

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday Evening, November 16, 1972

[The Speaker resumed the Chair at 8:00 p.m.]

INTRODUCTION OF VISITORS

MR. STROMBERG:

Mr. Speaker, I beg leave to revert to Introduction of Visitors. Mr. Speaker, it is indeed a pleasure for me tonight to introduce to you and to this Assembly a group of Boy Scouts who, due to their schooling, could not come down this afternoon but came here this evening. They are the Camrose Scout Troop No. 2 with their leader, Duff Franland and Mr. Jensen. Would you rise please so I can introduce you?

GOVERNMENT BILLS AND ORDERS
(Second Reading)

Bill No. 119
The Communal Property Repeal Act

MR. TAYLOR:

Mr. Speaker, in view of your ruling this afternoon, I assume this will be the only opportunity we will have to discuss the report of the Communal Property Committee and consequently I will be referring to that report tonight.

In the first place, I think the government is rather naive if it thinks the people of the House and the people of the province are going to be gullible enough to think that the report and the bill are purely coincidental. The government apparently made up its mind to follow this procedure and consequently it could have saved the \$16,000 that was spent on the Communal Property Report. As a matter of fact, I think it was hypocritical to set up this committee and then go ahead and bring in a bill without waiting for the report to be filed, as well as a waste of public money.

I would like to deal with some items of the report, and I have dealt already with the economic part. Part of the report is rather cynical in my view. I refer particularly to the statement on page 20 where it says, "If the Hutterites are not making their farm purchases locally, it is possibly a reflection on the management of some local businesses, rather than it is of the colonies' non-supportive attitude." I can't follow that attitude and if the committee had gone to the various towns and villages where the experience is a reality it would have found that such a statement should not appear in the report. I have said already that communal colonies -- and it is outlined very excellently in Unifarm's letter of November 10th, to all members, when it says, "While the matter of the local buying habits of colonies was considered, no recognition was given to the effect of cultural differences on these local purchases. For instance, as compared with the families a colony replaces Hutterites do not purchase radios, television sets, automobile services, a variety of clothing, sports equipment, entertainment and a number of other items and services required for normal culture and standard of living." And so I say that that statement in the report should never have been put in the report. In my view it is a reflection on very excellent businessmen who do endeavour to attract business to their towns.

The next point I would like to mention is that the report appears to be contradictory in places as well. The report sets out, for instance, on page 28, "It might be in the public interest to have some degree of control on the specific locations and size of all large rural land holdings from two points of view. One, that the colonies fit in in a harmonious fashion to priority of the family farm. Then some restrictions on all land holdings may be in order." Now, if it is in the public interest to have some degree of control on all large land holdings, including the communal colonies, the Hutterian colonies, I cannot see why the committee didn't so recommend. I think it is in the interests of the province and the interests of the family farm to have some control over very

large holdings. As a matter of fact the very large holdings in a number of communities in this province today are causing a great deal of concern; so much concern that many people feel that they are just not able to get into that class at all in order to start farming. And it is having an adverse effect on the smaller economically operated family farm. And so the report appears also to be somewhat contradictory in regard to what it recommends based on the evidence it secured.

The next point I come to is, I think, a very important item. That is the suggested guidelines that the committee has set out. Among those are contiguous lands, distance between colonies, and size of colonies. I am not going to go into the report; all the hon. members have undoubtedly read it. But these are suggested guidelines, and yet all restrictions of any kind are withdrawn. If these suggested guidelines are desirable, why are there not some teeth in there to see that they are carried out? To expect the Hutterian Brethren to be gullible enough to buy poorer land when they can buy better land I think is being pretty naive and really unfair to the Hutterian Brethren and to others. It would appear to me that the committee felt that some guidelines should go in, but they did not have the courage to say, "We will keep some restrictions in the interests of the Hutterian brethren and in the interests of the adjoining landholders and the other people affected in these various communities." I think this is a very important item. It is suggested that all restrictions be taken away and a liaison officer be appointed, and that the liaison officer have no power: he becomes an information officer with no authority. I frankly think if that is all he is going to do, to keep records, they might just as well be done by a clerk in the hon. minister's office and probably be done better without having somebody there with no authority who is supposed to do something about guidelines.

The suggestion that the committee or somebody is supposed to go to the Hutterian Brethren, or has gone to the Hutterian Brethren, and enter into some type of agreement is a little difficult to understand, because apparently the report says there is no such agreement entered into with the Hutterian Brethren. So, if the Hutterian Brethren are agreeing to something that is not an agreement, I don't know how anyone could expect the Hutterian Brethren to keep such an agreement. If the government or the committee or someone is going to the Hutterian brethren and holding a club over their head and saying, "Either you buy where we say or we will fix you, we will bring in a very tough communal property act," and so on, this is a very bad procedure, if that is the way it is being done. It appears that that is what is expected.

In Saskatchewan, where they have no community property act, they at least have set out their requirements so that everybody knows what the requirements are. It's, I understand, a type of definite agreement between the government; and there they say that new colonies should be located at least 35 miles from one another. This report recommends 15 miles. Even the 15 mile limit was violated in the Verdant Valley colony. Secondly, the rule of thumb for colonies is that they should not exceed 10,000 acres unless they are located on poorer land. Colonies should, as far as possible, be a single block of land. If a colony plans to expand, other farmers in the area are given a chance to purchase the land in preference to it being sold to the colony. So Saskatchewan has at least had the courage of its convictions, and while it hasn't got an act, it has made requirements that the Hutterian Brethren must abide by, and I suppose the word is 'or else.' They're required to abide by these requirements. But in Alberta we put out guidelines and make it very clear in the report that there's nothing binding, there's nothing there to force the Hutterian Brethren to obey this. Then it goes on to say in the report that it's obvious that the better lands might well be purchased because the colonies can't operate on the poorer lands. And so, again we have some types of contradictions in the very report.

I suggest that if the committee thought that guidelines were essential, it should have had the courage of its convictions and put them in as a requirement. Then the Hutterites would know where they stand and the people in the area would know where they stand.

Now, frankly, I think the government is building up a lot of difficulties for itself in the next few years in connection with the establishment of colonies. I say that because the Communal Property Act was not only restrictive in regard to where the Hutterian Brethren could buy land, but the Hutter Brethren knew where they stood with the land. They knew they had to go out and carry the judgment of the people. If the Hutterian colonies now, in spite of what the report says -- and they'll have every right to do it -- decide they're going to buy land, say, in the County of Wheatland, and join the area as you see in the map between the colonies in the northwest and the colonies in the southeast, there will be a solid line of colonies. They don't even have to be 15 miles apart. I would like to ask the hon. Minister of Municipal Affairs how the

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County of Wheatland is then going to operate its various functions and how the school district is going to operate.

Take the M.D. of Starland. It's bad enough now, but the school board has made the public claim that it will be unable to operate a public school system if there's one more colony replacing another 15 or 20 farmers in that area. This is a pretty serious thing in its effect on other people, in its positive effect on other people. As a matter of fact I think the report -- and I don't misjudge the motives of any hon. member on the committee -- but the report appears to forget the individual rights and to stress the rights of the sect, rather than the rights of individuals; because it has forgotten the rights of the individuals of adjoining land. It has forgotten the rights of the small business people, it has forgotten the rights of education in some of the municipalities. Again the committee could very easily have solved the problem by saying the Hutterian colonies do interfere with the normal livelihood of other people in any municipality, consequently not more than three or four per cent of the arable land in any municipality should be dedicated to communal living. If there were something like that, the municipalities would know where they stood, the Hutterian Brethren would know where they stood, and I can't see a thing wrong with that.

Their way of life is different. A normal farmer can't compete with the Hutterian Colonies. He just can't do it. A normal farmer can't say to his wife, "You are going to have one dress this year, and a black one at that." The normal farmer can't say to his children, "You're not going to have any clothes except the black ones, and you will do with one set all year." A farmer can't say to his wife, "You're not going to have a car, you're not going to have a radio, you're not going to go to any musical festivals, you're not going to any football games, you can't go to any hockey games, you can't buy a dress, you can't buy a hat, you can't buy chocolates." Well, talk about divorces -- this country would be full of divorces if the farmers decided to do that type of thing. I shouldn't say properly so or otherwise as I don't know that much about married life. But I do know that the normal Canadian woman would not accept that standard of living, and that the normal Canadian farmer won't accept that standard of living either. We are asking them to compete. How can they compete against that type of thing? It's not fair competition at all.

The other point that I would like to mention is the representations that the committee received. Now I am sorry that the committee decided not to hold public hearings. I think the people expected public hearings. The people of this province conduct themselves very admirably, even where their emotions run high. I am sure that many hon. members of this House have been at public meetings where they have had to face the music when emotions were very high. I have always admired how people do control themselves, and I can't see any reason to say that because this was an emotional subject, public hearings should not have been held. It really denied many people the opportunity of saying what they thought about this, probably people on both sides of the fence. But when a legislative committee is set up to hear what the public think about something there should be an attempt to let the people say what they think about it. Some of the other committees that have been set up by this legislature have gone to no end to advertise, to plead with people to bring in briefs, to come to the public hearings, and I think the public hearings conducted by the Caucus Committee headed by the hon. Member for Calgary Buffalo, Mr. Ginther, were excellent example -- [Laughter] Well, what is it? Pardon? Oh, Gmitter, I'm sorry if I mispronounced your name. It wasn't intentional. But what I was going to do was to give him some praise because he did give the people this opportunity. Talk about emotionalism -- who get more emotional than some people do about liquor, before and after. That didn't stop the committee from having public hearings. I imagine some of those public hearings were very emotional, but the people had an opportunity to say what they thought, even if it was way out in left field compared to what the committee had hoped might come in, or right field. That didn't alter the case. So I regret the fact that this committee didn't hold public hearings.

They did, however, secure a number of briefs. But I don't know why people really bothered to send in briefs because when I read the report I found that the committee discredits most of the briefs. Eighty four per cent of the signatures, the report says, wanted some control. Well if the committee was set up to hear what the people of Alberta wanted, and 84% of the people who made representation wanted some control, how in the world can a committee come in and recommend absolutely no control? Again, we might as well save the expense of the committee. The \$16,000 was wasted as far as finding out what the people want. Surely this committee and this government isn't going to say, "We know better than you. We'll read your briefs but we know better than you. We'll tell what's good for you." And that's what we are doing in this report. Overwhelmly the people said, "We want some control." But the committee said, "No, we know

more than you. We'll tell you what's good for you. You'll have no control." What kind of democracy is that.

This report, as a matter of fact, jives almost completely with the representations that I received from some four or five hundred people in some 18 or 19 public meetings. What their politics are I don't know, because the public meetings before a session attract people of all political stripes. I don't know what political party most of them belong to. I know what some of them belong to because they are outstanding. But there were people there, I think, from every political party. Political affiliation makes no difference, because after the election the M.L.A. represents the thinking of the people of that area and just as much responsibility to represent those who didn't vote for him as he has to those who did.

At those meetings, 81% of the people after a full discussion out in the open with Hutterian Brethren who were present at some of the meetings -- at Rockyford and Hussar, for example, the brethren and their wives and their children were there and took part in the discussion and took part in the voting -- wanted some control. Almost the same percentage as the briefs that came out in this committee report.

I say the committee is not following out the principle of representing what the people want when it brings in a report recommending the very opposite to what the majority of the signatures asked. If the government is going to take the attitude that "we know better than you" from the beginning, there is no sense in setting up the commission at all.

The next point that I would like to mention in connection with this is an editorial that comes from a paper that is noted for its independent attitude. The editor of this paper sometimes takes a stand against a very large percentage of the people that the paper serves. He puts it on the editorial page and properly so. But he lets people know where he stands. I am referring to the editor of the Strathmore Standard.

On November 8, 1972, this is what he wrote and I read this to the House. "Editorial Parasites Possibly," is the caption, and I quote:

The provincial government will probably enact legislation that will repeal the Communal Property Act, and this in the opinion of many landowners, would mean genuine death to rural communities.

The concern, although not specifically named, is of the Hutterite system of farming.

The merchants and farmers of Alberta have an inherent dread of these industrious and religious-sect orientated colonies. Not because they are industrious or religious but because they are not gregarious within the true meaning of the word.

They do not take part in any community function, such as skating, curling, hallowe'ening or even funerals. The Hutterite is no asset to an area, good farmers they may be, even reasonable neighbours, industrious they are, sociable they are not.

There is something dreadfully uncomfortable about this editorial and we are aware of what it is! Discrimination? Not really. Simple facts.

The need of every town or village to have responsible local government is very obvious, and the "shop at home" slogan stirs most every conscience. The main reason that our small towns exist at all are by the endeavours of the clubs, Lions, Elks, K.C.'s, church groups, community groups to name but a few. There are few if any Hutterite members in these organizations.

The Hutterites are not the only concern of the communities in this area. All those persons or entities that would hold vacant ownership are in the same category.

The syndicates of doctors, lawyers, brewers, etc. etc. that farm vast tracts of land by remote control are undesirable unless they involve themselves in social life of the communities they choose to exploit.

To live on the extremities of any group, person or animal and thereby derive a living is politely known as parasitical, but to enjoy the pleasure, without assuming identity must surely be considered by a much stronger term.

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And in that connection, again I say to the hon. members of this House and to the committee that if these guidelines that are suggested for large landholdings are desirable, let's do something about it. If they are not desirable then why include them in the report? I think that is very essential.

Now, Mr. Speaker, I want to close with a short reference to education. The report did not go into the educational aspects and the Hutterian Brethren, many of whom are personal friends of mine. Now just stop for a moment there because while I have taken a very definite stand for many years, back into the 1940s, in connection with the Hutterian Brethrens buying of lands freely throughout an area and the effect it has on the rest of the community. While I have taken a very definite stand against that type of thing, and the Hutterian Brethren know it, I know I can go to any colony in my constituency and be welcome. They know where I stand and I know where they stand. There is no personalities. I like them. I admire them for sticking to their religion and for standing on the principles upon which they stand. But I tell them that we have to see what effect it has on other people and the Hutterian Brethren, being pretty smart operators and they understand that. They try to be fair, and I think they will try to be fair under this present bill. But to be fair they will think about buying the best land possible, and as close to their colonies as possible, which is only human and natural.

Now in connection with education, many people have argued that if we could get their children to go to the normal public schools the problem would disappear in a few years. I think that is right. I think you have then to ask yourself, "Why do we have private schools for the Hutterian Brethren?" The Hutterian Brethren say it is because that is the one way they can make sure they retain their children in their faith. Now I happen to believe that parents should have the right to decide the philosophical approach of the of the system that educates their children. I don't think very much can be done about that. To force them to go to other schools would be saying that we think parents have no say with regard to the type of education their children should receive.

As things stand, I think the Department of Education for many years has put a blind eye on the type of education that is coming out of the Hutterian colonies. I know this from both knowing teachers personally who taught in these colonies, and by seeing the results from studies. There are very few Hutterian boys and girls who get to Grade IX. They are satisfied to get to Grade VI and then go to work. I am not sure that this is fair to these particular boys and girls because many of them have the capability of going much further the same as children of any other sect. But the standard achieved by the boys and girls in the colonies is way below the standard achieved in normal schools. I don't think we would tolerate that in any other school system but it is tolerated in connection with the Hutterian Brethren. Now if they are going to have the right to operate the own private schools, where they have the philosophical approach that they want, there should be a definite requirement. There should be teeth in the act, to see that it is carried out that those boys and girls have an opportunity of reaching the same standard of education in connection with the three R's as any other boy and girl in the province. If we don't do that we're not being fair to the boys and girls at all.

Well, I don't know what another study would do in connection with the education of those in communal properties. A very excellent study was carried out by the former Chief Superintendent of Schools in this province a few years ago, the late W. E. Frame, who was not only a tremendous man but one who had an insight into what was happening in the colonies. There are a number of tables compiled by a number of municipalities showing that standards being achieved in these colonies are away below those; of other boys and girls; and I suggest that we have to get to the place where we stop closing our eyes to the lack of education that Hutterian boys and girls are getting, even though we recognize that they have the right to the philosophical approach that their parents want. And then I want to say, Mr. Speaker, that the hon. Premier, in speaking about a section of the Human Rights Bill the other night, said that doing indirectly what it does not have the courage to do directly is not desirable and is not good. And I'm saying here, "We are trying to do indirectly what we don't have the courage to do directly." We are going to try to force them to be 15 miles apart, try to force them to go to other communities and into the North. And we haven't got the courage to say, "We want this as a requirement."

Consequently, Mr. Speaker, I cannot support the bill, and if there was a motion to receive the report I would certainly vote against that and ask that it be returned to the committee to reconsider the items that I mentioned tonight.

DR. BUCK:

Mr. Speaker, I would like to just make one or two comments. First of all I would like to say that I will be supporting the bill because we cannot have the two bills in conflict. But after saying that, I would like to say "but," and the reason I would like to say "but" is that I think the hon. members of the government opposite are still naive in thinking that they are going to solve all the problems in this situation by a repeal of that act. And I would like to warn the hon. members opposite that they are just starting to open up a few more sores, and I'm looking forward to hearing from some of the hon. members on the government side if the leash has been taken off--if they are permitted to say a few things--on how it affects some of their communities and how it affects some of their constituencies; because I think that they have to be fair. They have to be fair to the people that they represent. So I will be looking forward to their entering into the debate.

Now, in saying that I support the repeal, at the same time I want to say that we are protecting one group of people's rights and infringing upon the rights of others. We are infringing upon the rights of some people to make a living in some of these small hamlets and villages. We are infringing upon the rights of other people to sell their land or not to sell their land as they so wish. And we must look at the effect of the farmers who are in the area, because you can certainly understand that there could be a pincher movement develop when the Brethern are going out to buy land, where a man could be forced into selling land at their price. And this can happen I'm not saying their motives could be that way but this is just the way that these things can happen.

There are one or two things that really bother me, and bother me very, very seriously, about not bringing the report in, because what I would like to know is what the government would have done if the report said, "No, the act should not be repealed." So what I am saying to the hon. members opposite is this: "I think they have wasted the taxpayers money by having a committee run around the province this summer gathering information, and then the cottonpicking information was not even used. We have to assume that the information was not used, because as I say, what if the report said, "No, do not repeal the act." Then they would have really been in a bind. So I say to the hon. members, Mr Speaker, that I would like to know if there is a gentleman's agreement between the Provincial Government and the Sect. Does this gentlemen's agreement say, "Fellows, we are repealing the act, but when you are going out to buy more land maybe we should sit down and talk about this thing." This is what the hon. Member for Drumheller stated. This was the way it was handled in Saskatchewan. It does not contravene The Human Rights Act, but there are strings attached, and I am looking forward to the hon. minister telling us if there any strings attached or if there are not. When my hon. colleague for Drumheller stated that there were not public hearings on this, this to me was directly in contravention to so-called open government. I couldn't believe my ears when I heard that there would not be public hearings. I thought that there must be a mistake. I was sure there was a mistake, because we heard so much about open government. We heard so much about public participation, and then the hon. minister responsible, Mr. Dowling, says, "Oh no, there will not be public hearings." I think that they should get back to Bill No. 1, and let's get a little participation and make it consistent. Do we, or do we not, believe in participation?

So, Mr. Speaker, I would just like to say that they have not answered all the questions. I will support the repeal of the act, but there are many questions still unanswered.

MR. FRENCH:

Mr. Speaker, in view of the wide latitude given to this legislature this afternoon with respect to the repeal of The Communal Property Act, I feel, as a member of the committee, that maybe I should add something to the discussion that we are having here tonight. Maybe I can add something as to the thinking of the committee. We met for some five months. We certainly gave it full consideration. We had co-operation from all members of the committee at all times, and right from the very beginning I don't think there was any doubt in the mind of any member of the committee that The Communal Property Act would be in contravention to The Bill of Rights. I think this was verified yesterday when the hon. Minister of Municipal Affairs reported to the Legislature that, in consultation with the law officer of the Crown, this was the opinion of the law officer of the Crown. Right from the very beginning, I don't think there was any difference of opinion to what the position of The Communal Property Act would be with respect to The Bill of Rights.

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Our first decision was simply this: what dilemma would we be faced with once The Communal Property Act is repealed? I might say that right from the very beginning the committee did advertise in, I believe, all the daily papers and at least a number of the weekly papers. The information was all contained in the report. But I am sure that we made it quite plain to the people of this province that we wanted their opinions, and we also, at the same time, decided as a committee that if any group of people asked for a meeting with the committee we would at that time attempt to meet their request. We did hold a number of meetings with interested people. It is true, we didn't advertise to hold public hearings, but I think we have to keep in mind that this is a very emotional issue. We felt that we were in a stronger position to eliminate any emotionalism that could develop without trying to stir it up.

Right from the beginning, Mr. Speaker, I think we had three choices. The first was that we could maintain, or even probably strengthen, the present Communal Property Act, and naturally we would have put a 'notwithstanding' clause in that particular act. We had another choice, and that would be to repeal The Communal Property Act and throw it wide open with no restrictions. Our third consideration would certainly be that we could possibly arrive at a mutual understanding with the Hutterites, and possibly provide for an orderly expansion of colonies with a minimum disruption to the economic and social climate of Alberta.

We had quite a large number of briefs, and it is true that we had various opinions. I think there were 120 or 130 briefs, and I am sure that we could put them into two different piles, those that wanted to retain the act and those that wanted to repeal the act. Certainly the brief seemed to fall into definite patterns. So, as our study continued, it seemed to the committee that possibly we should attempt to go along the middle line. We realized that we were in a very sensitive area. Possibly this was the best direction for us to take, because there was no question in the minds of the committee that we had to come up with some recommendation in the event the Communal Property Act was repealed. And so this is the direction we took.

Our committee was divided into three sub-committees. One sub-committee worked in the northern part of the province, one committee in the central part of the province, and one committee in the southern part of the province. I served one of the sub-committees, and our particular sub-committee made an effort to meet with some of the Hutterite colonies in our area. We wanted to find out their opinions. We also met with a number of the colonies and their elders, the Scotford colony and also the Parkland colony. To even understand the views of the Hutterites, the committee took a trip to Montana and visited some of the colonies in Montana. And no matter what colonies we visited, at least these colonies that I visited with our sub-committee, we were definitely told that the Hutterites preferred not to go into areas where they were not wanted. The Hutterites did not want to buy any more land insufficient to accommodate a colony. A colony, under normal circumstances, varies from 75 to 150 people. The Hutterites also told us that they preferred not to have their colonies too close together, for one simple reason, and that is, that they were quite concerned about inter-colony competition. But in any case, the committee attempted to find out the views of the Hutterites, and these views seemed to be fairly consistent in the various colonies that we visited.

It may be interesting to the hon. members of the Legislature to know that during the trip to Montana we were informed that there is no legislation, nor restriction of any kind, in Montana with respect to the Hutterites. The Hutterites simply purchase and farm as much land as they are able to procure. At the present time there are 22 colonies in Montana and each colony has an average of 10,920 acres or about 16 sections. The total population of the Hutterites in Montana is 1,920 or about 88 to each of the colonies. So as far as Montana is concerned, there is no legislation and there are no restrictions. And comparing their colonies with the colonies we have in Alberta today as far as population is concerned they have about the same average as far as land is concerned, because the average colony in the province, I believe, in the province, is something in the neighbourhood of 16 sections.

The committee did not go to Saskatchewan or Manitoba, but we studied the arrangement in both provinces. And it is interesting to note that there is no Hutterite legislation in either Saskatchewan or Manitoba. There is, however, an agreement with the Saskatchewan government as to location and size of each colony. As of July of this year, there were 30 Hutterite colonies in Saskatchewan with an average population of 77, and it is interesting to note that in Saskatchewan each colony farms an average of about 16 sections.

Manitoba had an agreement through the municipalities with the Hutterites as to the size and location. However, the new government felt that the arrangement

was discriminatory, and as a consequence it was discontinued about a month or maybe even two months ago. But at the present time in Manitoba there are 48 colonies with an average

So in brief review: in the three areas that we made a comparison with -- Saskatchewan, Manitoba and Montana -- the size of the colonies was fairly consistent, the average population was fairly consistent. We felt, when we got a view from the Hutterites as to what they would prefer, that it seemed quite obvious to us that what they were saying to us in Alberta seemed to be consistent with the other two areas where there is no control or any legislation.

As I mentioned earlier, the committee received about 130 submissions, and many of these submissions indicated a preference to maintain at least some restriction. Thus we realized if we were to arrive at a mutual understanding with the Hutterites, it must at the same time alleviate some of the fears which had been expressed to us if all controls were relaxed. I think our committee also realized that no matter what we agreed on, our recommendations would not be acceptable to all the people of the province. I am confident there will be people who will say we should have taken a different route. I am sure there are people who will say, "Let's do this," and "Let's do that," but as far as the committee was concerned, having spent some five months, having worked together very closely, and having had dialogue with the Hutterites, they feel that they understand the problems of the Hutterites, and they feel they understand the problems of the people in the community. What they've recommended is simply a procedure whereby the Hutterites and the people in the various communities can live together so that we won't have some of the problems that have existed in the past. I'm sure that when our recommendations are considered by this legislature the members that will be making the decision will keep these matters firmly before them.

I think it's important that I should give you some of the recommendations and maybe some of the reasons. We feel that it's most important that a liaison function be established. We had several recommendations from some of the municipalities and the school people, who felt it is most important that they should have a voice in what is being said and what is happening in the province. So, with respect to the liaison function, the terms of reference as recommended by the committee are that there should be a standing committee in the legislature in consultation with the Hutterian elders, along with maybe a representative from the Association of Municipal Districts and Counties and also the Alberta school trustees, so that complaints coming in regarding the Hutterian Brethren could be referred to the liaison office for consultation with the committee of elders.

I should say that we were informed by the Hutterian Brethren that before any new colonies go into an area they obtain approval from their committee of elders. So, the committee of elders have a great deal of influence over the various colonies in the province. The recommendations and guidelines that we have recommended in the committee have certainly been agreed upon with the existing colonies, and we feel that with the arrangement that is made with the committee of elders any new colonies going in will certainly require the permission of the committee of elders.

Our number one guideline is that as far as possible the land should be in a continuous block. This is very similar to what we have today. The Hutterian Brethren certainly told us that they want their land in a certain block, they don't want to be driving too far between various pieces of land because it would be more expense to themselves, so they're quite prepared to accept the fact their land should be in a block. I did mention that it is desirable that the colonies should be not less than 15 miles apart. I think some of the colonies did tell us that they thought maybe 10 miles or 15 miles apart, but the general consensus would be that the land would be about 15 miles apart.

I should say at this time, Mr. Speaker, that under the present act, The Communal Property Act, the province is divided into three or four zones -- I've just forgotten whether it's three or four zones -- and it is based pretty well on the soil classification of the province, so that colonies could either have, I believe it is 12, 16 or 24 sections, depending upon the soil classification. It was brought to the attention of the committee that sometimes these broad lines would cut right through a colony, where part of a colony could be in the 16-section zone and part in the 24, and we felt, in view of the fact that the province is all assessed now, that we should have something a little more definite than just broad lines. So the committee is of the opinion that the size of the colony should be based on the productivity of the soil, and we recommend, in the report, that it would be desired that the size of the colony be determined on the highest assessed value of the land, and in this case we

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feel, as a general principle, that eight sections of the highest assessed land would be sufficient to accommodate a colony. I think we know that assessment is based on soil classification, and they take into account a number of other factors, such as timber cover, topography, severance, and then this is multiplied by the \$40 which is the highest rating we have in the province today, and this is for assessment purposes. Now in the areas of the province which are less productive, naturally the assessment would be lower, and in these areas we would expect a corresponding increase in the number of acres.

We also had a number of submissions with respect to the activities of various land agents, and so the committee has recommended that it is desirable that land agents consult with the liaison officer before listings or options are taken on the land. I want to repeat that we felt it's necessary to have local input into the decisions in the various parts of the province, and so I want to emphasize again that we feel it is very desirable to have the municipal and school people consulted with respect to expansion of colonies or the establishment of new colonies.

The committee spent much time in many other factors than education, but actually within our terms of reference, I think we did spend some time looking at education as far as it affects the social climate of the province. But our terms of reference did not indicate that we could spend very much time on the complete study of Hutterian education, and as it is a very broad subject we have made a recommendation that an in-depth study be made into Hutterian education. Really as far as the briefs were concerned, my general recollection of the various briefs is that education was probably of more concern to more people than any other particular topic that we had a look at.

Mention was made earlier tonight of the large corporate farms. Incidentally when we were in Montana we were told by some of the farm organizations in Montana that one of the problems facing the people there today is the introduction of corporate farming. They referred to two large organizations that have gone into corporate farming quite recently in Montana, and we feel that as time goes on we will feel the impact of corporate farming in Alberta. So we feel that as corporate farming increases in the province it certainly is going to be a threat to the very existence of rural life, and we recommend that an in-depth study be made into this whole area. This is the reason for our recommendation.

Before closing, Mr. Speaker, I would like to express my personal appreciation for the valuable contribution made to our committee by Mr. Jim Engel, and Mr. Iaan Greene without whose services it would not have been possible to research the history that's included in the report. We found it very difficult to procure an accurate history of the Hutterian Brethren, but we felt that this would be something very valuable for educational purposes, so the committee felt that at least some history should be included in the report.

As I said earlier, Mr. Speaker, the committee spent some five months in their deliberations. The committee is now before the legislature. The decision to accept or reject the report is now going to be vested in the legislature. We feel that The Communal Property Act will be in contravention of The Bill of Rights. This is our recommendation as to at least one way that this very sensitive problem probably can be handled. We have made our recommendation and I would like to express my appreciation for the co-operation from the other members in the committee. We certainly worked together. We spent a lot of time, and with the time we had available to us, I thought maybe the members of the legislature might appreciate some of the background material, some of the decisions we've had to make, so that as they go through the report they will be in a better position to understand the reasons that we made the recommendations that we did.

[Applause]

MR. HENDERSON:

I'm sure the applause was for the previous speaker.

Let me say at the outset, Mr. Speaker, it's my intention to support the bill. However, I question in principle the manner in which the government has chosen to bring the bill forth into the House and deal with it. I don't think there is any question that the present act is discriminatory, and I will return to that subject a little later on, but to link it directly with The Bill of Rights I think is a piece of political propaganda. Very clearly, to tie the two together, I suggest, Mr. Speaker, may have been ill-advised. It has created an unnecessary issue over the particular bill.

I say this, Mr. Speaker, because of the contention that the act conflicts with The Bill of Rights. I want to point out to the members of the House that The Bill of Rights doesn't say there's going to be no discrimination in Alberta. It doesn't guarantee no discrimination in Alberta. What The Bill of Rights does is guarantee discrimination only with the approval of the legislature. That's that the 'notwithstanding' clause is in the bill for, very clearly. Now I think this is significant.

At the time this act was developed, with all the problems and heat that was being generated in certain areas of the province, it was the decision of the legislature to bring in a piece of legislation which clearly did discriminate. The Bill of Rights in itself does not guarantee at all that even this government, if they stay in office long enough, isn't going to come back to re-examine the matter and have to come up with some sort of discriminatory legislation.

The fact of the matter is, in a democratic society, if you get enough people in one segment of society that disapprove of something, the government that's in office either listens to the dissatisfaction or in very short order they are not the government. The people seated opposite enjoy the benefit of having short memories on this particular issue, the majority of them, and so quite naturally, I think, it is only natural that they do not believe that there is a serious problem in this matter; or at least the magnitude of the problem is not such that it cannot be dealt with in a different manner. And this may well be, but there's no question that the act discriminates. I come back again: to say that it's because of The Bill of Rights that we are removing it is really not the case. The Bill of Rights does not guarantee no discrimination. It guarantees that there will be discrimination only when it's deemed by this legislature to be in the over-all public interest to do so. I agree with the government on this particular bill that, in light of changing times, it is desirable to examine the question of the Hutterites, if there is a social problem, in a somewhat different manner; and I think what the bill is really doing is saying they are going to remove the question of dealing with the social problems, if there are any in certain parts of the province -- of Hutterite communities and oppositions to -- from the question of land ownership.

Basically, the bill repeals that particular connection, and that's where the discrimination lies. On the other hand, I see nothing discriminatory about carrying out a policy relative to putting, as the committee recommended on page 31, that there be a broad general policy that applies to land ownership throughout the province in general. It may well have to be zoned as the committee suggested, but it shouldn't single out any particular group of people because of their particular social customs. I have to say, Mr. Speaker, when I look at some of the problems we have throughout society, I look at the Hutterian Brethren and I kind of wonder maybe they have the right idea and the rest of us are off course. So I find it difficult to even challenge their customs in this regard. My basic reason for agreeing that the bill should be repealed, then, is that I think we have arrived at the point in time where any resolution or dealing or alleviating of some of the social pressures or public complaints that have arisen in the past in the matter clearly shouldn't be tackled through the question of land ownership that applies only to this group of people. I would hope that the government will see fit in future - and I hope they are studying it - to bring in the question of land ownership and of how much land an individual or corporation or group of people can own. I see, personally, far more objection to one man owning 15 sections of farm land than I do in a Hutterite colony with 80 people living on it owning 15 sections of farm land.

When I look at my wife's buying habits, I kind of like some of the thoughts of the things that these people don't buy. Maybe I could convince my wife that there is some merit in their philosophy in that regard.

But seriously, the question of the social dislocations that a colony may cause in an area, in many ways, I think are might be less of a problem than if one has a large corporate farm in an area. So I agree in principle that the act should be repealed. If there is a need to deal with social problems that develop because of colonies, clearly this should not be done through the question of land ownership at this point in time in the province of Alberta.

But I come back to the honourable gentlemen seated opposite. They are to some extent relieved of the direct political pressures that come on this problem because most of the places where the problem exists are represented by members on this side of the House. It is pretty easy to take a modern, up to date attitude and say one can ignore the wishes of his constituents and, in the interest of partisan politics, throw out the bill. I fortunately feel free to stand up and express my views. I have received no instructions from my constituents on the matter. I don't think my constituency, the new one,

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contains a colony. The previous one, before redistribution, did. Therefore I feel free to state my own personal views on the subject because my constituents have not given me any directions on the matter as the constituents of a number of members on, at least on this side of the House, have. Maybe those that are seated opposite that have colonies don't have any problems. I say, they are indeed fortunate. But I repeat that if the honourable gentlemen seated opposite are there long enough and they happen to require a bit of representation that is something other than concentrated in the northern half of Alberta and want to swap a few seats north and south in the next election, they might end up with a slightly different perspective on the issue.

Let's not make a 'holier than thou' statement on this issue by suggesting that the bill should be repealed because it contravenes The Bill of Rights. The Bill of Rights clearly does not guarantee there will not be discrimination in this province; but The Bill of Rights does guarantee that there will only be discrimination where it has been the view of this legislature that it is in the over-all public interest. This is the basic fact that brought about the evolution of this act in the first place. I agree, nonetheless, that the time has come to repeal it. If there is a social problem, it should be approached from other directions.

MR. SORENSON:

Mr. Speaker, I am going to be very brief. Most areas have been covered. I think the hon. Member for Drumheller was hitting on all cylinders this evening, and I concur with what he said. I wish to voice my displeasure with the bill and how it was handled. The method of the firing of the board has left a question mark as far as I'm concerned. I am also concerned about the mess that was created at Starland and the goings on at my hometown of Killam, where after the board was fired ads were placed in the weekly paper and there has been constant activity in the Killam area ever since. Just a couple of months ago, one person told me that he had the contract for the machinery for the colony; the machines for chicken production and the machines that would go into the pig barns. About a month ago a person came to me and said that the Hutterites would be building a feed mill there and we have a feed mill in Killam. He was afraid that they would be doing custom work and so on. I think the Hutterites have suffered in their lifetime, especially in Europe during the 16th and 17th centuries. It was cruel and they were forced to leave their homeland. But the Hutterites, as far as I know, have not suffered in Alberta. In fact, they have found their promised land. They have flourished like a rose and they know it. If the Hutterites have suffered in Alberta, it has been at the hands of their own leaders. As far as education is concerned they have received very little. I wonder if those young people don't get wind of the football games and the hockey games and just yearn to be a part of it. There is no way that they can be part of it. They lose out in their social life, in the clothing styles, and so on. If a Hutterite girl wants to marry a boy outside, I don't think she would even carry a sachel with her to the outside. If a Hutterite boy marries a girl on the rim of his colony, I don't think he would even carry a plier with him. If this should happen, I wonder if they couldn't be granted financial assistance. Maybe a bounty should be paid. And I can think of a couple of members down in front here that maybe could lead the way in this area.

I wonder why it is that this year I have received five times more delegations at my door than the previous MLA. They have come wondering about a colony north of Killam. "Why is this activity south of Strome?" This has continued throughout the summer. They come for other reasons as well; rural gas distribution policy, highway 36 and highway 41, M.L.A.'s salaries, and so on. Well, I feel, Mr. Speaker, we have a very beautiful province. To me it is like a woven masterpiece. But I see it being slowly unravelled. It takes time to build up a province, and it has taken 36 years to take Alberta from the bottom to the top. It doesn't take long to tear down a province and we're in that period right now. I think we ought to take a lesson from Nero, Emperor of Rome. He built a castle and before the plaster was dry he started on a statue 120 feet high. But before the plaster hardened there was such a hatred throughout the land that he was destroyed. I think that some of the legislation that is being enacted in this province will soon destroy the government here as well. My sympathy tonight, Mr. Speaker, is with this province.

MR. BUCKWELL:

Mr. Speaker, rising to take part in this second reading, and as a member of the committee itself, of the committee itself, I would like to say a few words on behalf of the committee and on behalf of the conclusions that it finally resolved itself to report.

The committee itself, as already stated in this House, was made up of six members from the government side and three members from the opposition side. I have been on committees and I have been on other boards before and on government boards, but I would say, as the hon. Member, Mr. Dowling, has reported, that I had never been on a committee with such unanimity and such good feeling in developing this report.

When you ask a person today, what is the report of the Communal Property Board, he immediately turns to the recommendations and says, "Look what you've done." Unless you read the report from cover to cover you miss the complete idea, the complete concept of what the committee tried to do. This report as written today is the most accurate and up to date report on the Hutterite way of life and its effect on the communities in Alberta that has ever been devised. They had one in Montana and it isn't a patch on what you have here today. You have the complete history of the Hutterites as far as we know it from their humble beginnings in Europe to the present time. I would suggest that those that are not in favour of this report or the recommendations should read this report once again and read it with a little charity in their souls and that probably they will come to the same conclusions that this committee came to. It is an in depth study of a very emotional and a very vexing problem. No public hearings were held on purpose. When we had the old Communal Property Board and the Hutterites wanted to buy a piece of land in certain areas of the province, public meetings were held. The chairman of the board would go down and call a public meeting and every bigot for 200 miles around came to those meetings and they became a shambles. The poor Hutterite, who only bought the land, the fellow who was only willing to pay cash, was the scapegoat. About the man who sold the land and went to Vancouver or moved to Calgary or to Edmonton with his pocket full of money no one said a word. He was the neighbour who pulled out of the district that is now, as they say, dying.

It is not in the terms of reference of the committee to arrive at what is going to be the ultimate use of large landholdings. We were only looking at it from the communal property viewpoint. The Hutterite problem is one which is a rural problem and which is a much larger problem than merely dealing with the Hutterites themselves. There is no denying that having many Hutterite colonies in an area will affect small communities. But again, in study, we went to communities where there were no Hutterites within 100 miles and these little communities were dying exactly the same as they were where there were Hutterites. You can't exactly blame it on the Hutterites themselves or their way of life. As for the amount of land they own, the idea that we can't sell land to the Hutterites because some poor young farmer can't buy it is so much hogwash, as far as I am concerned. You could go out if you had the money and buy 25 per cent of the existing farms in this province today. And the fact that the young farmer today hasn't got the money to buy land is no fault of the Hutterites. If he wants to blow his money on fancy buildings, fancy cars, and spend his time in the bar, then don't blame the Hutterites because they don't spend their time in that kind of idle living. The land that was being sold is bought by a willing buyer and sold by a willing seller. This is one of the things that those who do not agree with the Hutterites cannot get through their heads; that the government never said to any area, "We are going to expropriate this land and form a Hutterite colony." This land, whether it was 10 farmers, 12 farmers, or 20 farmers, was willingly sold. One of the great facts we found with the Hutterites and those who were against the Hutterites -- and again we come down to the establishment of a colony -- is that if a colony wants to go into a certain area, they are not going to blow a bugle and say, "Here we come." They send in a land buyer who takes options, and the people don't even know that a Hutterite colony is going to be established. They got the options first. Then they reported to the communal property board, who gave them the right, and then they went and bought the land. But then, say for example, they only needed 12 sections, they may have taken an option on 20 sections. And when the final purchase was made, the ones that were mad were the eight farmers who could not sell to the Hutterites; they did not want their land, but they kept the money for the options. And that is where the trouble started.

We talk today about farmers living alongside the Hutterites. In southern Alberta, within 75 miles of Lethbridge, are half the colonies of the whole province. Yet the county of Lethbridge, who are the ones who should be concerned most, said, "Let us not send in a brief. The Hutterites are good neighbours, and let us leave well enough alone." In looking at the public attitude towards this report and towards communal property, I would say it is rather curious because all the briefs, and all those who we talked to, were the same. Those who lived alongside the Hutterites, tolerated them. I don't say they liked them, but then they might not have liked me either. But they tolerated them. Those that were within 10 or 20 miles of a colony were not so sure. And those that were 40 or 50 miles away and had no colony near them, hated them. Why? Because they had fear that they were going to have a colony

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in their area. And yet having lived alongside Hutterites and lived in the vicinity of them all my life, they have ignored me and I have ignored them. They are good neighbours, they have helped people, they were the first ones there to the Blood Donor Clinics. They have helped fight prairie and forest fires and helped their neighbours who met with accidents, broken legs, helped them with the hay. I cannot say that they are any worse neighbours than the individual farmer.

I am not going to say anything about the school. Maybe others might want to talk about it. But I realize, and I think most of the members of this House realize, that we admit that there are problems. There was a problem when we needed the Communal Property Board in the first place. It was born out of desperation and war measures. And there is no sense going back, otherwise we could all go back in history: "Why did you do that?" The decision that was made when the first Communal Property Board came into existence was at that time in the wisdom of the legislature the right action to take. And maybe it was, at that time, the right action. I am not going to debate that problem. But we have looked at the Hutterites and this is one of the things that many people forget: that the whole idea of the Hutterites and their existence has been, in a sense, in the form of persecution. The more they were persecuted, the stronger they became. And all the other Hutterite committees and studies that have been made up to this date have been trying to assimilate the Hutterites into our way of life. We, as a committee, looked at it from a different point of view. Why should we assimilate them? Why can't they have their culture? Why can't they have their religion? Why can't they make use of the land because they are not abusing it? And they are not raising any more on that land than the former owners. We, as a committee, looked at it from the angle, "Let us live together in co-operation." And I think this is a valid and a reasonable approach.

What is a valid objection? I could stand here, and I will stand here, in my place and say that I had objections from my own municipality on the repeal of The Communal Property Act. But I have to look at it from the point of view of a member of a committee. If each one of us on that committee, and there were nine, had decided, "If this politically suits me I am going to speak against the Hutterites," we wouldn't have had any report whatsoever. We have to look at this problem, I believe, as all legislative committees, to look at this problem in its total perspective with the people of the Province of Alberta. This gives you a different perspective than, say, my present perspective of representing the municipality or the constituency of Macleod. But what is a valid objection? You can't say to the Hutterites, "You can't come here because I don't like you. I don't like your beards. I don't like your black clothes. I don't like the way you live. I don't like the way you worship." Are these valid objections? One of the problems today, and it concerns me deeply, and it must concern the legislature, is that the hatred for these people has in fact generated emotion and bigotry that has no place in a Christian society, and no place in the Province of Alberta.

We have just come through, whether we like or it not, or whether we agree wholly with The Bill of Rights -- but yesterday we all stood up, 73 of us, and said that we believe in The Bill of Rights. We believe what it stands for. I'm not going to be led around by the nose by public opinion. I represent a constituency and they can't tell me everything. If I had five letters saying, "vote no" and five letters saying, "vote yes," now am I going to vote? I stand here as their representative, in that I am going to act in a straightforward and manly manner, and in that I have the trust of my constituents, so that, should I be put into a place that I am called upon to vote, I will use common sense and judgment and speak on their behalf. I also have personal principles and I don't care whether my constituents like it or not, I believe that the Communal Property Act is in direct violation of The Bill of Rights, and I am going to support the second reading of this bill.

Above all, Mr. Speaker, in closing, whether or not we like the act, we realize there are going to be problems. We realize that just taking off this act is not going to solve all the problems of dealing with the Hutterites. But our concern with the Hutterites is finally that, instead of the government's being responsible for the Hutterites, the Hutterites must also be responsible for their actions towards other Albertans. If we are not going to act in the Christian manner, and bigotry and hatred is going to take over reason and responsibility, then I suggest, Mr. Speaker, that this legislature is going to have something to answer for. It's quite easy for us to make a political issue out of The Communal Property Act, but who are we hurting? Are we hurting the Hutterites, are we hurting the rest of Albertans? Are we making a mockery of the Bill of Rights? You decide for yourselves, Mr. Speaker.

MR. DRAIN:

Mr. Speaker, I have had considerable representations from my constituency in the matter of the Hutterite Brethren, and the concerns have been expressed to me; and in making up my mind on this very important subject, my thoughts went back to a meeting which was held in Pincher Creek and which was attended by the hon. Leader of the Opposition, who was then the Minister of Agriculture, and there was some hot political issue that was involved at the time, that they would in no way settle for anyone other than the hon. Minister of Agriculture. So in the interests of public participation, I talked to some of the Hutterite people. I asked them to come to this meeting, and they so did, but unfortunately the people that were there at the meeting were not that tolerant. I was shamed by the attitude that was adopted by some of the people there. Here were inoffensive Canadians, members of our society, who had come to learn and join in a public meeting with no particular axe to grind, and to have them subjected to the type of humiliation that they were subjected to at that meeting was a dirty one, and probably one of the biggest humiliations that I have had in my short venture into political life.

I think probably you could say that the story of land use is probably one of evolution; and there can well be a point arrived at -- but I think it will be a long time hence in the province of Alberta -- when we will have to take a strong look at land use. This has been done in other jurisdictions in the world, and there have been two methods of doing it. One has been by the process of revolution, and the other has been by evolution. I would think probably the English system which was chosen, which was of evolution, is the pathway which we should follow. Even the value of tenureship has been destroyed to a certain degree by the realities of the area that they have in England where, with a very small land area and a population of 50 million people, it was necessary by law to say that people would be allowed to walk on the farmer's field. Fortunately, the Lord has endowed us with a lot of land in Alberta, and this time is a long ways hence in the future. However, some legislature at some point in this building will have to face this problem.

One of my respects, and one of my acknowledgments that I think very highly of, is that I respect, more than anyone else, those people who do produce the wealth to make our way of life possible, those people who stand on their own feet, and I count the Hutterites amongst them. They do not stand outside this legislature with their hands stretched out for largesse from the taxpayer. They work, they produce, they pay their bills, and owe no man -- other than the bank, of course, which is part of business. I've had that session too.

I suppose, and I regret missing the earlier part of the debate, mention has been made of education and the fact of the dearth of education amongst the Hutterites. So then we can even hark back to the Worth Report, and what was said in the Worth Report about education. I think there is a section there that deals with learning by doing. I am prepared to question this thesis that the Hutterites are not educated. They are educated in the realm that they choose to function in, and I would question in my own mind -- in fact I might even discriminate -- if there were two young men -- and there are Hutterite young men that go out in the world and they work in the construction field and so on. You can have a certain amount of assurance that when a Hutterite starts a tractor he will walk around and see that the tires are up. He'll lift the radiator cap and see that there is water in the machine. He'll look and check the oil and he won't run out of fuel in the middle of the day, and to me this is part of an education. So I will not say in any way that the Hutterite should be faulted for this. Certainly, if you go to their fields and you see their automated chicken factories, and you see their hog feeding system, you become very much aware that they have been able to keep up with the sophistication of modern technology. Their taxes have been paid on time. When their neighbours were in trouble in my constituency -- and there were heavy snows which come on occasion -- who were out plowing the roads of their neighbours without being asked, and without holding out their hand to be paid? It was the Hutterite neighbours, and I wonder if they have ever been given thanks for that. At least I think they should be.

Another plus for the Hutterite people in their way of life is simply that there are no sociological problems of any major proportion. The amount of insanity, the amount of psychiatric problems, the welfare problems -- none of these exist in the area of the Hutterite people at this time. They look after their own. I readily realize, and this is a fact of life, that if you take one black chicken and put it with a hundred white chickens, the white chickens will pick the black chicken to death. This is the nature of things. I think probably all of us, to some degree, tend to reject that with which we are unfamiliar. Statements have been made about the possibility that the Hutterites did not carry their fair load during the last war. It was necessary also to

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have potatoes, meat, eggs, and other essential things. I recall that in the first bond issues the first areas that went over the top were areas that had Hutterite colonies. They were willing to serve. In the context of their religion they made a contribution. They were part of our society. They have produced, and I think the very fact of their unassuming life is a plus and one that should be recognized. Thank you.

MR. BENOIT:

Mr. Speaker, I rise to make a few remarks with regard to the bill, with only a passing reference or two to the report.

I do want to begin by pointing out that before the last provincial election my Progressive Conservative friends who didn't think much of the Hutterians predicted that I would lose my seat if I didn't change my attitude toward the Hutterians. Unfortunately, Mr. Speaker, they were almost accurate in their prediction. The only consolation I have is that some hon. members on the government side got in with about 10% of the small plurality that I had. Some of them are sitting on the front seat. It's a close shave.

Mr. Speaker, I find no fault with the bill that we are discussing tonight so far as the contents of the bill are concerned. I do have fault with the way it was brought in. I do object to the reason it was brought in and I do object to the timing of the bill, but insofar as the content of the bill is concerned, I have no objection there. I readily agree with all the things that were said in favour of the Hutterians here tonight, and someone might say that I am on the Hutterian bandwagon. I have nothing against them in any way, shape or form in spite of the fact that when you are dealing with this situation it is, as the hon. Minister who introduced second reading of the bill pointed out, one which is not easy to deal with. And it has no easy solutions. Such thorny problems as this in society are among the most difficult to deal with. But I do want to say, Mr. Speaker, that so far as the bill is concerned, both in the report and in particular as the hon. Minister of Municipal Affairs pointed out, the bill was being brought in because the Communal Properties Act may be in violation of the proposed Bill of Rights.

I thought it very presumptuous of the government to bring in a bill that might affect a bill that was not yet in force, or to introduce a bill of this nature before the other bill had even been passed, presuming that the other bill would be passed and, therefore, this bill should be passed so that it would not violate the other. In fact, the new Bill of Rights will be coming into effect in January, and unless this bill dies on the order paper, it will come into effect before the Bill of Rights which would be a violation of the Communal Property Act. This is the situation that we have at this time. The Bill of Rights is not in force at this time. Have we a new order that says we are going to have it in before January, 1973?

I stand corrected, Mr. Speaker. I may have jumped the gun on it, but all I wanted to say was that as far as I am concerned there are some other things that should have been done before this bill was brought into effect. I do not know if the recommendations of the report were given in the order of their intended implementation or priority, and if they were, then the bill has come in in its proper order so far as they are concerned. But there is no connection, I understand, between the bill and the report. This is where I would take exception, if the report was intended in that way, but I think the recommendations should have been in just the reverse order to what they are so far as their implementation and priority is concerned. Until something was done to take the place of the Communal Property Act it should not have been repealed because it then leaves a void in the situation. If the Communal Property Act is repealed -- and the fact that the board was suspended was almost tantamount to repealing it a year ago -- there is nothing to take its place or to be effective in its place. If we had been able to do some of the other things that were recommended by the board before we did this, and then repealed the act, there wouldn't have been a gap or a void in between. And so, Mr. Speaker, I express those objections to the way, the reason, and the timing of the bill; and I think probably that unless it is the intention of the government to not proclaim the bill for some time to come until something takes its place, it otherwise should be left to die on the Order Paper.

In conclusion, I would like to state that I think a lot of people became more concerned about the individual rights and concerns of the Hutterites, not when they realized what the Hutterites religious position was, but when it was realized that it was affecting a lot of individuals in a monetary way. And some of these individuals threatened to sue the government for interfering with their rights in refusing to permit them to sell to the Hutterians. Remember that the Communal Property Act not only forbids the Hutterians to buy land without the

board's permission, but it also forbids individuals to sell lands to the Hutterians without the board's permission. So it adversely affected the rights, not only of the Hutterians, who have religious concerns in this matter, but of a number of individual citizens who have a pecuniary interest in the matter. The two of these together have created a situation and brought it into focus.

Mr. Speaker, I have never, before I sat in this House or since, been in favour of the Communal Property Act as it has read through the years. One of the greatest surprises that I ever received was when the appeal to the Supreme Court was made, which upheld the Communal Property Act. I never thought that it would pass the Supreme Court. Probably I shouldn't say that in this House because in saying that I am sort of censoring the Supreme Court. I don't intend to do that, but I was surprised that they would take the attitude that the legislation was indeed valid. Many people in our area are opposed to the repeal of the Communal Property Act. I do not know that I could honestly say that the majority are, but there are four communal properties within a stone's throw of one another in the area which I have the privilege of representing, and there have been some very hot issues on this particular subject. I stand to be criticized for my position, and I have already been criticized on a number of occasions but I, like one or two others who have expressed themselves, have my own personal convictions with regard to this. And my convictions have nothing to do with either the Hutterians or their neighbours, or others who criticize them personally. It is just a matter of policy in my own life. I have expressed myself before and I want to express myself again on this particular point, that as far as I am concerned I wish that all the Hutterians were treated as individuals in exactly the same way as all other individuals are treated in the Province of Alberta, or vice versa. And when we get to that position, I think that we will have gone a long way towards the aims and projects we hope to accomplish so far as governing the province is concerned.

MR. D. MILLER:

In taking part in this debate, Mr. Speaker, I have mixed feelings. I feel that I am a Christian -- trying to be -- after listening to some of my colleagues here, I don't know whether they will allow me to sit in the caucus with them or not. I have some supporters in the constituency of Taber-Warner who also have some strong convictions against the repeal of the Communal Property Act, especially at this time. They've convinced me that we just have the cart before the horse. I feel that it must be repealed, but there are so many inequities in connection with this that have to be ironed out that I think we're just doing it backwards. For that reason I would like to bring some thoughts to your attention tonight. As all members know, and as my friend the hon. Member for Macleod has mentioned, the area south of Calgary has more than its share of communal property farms. So one can conclude that where there is the greatest majority -- where we've had the greatest association with them -- there is the most noise from the people. We can expect the greatest objection. We speak a lot about citizenship, patriotism, unity, and the strength of one Canada, and this is necessary. I believe in it because I was born in Canada. I find it difficult to defend a group of people who will not unite in all the ideals which hold our nation together, but rather expands, takes all it can get and refuses to assimilate and help, definitely in help to inflated land values. There is no question in my mind about that. I don't care how they go about it, but they inflated land values all out of proportion.

As I mentioned, there are a number of inequities which will not disappear by simply repealing the Communal Property Act. I hope we can have full discussion of all of the inequities related as we did with The Bill of Rights. That future legislation may equally be considered in every situation by all the citizens of the province. We will take them into consideration. Every citizen with his objectives.

It has been noted and it is possible that some difficulties may be encountered if The Communal Property Act is repealed at a time when there are no general land use regulations. It would seem reasonable to me that we consider some suggestions prior to repealing the act. However, this doesn't seem to be the case. For instance, large landholdings should fit in a harmonious fashion into the existing rural facilities. The location of our large holding farms should take into account the original use of existing rural service centres. This is important and deserving of full consideration under The Bill of Rights. Our small landholders find themselves seriously isolated. If the government intends to give priority to the family farm concept, as has been mentioned, a sincere evaluation is needed if we contend that the family farm comes first. Why should we repeal The Communal Property Act if the family farm comes first? If we do, we discriminate against that which is most deserving, in my opinion, the family farm.

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Because there has been a good deal of emoticalism surrounding the Hutterite situation every effort should be made to promote an optional location and size of Hutterite colonies, and this, I think, should be given full consideration before we repeal the act so that everyone is satisfied. My hon. colleague to my right mentioned that perhaps there would be a liaison officer or a committee to advise the Hutterite colonies on their future expansion -- where they should go and how much they should be allowed. They should take into consideration the present rural service centres and the result and effect of the colonies' buying habits. As has been mentioned before, this definitely affects the rural communities.

One of the main purposes of The Communal Property Act was to protect individuals and family farms from being swallowed up by large units that have unlimited purchasing powers. Repeal of the act and substituting controls in line with The Bill of Rights to serve the same purpose gives us serious concern and we ask, what legislation would protect individual property owners against large property owners whether they be sex, corporation, or Hutterite colonies? I am sure each one of us believes that where much is given, much is expected. We believe it whether we practise it or not. This is part of our democratic way of life. This philosophy should be emphasized more than it is in our homes, schools, and in society in general. If The Bill of Rights is being prepared for everyone's benefit, surely with it must come responsibilities. In other words, with the advantage of living under The Bill of Rights, if there is an advantage of living under this umbrella, each one of us must be willing to do his or her share to maintain those rights of freedom and continued improvement for all of society at all times. In my opinion, we must each be willing to subscribe to a plan to provide our share of the cost as well as replacements in leadership -- local, provincial, and federal -- and to provide professional replacements as well in all areas of our economy, and in science.

At no time is the health of our preferred society safe if we exempt an increasing part of our society from their inherent responsibilities. By inherent I mean within a democratic society. If we allow people to receive benefits without contributing to replacements, we are showing preference. I submit that the Hutterite communities are not contributing to our society in this area. They take all they can get and contribute to no replacements. We only have to consider one or two areas. I know of no greater users of our professional services in medicine nor of our hospitals or health services than they, yet they do not contribute anything, or at most a small amount by taxation, which is very minimal. The Hutterite Brethren have chosen Alberta and other parts of this great dominion because of the freedom we profess and enjoy; freedom of speech, freedom of worship, freedom to own and enjoy property, and to maintain ourselves from the rich lands of this great provinces. It is an ideal situation. It is a utopia for them. But they don't have to involve themselves in accomplishing anything toward replacing learned people to lead our nation, politically or otherwise. They just want to stay out of it altogether. And while we are giving of ourselves and of our time they are piling it up and building up an inflated area of lands.

In this democratic society with so many advantages surely there must be a price to pay, and a responsibility to keep moving forward. As a native of Alberta and a member of this assembly, I would feel remiss in my responsibility, and I say the same to you tonight, if we repeal The Communal Property Act without putting forth a greater effort at emphasizing the fact that we must be prepared to give of ourselves if we continue to receive. In practice we cannot really appreciate anything unless we are willing to contribute to it. We only appreciate by what we give. Those who don't believe it should try it some time and they will find out. If we have failed to teach anything less than this in our democratic way of living, we are being used and we cannot afford it. I appeal to you tonight in the words of Burns that my father, an ardent Scotsman, used to quote:

Oh wad some power the giftie gie us
To see oursel's as others see us!
It wad frae monie a blunder free us,
An' foolish notion.

MR. CLARK:

Mr. Speaker, in rising to take part in the debate on the bill, I would like to make just four rather quick comments, based on some experience that I have had in this particular area, and also in our family operation, which dealt with members of the Hutterian Brethren.

The first of my comments would be that I was less than impressed with the way in which the government chose to introduce the legislation. This point has been made by the hon. Member for Highwood and by other members here this evening. There is no need, to labour this other than to underscore the point that if in fact it was the feeling of the government that it was necessary for this legislation to be withdrawn, and that this decision had been made several months ago by the government, then it seems to me that the terms of reference, which were made available to the legislative committee at the session, should have been somewhat different.

Had we been advised at that time that that was the government's feeling, I think the Committee could have some more scope in dealing with the problems that I believe are inherent in the area in which we are moving. I might say that it has been very amazing here this evening to have considerable amount of discussion from this side of the House and tremendous attention from across the way. The silent majority, perhaps, as my friend from Highwood says. There are a number of members across there who, I know, have had to face this problem and I would hope in the course of the debate on this bill these members will be as forthright, straightforward, and direct as some of the members on this side of the House have been in the course of their discussion.

The second point that I'd like to make deals with the question of education. The hon. Minister of Education, I'm sure, has already had to face problems from various areas across the province as far as education in the Hutterian colonies is concerned. Some people are inclined to brush over the problem too easily and simply say that if we take all the youngsters from the colonies and send them to public schools, this would solve the problem. It's my opinion that this would do nothing more than make the problem greater. It has been tried in one or two instances across the province, I think, with not that much success. I'm aware that the quality of education in terms of how many students get through Grade X or Grade XII or go on to university from the schools in the colonies doesn't measure up. But the hon. Member for Hanna about three or four years ago was instrumental in attempting to get credits given to students attending schools in the colonies for work experience programs. The decision of the Hutterian Brethren at that was that they didn't want to move in that direction. I think, in light of some of the advances that have been made in this area of work experience programs in the schools, that we might well look at that kind of approach again. I just emphasize to the hon. members that when you generalize and say the solution is to not let people on the colonies have their own schools, you must be prepared to do that with other people across the province. When you say that, you are really talking of phasing out the private school system, and of making some very major changes as in the separate school system in the province. One thing we must do, I believe, is to be consistent.

The third area that I'd just like to make a comment or two on, Mr. Speaker, is my particular position on the bill itself. I can recall, about two weeks after I was first elected to the Legislature in 1960, attending a meeting at Bergen, which is just south of Sundre. There had been an application for a Hutterite colony in that community and there were about 250 people in the hall. I might say that after having the lengthy experience of two weeks as an M.L.A., I had some second or third thoughts on the way home that evening about this kind of political involvement. That colony was turned down by the Communal Property Board. In 1970 we went through a similar situation at Carstairs. To those members of the Legislature who have not been exposed to the kind of emotional upheaval there is in the community when it is rumored that a Hutterite colony is attempting to buy land and move in, I wouldn't want to give you the impression that it is something to look forward to by any stretch of the imagination. It is a real challenge and a real test for a member of the Legislature.

I plan to vote for this bill, but in saying that, I want to say to the government that in moving in this direction, let's not kid ourselves in thinking that we've solved the problem because we haven't. When I talk about the problem I'm not only thinking in terms of the problem of the Hutterian Brethren and their communal living approach to life; but we might well lump in at the same time the question of the large corporate farms that are beginning to be a problem in this province, and will be more of a problem in the future. I remind the hon. Member for Highwood that the communal properties legislation, when it was tested in the Supreme Court of Canada, was held up on the basis of being constitutionally sound planning legislation, and it was on that basis that the defence for the legislation was made by the Attorney General's department. Whether the approach is to be on the question of communal properties or corporate farms, and whether this legislature is going to take the approach of some kind of planning legislation or some kind of legislation dealing with the use of agricultural land, before very long we have to become much more involved in these areas. In voting for the legislation I want to make it very clear, Mr. Speaker, that I see now the government has a major responsibility not just to

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feel this problem has been defused but to bring to the legislature suggestions and legislation or an approach which they feel can carry the judgment of the people of this province in dealing with the question of communal living, in dealing with the question of large corporate farms, and at the same time have that approach in The Bill of Rights.

MR. DIXON:

I would be amiss in my duties if I didn't get up during the Hutterite debate because over the years I have been one who has said that this act that we are repealing tonight was ultra vires and against anything that stood for freedom in our province, and so I for one am most pleased that the repeal act is before us and I support it wholeheartedly. I am sure hon. members will remember that when the committee was set up in my spring session I voted for that committee and suggested to them at that time that my reason for voting for the committee was not that I was worried whether they were going to give the Hutterites their freedom, but I was almost certain that if they took a realistic look at it, which they have done and which was so ably pointed out tonight by a number of the members that were on that committee from this side of the House, they would do a good job; and they did do a good job, and they came to the only realistic conclusion that anyone could come to: that if we are going to have a Bill of Rights in this Province of Alberta then there is no place in this legislature or any of its statutes for The Communal Property Act.

I fought for this legislation when it wasn't too popular, and I have had a number of letters over the years that I would consider poison-pen letters that said they didn't like my stand. I even had some of my fellow members in the Royal Canadian Legion, of which I have been a member for a number of years, tell me that my stand wasn't a good one; but I have had the pleasure, since that time, of having some of those people who were so opposed to the stand that I took at the time come to me and say they were genuinely sorry, and wished they hadn't been so vicious in their attack on me by writing letters and phoning regarding the stand I took at that time. So you know times change drastically. It may be of interest to the members of this House that it was 100 years ago today that Louis Riel was hanged in Regina. At that time, I suppose, he was probably the most unpopular man in western Canada, but today right here in our own Province of Alberta we have schools and other monuments in his honour. So people have changed and have taken a different outlook, and I think this is just what has happened with the Hutterite situation in our province. People have taken a realistic look at it. If this act does nothing more than bring to the attention of the Alberta people that the Hutterites can operate in our province and want to be part of our society -- maybe not in the way that all of us would like, but I am going to say this: that you are going to have less dishonest land deals than we have had between the Hutterites and the sellers, or the vendors, because I know many of us have been acquainted with people who have come around and tried to get around the act. Yet as the hon. Member for Macleod has said, You know, it's funny they get so annoyed at the buyer if he is a Hutterite but they never seem to get annoyed at the seller. He can leave the country and I have even had them come back and be honoured in the community after they come back and be invited to their local community hall, and they have had a banquet in their honour, and yet they were very, very annoyed at the time they sold to the Hutterites. Things have changed and I am pleased to say they have changed for the better.

But I would like to take a broader look at the whole situation. I think we have got to be realistic in this province -- that we are facing not smaller farms, but larger farms. One thing there is to the credit of the Hutterian Brethren is the fact that they are not absentee landlords. They are landlords who actually farm the farm. I know, there are hard feelings in some of the smaller communities, saying that the Hutterite doesn't buy his groceries in the local town; but Mr. Speaker, I am sure that if you go to the outskirts of Edmonton, into some of the larger shopping centres, and to the outskirts of Calgary, I am sure that you will notice a lot of farmers from the southern part of the province buying at the Woodward store, and they drive right by the small-town merchant because they can save a few cents. I think you can say the same thing with large corporation farms: if they can buy wholesale, they'll buy wholesale, and there's no legislation that prevents them from doing it if it is legal for them to do it. The Hutterites are doing it no differently than anyone else.

I think another thing to the credit of the Hutterites is that now you will see a greater activity by people who wish to sell their farms if they have a large farm in almost any arable location in Alberta. They will be out looking for the Hutterites to buy their farm because what we are faced with today is to get help on the farm. The only way that the farmer that owns a large farm is going to get anyone to help him and give value in his day's work is to bring him

in as a partner. So you are going to see a change in the agricultural set-up in our province.

Schools have been mentioned. Well, I have made visits to a number of the Hutterite schools in the different parts of the province, but I would like to take one in particular in the riding of the hon. Member for Highwood, in the MacMillan Colony. I visited the school there about four years ago and I can say without fear of contradiction that every one of those pupils that were there was just as bright as in any school that you will see anywhere in Alberta. We were shown the work that they were doing and it compares favourably, I am sure, to anything else that is going on in the province of Alberta.

If we think the Hutterites are going to disappear I think all we need to do is go back into history. It was over four hundred years ago that Jacob Hutter, who founded and was one of the original leaders of this group, was burned at the stake; and as some hon. member pointed out tonight, the tougher the legislation and the harder fight you give the Hutterites, it seems that they pull together and are more determined than ever to maintain their way of life. I think, too, we should have a serious look at the fact that with the Hutterites, and in particular the young Hutterites, there are no drug problems, there is no juvenile delinquency, and as some hon. member mentioned a little earlier, maybe we should reverse our trend and take a look at what they are doing. Maybe this is something that we need. But I think if we are going to have a Bill of Rights, of course, we should, as long as we don't interfere with the rights of others, be able to carry on whatever religion or whatever type of living we have as long as it is a law abiding decision that we make.

It's nice to hear so many speakers in the House when the Hutterite problem comes up, because before I think the temptation was always to "let's get the thing over with and we are doing something that's not quite right"; but it's nice tonight to feel the freedom of speaking out as we should on issues. Of course, tonight I think is a really good debate because many hon. members have taken both sides of the argument and have presented it well.

I am disappointed, Mr. Speaker, in the fact that we haven't heard too much from the government side of the house. I am thinking in particular that as a favour and as an obligation we should hear, for example, from the hon. Minister responsible for rural development, the hon. Minister of Agriculture, and the hon. Minister of Education, because these are vitally linked. Those departments are vitally linked to this problem that we have before us tonight. I think if the government is going to pass legislation, which I approve of wholeheartedly, we should be entitled to some remarks from, in particular, the cabinet ministers opposite who have important portfolios, portfolios that fit into this problem of communal living; not so much the communal living as the communal farming versus corporation farms versus the family farms. Getting back to the hon. Minister of Education, I think that he should give his experiences on what he has found out about how the schools are operating at the present time in the Hutterite colonies. But, Mr. Speaker, I do want to say that this is a red-letter day in the life that I have led here in Alberta in the last 20 years in this legislature. It is something I have looked forward to. I would like to congratulate the government in bringing this bill forward, and I support it wholeheartedly.

MR. RUSTE:

Mr. Speaker, I was just waiting to see whether or not there would be somebody on the other side get up and speak before the hon. member closed the debate. Evidently they are either tongue-tied or whatever it might be. I welcome this opportunity to take part in the debate as a representative of the Mainwright constituency and I have certainly noted with interest the debate that has taken place.

The one thing I was going to say, and I think it has been expressed before, was the fact that it was a rather odd way that this was proceeded with in that the bill was decided on before the committee report was brought in; and I certainly think that the government should have done away with the committee as far as that went and saved some money for the taxpayers of this province. But certainly the report itself was available to the public in any numbers early this week. We as M.L.A.s received limited copies when it was tabled, and I don't feel, Mr. Speaker, that the public at large have had an opportunity to respond. While I was able to get some reaction from one of the communities in my area, and I will refer to that a little later, I think that most areas -- and I might mention here that many of our organizations, Chambers of Commerce, farm organizations, town councils, village councils, municipal councils have not had meetings to be able to discuss this and get their reactions back to us as representatives. But certainly I was rather interested also in the way that the

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objection was raised to having this brought in on the Order Paper; and I think that the Order Paper today brings in a resolution moved by Dr. Horner and seconded by Mr. Stromberg that the crop insurance report be brought in. My question is, why wasn't this one brought in, in the same manner for debate by the members of this assembly?

Now, certainly I would suggest that as representatives in this assembly we haven't got an opportunity to get the feeling of our people who we represent. I think we heard the hon. Member for Drumheller express the contacts that he has made and I think that at this time I would just like to outline one of the submissions that will be in the mail. And I might mention here that the mail wasn't delivered today so the ministers involved will not have had a copy. But I am just giving an outline of the letter that will be coming to the ministers involved, and I will be receiving a copy. This is signed by the mayor of a community, the President of the Chamber of Commerce, and the President and Vice-President of a Unifarm local. And certainly I suggest, Mr. Speaker, that these people aren't bigots or poison-pen people. They are responsible people in their community. And in summation of their letter I'm just going to bring out some of the highlights.

These people point out that they have lived in the area of a colony for 20 years and they have no complaints to the members as individuals or to their religious beliefs; but they go on to say that they do not make, and never have made, any contribution to the community life in this district. They do not participate in the large amount of work that is necessary to make any community a going concern; and they are referring there to the many social activities, educational activities, and other activities that make our small communities grow. They make no contribution at all. This is what they spell out in the submission. They do no purchasing locally. The bulk purchases are made where possible at other areas. They mentioned that the fuel and oil is purchased by tender and the bids are made by major oil distributors, the local agents having to deliver same at a much reduced fee. And they submit that from the report the suggestion that new colonies be allowed to own eight sections of the best land -- to bring this back to their own area -- would be the equivalent of as much as forty sections in some areas. They suggest that this could mean the end of a small community, and I agree. They go on to suggest that the committee should have interviewed people who live in areas where these colonies are, not just the colony members but the people who live in the neighbourhood. They also suggest as well that the human rights of the majority are as important as the human rights of the minority. They go on to point out that the colonies, themselves, live to themselves, and they survive well under the present system.

I might mention here that in the report it spells out that the average income of the farmer in the Hutterite colony is higher than that of the average Alberta farmer, so I can't suggest, Mr. Speaker, that they have been done hard by. I think somebody mentioned here that Alberta was a promised land to them. So, I submit that there is much in that. Another thing that they mentioned is that the human rights of the young people should be considered in these colonies. I think this gets into the field of education. Now these are some of the parts that they touched on, and I think that they are well worth considering when we are dealing with the second reading of this bill.

I might mention also that the hon. Minister of Municipal Affairs said that there was need at one time for legislation such as this. I submit, Mr. Speaker, that passing this legislation at this time would leave a void that is going to create unnecessary problems. And I would suggest that for two reasons, (1) that time should be given for elected representatives to hear from the people of Alberta in relation to this, and, (2) to avoid the problems that would be created by the passing of the bill at this time, we shouldn't continue with it at this time. And for that reason, Mr. Speaker, I have to oppose second reading at this time.

MR. DOWLING:

Mr. Speaker, I had intended to make a number of lengthy remarks on the misconceptions and misunderstandings that apparently are still running rampant, not only outside of the House but inside the House. I'll limit them to one or two, because I think they have to be touched on.

First of all, there is the matter of Hutterite education, and the fact that these people do not receive proper education. As my hon. friend from Southern Alberta said, they are educated in the thing they know best to do, and statistics in a recent report by the Department of Agriculture survey have proven that the average Hutterite education is Grade VIII, as is the average educational level for Alberta farmers. So they both have the same educational level.

The other point that I would like to make deals with a town in southern Alberta that was mentioned by the hon. Member for Drumheller, I believe. He indicated that the farm population was decreasing in the area of a town by the name of McGregor or McGregor Lake. I think the town he referred to, or meant to refer to, was Milo. The colony in that area was established in 1948, yet the population between 1962 and 1963 decreased. There was no colony formation at that time and on from that period right up to 1972. The population of Milo is now 162; it was 167 in 1961. Just one additional example: Queenstown. It had a population of 28 in 1969. The Verdant Valley school population, in the year the colony was formed, which was last year, dropped six. In the year 1968 to 1969 the population dropped seven. There was no colony formed that year. In the year 1964 to 1965 the population in the Verdant Valley school dropped by eight. There was also no colonies established at that time in that area.

The only other point that I would like to make, Mr. Speaker, is that I believe that the contents of the report are factual. They have been done by a group of people who were established to look into communal use of land over the total of Alberta. It was a totally non-political committee, if that is possible in a political setting. This was made abundantly clear at a number of meetings we attended earlier on in our meetings with the public, when we were accused of being a political group. We all agreed that we weren't, and it was made abundantly clear to those we were visiting. I truly was impressed with the contributions made by every member of the committee and I was particularly impressed with the contributions made by the hon. Members for Macleod and Hanna-Oyen tonight. I think their presentations were courageous and factual, and I feel, as I am sure all hon. members on this side who sat on that committee do, that it was truly an honour to be a member of the committee. Thank you.

MR. COOKSON:

Mr. Speaker, if I could add just a little bit to the debate that is being carried on this evening without overlapping too much on what has already been said, I would like to, as one of the members of the committee, compliment those who were on the committee. I would like to particularly compliment the hon. Members for Macleod and Hanna-Oyen, who spoke very clearly and forcefully about the importance of repealing this act. I think it takes a great deal of courage. I know that there are differences of opinion, and I know that you have a responsibility as members of the opposition to act as critics, and I just want to compliment you on the way you have worked with us on the committee. I would like to have heard from the member for Cardston tonight, because he made a considerable contribution during our meetings throughout the summer, and he has, I think, a heavy concentration of communal property people in his area. And I would like to have known what his thoughts were with regard to the progress that the committee made. I would just like to criticize the hon. Member for Drumheller, even though he has a responsibility in suggesting that the committee acted in a manner hypocritically, or at least the establishment of the committee was hypocritical in that it had already been predetermined with regard to repealing the act. I do not think that is a fair statement. I think all the committee members acted very responsibly and sincerely with regard to the deliberations. And I think if you carefully study the report, this will bear out what I have said. It has some very clear recommendations, Mr. Speaker, and without reviewing them, one of the most important recommendations was in regards to the liaison officer. In travelling throughout the province I found that there was a great lack of understanding and factual knowledge about the problems that have been created between Hutterian Brethren and the people. I can only emphasize, Mr. Speaker, that we continue to progress in the area of a liaison officer who can go out and clearly state some of these facts that have not been clearly stated in the past.

I might just say one word about the frustrations of the farm people in general that we have talked to. I think that these are really sincere frustrations. In general, farm people do not oppose the beliefs and desires of the Hutterian Brethren. I think more than anything they are frustrated with their own situation rather than with the situation of the Hutterian Brethren. We have, over the past years, consolidated schools, and in centralizing, lost many of our young people. The proposal was to educate them and the result was that they left the farms. So we have a situation on the farm today in which the average age has been stated many times, is at the point where a number of people will be retiring and no one will be there to take over their property. This is a real frustration for our people, and hopefully we will be able to reverse some of this trend.

Just a word about education. I think that one of the sincere concerns of many of our people was their concern about the limited education that the young people get in the communities of the Hutterites. I think they are very sincere in their criticism and concern. I think, Mr. Speaker, in talking to the elders

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in the province, they are concerned about these things and are prepared to make concessions. I think they understand that they have to, and that they have a responsibility in these different areas. I think that if we can proceed slowly and carefully, with the understanding that we do not really want to dispose of Hutterite culture and beliefs, we might see considerable improvement in the situation as it exists today.

Those are the few remarks I would like to make, Mr. Speaker. I again want to thank all those who worked on the committee and also the people in the Honourable Mr. Dowling's department who did a lot of the research and work, which culminated in this report.

DR. WARRACK:

Mr. Speaker, I take this opportunity to enter into the debate at this time, even though there really is not that much to be said and particularly not that much more than has been effectively said on the debate. I am tempted to say I enjoyed the debate, but it is really more than that. It seems to me it was an experience in the process of consensus on both sides; the consensus that follows naturally, logically, and I think spiritually from importance of and the best of intentions of members on all sides in proceeding with and unanimously approving The Bill of Rights yesterday. It seems very clear to me that in that sobering reality and, perhaps on the part of some, resignation, something truly has occurred here. I think that the debate on this bill, Mr. Speaker, has been second only to the debate on Bill No. 1 for its quality, for the attention that it deserved and got, and for its effectiveness. Certainly, like anything else, there are two sides. I think the matter above all, if you are really sincere about human rights legislation, has to be that you can permit only what is truly in keeping with that legislation. These points were made in the opening principles' description of the bill by the hon. Minister of Municipal Affairs, and if you'll pardon me for saying so, even more effectively and sincerely put by the hon. Member for Macleod. And I am sure he is saying what is indeed the case when the hon. Member for Calgary Millican points out that this has been a position of his for a very long time.

At the same time I would like to suggest that I found the offerings to the debate made by the hon. Member for Hanna-Cyren and clarified further by the hon. Member for Jasper, Bob Dowling, most informative and, I might also add, courageous. Certainly there are these concerns, and I've had them expressed to me. One of the reasons I think I ought to offer a few words, Mr. Speaker, is that I believe I probably have more of our Hutterite citizens in my constituency than anyone else on this side of the House. I don't really think that matters because I don't really believe the sides of the House are very far apart on this matter at this time. There are the questions of the fear of being enveloped by the growth of communal people. There are the valid fears expressed about education, including the questions of the rights of the individual Hutterian youth; whether he indeed has equal, full and individual rights such as we might all wish on each other person in Alberta. And certainly there is the question of land use in terms of equal treatment for all. I am certainly and without any reservation at all going to be voting for the bill before us because it is clearly in spirit as well as legally in conflict with The Bill of Rights. In closing, I think it might be worthwhile to mention that we might all just take a moment to think that this could be regarded as our first positive and concrete action to deliver the intent of The Bill of Rights to the citizens of Alberta by voting for the repeal of the bill before us.

MR. STROM:

Mr. Speaker, I wonder if I might just say a word. I've been debating whether or not to ask for an adjournment so that the hon. Member for Cardston might speak, but I rather think that he would want to pass it up anyway, and so I do not intend to do it. But I did give some consideration to it in view of the remark of the hon. Member for Lacombe. Now I don't intend to do it because I think we're getting close to the end and may I say, Mr. Speaker, that I'm not rising in my place to rehash a lot of the arguments. I simply want to place my own position on record.

I was taken to task by one of the earlier speakers who rose to speak on the repeal of the bill. I found that in doing it, he has really discussed Bill No. 1 more than the present Bill. But for his information, I would like to suggest to him that the initial act was passed in 1948. I was not a member of this House at that particular time. I'm not sure what action I would have taken had I been a member at that time, Mr. Speaker. But I say again, as I have said on other occasions, that I think we ought to be a little careful in condemning anyone for decisions made in the past unless we're able fully to understand the reasons for making them. I do recall, having lived in the south practically all

of my life, that we did go through a period that was extremely explosive. I believe that it is the responsibility of the government to try to ensure peace and harmony as much as possible, and I would like to say, Mr. Speaker, without any heat, without any emotion, that I believe the members of this legislature at that time felt that they were moving in a direction that was showing peace and harmony for that particular occasion. Whether or not it might have been as serious as they thought no one will be able to state, because we have no way of knowing. Now I would like to say, too, that it has been my privilege to learn to know a number of Hutterites. I have a great deal of respect for them, but I do say, and I say it kindly, that there are many occasions on which they neglect to give consideration to public relations. I have heard many people say, "You know this is my legal right," and I am sure that all of us realize that if we insist upon all of our legal rights at all times we can very well wind up having very, very few friends. So there is more than just being legally right. I think there has to be a recognition that we must get along with our fellow men.

I am wondering if the hon. Minister would like to enlarge a little bit, as a close to the debate, on what his understanding is regarding the liaison officer's responsibility. Because I sense that what he was telling us in his opening remarks on the bill was that we had a situation where there was a wall between two parties, and what he was hoping was that the wall would be removed so that the two parties might get together and join hands in a common objective. As I understand that 'common objective', Mr. Speaker, it seems to me that the intent of the liaison officer is to try and maintain a situation that is really not too much different from what it is today, in that the Hutterites, in seeking to purchase land, will respect the problem that they can create insisting on grouping together in one area. I would simply be interested in knowing whether I am right in my assessment. As I understand it, they will be operating on a gentlemen's agreement, and I am not sure what the agreement is. Now in closing, Mr. Speaker, I simply want to say this: I believe that we have proceeded on a trial basis by doing certain things. Had the Bill of Rights been there we would have undoubtedly proceeded with a 'notwithstanding' clause. I am prepared to accept the recommendation of the committee. I agree with those who have suggested that the committee has done its job in the best manner possible. They were conscientious. They were sincere. They have come up with the best recommendation possible. So I am prepared to accept it on the basis that we were moving forward again on a trial basis. If it does not work I am sure that future legislation will have to look at it again, and deal with the matter. I am not so optimistic to believe that the problem that we have experienced in the past will go away and not be seen anymore. But I just want to say, Mr. Speaker, that I am prepared to accept the recommendation, and to go further and see what happens.

MR. SPEAKER:

May the hon. Minister conclude the debate?

HON. MEMBERS:

Agreed.

MR. RUSSELL:

Thank you, Mr. Speaker. I rise to conclude what I think has been one of the best debates I've heard in my time in this legislature, Mr. Speaker. I have been sincerely and very deeply impressed by the comments I have heard from both sides of the House, and I have to echo the sentiments of the hon. Minister of Lands and Forests when I say very frankly that I think the member who spoke probably what most of us felt and were trying to say was the hon. Member for Macleod.

Mr. Speaker, when I received the report when it was tabled, and saw the signatures in it -- and you look at the map, and you look at where the hon. members on the committee are from, and their constituencies, and see the extent of Hutterite settlements within their own boundaries, and you can sort of prorate what the problem is -- I recognized the very straight-forward and courageous steps that the members on that committee took. And I have to disagree very strongly with the hon. Member for Drumheller. I don't believe that the committee's work was a waste of time at all. I think it was an excellent report and very, very useful to the members of this legislature but more important, to the citizens of Alberta; because what the report did was give a great deal of factual information: it gave a very interesting history of the Hutterite beliefs, it came up, I think, with some excellent recommendations and notwithstanding the fact that really the options insofar as what to do with the existing legislation were being narrowed, notwithstanding that fact, I still

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believe that the recommendations and work of the committee are just excellent, and I assume that we will find them all most useful.

I want to emphasize again the point that was touched upon and that is the fact that this bill is being brought in because of the human rights bill, because of Bill No. 1, and not because of any recommendation that is included in the committee report. However, I must say I am personally very pleased that the findings of the committee and their recommendation No. 1 did come to the same conclusion; because I believe, and many members have expressed this so well, that when you take all the factors that are involved, and you examine all the options and gradually eliminate the most undesirable ones or the least effective ones, you really have to come to the conclusion that that act had to be repealed. There really isn't much other choice. One of the members when speaking said that perhaps the legislature shouldn't have given the committee the terms of reference that we did, if that decision had already been made. I think the committee was given its terms of reference by the legislature in good faith. There were several options open at that time including the use of a 'notwithstanding' clause but really I think it was only the months of hard work by various members of the government by all members of the committee that have led us to this reasoned and reasonable belief that the act should be repealed.

It had a stormy life, and the hon. the Leader of the Opposition referred to the year of its birth and perhaps the fact, and I said this myself, that perhaps it did serve some purpose and perhaps some past legislature and members who preceded us really did believe that it was necessary and they obviously did or they wouldn't have voted it in. But now I sense that this 1972 legislature really believes that the lifetime of that act should be brought to an end and if there is a problem, we should try to find other ways of dealing with it.

I am definitely not naive enough to believe that the repeal does solve the problem if there is one. We have a lot to do. That's why I fall back on the recommendations of the committee report. I think there are some excellent recommendations in there.

With respect to the questions asked about the proposed actions or duties of the liaison committee, I think they are well laid out in the report, I believe starting on Page 33. And I can only say in the time I've had to study the report that I think that the outline of the proposed duties and functions of the liaison committee are well recommended as they are laid out in the report.

Several members in the House, not only this House, but in other provincial legislatures and other jurisdictions, have talked for some time about some kind of general rural land legislation; and I agree that this is a matter that should be given very careful consideration. I am impressed and I haven't ignored the fact that many members from throughout the province have made specific reference to that possible route in the future.

I'd like to explain one thing. One of the members referred to the matter of timing -- I believe it was the hon. Member for Highwood -- and the possible conflict we might have with respect to effective dates of the act. It was purposely written so that this act would come into force on a date to be fixed by proclamation, and I can say to all members it is certainly our intention to proclaim the act on the same day as the human rights bill. I think the reasons for that are obvious. There are further reasons for this. I am not sure if there are any unknown legal factors that might have to be cleared up in the meantime. I can't think of any, but at least until the date of proclamation it will give us time to very carefully consider that. It will also give us time to consider, with more care, the recommendations that have been made by the select committee that reported.

One of the members, in speaking to the debate, Mr. Speaker, made reference to the fact that the Hutterite Brethren chose Alberta and while, perhaps that is true in a narrow sense, I think there is a broader happening that occurred that should be mentioned. The Hutterites, if we read in the report the general history of the Hutterite Brethren, have generally been encouraged to come into whatever parts of the world they settled in. Reading from the report, it says, "In 1770 Catherine the Great of Russia encouraged the Hutterites to come in and improve unsettled areas. In 1873 in the United States both government and railway officials pressured the Hutterites to move into the United States." Turning the page we find that the former premier Mr. Brownlee's government, "sensitive to the views of rural municipal organizations, urged the federal government to allow the Hutterites to immigrate. Due to the depressed conditions, local residents of southern Alberta wished to sell their land to the Hutterites; and moreover the fact that the colonies were self-sufficient made them an asset to municipal organizations."

I think this is a very important point to recognize, because we have alluded to the past actions of past legislatures and it is really not so long ago that a legislature of Alberta was in fact encouraging the Hutterites to settle in southern Alberta to help solve an economic problem that existed at that time. In the same spirit and in the same vein, Mr. Speaker, we are trying to recognize the fact that they did have that kind of beginning in Alberta, that perhaps there was a reason for it then; that perhaps at one time there was a reason for The Communal Property Act. But taking all things into consideration, now is the time to repeal the act. We think, as the hon. Member for Wetaskiwin-Leduc said, we are entering a new era. I am hoping that the hon. members of the legislature won't leave all the work and all the handshaking to the liaison committee. I have said that there is going to have to be some very excellent leadership given and good citizenship and co-operation, perhaps in a very difficult time in the few months ahead -- and I say the few months ahead because I am aware, Mr. Speaker, that last December when the Communal Property Board as it stood at that time was dissolved, there were three pending applications. In the normal course of events, and about a year has passed since then, another two or three applications would have been built up. So under normal circumstances, we would have probably had another four or five colonies established and those have been held back. I can sense the immediate public response that we may get, if on proclamation of the act, those four or five colonies, or potential colonies in abeyance, suddenly acquire land as other Albertans do. That is an example of the kind of tests we will be put to. Having heard the speeches in this debate, Mr. Speaker, I have confidence that the members of this legislature will give that leadership.

[After putting the question, the Speaker declared the motion carried; a number of members rose, calling for a recorded division. The division bell was rung.]

[Three minutes having elapsed, the House divided as follows:

For the motion:	Messrs.		
Adair	Diachuk	Hcrner, Dr.	Paproski, Dr.
Anderson	Dickie	Hunley, Miss	Peacock
Appleby	Dixon	Hyndman	Purdy
Ashton	Doan	Jamison	Russell
Backus, Dr.	Dowling	King	Schmid
Barton	Drain	Koziak	Strom
Benoit	Farran	Lee	Stromberg
Buck, Dr.	Fluker	Leitch	Topolnisky
Buckwell	French	Lougheed	Trynchy
Chambers	Getty	Ludwig	Warrack, Dr.
Chichak, Mrs.	Ghitter	Mandeville	Werry
Cookson	Gruenwald	McCrimmon, Dr.	Wilson
Cooper	Hansen	Miller, J.	Wyse
Copithorne	Harle	Minieley	Young
Crawford	Henderson	Notley	Zander

Against the motion:	Messrs.		
Miller, D.	Ruste	Sorenson	Taylor

Totals: Ayes - 60 Noes - 4]

[The motion was carried and Bill No. 119 was read a second time.]

MR. HYNDMAN:

Mr. Speaker, before moving that the House adjourn until tomorrow I would like to outline tentative business for tomorrow beginning at 1 o'clock. Firstly, we would begin with the Committee of the Whole study of Bill No. 119, The Communal Property Repeal Act. Then we would move to third reading of Bill No. 120, The AGT - Edmonton Telephones Act, and then back to second readings of the following four bills, on page two of today's Order Paper: Bill No. 122, The Health Insurance Statutes Amendment Act, 1972, Bill No. 124, Mineral Taxation Amendment Act, 1972; Bill No. 125, The Alberta Alcoholism and Drug Abuse Foundation Act; and Bill No. 126, The Election Statutes Amendment Act, 1972. And if time allows we then move to Government Motion No. 4, the receipt and concurrence of the Report of the Standing Committee on Privileges and Elections.

I now move, Mr. Speaker, that the House do now adjourn until tomorrow afternoon at 1 o'clock.