House of Commons.

The point is, they didn't resign. There was no attack on them for that. They changed in between elections. If the member wants another example of that, I can suggest Winston Churchill, who switched from the Liberal Party in Britain to the Conservative Party in Britain. I can suggest the member for Qu'Appelle and the member for . . .

AN HON. MEMBER: — Were they registered in the previous election?

MR. COLLVER: — Well, the member asks, were they registered in the previous election? That's not the point. It doesn't matter whether the party was registered in the previous election. I also pointed out to the members opposite that the original Unionist Party during the first world war was created in parliament, ran the government and then went

to the people. But during the time they ran the government, they were created within parliament. I pointed out that there are historical precedents for this kind of thing to happen. To suggest that there is anything else involved in this bill . . . (inaudible interjection) . . .

Well you say, Mr. Speaker, you go before the people and win and I'll support you. The point is, I have gone before the people and won, therefore you should support me . . . (inaudible interjection) . . . Mr. Speaker, that member for Saskatoon Buena Vista I know went to his constituents prior to the 1975 election and did not mention one single word about nationalizing potash mines, one of the greatest issues in Saskatchewan. Not one . . .

MR. ROLFES: — That's not true!

MR. COLLVER: — Well, I know that, Mr. Minister, because I have seen the pamphlet. I even brought it to the attention of this House. There is not one word in that pamphlet about nationalizing potash mines. Within six months after the election of 1975 legislation was introduced in the very first sitting to nationalize the potash industry. Now, Mr. Speaker, that's fact. It's a change of view, a change of venue, a change of ways! The minister says, no! I'll tell you what they said in this House, if you like, Mr. Speaker. What they said in this House is, circumstances have changed. When they were questioned on that and asked, why didn't you bring it before the people in 1975 at the time of the election, why are you doing it now? . . . (inaudible interjection) . . . The minister would be wise, Mr. Speaker, to read the words of his own leader. It was very interesting . . . (inaudible interjection) . . . Had the minister said he was going to nationalize the potash mines he wouldn't be sitting here today. Not at that time he wouldn't!

MR. ROLFES: — . . . greater control of our natural resources!

MR. COLLVER: — Greater control of our natural resources — that's nationalizing potash mines. Goodness gracious sakes alive!

The minister would be wise (the member for Saskatoon Buena Vista) to read the words of his very own leader. Now mind you, I was very interested to find out that neither the government party nor the party to my right knew who their leader was this morning. It was certainly an interesting 15 minutes of question period to find out who the leader of a particular political party in this Chamber is . . . (inaudible interjection) . . .

Mr. Speaker, he'd be wise to read the words of the Premier of the province of Saskatchewan when he answered that very question during the course of the potash debate. What he said was this: circumstances have changed; companies are not paying their taxes. Remember that, member for Saskatoon Buena Vista? Circumstances have changed. These corporations are not paying their taxes. Because they're not paying their taxes, we are forced to take this step.

Circumstances have changed between elections, Mr. Speaker. No, Mr. Speaker, circumstances have changed in so far as the member for Nipawin and the member for Swift Current are concerned . . . (inaudible interjection) . . . Ah, you see it depends on whose ox is being gored. The member for Saskatoon Buena Vista can't take the fact that his very government, that he himself has had to change his mind from time to time on major issues between elections . . . (inaudible interjection) . . . Of course, and the member for Shellbrook says, sure.

To be quite frank, Mr. Speaker, if the member for Saskatoon Buena Vista is not saying that he's prepared to change his mind between elections, he is not representing his constituents at all because circumstances do change between elections. It is necessary, Mr. Speaker, from time to time to take a new stand, to take a new position. Members opposite have done so.

Mr. Speaker, I'm going to ask the members opposite a very simple question. At the time of the last provincial general election, members to my right ran under a banner led by another person than the leader they presently have. Their policies since the last election have changed — in some cases quite dramatically. For example, Mr. Speaker, it has changed on the uranium industry and is almost diametrically opposite to that which they had at the time of the last election. Now that is a key industry in the province. It is one of the key areas of the province and yet members to my right, under new leadership, have taken new positions. Are you trying to suggest that because they take those new positions, they should either have to resign or the public purse should stop supplying them with secretarial help and stop supplying them with research? Are you really suggesting that? The answer is no.

They as individual members, (and every member in this Assembly will know this) as elected members of this Assembly, are entitled to change their minds. That's the system, Mr. Speaker. It happened to the member for Qu'Appelle. It happened to the member for Thunder Creek. It happened to the former premier of the province, Ross Thatcher. It happened to Mr. Walter Erb. That's just history in the province of Saskatchewan — between elections. It happened to the present minister responsible for the Canadian Wheat Board. It has happened to a great many people, Mr. Speaker. Those things happen.

MR. SPEAKER: — I wonder if the member would permit an introduction.

INTRODUCTION OF GUESTS

MR. J.R. KOWALCHUK (Melville): — Thank you very much, Mr. Speaker and the members of the House, for this honored and very important privilege. It is with the greatest of pleasure and pride that I rise, Mr. Speaker, to introduce to you and to all members of this legislature the host and the ambassador of the Kiev Ukrainian Pavilion being held at St. Basil's centre on Toronto Street here in Regina — the host and ambassador, Joseph Sotkowoy and Mrs. Sotkowoy.

HON. MEMBERS: — Hear, hear!

MR. KOWALCHUK: — Mr. Speaker, a goodly number of MLAs from this legislature: the member for Prince Albert, Mike Feschuk; the member for Canora, Adolph Matsalla; the member for Regina Victoria, Henry Baker; the member for Wascana, Clint White; the member for Regina North-West, John Solomon and his wife, Janice; MP Simon de Jong; Dr. John Archer and Mrs. Archer were most graciously hosted on Wednesday, last evening, by the Kiev Ukrainian Pavilion organizations at St. Basil's at a preview night, witnessing their complete mosaic performance of the Ukrainian culture (singing, dancing) and being treated to a most tasteful and bountiful ethnic banquet.

Mr. Speaker, as everyone here knows, it's just a few short years since this mosaic festival here in Regina had its beginning. And in my humble opinion, with our multicultural population it is the most fitting, laudable and exciting festival of its kind in

Saskatchewan, indeed in all of Canada, Mr. Speaker. This festival has grown in this year of Saskatchewan's birthday to 19 pavilions of the many different ethnic groups. Its future appears boundless, Mr. Speaker. The people who sponsor, direct, organize, perform and produce this mosaic performance deserve the highest praise and congratulations. Ambassador Sotkowy represents only one of these pavilions, the Kiev Ukrainian Pavilion such a great success, adding, Mr. Speaker, to the success of the multicultural Mosaic '80, and the total sum of multiculturalism in Saskatchewan. I am sure, Mr. Speaker, that you and all members of this legislature want to congratulate all of these people who are responsible for this grand multicultural display in the city of Regina, and wish the Kiev Ukrainian Pavilion and Mosaic '80 complete and total success for 1980 and into the future. I am also certain that all members of this legislature say to them, welcome to the legislature Mr. And Mrs. Sotkowy, and welcome to these Ukrainian members visiting here today. As you large sign displayed at the entrance of your pavilion said, welcome (vitimo) to all those who attended; we say to you as well here today, welcome (vitimo).

HON. MEMBERS:— Hear, hear!

HON. R.J. ROMANOW (Attorney General): — Mr. Speaker, this is perhaps bending the rules a little bit but I think I would be very much remiss if I didn't join my colleague, Mr. Kowalchuk, in saying a word or two to our Ukrainian friends. I will just simply do it in the other official language. Bazshimo vum schaschi. Dyakiu scho ve preshle. Vitiemo. Thanks very much.

HON. MEMBERS:— Hear, hear!

Debate on Bill No. 105 (continued)

MR. COLLVER: — Mr. Speaker, I don't speak the other official language. As a matter of fact I only speak one official language, but I also add my words of welcome to the people in the gallery.

Now, I actually lost my place there for a moment, Mr. Speaker. I hate to tell the members but I lost my place; we may have to start again so I can get wound up and back into the summary again, and so that the members do attempt to understand precisely what's going on here. But there is one thing I do notice, Mr. Speaker, that I would like to emphasize in this Assembly and to the members opposite. There is a great deal of business to be done on behalf of the people of the province of Saskatchewan. The Attorney General has made quite an extensive and lengthy list to present to us today in terms of this Assembly. We do not get to dictate the order of the Assembly. It is the Attorney General who dictates the order of the Assembly, and because of these important bills that have to be taken up today, there is very little time. Mr. Speaker, I also have a great deal more to say on this bill, so I beg leave to adjourn debate.

MR. SPEAKER: — The member has asked leave to adjourn debate. Is leave granted?

Leave not granted.

MR. COLLVER: — It is not that I didn't expect it, Mr. Speaker, but I did want to emphasize that we could have gone on with these particular bills and gone on with the peoples' business, and I notice the member did not. That's the first time by the way, in this

session, that debate hasn't been adjourned on behalf of a member. Isn't that interesting, Mr. Speaker? — the very first time. As a matter of fact, it's the first time in this session that I've asked leave to adjourn debate, and it's interesting that I wasn't granted leave. It is certainly their right not to grant leave. I just want to emphasize to you there is a list of bills to be done today; we still have time to complete them and to get on with the business of the House, but the members obviously are so interested and enthralled and fascinated by the presentation we're making that they want to hear that for the rest of today, and that is perfectly satisfactory to me.

Now, Mr. Speaker, yesterday as you will recall, I was discussing, in terms of this bill, in terms of the right of free speech and in terms of the rights of individual members, some gentlemen who had paved the way in advance for those of us who sit in this Assembly. One of them was Victor Berger, and I was part way in the story (or the saga) of Victor Berger during my remarks last night when time did not permit me to conclude. So, Mr. Speaker, because of the importance of this man, because his example for all of us is one we should all follow. I would very much like to continue with the sage of Victor Berger.

You will recall that Victor Berger was the socialist . . . (inaudible interjection) . . . No, Victor Berger. It's B e r g e r. He was the first socialist ever elected in the United States of America — one of your forebears, one of your predecessors — someone who paved the way for your brand of socialism, your kind of socialistic thought and action. He did so with considerable courage and verve; he did so against the wishes of a great many people in the United States.

As a matter of fact, Mr. Speaker, you will recall at a point in the saga when I was unfortunately interrupted by the clock, Victor Berger was about to be charged for seditious libel. He was being charged for seditious libel because of some work he had done in his Milwaukee Leader, and also you will remember the moneys to print the Milwaukee Leader were cut off so he could no longer print his socialist paper, and I'll get to that. I'm sorry; it was not the money, but the second class mailing privilege. Now that's very similar to this particular bill. The members say, oh, it's very small, just a little that's very similar to this particular bill. The members say, oh, it's very small, just a little bit. It's nothing, don't worry about it; you're not prevented from speaking or anything.

Well, in the United States when Victor Berger said things the people there didn't like, or the majority of the people didn't like, the majority, thinking they were acting on behalf of their society, decided to cut off his second class mailing privileges so his newspaper couldn't be mailed.

In September, 1917, the Milwaukee Leader was deprived of its second class mailing privilege for the future by a blanket order of the postmaster general, and relief was subsequently denied by the courts. The newspaper thus lost a daily circulation of approximately 15,000 subscribers. All first class mail addressed to the Leader was returned to the sender. The District of Columbia Court of Appeal said of the articles on which the exclusion was based (and in this opinion, the House of Representatives committee afterwards concurred) no one can't read them without becoming convinced that they were printed in a spirit of hostility to our own government, and in the spirit of sympathy for the central powers, that through them, appellant sought to hinder and embarrass the government in the prosecution of the war.

The reader can determine the general character of the Milwaukee Leader from the passages abstracted in a later paragraph and decide for himself whether the judicial and legislative comments quoted in this chapter are

correct in concluding that Berger wanted to aid Germany. My own opinion (and this is the author's) is that they err in confusing opposition to the war, with wishing the enemy to win. Whether Berger was within the terms of the espionage Act or not. I find in his writings no desire that the militarism and autocracy of Germany should triumph; but rather a series of extremely bitter and cynical attacks upon what seem to him the Junkerism and selfishness of all governments on both sides of the war.

Now keep in mind, Mr. Speaker, that a second class mailing privilege is very similar to what the government is talking about here. A second class mailing privilege is to enable newspapers. Newspapers generally collapse if they have to pay full price to get their publications out to people. So it's a grant by government, if you want. That's what it is. It was a grant by government back in 1917 to Thomas Berger and his Milwaukee Leader, which was withdrawn by the United States government.

They indicate that he wanted the war to end at once because in the absence of invasion he sincerely believed it unnecessary, and a crushing burden upon the workers of America. I say this although I am repelled by the attitude of Berger.

That's what the author says —

I say this although I am repelled by the attitude of Berger. I can understand the abhorrence of Debs for a law (Debs was the Postmaster General) which compels a man to kill fellow workers because their rulers quarrel, and recognize that he speaks from the heart even while I disagree with him. But for Berger the war seems only an impersonal step in an economic argument.

I hope the members opposite are listening to this because this is their forbearer.

He sneers at the possibility of noble purposes in the conflict, and nowhere utters a word of praise or sympathy for those who gave up home and life with a desire that the world should not be made an armed camp, and oppressed nations should be free from military domination.

Now I recall in this very Assembly, Mr. Speaker, the members opposite almost to a man, at the time of the Vietnam conflict, stating in this Assembly, and outside the Assembly, that they thought that the men who stood up, avoided the draft in the United States of America, and came to Canada, were men of sincere conscience. I recall that. Do you know, Mr. Speaker, nowhere did I see them praise the boys in the United States of America who went to Vietnam and fought hard. Some of them died and lost limbs. I heard them praise draft dodgers. Did any government suggest to them that they couldn't say that? Did any government attempt to use its power by removing second class mailing privileges, or by attempting to negate them as a political party in this Assembly? Did anyone try to do that, Mr. Speaker? No, no.

That was their right to say that. But you see, Mr. Speaker, it depends on whose ox is being gored. I wonder whether the families of boys who died in Vietnam would appreciate and approve the thoughts of members opposite about draft dodgers and draft evaders who came to Canada? Probably not.

But you see at that time, Mr. Speaker, that war was abhorred in Canada. The majority of

people in Canada thought it was a terrible war and they thought it was a bad thing for the United States to do. That's what they thought. I happened at the time to be one of that majority. I also thought it was a bad thing for them to do. So I was in the majority then, Mr. Speaker, there were people in the minority even in Canada who praised and supported the American effort in Vietnam, who encouraged the American effort in Vietnam. As a matter of fact, Mr. Speaker, right in this very Assembly we have one or two on my right who did precisely that. Should they have been damned because they took an unpopular opinion? Should they have been damned if they had decided to associate, and form an organization? Should they have been denied government postal rights? Should they have been denied government grants? No, Mr. Speaker, I don't believe so. Even though at the time I was a member of the majority. I didn't think the minority should be suppressed in any way. I wouldn't quite have gone so far as to praise the draft dodgers as some of the members opposite did, but I certainly represented and believed that their right to take that stand was as fundamental to freedom in this country as any other principle enshrined, as I've shown already, Mr. Speaker. I intend to go back to that because there's a great deal written on it. But I have shown already that this bill is against the principles embodied in the Canadian Bill of Rights. I've shown that it's against the principles embodied in the Saskatchewan Bill of Rights and the right of individuals to associate.

This has nothing whatsoever to do with whether or not a party was presented at the time of the last election or not, nothing to do with that. This bill is nothing more or less than an attempt to appease those in a constituency organization, those back at home who are saying, I don't want my tax dollars used for somebody breaking up Canada. And Mr. Speaker, let's face it; let's accept it and accept it for what it is. That's what this bill is all about. Because, Mr. Speaker, right now that's the popular view in Saskatchewan. I don't want my tax dollars used to support some guys who want to break up Canada. If we'd become Liberals, we would have been fine.

Mr. Speaker, in our opinion, in our judgment, the Liberal Party of Pierre Trudeau is breaking the country in half. In our judgement it is the very policies of Pierre Trudeau that are causing disunity in Canada. But if we had switched over to the Liberals, who we say are in fact breaking up Canada, that would have been fine in so far as even the written bill is concerned . . . (inaudible interjection) . . . Well, that may have been a good idea and may yet be a good idea just to show you how stupid this bill is.

The point is, Mr. Speaker, I couldn't support Mr. Trudeau under any circumstances. It's Mr. Trudeau who I believe is breaking this country apart . . . (inaudible interjection) . . . Not even for the \$56,000 for the benefit of the Attorney General. I've already told him money is not the issue. The principle here is however a very important one and one that the members of this Assembly had better understand. I intend to do everything I can to help them to try to understand the principles involved in this bill.

Now, Mr. Speaker, I want to get back to Mr. Victor Berger. That's not Borge, but Berger.

Despite all this, the fundamental question remains whether it is for the advantage of government, by public opinion and popular election that just because most of us consider a person's views detestable, he should be thrown into prison and American citizens should be denied the right to be represented by the man of their choice.

In February, 1918, Berger was indicted with four socialists for conspiracy under the Espionage Act.

Now, Mr. Speaker, I do apologize. I did go back over a short portion of this text but I wanted to remind members of what the issues were in terms of Thomas Berger. And now we're getting into the new part.

The indictment was brought in Chicago because the defendants were alleged to have agreed there for the issue of publications in various places. The overt acts which Berger himself was said to have committed consisted of five editorials in the Leader which were in substance as follows:

1. We were in the war because the allies were at the end of their rope and their obligations would otherwise be worthless. Continued fighting would maintain the existing high prices of munition stocks. War meant absolute freedom from labor troubles since strikes would be put down as treason. The plutocracy in its government in Washington would be enabled to establish autocracy as a war necessity. War would be a wonderful chance to establish a large, permanent army. The commercial rivalry of Germany would be ended. The submarines, Belgium's invasion and democracy had nothing to do with it.

That was his view. That was his opinion at the time. He presented it and he was accused under the Espionage Act in the United States.

2. There are many men driven insane at the front.

That was his view. That was one of the articles, Mr. Speaker. Imagine he was charged under the Espionage Act because he said there are many men driven insane at the front.

3. Young men do not talk as if they considered it an honor to be drafted.

In 1917 Thomas Berger wrote an editorial that young men don't consider it an honor to be drafted. Do you know what I have heard inside and outside the Assembly, Mr. Speaker? The reason the people don't want association or union with the United States is because the young men might be drafted if they went to the United States. They are saying the same thing that Thomas Berger said. They don't like the draft. Interestingly enough, as I said in this Assembly before, there are large numbers of people within the united States of America who don't like the draft. The only thing is that from time to time someone, somewhere, has to stand up against a dictatorship.

From time to time, in the last number of years, it has been the Americans. It has been their lot because they are the biggest and strongest. But don't think for one moment it is not, within a free society, every man's right to oppose that which even the majority may want. That is what the Thomas Berger case is all about and what Bill No. 105 is all about. It is every man's right to oppose whatever and not have government action taken to try to suppress it.

Here is one from Victor Berger, one of the first socialists:

4. Only big businessmen and their satellites are enthusiastic over the war, but they do not fight.

That is what he said. And he was charged under the Espionage Act because of it. Here is one for the member for Assiniboia-Gravelbourg, who is unfortunately not here at the

moment.

5. The Bible contains passages which are opposed to war and must therefore be considered as treasonable.

Those were the five essays which he wrote, Mr. Speaker. Shortly before the indictment, Berger was nominated for the United States Senate or, a socialist platform announcing that if elected he would work for a speedy, general, democratic and permanent peace without forcible annexations and punitive indemnities. You must keep in mind that in the United States the opposition is not elected. The opposition is outside the Assembly. They oppose; that is what the congressional system is all about. Under our parliamentary system, the opposition is elected. So they are opposing right within the chamber. But there if you want to oppose for a particular congressional district, you are not a member of the opposition. You are outside the Assembly. He was nominated to fight the seat.

War would ruin the country and could be ended by electing men pledged to end it.

That was his platform. He was defeated, but in spite of the charges pending against him, he received over 100,000 votes. I just want to interject one more thing about votes. It might interest the members of this Assembly, especially the ones who say, if you go face the people, it is O.K. with me. That is what the Minister of Social Services said earlier — if you go fact the people, it is O.K. with me. That is what they say the bill is all about.

AN HON. MEMBER: — The Minister of Health.

MR. COLLVER: — The Minister of Health, sorry. Do you know, Mr. Speaker, if we become Liberals, then it is O.K. by them too.

AN HON. MEMBER: — No.

MR. COLLVER: — Oh, yes it is. If we had decided instead of becoming Unionest to become Liberals in this Assembly after enactment of Bill 105, we would be a party for the purposes of the act. Mr. Speaker, that is a fact.

For what it is worth, Mr. Speaker, are you aware that the Liberal support in the constituency of Nipawin is far, far less today than support for the Unionest Party? Do you know, that in Swift Current the Liberal Party is in such disarray that the Unionest Party has far, far more support than the Liberal Party? You say face the people. If we had come over here and sat as Liberals, this bill says that would have been fine.

MR. BOWERMAN: — No!

MR. COLLVER: — You know, Mr. Speaker, the Minister of the Environment continues to say, no. I wonder if he has ever read the bill. Perhaps it might be necessary for him to understand the actual bill and to understand what is being done with this bill. I want the minister to hear this bill.

MR. BOWERMAN: — I helped draft it.

MR. COLLVER: — He says he helped to draft it. Then he should try to understand what it means. I just want him to understand exactly what the bill says, so that he understands that what I say is absolutely correct. What it does, Mr. Speaker, is amend clause 2(1)(d) — it is repealed. That is the clause in which a leader of a third party is allocated certain resources. It is a definition of the leader of the party. Listen to this:

(d) ‘Leader of the Third Party’ means the member who is the recognized leader of two or more members constituting the second largest group sitting in the Assembly in opposition to the government where that group is a political party registered under The Election Act on the day of the last general election.

Now, what that says, Mr. Speaker, is that the recognized . . . (inaudible interjection) . . . Ah, you see, Mr. Speaker, recognized leader of the political party, however, is not determined outside this legislature, as is evidenced by the Leader of the Conservative Party sitting up there and the Leader of the Opposition sitting in here.

AN HON. MEMBER: — And he gets the grants.

MR. COLLVER: — Who gets the grants? Who gets the grants, for the benefit of the member for Regina Rosemont? The Leader of the Opposition gets the grants. Don’t you ever forget it! The law is quite clear. You cannot pay a member outside this Legislative Assembly a grant for work which is done within the Leader of the Opposition. Let’s not be ridiculous. The point is, even after it is passed, the leader of the party, for what it is worth, is chosen by the caucus when the leader is not chosen outside the House. The leader is chosen by the caucus. The leader of the third party means the member who is the recognized leader of two or more members. That’s the new bill. It is not the old bill.

You see the Minister of the Environment is not interested in the facts; what he is interested in is espousing his opinion of the facts. The leader of the third party under the new bill is that person recognized in the Assembly by the caucus of two or more members. We could become Liberals, God forbid; that’s acceptable. But Unionests are not acceptable. They say the only reason for the bill, the only possible reason for it is because we didn’t face the people. The Liberals faced the people and were totally rejected, totally! They didn’t elect a member to this House. If a member here decided to cross to the Liberals, they have no support in Nipawin. I mean it, no support. They couldn’t raise a phone booth in Nipawin. But the Unionest Party can.

Mr. Speaker, I can assure the member that the Unionest Party can raise some memberships in Nipawin, and I can assure him that we already have. I can also assure him that the Unionest Party, even at this early stage, is higher in Nipawin and higher in Swift Current than the Liberal Party — far and away! Yet even by the new bill, even though we believe that it’s Mr. Trudeau himself who is destroying Canada, suppose we said that it wasn’t possible in this Assembly to present the views that we wanted to on behalf of our old associates, and we decided to become Liberals. Even under the new bill, the day after it’s passed, if we say O.K., we’re Liberals, we support Mr. Trudeau, we’re now recognized. But because we don’t support Mr. Trudeau, we support another cause and we had to create a party since there wasn’t a party that supported our cause, the members want to change the rules.

So don’t tell me, don’t tell the people of Saskatchewan or anybody else that the purpose for the bill is just to correct a previous error in drafting the old bill. That’s nonsense. The

purpose of the bill (be up-front and honest) is to assuage the constituents who are saying to you, I don't want my tax dollars used for someone trying to break up Canada. That's what they're saying and that's what these fellows are trying to go into.

Now, I tried to say last night that anyone who has ever been in a minority position knows the problems faced when the majority attempts to push forward its views against common sense and against good judgment . . . (inaudible interjection) . . . A jigger with the electorate, says the minister responsible for the environment. I'm sorry that the minister doesn't understand the parliamentary system.

You see, Mr. Speaker, if this were in the United States and some member did something his constituents didn't like, if 10 percent of them pick up a petition, they have what they call a recall election. And they can get rid of the members between elections in the United States of America if they don't like what they're doing.

But the parliamentary system isn't built that way. That's not the way the system functions. There is no tradition which says that's reasonable. Every tradition, every precedent says exactly the reverse . . . (inaudible interjection) . . . I sincerely hope that the member for Assiniboia (when he gets his opportunity at some point in the future to enter this debate) that instead of sitting in his chair and shaking his head saying, every precedent doesn't say that will rise in his place and give precedents for it. I sincerely hope that he rises in his place and gives precedents in the parliamentary system for recall elections. That's what I want to hear . . . Because he sat there and shook his head and said no, no, that's not true . . . (inaudible interjection) . . . in the United States? I don't know how many. Oh, you do know how many? I don't think that has anything to do with the parliamentary system, does it?

I don't know how many either. I can say this for the benefit of the member for Moosomin. There is also in the United States of America in federal congressional districts, for federal parties, recall elections. The member will know that. Not all states have that either. Some states have it and some don't.

But the point is that in the parliamentary system there isn't a recall election. Now the members will know that. What I was asking the member for Assiniboia to put forward to this Assembly is not whether there's a recall election, but is there any precedent at all for a recall election under the parliamentary system. He sat shaking his head: no, you are wrong. Well there isn't. There are no precedents because it's never been done . . . (inaudible interjection) . . . Oh, in Alberta 1937-1938. I'm terribly sorry, it lasted one year in Alberta. I will definitely take the word of the member for Regina Wascana because he is the eminent historian in this House. For one year in Alberta (I'll take his word for it) there was a law like that and it was repeated. I'm terribly sorry about that. I hope the member after the session will tell me who was actually affected by that recall legislation.

AN HON. MEMBER: — Nobody.

MR. COLLVER: — Oh, nobody. Here it was and no one was affected by the legislation. There wasn't a real precedent, it was just a law that was in for one year in Alberta. . . . (inaudible interjection) . . . Well, Mr. Speaker, the member for Regina-Victoria suggests we won't take your seat . . . (inaudible interjection) . . . Ah, we'll wait till the next election says the member for Regina Centre. You know something, that's what they should do with this bill too, because that's what makes sense. That is more logical,

that's more reasonable.

Wait until the next election to let the people decide. Accept parliamentary tradition, accept the legislative traditions in the province of Saskatchewan, accept the legislative conditions in the Dominion of Canada, accept the legislative precedents in Britain and under all parliamentary, and wait for the next election and the people will make their decision.

I can say at this point in time that the Unionist Party, at least in the constituency of Nipawin; is far in advance of the Liberal Party in Nipawin; and I don't think there's a member of this Assembly who wants to doubt that. The Liberal Party in Swift Current is even lower than it is in Nipawin. So if we wanted to become Liberals, even after the bill passes, then by the bill, it is O.K. That's how ridiculous this bill is. The minister responsible for the environment . . . I'd be happy to read the whole bill, but Mr. Speaker would say that was repetitive. I wouldn't want in any way ever to have Mr. Speaker say I was repeating myself in this Assembly.

Well, I read you one from England, and now I'm reading you one from the United States. If the member would like to wait, in due course the Canadian cases will come forward. He will be most enlightened by the Canadian cases, but Mr. Speaker, it takes quite awhile to get through some of the skulls in this Assembly.

In November 1918 before the trial began he was elected to Congress (I'm talking again about Victor Berger) from the fifth district of Wisconsin polling 17,920 votes against 12,450 for the Democratic candidate and 10,678 for the Republican. (Now remember he was a Socialist; the first one elected.) In December he was put on trial before Judge Kenesaw Mountain Landis, convicted and sentenced to 20 years imprisonment (Listen to that — 20 years imprisonment.) for writing essays.

Mr. Speaker, this is in the United States. Twenty years in the coop for writing essays, the five subjects of which I read to you, two of which are: Young men do not talk as if they consider it an honor to be drafted, and Only big businessmen fight. Goodness, gracious Mr. Speaker! Right in this Assembly, if these fellows had sat in the United States at that time, they would have been convicted of espionage and supposedly sentenced to 20 years in jail. These are people who went out and put out for freedom. People in this country have believed that they have freedom. These are really people who had to put up with stuff. I say to you, Mr. Speaker, this is a peanut issue for me, an absolute peanut issue for me. It's going through nothing compared to what some of these guys had to go through.

Berger appealed and was released on bail. On January 13, 1921 the United States Supreme Court reversed Berger's conviction because Judge Landis was disqualified because of his prejudicial conduct before the trial.

Mr. Speaker, it is not often my intent to read the footnotes, but in this case I will because I want to refer the members to Berger versus the United States 255US22, 1921 per McKenna, J. Daid, Pitney and Reynolds; J. Daid dissenting. I do want them to examine that case at their leisure. I won't bother reading the case before this Assembly but I do want them to read that case because they will find out how prejudiced this Judge Landis was and how he was able to find this man guilty of espionage for writing these few little articles.

The government then abandoned all charges against Berger but this was long after the events now to be narrated.

Now, here's what happened to his election:

When Berger presented himself to the House of Representatives in the spring of 1919 to be sworn in, it was charged that he was ineligible and the question was referred to a special committee which reported for reasons hereafter stated that he was not entitled to take the oath of office or hold a seat as a representative.

Hear that, Mr. Speaker? Not entitled to take the oath of office or hold his seat in the House of Representatives. How many people called me on open line and said: you're not entitled, you swore an oath to Her Majesty the Queen and now you're going against that? How many people thought that? Of all the nonsense I've ever heard in my life. Anyone who is prepared to stand in here and fight within this system to better the system, is doing Her Majesty the Queen's business. Mr. Speaker, to be quite frank, the Leader of the Opposition chuckles and chortles. I don't know of anyone in this Assembly except perhaps the member for Regina Wascana who reads history and who has some understanding of history.

I wonder how many know the number of people in British Columbia in 1870 who signed a petition to the President of the United States which is presently filed in the United States library. These people swore an oath to Her Majesty the Queen and also petitioned the Americans to take them in and did so swearing allegiance to Her Majesty but recognizing that Her Majesty wanted the best for her people. They asked the President of the United States to take them in rather than to become a province in Canada. . . . (inaudible interjection) . . . Well, I'd have to look that one up. O.K. . . . (inaudible interjection) . . . Now there the member for Regina Wascana, for the first time in a long time, is wrong historically. I have that document in my office.

For the information of the member for Regina Wascana, they were not American. They were settlers from America and were, at the time, British subjects who swore an oath to Her Majesty the Queen. For his information, my ancestors also were immigrants from America to central Canada (at that time Upper Canada).

But Mr. Speaker will be aware and the member for Regina Wascana will be aware that the signatories to that document, filed at the United States Library of Congress by the signatories in British Columbia at the time they became a province, requested on behalf of Her Majesty's subjects that they annex the province of British Columbia because it was apparent (and he listed a great many reasons why it was apparent to them) that it was in their best interests to become part of the United States rather than a part of central Canada. They elucidated quite a large number of reasons, many of which apply today, 100 and some odd years later. . . . (inaudible interjections) . . . Many, many of which apply today, over 100 years later.

So you see, Mr. Speaker, the member for Souris-Cannington might do well from time to time to read the history book and understand (before he chortles) that one can swear an oath to Her Majesty the Queen; can believe on behalf of Her Majesty the Queen, that something better for her subjects is in order; can in fact live by his oath of office and at the same time present options and varying opinions that may even vary against Her Majesty the Queen. You know in Britain, Mr. Speaker, the members will be aware (I believe I brought this up on one other occasion; I don't want to be repetitive) that there

is a rather famous member of parliament (there have been a number of them over the years) who swore an oath to Her Majesty the Queen, and then proceeded to give speeches in the House of Commons to abolish the monarchy. And in Britain that's acceptable.

Now, they don't take away their grants; they are still members of the parliament; they are still entitled to caucus secretaries and research officers in Britain; they don't deny them any of their rights or privileges whatsoever. Even when there is a Conservative government in Britain and the Labour members who are espousing these causes take their places and give these speeches, they don't take anything away from them at all – not one penny, not one privilege, not one right. They are full-fledged members of the House of Commons.

As a matter of fact one member first elected as a Labour member of parliament – will you listen to this, Mr. Speaker – at no time prior to his first election did he ever suggest that Britain should abolish the monarchy. He was elected to the House of Commons and after he was elected he put forward the proposition in the Commons that they abolish the monarchy! There's the issue.

In Britain the mother of parliaments can withstand that kind of suggestion from a member. There was no suggestion that he resign. Oh, perhaps there were political suggestions like we hear in this House. But there was no serious suggestion that he resign. There was no serious bill brought before the House of Commons in Britain to take away his rights as a member – none. I notice that the member for Regina Wascana is very solemn on this issue because he knows it's true. Not one! Not one right was taken away from that member. . . . (inaudible interjection) . . . Well, I hope you are checking them all very carefully, Mr. Member for Regina Wascana.

The point is, Mr. Speaker, that not one right was taken away from that member of the British House of Commons. Not one! At his first election he didn't say to abolish the monarchy. He went in there as a Labour backbencher and he rose in his place and said, we should abolish the monarchy and sat there for the rest of his term and was re-elected. You see, people do change their minds between elections.

You see, Berger failed to be sworn in. Holy mackerel!

At the same time the candidate with the next highest number of votes, Joseph P. Carnie, had claimed the seat on the ground that since Berger was ineligible, those persons who had voted for him should be considered to have deliberately thrown away their ballots.

I wonder if the people of Saskatchewan or if the minister responsible for health would accept that as a reasonable kind of decision? Because that is the kind of decision being attempted in Bill No. 105. They had deliberately thrown away their ballots because they voted for this fellow. In the words of an English judge, it was just as if they had voted for the man in the moon. That is what this bill is designed to do, to try to say to the people of Nipawin and the people of Swift Current, you voted for the man in the moon. And when you cast your ballot for that man, you threw it away. You threw away your vote. It was just as though you hadn't voted.

You know, Mr. Speaker, and every member of this Assembly knows, that parties aren't voted into this Chamber. Individual members are voted into this Chamber, not parties.

Think of the chaos in the parliamentary system if it were parties that were elected and not members. How would members in this Chamber be able to conduct the business of the people of the province when their party conventions pass a resolution demanding that they, as members, do a specific thing? And they say that is not binding. The Premier of Saskatchewan says, that is not binding on us; we are not elected as a party; we are elected as individual members. How could the member for Saskatoon-Sutherland, for example, rise up in this legislature and espouse his views if it were the party that was elected?

The member for Saskatoon-Sutherland espouses views, from time to time, which are diametrically opposite to those of his party and to those of his government. He was elected as an NDP and he sits in this legislature as an NDP. Why haven't you taken away his rights as an individual member? Why haven't you demanded that his rights be gone and go to the people before the next election? He was elected as an NDP.

That is the principle of this bill. If you are elected in one party and you express views opposite to that party between elections, you are not entitled to be supported. You are not entitled to the rights of a party in this House. The member for Saskatoon-Sutherland (and I would be happy to cite example after example) has espoused views diametrically opposite to those of the members on the Executive Council and to those of his party.

AN HON. MEMBER: — He got you in trouble, Peter.

MR. COLLVER: — No, he is not in trouble. That is his right. I hope to educate the member for Moosomin, too. That is his right, because he is not elected as a member of a party. He is elected as an individual. If he is elected as a member of a party and his party takes a diametrically opposite view to his, according to the minister he should resign, or at the very least his privileges as a member of a caucus should be suspended. That is what this bill says. Now, Mr. Speaker, I want to take the reverse of that.

AN HON. MEMBER: — You're mixed up, Dick.

MR. COLLVER: — You're mixed up, says the minister responsible for the environment. I don't think the people are going to think I am mixed up when these views come out. I think the people are going to remember that the NDP had a resolution at its last convention (as a matter of fact many resolutions at the last number of conventions) which stated that sexual preference should be a part of human rights. Do you remember that boys? That's what your party told you to do. Your party said, put that into the law. But the Premier of the province of Saskatchewan, the Attorney General of the province of Saskatchewan, who are members of that party, said, we take resolutions as guidelines but we act on behalf of (get this, Mr. Speaker) all of the people of our constituencies, and therefore we have to use our best judgment in this Chamber. Remember, that, Mr. Speaker? Do any of the members opposite remember that? Should the privileges, secretarial help and research of the NDP be withdrawn because their party told them to do one thing and they as individual members chose to do another? I ask you, because that's what you are saying in this bill. Why not, Mr. Speaker, withdraw the privileges, withdraw the leader's right?

I could tell you of motions that occurred in the Progressive Conservative Party of Saskatchewan as well at the last policy convention, and which the present Leader of the Opposition has diametrically gone away from. He used his best judgment and the judgment of the new leader to create and forge new policies. The fact is, Mr. Speaker, should the privileges and rights of the member for Souris-Cannington be withdrawn?

Should his designation as Leader of the Opposition be withdrawn? You see, Mr. Speaker, it doesn't make sense does it? Individuals are not elected to this House as a party. They are elected here as individuals. And I realize, Mr. Speaker, that from time to time it has been difficult to present logical arguments to the members opposite and to some members to my right, but I believe that the logic of this argument will become self-evident very, very quickly.

The purpose after all of debate in this legislature is for members to understand the logic of various positions. What is the logic of the position of a government which says that unless the views of a party were presented at the last election, from their standpoint it's not a party? What's the logic? How can it possibly be presented to the people? You know, Mr. Speaker, the people won't buy it. It is a presumption that members should listen to those few loudmouths in a constituency who get carried away with their own emotions and who say, I'm not going to use my tax dollars to support anybody who wants to break up the country, as opposed to the logic of retaining a free society and a free system. That logic will become increasingly evident over time. I mentioned that Thomas Berger presented himself to this House of Representatives to take a seat, and that the next candidate was chosen because they said that the people had thrown Berger's votes away. They didn't like Mr. Berger you see.

The Governor of Wisconsin ordered a special election on December 19, 1919. By the way, for the information of the members opposite, all states have the privilege of recall if the governor so decides; only some states have the privilege of recall written into their constitution. That's for the legalistic minds and historians across who think they have all the knowledge for the United States.

The Republicans and Democrats nominated a fusion candidate and the name of the party was Fusion. The German paper, The Herald, appealed to all German Americans to support their compatriot against Berger. The socialist vote was increased by nearly 8,000 over the first election.

Now Mr. Speaker will know that I'm not getting anything personally from this bill. All moneys designated to me personally have been donated already to the United Way of Nipawin. I receive nothing personally at all. But I say to the members opposite, keep Bill 105 before this House all summer. I want you to do it. Keep it there all summer, because the more I'm out front on Bill 105, the more support I'm going to get. There it is, Mr. Speaker. Do you think that I could buy this opportunity for \$56,000 or \$500,000? The answer is no. But keep in there guys. Do you think you are going to tire me out? Good luck.

Increased by nearly 8,000 over the first election, Berger received 25,802 ballots to 19,800 for his opponent. On January 10, 1920 the House again refused to seat him. This time six representatives voted in his favour, including the floor manager who said during the debate and I quote:

Mr. Berger has been elected anew to the House by a majority of those who vote in his district, and to me the question is whether we shall maintain inviolate a representative form of government where people who desire changes in the fundamental, or other laws of the land, shall have the rights to be represented on the floor of this House when they control the majority of the votes in a congressional district.

Now Mr. Speaker, is there anyone in this Assembly who is saying that I was not duly

elected to Nipawin in 1978? Is there anyone here who is questioning that? Is there anyone here who is questioning whether the member for Swift Current is the duly elected representative of the people of Swift Current? Is there anyone questioning that? This is what the floor manager said:

I do not share the views of Mr. Berger, but I am willing to meet his views in any argument before the people rather than to say we shall deny him the opportunity to be heard when selected by the people in the legal form and invite them in effect to resort to violence.

Do you hear that, Mr. Speaker? In the United States, a country which unfortunately was born of violence, he says that action might incite people to violence. Are you willing to take that chance? Are the members opposite willing to take that chance, would they attempt to suppress views through blackmail and by bringing in a chintzy little bill? This is the first step, Mr. Speaker. Remember Thomas Berger to start with just had his second class mailing privileges withdrawn.

The member for Regina Centre asked what page we're on. In terms of this particular volume, Free Speech in the United States (you will recall I did cite from one British case), I actually started in the middle. That is interesting, Mr. Speaker, I do want the members to understand how far we have come; just to let them know what interesting facts are going to be presented to them over the coming days, weeks and months. You see, Mr. Speaker, it is now noon on a Friday with one hour to go. This is the first book we have used in this debate, the very first view we have taken at all.

Page 241 is where I started in the book entitled Free Speech, at a chapter entitled, Purifying the Legislature. We are now on page 251. I just wanted you to know that we are already here, just for your information. It might interest you to know that under this section, Purifying the Legislature, we have (between last night and today) been through the example of John Wilkes. We are now in the example of Victor Berger. There are only four more examples to go, Mr. Speaker, of this kind of activity which have occurred. Someone has delivered me something while I am on my feet.

AN HON. MEMBER: — How many pages in the book altogether?

MR. COLLVER: — In this book, let me see – 608. At any rate that's in this book, Mr. Speaker. I would never want to come into this House and read out of just one book willy-nilly. I want to give good examples to help the members make their decisions properly. You may rest assured we will give good examples.

I return now to the discussion by the floor manager in the House in Wisconsin:

Has it come to the point that a man who believes certain things cannot be heard? His people, his constituents desire him to represent them. It is not our duty to select a representative from this congressional district; that is the duty of the people back home.

That's what he says. That's the duty of the people back home. It is not our duty in the legislature to select the representative. It is not our duty to try to prevent that legislator from doing his job properly. And if, in order to do the job properly, the House in its wisdom a year ago decided that certain secretarial and research privileges should be provided to those who espouse a cause in this legislative Chamber, it is not the right of the people in this Chamber to make the decision whether those representatives should

get that kind of assistance to help. If every member has it, we are entitled to it. It is not your right to decide that. It is the people back home who shall decide that.

People have gone through far more than I have to protect this cause; people have gone through far more than I ever will to present this cause. It is fundamental to the actions of this Chamber. It is fundamental to the actions of this country. Mr. Speaker, what I have to go through here is nothing compared to what they've gone through. Has it come to a point that a man who believes certain things cannot be heard?

Within an hour after Berger was unseated the socialist committee – Mr. Speaker, I keep having to remind the gentlemen opposite that this man was a socialist, one of the first in North America. This is what he had to face! This is what your forebears had to face because they decided that something new, something different was needed. There was something wrong and they chose to present something new to the people, something different. The majority didn't like what was being presented. This is the first socialist elected in the United States.

The socialist committee in Milwaukee announced his renomination for a third contest an hour later. However, he was not permitted to approach Wilkes's record, for the Governor of Wisconsin decided that another special election would be too expensive. Meanwhile Berger was forbidden to speak in several cities, including that founded by Roger Williams, and Jersey City forcibly ran him out of town. (Did you hear that? Jersey City ran him out of town).

Berger's enemies, like those of Wilkes, adopted against him the very methods that vastly increased his influence.

I say, keep Bill No. 105 number one on the list every day!

Berger's enemies, like those of Wilkes, adopted against him the very methods that vastly increased his influence.

You see, Mr. Speaker, I didn't mention it earlier today. I'm going to mention it now because you will recall that I attempted to adjourn the debate. And for the first time in this entire session . . . (inaudible interjection) . . . Name me another debate that was refused adjournment this session? Thank you very much, Mr. Attorney General. For the first time this session a member was refused the privilege of adjourning the debate.

Mr. Speaker, it might interest you to know, for the benefit of the loudest no I heard, which came from the Minister of Agriculture, that this bill was first introduced but 10 days or 15 days ago. It was at the very first introduced two or three weeks at the most. I listened to the members opposite grant the member for Wilkie an adjourned debate at least five times for a bill that had been introduced last December.

You see, Mr. Speaker, there's a difference. The members to my right believe there is some kind of a triangle or coercion here between the government and myself. They believe that somehow I've developed some kind of affinity. I've become, if you like, nothing more than a second-class socialist. But what they would have me be . . . (inaudible interjection) . . . Well, you see the member for Saskatoon Buena Vista suggests, God forbid that. I said God forbid the Liberals. Perhaps, Mr. Speaker, it should be a member's own choice as to what party he associates with. And isn't that what this debate is all about? What party do you associate with? I don't like the NDP; I don't like

the Conservatives; I don't like the Liberals. Where do I go – Social Credit? I don't like the Social Credit. Where do I go?

The member for Moosomin asked what's wrong with the Conservatives. I think I mentioned something of it yesterday . . . (inaudible interjection) . . . Oh, yes. Well perhaps at such time as the members to my right stop being influenced by that one, I might have more respect for the views they are presenting in this House. That isn't what I'm saying at all. I have every admiration for the Progressive Conservative Party. I just believe they are whistling in the dark. I believe they believe that somehow Canada can be kept together. I say more power to you if you believe that. I don't believe that. I don't think it will work.

I mentioned last night that I don't believe in club rule. The club in my opinion is not going to let go. They're going to work through the Conservatives and work through the Liberals. I say to you that part of the club living in Toronto happens to represent the labor movement in Canada. The article the other day failed to recognize that they didn't call in McDermott to talk about keeping labor harmony in northern Saskatchewan. Then you would have the whole club there sitting around in Toronto trying to make these kinds of decisions.

Now, I don't happen to believe the club is going to let go. The Conservative Party believes it is going to let go. I say, more power to you. I'm not going to embarrass you by saying I'm a Conservative, but I don't believe Canada works. That would be worse. You see, I couldn't do that. That's not fair or reasonable or rational to a party for whom I have much love and helped build. I don't think that would be reasonable, but I also don't believe Canada will survive.

I'm not saying that I hope it won't. In fact, I hope it does. . . . (inaudible interjection) . . . Mr. Speaker, it's unbelievable that a member in this legislature can't state his views. The member will be aware I've also said that outside the legislature. I hope it does. I don't believe it will. There's a difference. There's a difference between those words, Mr. Speaker. They express a different feeling, a different view than that which the member for Saskatoon Buena Vista seems to be able to grasp, seems to be able to . . . (inaudible interjection) . . . Oh, you see, Mr. Speaker, sit on both sides of the fence they say. My goodness gracious sakes alive, if the member hasn't ever sat on the fence in his life, then he just hasn't lived. You have to sit sometimes on the fence to figure out which is the best possible opportunity, which is the best side of the fence to be on. You must do that, Mr. Speaker. If you do that from time to time, you don't belong in politics. That's for darn sure.

But I'm not even sitting on the fence, Mr. Speaker. . . . (inaudible interjection) . . . Oh for heavens sake! What I'm saying to you, Mr. Speaker, what I'm saying to the people of the province of Saskatchewan, what I'm saying to anybody who wants to listen is I believe the club won't let go. If you can make them let go, more power to you. But I think it would be short-sighted of you, Mr. Speaker, and of every other citizen in Saskatchewan to say that, because I believe the club is not going to let go and because I therefore believe that Canada is going to break up, I should somehow be censured and told I'm trying to break up the country. How in the name of heaven can someone, who says that the club isn't going to let go and you're not going to be able to take them over, and therefore the country is not going to survive and we better look to other options, break up the country?

Is that the kind of willy-nilly thinking that said you should charge with the light brigade?

The answer is that's ridiculous, Mr. Speaker. If you have a lousy leader and the leader says charge into the face of these machine guns, are you going to do it? I hope not. I hope you're not that silly. I hope you're not that crazy.

You see, Mr. Speaker, because I have those views an attempt is being made by this legislature to censure me. . . . (inaudible interjection) . . . That's right. Mr. Speaker, coming out of the same mouths as the guys who say we don't like the draft, and gosh we hated the war, gosh we hate anybody who stands up for freedom in the world; from the same mouths they say, what kind of an army would you be in? You see, Mr. Speaker, the only difference between them and me is that I'm prepared to stand up for what I believe in. I'm prepared to stand up and be counted and try to do something about it instead of sitting and waiting to be led to the slaughter by people you don't agree with to begin with. . . . (inaudible interjection) . . . I didn't say that. Mr. Speaker, I hope the members check the record to see whether or not I said, I'm sitting on the fence. If they can tell me I said that in this Chamber, I'll be surprised. I would also be surprised if anyone in the province of Saskatchewan would believe Dick Collver ever sat on the fence on anything. Not a living or breathing soul believes that, Mr. Member for Saskatoon Buena Vista. They may not agree with what I do, but they sure as heck wouldn't say I didn't present the views the way I saw them.

AN HON. MEMBER: — You're an opportunist.

MR. COLLVER: — What an opportunist, Mr. Speaker, what an opportunist! A guy leaves a business career to go out for a party with 2 per cent of the popular vote – what an opportunist! A guy who has been sitting with a party in the position of opposition (a party he darned well built) and who goes out, for heavens sakes, to take a position which the minister and everyone says is terribly unpopular – what an opportunist!

Mr. Speaker, when opportunities like these knock, I suggest everyone get their hands up to the door quickly because you want to open the door and run right through.

AN HON. MEMBER: — Does the line form to the right or to the left?

MR. COLLVER: — Sometimes the comments in this House go from the sublime to the ridiculous, and boy I'm telling you that's neither sublime nor even easy; that's just plain foolish . . . (inaudible interjection) . . . Mr. Speaker, the member has suggested he has listened to 10 hours of this. You know what, Mr. Speaker? He may listen to lots more of this. . . . (inaudible interjection) . . . We'll see. Oh, I think he can ask his own members in this Assembly whether or not a member has the right to present his case to the best of his ability, and to cite references and so on.

Article 1, section 5, of the American constitution provides, 'each House shall be the judge of the elections, returns and qualifications of its own members.' This should be compared with a later clause, 'each House shall punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.'

The broad question raised by the Berger case is whether, under the clause first quoted, a person who has received the highest number of votes in an election for representative or senator should be refused a seat because of his expression of unpopular opinions. More specifically, should he be excluded, because during the past or pending war, he opposed its continuance and the methods by which it was waged. Either way the question is full of difficulties

which I shall content myself with sketching.

These difficulties will be somewhat lessened if the main problem be split into several parts. (a) May the House reject a person for any reason the majority chooses?

At the outset we are confronted with two extreme views. The first is that the constitutional provision first stated gives the majority of the House the unlimited right to exclude any elected person for any reasons it chooses to adopt. Since the House is the sole judge, it can act at its own sweet will.

Now, Mr. Speaker, I just want to interject here to say that on Bill No. 105 this House is the law, and eventually if this law passes, each member only has to live with himself. He certainly will be doing the will of the majority according to their feelings. He will be doing what the majority out there wants, they don't want any of their tax dollars going toward helping anybody who is breaking up the country according to their view.

Well, Mr. Speaker, I'm inclined to believe as these cases suggest, and as all of the cases like this are going to suggest, that you know, the majority changes. People are not so stupid and what they recognize is an attack on this institution (an attack on personal freedom) in due course. Do you remember what happened to John Wilkes? He was re-elected until the day he died. Do you remember what happened to Mr. Berger? The socialist increased his vote because (and I just want to repeat that statement again) Berger's enemies like those of Wilkes adopted against him the very methods that vastly increased his influence. That's the extreme view.

It is like a social club says this; it is like a social club where anybody can blackball a candidate merely because he dislikes him. Do you hear that Mr. Member for Assiniboia-Gravelbourg? That's what a club is; merely because they dislike you this club can blackball you. Do you like that? That's a fact! This was the view adopted by the House of Commons in regard to Wilkes and repudiated by the ensuing events in England and the enthusiastic approval of liberals in the American colonies. I noticed that is a small 'I', Mr. Speaker, not a large one.

The second and opposing view is that the constitution itself lists all the qualifications and that if a district elects a man who conforms to its requirements, he must be seated, no matter how unfit for participation in law-making the rest of the House considers him. His unfitness is not a reason for exclusion by a majority vote, although if it be continuing in its nature it may justify his later expulsion by a two-thirds vote. I shall explain shortly what are the express constitutional requirements of a representative to which this second view permits nothing to be added. The first view seems unsound. When the constitution says that each House is to be the judge of the qualifications, this means that the House is to behave like a judge and not like a dining club or a dancer selecting his partner. The separation of powers is not absolute. The court sometimes makes laws, therefore its own rules; conversely the Senate exercises judicial powers when hearing an impeachment and so does either House in passing on the qualifications of a member. Hence it must decide the facts by applying them to the rules of law and must not proceed arbitrarily. For instance, the majority has no right to exclude the minority by a new Pride's Purge. It is no answer to say that if the House of Representatives should exclude a man on some whimsical ground, no appeal would lie from its action. Neither is there any appeal from the

Supreme Court. For this very reason, the court feels a grave responsibility to decide according to law. In the same way the House has only the power to decide whether the man received the proper number of votes and satisfies the qualifications established by law.

No one is doubting that we are legally elected representatives of our constituencies in this province. No one is denying that. We sit here properly and legally; no one is denying that. What you're attempting to do though by Bill No. 105 is to facetiously change the rules like a dancer changes partners, the very rules you made but one year ago. Listen to this one, Mr. Speaker:

And it ought not to create new requirements for a particular case any more than a criminal judge ought to invent new crimes.

What do you think of that, Mr. Speaker? There's a pretty good statement. A House, says this writer, ought not to create new requirements for a particular case any more than a criminal judge ought to invent new crimes. Isn't that what we are doing here? Isn't that what Bill No. 105 is doing – creating new requirements for a particular case? The member says that we are not creating a new one, we are just acknowledging one.

The Legislative Assembly Act took about seven months to create and prepare. Seven months of negotiations and arguments, bickering and presenting, blackmailing and wheedling, and all kinds of little games were played to finally get the act into this kind of shape by the very members in this House. They made the rules back then, and now they are changing them. Don't try to fool anybody, because nobody's buying it anyway. It ought not to create new requirements for a particular case any more than a criminal judge ought to invent new crimes.

Let us assume then that the House should judge the facts of an exclusion case according to general rules of law, namely 'the qualifications'. It should not sit like a caliph in the Arabian Nights, disposing of an individual according to personal notions of his unfitness. The elected person should be condemned only if he has violated standards to which the House has already applied or expects to apply to any other man similarly situated. Having accordingly rejected the first view stated above, are we thereby forced to adopt the second view or is there a middle ground available? We have explored the meaning of the constitutional word 'judge'. Let us now try to interpret 'qualifications'.

Are the qualifications to be applied by the House limited to the constitutional requirements for membership? What then are the lawful qualifications which an elected person must satisfy to be seated? On this point, the second view already mentioned is adamant. It recognizes only five reasons, given by the constitution itself, for refusing his seat to the man who has received the highest number of votes. Three of these are carefully listed for the House of Representatives in the original constitution. No person shall be a representative and shall not have: (1) attained the age of 25 years; (2) been seven years a citizen of the United States; and (3) who shall not, when elected, have been an inhabitant of the state in which he shall be chosen.

Now, Mr. Speaker, you will know that The Elections Act in Saskatchewan outlines the qualifications of the members of this Legislative Assembly in a similar fashion. The member for Swift Current and the member for Nipawin have complied in every possible detail, in every legal way possible with those requirements. We have complied to every one, every law. We have also complied with The Legislative Assembly Act, decided by

these very same members less than a year ago. But the members in this Chamber want to bring before this Chamber a bill that makes certain demands in addition to those drawn up less than a year ago. What they are really trying to do, Mr. Speaker, is to deny the right of a member to associate with whomsoever he shall desire, to associate with a party that he may desire, and to create a party if he so desires.

The Legislative Assembly Act states that the party is recognized if the chief electoral officer of the province says it's recognized. There is a letter on file with the Clerk's office that says the Unionest Party is recognized by the chief electoral officer. You see, Mr. Speaker, legalities, the rule of law.

The Attorney General mentions the time, Mr. Speaker. Victor Berger, the case of Victor Berger runs just a few more pages I'm sorry to say – just another 13 pages. But, right after that (I want the Attorney General to be on the edge of his seat) is the case of the five New York socialists. I want them to be alert and awake for the time when we get to the five New York socialists.

You see, Mr. Speaker, many of the freedoms in the United States, as many of the freedoms in Canada, were created by socialists. Now the socialists, because they have power, want to start taking them away from others. Your ideas now are the ideas of the majority. Isn't it wonderful? It depends on whose ox is being gored. When you are a member of the minority you fight like crazy for minority rights, but by George when you are a member of the majority, you snatch them away.

I wonder what's going to happen when some intelligent person in the province of Alberta starts to say that Grant Notley should no longer receive his grant for secretarial help or research help because he represents a viewpoint that is unpopular in Alberta, and is a minority in Alberta. In fact, in so far as the people are concerned, he is talking about changing society drastically and dramatically, of socializing and nationalizing all the means of production in the province of Alberta. I wonder if some intelligent person is going to say, I don't want my tax dollars to go to help that kook. I wonder if that will happen and if the people in Alberta will listen. I don't think so. I think that other legislators have developed a tradition far superior to that of Saskatchewan today.

I am amazed that members opposite, the NDP, would introduce this motion in the legislature, let alone persist in bringing it on to this order paper, and block the other business. Then they block the adjournment of the debate for the very first time in this session; the very first request for an adjourned debate that I have given to this session. No, I'm sorry, that's not true, it's the second or third time. I'm sorry, I did adjourn a couple of others. Yes, that's true. Oh, oh, I made a mistake there – first one, first one. You see, Mr. Speaker, they deny adjournment of debate. Why? The Attorney General says he's going to save Canada with his speech in which he mentions my name. Isn't that just what I said earlier? Options have to be presented and here is the Attorney General able to present a save Canada speech and he mentions Dick Collver's name. Isn't that what I'm saying? Options have to be presented. Nobody has to sit on the bench. If you didn't have Dick Collver, how would you get that point across. You see, Mr. Speaker, I do add some value (just as I was saying to the member for Assiniboia-Gravelbourg). A save Canada speech in which the Unionest Party is mentioned. . . . (inaudible interjection) . . . The Attorney General said to himself, marvellous. Mr. Speaker, I do want to finish the case of Thomas Berger today because I know the members will be anxious to get on with the case of the five New York socialists the next time we meet. So I return, Mr. Speaker.

So, also, a senator must be: (1) 30 years old; (2) nine years a citizen of the United States; and, (3) an inhabitant of the state for which he is elected. (Again, this is similar to the province of Saskatchewan.) A fourth requirement for both Houses is clearly implied by the constitutional word 'elections'. Bribery and corruption connected with the election disqualify the man with the most votes because they prevent him from being elected. Fraud vitiates all transactions so no valid election has taken place. A fifth and last qualification in which the italicized clause was important for Berger's case, as we shall see later, was added in 1868 by section 3 of the 14th amendment.

No person shall be a senator or a representative in Congress who hasn't previously taken an oath as a federal or state legislator office to support the constitution of the United States; shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof; but Congress may by a vote of two-thirds of each House remove such disability.

There is much strength in Justice Storey's position that nobody has power to add to these five constitutional requirements for eligibility. It would seem but fair reasoning upon the plainest principle of interpretation that when the constitution establishes certain qualifications as necessary for office, it meant to exclude all others as prerequisites. From the very nature of such a provision, the affirmation of these qualifications would seem to imply a negative of all others. The power to judge 'qualifications' as thus construed means only constitutional qualifications. The constitution gives the voters of a district the inalienable right to choose anyone they please who satisfies the requirements named to the constitution.

Representative government relies on the judgment of the people to pick fit men, not on the wisdom of a House of Congress or any other select group.

I know that passes over everybody's head here but I'll just repeat it again. Do you hear that, Mr. Speaker? 'Representative government relies on the judgment of the people to pick fit men, not on the wisdom of a House of Congress or any other select group.' . . . (inaudible interjection) . . . I accepted, you see (for the benefit of the member for Regina Wascana), the wisdom of the people in 1978. You should accept the wisdom of the people in 1978 as well. They chose fit men. And it is not for you to decide to which party those men shall belong. It is not for you to decide which party those men shall create. It is not for you to decide anything like that. The people picked fit men and those men shall make those decisions themselves. That is the system. That is the tradition. That is the way it has to be. And if you try to interfere with that, Mr. Member for Regina Wascana, all you are going to destroy is yourself. All you are going to destroy is this institution.

If you don't believe me, ask the constitutional legal expert at the University of Saskatoon. If you don't believe me, ask any reasonably intelligent person in this province who understands the issues. And I tell you this, Mr. Speaker, (if I didn't have to be in here discussing and pointing out to the members) if I had time to go to every person in Saskatchewan, it wouldn't take very long before they would understand what the real issues are. And they would be clamouring on their doorsteps to withdraw Bill 105. That's the point, Mr. Speaker, because it is their very lives which are at stake here. . . . (inaudible interjections) . . . Do you hear that, Mr. Deputy Speaker, the Attorney General says he mentioned me twice in his speech on saving Canada. I must

be useful.

MR. DEPUTY SPEAKER: — Order, order!

MR. COLLVER: — Mr. Deputy Speaker, while I am on my feet I would like the Attorney General to understand that we would very much like a preview of his speech. I still have some time left today. If the Attorney General would like to pass his speech over here, I would be more than happy to preview it for the members of the Assembly, so they understand the need for the Unionest Party in Saskatchewan.

MR. ROMANOW: — I don't want to give Jimmy Carter the publicity!

MR. COLLVER: — We are back now, Mr. Deputy Speaker, to Mr. Justice Story's position. I go on:

By this view, even crime is no bar to membership, except reason by virtue of the 14th amendment.

That's in the United States. In Canada we also have a treason law. I ask the members opposite, have I been charged under the treason laws of Canada? Has the member for Swift Current been charged under the treason laws of Canada? The answer is no. Therefore, we haven't broken laws of any kind whatsoever. Why then are you selecting us for your special consideration under Bill No. 105? If you believe in the rule of law, then you must allow the law to take its course. You don't change the law midstream just because you don't like what people are saying.

If you believe in the rule of law, and the French cultural association says to the people in Quebec, vote yes to break Canada in half, you don't withdraw their funding from the Government of Saskatchewan. They wanted to break up Canada; they said so at the time of the vote. They didn't say Canada was breaking up and therefore we're going. They said let's bust it! But you continued funding them and didn't withdraw a ten cent piece from their funding. They didn't advocate a yes vote at the time that you brought in the grant. Oh no, they didn't go back to the French cultural association and take a vote as to whether a yes vote should be supported in Quebec! Oh no, the president of the association said, we support a yes vote in Quebec and are sending the message to Premier Levesque and the press to say so. You didn't withdraw a dime of their funding and you shouldn't have.

The situation is identical there. It's pertaining to the same country, the same situation exactly. Yet you did nothing and you shouldn't have, because in a free country that is their right! But because we are sitting in this legislature . . . I am not going to attribute any motives to any of you, because I am sure you can attribute your own motives to yourselves.

I might quote from the Premier of the province who said, this man is very dangerous; we don't want to take him lightly. I might quote from the Attorney General who says, this man is very dangerous, we don't want to take him lightly.

I note the Leader of the Conservative Party who says, this man is dangerous, we don't want to take him lightly. What is the danger, Mr. Deputy Speaker? Is that what you are afraid of? Is the danger that I'll present my views and people will listen? Oh, is that what you are afraid of? You want my views presented to the people of Saskatchewan, you just

keep this Bill No. 105 before me for as long as you like and you'll listen to these views every day for a long, long time.

What is the difference, Mr. Speaker? The only difference is that the members believe that they can capture a few immediate political brownie points. . . . (inaudible interjections) . . . I hope so. Mr. Member for Estevan says, let's call an election on this issue. By George, call an election on this issue! Boy, would I love to go to the people on this issue! . . . (inaudible interjections) . . . Right now, Mr. Deputy Speaker. . . . (inaudible interjections) . . . Well, that's probably true too, Mr. Member for Saskatoon Centre. That's just at this moment in time but you've got to keep in mind you don't play the game for now, you play the game for when an election possibly might be called. I unfortunately made that mistake, Mr. Speaker. I accepted the Premier of Saskatchewan at his word. It's a shame the mistakes I've made because I've accepted people's word.

The Premier of the province of Saskatchewan in 1971 said, we don't believe in willy-nilly calling of elections. We want elections to be every fourth year and he said that in 1971 and four years later in 1975, there was an election. In 1975 he said, we don't believe in willy-nilly elections, we want the election to be every fourth year so I was banking everything on the election being four years later and instead the Premier called it in three years and six months. It's kind of a trap . . . (inaudible interjection) . . . Oh, Trudeau's fault, always somebody's fault for the benefit of the Attorney General.

But you don't play elections for today. If the NDP were to play elections for today, they would in the last year and one-half have gone to the people every day because their polls have been holding up pretty well this year.

SOME HON. MEMBERS: — Hear, hear!

MR. COLLVER: — . . . (inaudible interjection) . . . What was the one — CHAB?

AN HON. MEMBER: — Yes.

MR. COLLVER: — Well, did I get any votes?

AN HON. MEMBER: — No.

MR. COLLVER: — None at all? Zero! Holy mackerel!

AN HON. MEMBER: — Not only that, we had two out of every three.

MR. COLLVER: — Two out of every three what?

AN HON. MEMBER: — We had two callers out of every three.

MR. COLLVER: — Well, for heaven's sakes, Mr. Deputy Speaker, the member for Rosetown-Elrose tells me that two out of every three listeners of CHAB country music station is a Conservative. Son of a gun! And that's the ones who take the time to sit in the Conservative office and phone the radio station. That's the point. . . . (inaudible interjection) . . . Oh, they quit doing that. I was just surprised that the members across, the NDP, hadn't already by that time known this program was going to be on because their usual trick is to really swamp it. Somehow they understand the phone system better than Conservatives because they can sit there on the dials a heck of a lot better than Conservatives can. . . . (inaudible interjection) . . . That's true, too.

Now, Mr. Speaker, I was describing the case of Victor Berger.

. . . fraud vitiates all transactions, so no valid election has taken place.

And this clause was important for the Berger case. I've already said that. And I said that there was strength to Justice Story's . . .

By this view (this writer goes on to say) even crime is no bar to membership, except treason by virtue of the 14th amendment.

Now, Mr. Speaker, that's true in the United States. I do not believe that it's true in the province of Saskatchewan. I believe there are other crimes that would bar a member from taking his place. I would have to check if that is true. In the United States it is true. You will recall the case of Mr. Flood in, I believe it was Pennsylvania, who was convicted of fraud and sentenced to jail, and the case of the man in Boston.

As a matter of fact, in so far as the Canadian House of Commons is concerned, I wonder if the members opposite remember the case of Frank Howard, who broke the law, was convicted, went to jail, came out, changed his life and didn't bother telling anybody he'd been sent to jail. He didn't bother telling his constituents he had been sent to jail! They elected a man who they believed, with all deference in their hearts, had never been to jail, had never been convicted of a criminal act.

It finally came out, Mr. Speaker, and yet not one thing was done to Mr. Howard. They didn't ask that he resign. Nobody asked him to resign. He was elected not as a member, Mr. Speaker, who was pure and clean. He didn't bother telling people that he was pure and clean. He didn't bother telling people that he had been convicted of a major criminal offence. But he was elected on that basis. It came out between elections, Mr. Speaker, that the man had been a criminal and had been convicted of a criminal action.

He went back and took his seat and nobody tried to take away his privileges. He then went back and was re-elected. Between elections that happened! Should he have been required to resign because he didn't tell the people that he had changed the entire concept of his election? Should that be true?

If the general welfare requires that this be made impossible, then the constitution should be amended. (Again, this man believes in the rule of law.) Despite some difficulties this view has two great merits: first, it is definite. It tells Congress exactly how far it can go. Why adopt a dangerously loose view of unlimited qualifications because of the remote possibility that states will send murderers or idiots to Congress? (I don't want to comment on that one.)

A power in Congress to add new qualification is equivalent to a power to change those prescribed by the fundamental law. If it can add crime or disloyal acts as bars, it can add profiteering as well. (What do you think of that, Mr. Speaker?)

The House can exclude a representative who does not reside in his district. A majority of elected senators can raise the minimum age to 50 years. Either House can bar men of Jewish race. It can require that members must be already enrolled in either the Republican or the Democratic Parties or recognize only a single party entitled to nominate candidates. There is no

line to be drawn once the legislature is allowed to cross the constitutional limits.

Now, in the United States that's protected. Is it protected here? No line can be drawn once this line is crossed. Why then, Mr. Speaker, when there is nothing in this for me personally, do I persist in trying to present this to you? Because you're making a terrible mistake. You're crossing the line that others have crossed before and you're making the same mistake and helping to bring disrepute on legislatures and disrepute on freedom of speech and freedom of association.

When there is nothing in this for me personally, why do I persist? The only thing in it for me is in terms of my cause, is being able to present the cause. It's you who are helping me do that by keeping the bill before the House. That's all that's in it for me. So you keep the bill before the House and I'm going to keep presenting my cause.

But what's in it for every one of the members of this Assembly? I'll tell you what's in it for you. You will have crossed the line from which there is no return; when once you contrive to determine the views of another member to the rules of this Assembly, anything can happen. You can take any step you like and the next step is to decide that only one party shall sit here. When you say that a party has to be registered in an election, that's just step one. The next one is, it has to be a party registered in an election with more than 30 per cent of the vote.

Well, Mr. Speaker, the member says, how many bridges have I crossed and burned? Probably a number. But at least I have guts enough to do what I think is right and to present what I think is fair and reasonable. Does the member honestly and sincerely believe I need the money that's provided by the Legislative Assembly? Was he here last evening when I donated all of this part to the community fund? Does he think I'm in it for the money? Does he think I'm in it for the glory? Look at all the glory I'm getting, a tremendous amount today. Does he think I'm in it for popularity? Look how popular I am today.

Mr. Speaker, every once in awhile it's necessary for individuals to stand up for what they believe in. I believe that. I went out, when the Conservative Party was 0.02 per cent of the vote, pounding all over the province. The member for Saskatoon-Sutherland will know that. They couldn't raise a meeting in the Moosomin constituency of more than three people for over two years and we ended up winning the seat. The point is that you don't do things because you like them. If you think that I like being out there all over the province, if you think I like rubber chicken dinners, when I don't have to do it, then you're sadly mistaken.

Mr. Speaker, the fact is you have to stand up and I hope every member of this Chamber rises to speak on this bill and puts his money where his mouth is to explain why he takes the position he does. I hope he does and doesn't, as the member for Saskatoon-Sutherland says, hide behind the tradition of this side of the House to abstain – to abstain!

Mr. Speaker, I hope every member of this Chamber speaks on this bill . . . (inaudible interjection) . . . Ah, the member says he'll stand up and vote. Boy, that's pretty easy. I hope you stand up and vote and explain why you're going to do it.

Now Mr. Speaker, he goes on to say that by this view, even crime is no bar to membership, except treason by virtue of the 14th amendment. Despite some difficulty,

this view has two great merits. First, it is definite; it tells Congress exactly how far it can go. Why adopt the dangerously loose view of unlimited qualifications because of the remote possibility that the state will send murderers or idiots to Congress?

Again, I repeated myself, Mr. Speaker, I'm going to have to be more careful. I do apologize, and from now on I will mark – I must get a pencil because it's a library book – just where I finished off. I wouldn't like to do that again.

The second advantage of this view is its objectivity. This was emphasized by Senator Knox of Pennsylvania when the Senate debated the exclusion of Smoot of Utah because he was a Mormon. (Now here it is for the benefit of the member for Assiniboia.) Knox pointed out that the constitutional disqualifications do not in any way involve the moral qualities of a man. They relate the facts outside the realm of ethical consideration, and these facts are matters which representatives and senators are well-fitted to decide out of their own experience, like a man's residence, counting the votes and the honesty of the election. Such facts are quite different from determinations about disloyalty or the desirability of some organization to which the man belongs. As to all matters affecting a man's moral fitness, Knox urged the states and the electors are to be the judges, subject to the power of the Senate or House to expel the member when an offence or offensive status extends into the period of service.

I wish to express my appreciation, Mr. Speaker, to the member for Rosthern for presenting me with this very valuable pencil to be able to mark my place in this book, and not destroy the library book as I am sure Mr. Speaker nor the librarian would want me to do.

. . . and such a question cannot be raised until after the elected man has taken his seat. (Now, Mr. Speaker, I am going to have to hurry because the case of Senator Thomas Berger is not coming to a close. We have another 10 to 12 pages to finish with regard to Mr. Berger.) In short the House or Senate should not let itself inquire into vague and speculative questions as reasons for disqualifications but should stick to familiar cold facts.

Now isn't that nice. Familiar cold facts. Have you heard any facts from the other side – any at all – as reasons for this bill? I am waiting for them. I can't wait. I am so excited to hear the facts that are going to be presented by the other side on why they introduced this bill, and those which counter the arguments I put forward so far. I'm excited. I just can't wait. I'm going to hurry through my dissertation, Mr. Speaker, as quickly as I can over the next days, weeks, whatever it takes, until I present the case properly and then I will eagerly anticipate what the others have to say.

Yet although the view of forbidding all additions to the five constitutional requirements seems to me the soundest policy, I must fairly concede the congressional practice does not go so far. Neither Senator Beveridge nor several other senators with whom I have talked about the matter would accept such a hard and fast position as Story's. They insisted that some additions to the constitutional qualifications must be possible.

Mr. Speaker, I notice it's near 1 o'clock. Is it 1 o'clock yet? Well, Mr. Speaker, would you agree that it was 1 o'clock?

The Assembly adjourned at 1 p.m.