

equality of status is gone. As the hon. member for Rosedale said, the provinces of the west can never become first-class provinces. This is regrettable because it disregards the reality of the current growth trends.

An hon. Member: You are reading the section wrong.

Mr. Mazankowski: The hon. member says I am reading the section wrong. Well, there must be a lot of other Canadians who are reading the section wrong, if that is the case. I do not see any great wisdom coming from the hon. member, who tried to get up on a phony point of order today.

In my view it establishes different classes of citizenship. Clause 42 has been alluded to on a number of occasions. It is a club, and not merely a device for dealing with a deadlock. Hon. members opposite would be advised to read it over and over again. It empowers the federal government to remould a nation through federal manipulation. This arouses suspicion, Mr. Speaker. It prompts one to ask what the motives of the government are. Is the Prime Minister serious when he says he believes that the presidential system of government, like that of France, might be the best for Canada? Is that his motive?

I have referred to provincial resource ownership. There is a great deal of uncertainty about that issue, Mr. Speaker. And what about Canada's first citizens—treaty rights, claims, Indian women? That area is certainly not clear and the Indians have not been consulted. The guarantees are less than clear. I should like to quote from an article in *The Journal of St. Paul, Alberta*, on October 15. It begins as follows:

If, indeed, the federal government patriates the British North America Act, as it proposes to do, without consent of the Indian people and without entrenching Indian treaty rights in a new constitution, it is guilty of a serious breach of trust, according to Eugene Steinhauer, President of the Indian Association of Alberta.

Later, the article continues:

The Indian nations of Alberta have taken the position publicly on numerous occasions that they are opposed to patriation of the BNA Act unless the Indian people are guaranteed that their treaty rights will be entrenched in the new constitution.

The treaties which were signed in good faith between the Crown and the Indian people more than a hundred years ago recognized the aboriginal peoples of this country as 'nations', Mr. Steinhauer says, 'and these treaties were agreements by which these nations peacefully surrendered many thousands of square miles of land in exchange for small parcels called "reserves". These parcels, and the right to self-government, belong to the Indian people "as long as the sun shines, the river flows and the grass grows."

Referring to the innocuous clause 24 of the proposed charter the article goes on to say:

'This is a deliberate sidestepping of what should be a strong and positive statement reconfirming our treaties,' Steinhauer says. 'Our rights must be clearly defined.'

I certainly support that statement, and I am sure my hon. friends do as well, Mr. Speaker.

Some hon. Members: Hear, hear!

Mr. Mazankowski: What about the ownership of property, Mr. Speaker? When the Minister of Justice (Mr. Chrétien) introduced this resolution he said he was completing some of

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the work started by the late Right Hon. John George Diefenbaker to enshrine the Bill of Rights into the constitution.

Well, Mr. Speaker, there is a very glaring omission in so far as the charter of rights versus the Bill of Rights is concerned. In the charter of rights I do not see any mention of the right of an individual to life, liberty, security and the enjoyment of property. That is not in the resolution before us. And why, Mr. Speaker? Does that mean we can look forward to the wholesale expropriation of land in this country? Maybe. We know what some of the philosophical musings of the Prime Minister were in earlier days. Is the real thrust of the Prime Minister emerging in this package? These are very serious questions, Mr. Speaker.

An hon. Member: And there are no answers.

Mr. Mazankowski: I am sure that most Canadians do not realize that the right to enjoy ownership of property is omitted in this so-called entrenchment of human rights.

● (2230)

What about the right to life? That certainly should be basic and fundamental to a charter of human rights. Surely the right to life is the primary and basic human right on which all other rights depend. Without this right we can have no others, for a human being deprived of his life is deprived forever of all his other rights. The first duty of the state must therefore be the protection of human life, a duty which it owes to every human being before all else. Surely recognition of this, if Parliament is serious about preserving basic human rights, should involve immediately steps to end the legalized murder of unborn children in this country, about 60,000 of them annually.

I come now to the protection of minority language rights, English and French. What about new Canadians who do not have proficiency in English or French? Will they get any special rights under this proposition? The Minister of Justice (Mr. Chrétien) said that Canada is a country of minorities. He told us that this package would protect and guarantee the rights of minorities. How will new Canadians, who know nothing of French or English, be protected in this particular area? When we look at the composition of this country and the reality of Canada, we find that the population of the six eastern provinces is composed of British and French to the extent of some 80 per cent. The population on the prairies is composed of about 51 per cent who are of British and French origin. In more detail, 44 per cent are British, 7 per cent are French; 15 per cent are German and 10 per cent are Ukrainian. As well, there is a host of other minority groups. That is the reality of western Canada, Mr. Speaker. In my view, this proposition creates two classes of citizens.

When we set out to divide basic human rights, one thing becomes obvious. In the process of attempting to codify or define freedoms, you start limiting those freedoms. Our common law has allowed our traditions and customs to crystallize. To suggest that basic human rights are not already recognized in this reality is an overstatement of the fact.