

Supply

In Keegstra, Andrews and Smith the Supreme Court upheld the hate propaganda provisions.

The Vesey case established that discrimination based on sexual orientation was prohibited by section 15 of the charter, even though sexual orientation was not a named ground of discrimination.

• (1710)

The Andrews case marked the beginning of the process of defining equality. The Supreme Court ruled that the main purpose of the equality rights section of the charter is to benefit those who have been historically disadvantaged. I think every one of us in this Chamber knows who have been historically disadvantaged. Every one of us knows what will happen if those who have been historically and are continuing to be disadvantaged in this country have no access.

Turning to the Butler case, the day before the government takes away the Court Challenges Program the Butler case is decided. The Supreme Court of Canada upheld the obscenity provisions in the Criminal Code, arguing that while there may be a contravention of the freedom of expression provisions they nonetheless constitute a reasonable limit. It was recognized that the violent and degrading acts and pornographic material are harmful to the equality and dignity of women.

Let me state again how important this is in the search for equality. I listened yesterday to the debate about women in Canada. I listened to members on the opposite side of the House very eloquently talk about their abhorrence of violence against women. The Butler case will go a long way in the eradication of violence against women in this country, and without the Court Challenges Program there would have been no Butler case.

[Translation]

Abolishing the Court Challenges Program is an inestimable loss for our society, because without it minority language communities and disadvantaged groups will be deprived of an essential tool.

Without the Court Challenges Program, who will protect the poorest and most underprivileged from the continual abuse of governments? Abolishing it is shameful. I ask the government to reinstate it immediately.

[English]

I demand it. We all demand it. Give us back this program.

Hon. Warren Allmand (Notre-Dame-de-Grâce): Mr. Speaker, I congratulate the hon. member on her excellent speech but I too have to ask this question: What good is it to have a Charter of Rights and Freedoms if those whose rights are denied cannot be enforced in the courts and they cannot claim protection of those rights, especially when we realize that the great majority of those whose rights are denied under the charter are in lower income groups?

Sometimes they may be in middle income groups. The disabled, visible minorities, the aged, these are not people with a lot of money. They cannot afford to enforce their rights in the courts with their own means. Women, immigrants, aboriginal people, linguistic minorities, in nearly all these cases the opponents of these people whose rights are denied are governments that are financing their litigation with the taxpayers' money.

With these great sums of money these governments, provincial governments and federal governments, can spin the case on forever. They use dilatory motions. They appeal the case up and down the system and the poor litigant on the other side is expected to keep up with that. He or she cannot keep up with that, and the result is that there just is not any justice.

I have a question for the hon. member. The justice critic for the Liberal Party pointed out that while the government cut the Court Challenges Program with a total budget of \$2.7 million, it increased its own litigation budget by \$16 million. In other words, this government has taken taxpayers' money to strengthen and increase its own ability to go to court and to fight in many cases against the citizens of this country. Yet it has done away