

to play politics with it. They have debased this issue and the cause they pretend to support.

Mr. Munro (Esquimalt-Saanich): You have never done anything like that.

Mr. Bosley: Mr. Speaker, so that I am totally clear, is the Minister saying that the way in which he will support property rights is if he gets an agreement that the matter does not matter? In other words, if he gets agreement from both sides of the House that it will not be treated as a non-confidence matter, will his Members get up this afternoon and vote for what they say they believe in, that is, property rights?

Mr. MacGuigan: Mr. Speaker, if the Hon. Member had been here earlier he might have understood the matter. The point is that his Party has proposed a motion of non-confidence in the Government based on this clause. We on this side of the House obviously cannot support a motion of non-confidence in the Government. If they are prepared to put it in a different context, then obviously we would want to support the content of the motion. We are the ones who introduced it; it is our motion as far as the content is concerned.

Mr. Lewis: Mr. Speaker, just so that we are perfectly clear about this, if the Minister of Justice (Mr. MacGuigan) will come into the House on Monday morning at 11 a.m. with the same motion exactly, the Prime Minister's motion, and if the Minister of Justice will propose that as a Government motion, we will grant unanimous consent to that vote being held either immediately then or immediately prior to the recorded division on this non-confidence motion. Then, I submit to the Minister of Justice, the Prime Minister (Mr. Trudeau) will have what he claims he wanted, that is his motion; he will have had one day's debate and the question of property rights will be enshrined in the Constitution.

Is the Minister of Justice prepared to come into the House on Monday morning at 11 o'clock, ask for unanimous consent and take that route?

Mr. MacGuigan: Mr. Speaker, the Hon. House Leader of the Opposition still apparently does not seem to understand.

Mr. Epp: He understands perfectly.

Mr. MacGuigan: This is the same kind of nonsensical proposal put forward this morning. Once the question is put this afternoon, as a result of citations I gave from Bourinot and Beuchesne's, there is no way for us to avoid a vote except on the basis of unanimous consent. Now it is not for us to move unanimous consent. The Opposition has moved a motion declaring non-confidence in the Government. They are the movers of this motion. If they want to propose that it should no longer—

Mr. Siddon: You are weaseling.

Mr. MacGuigan: —that this motion should no longer be interpreted as the rules require, then we are prepared to agree to that.

Supply

Mr. Lewis: Mr. Speaker, the Minister of Justice referred the House to some citations. I would ask him if he has considered Citation 451 of Beuchesne's Fifth Edition which reads:

Sometimes the House may not be prepared to rescind a resolution, but may be willing to modify its judgment by considering and agreeing to another resolution relating to the same subject.

Would the Minister not agree that, using that Citation, if the Government does not accept what I suggest is a reasonable proposition as put forward, we might apply citation 451 of Beuchesne's and achieve the same goal?

Mr. MacGuigan: Mr. Speaker, obviously the House can do anything by unanimous consent. Therefore, if the Opposition is prepared to say that this motion of non-confidence is not a motion of non-confidence, we are prepared to accept that and have a vote on just the substance of the motion.

Mr. Epp: Mr. Speaker, the Minister has made a proposal. I believe he has done so in good faith. He would like to see the matter resolved, as would I. That being the case, to make sure that we do not debate and therefore have difficulty in terms of the exact procedure on the floor of the House, I am sure my House Leader and others would be willing to sit down with him and possibly we can resolve it this afternoon.

Mr. Siddon: Mr. Speaker, I think we all appreciated the lesson in history and the intensity with which the Minister engaged in debate and made his point. I only have one very simple question for the Minister, irrespective of the technical matters we have discussed and whether or not agreement can be reached to move this matter quickly through the House. I would like to ask the Minister if he personally favours the inclusion in the Constitution of Canada of the phrase "Everyone has the right to life, liberty and security of person and enjoyment of property and the right not to be deprived thereof". Does the Minister of Justice personally favour the inclusion of that phrase in the Constitution? I would like a simple yes or no answer.

● (1420)

Mr. MacGuigan: Mr. Speaker, I do not know what my personal preferences have to do with this, but I am certainly stating my personal preference as well as the Government's position when I say that not only are we prepared to see the inclusion of the enjoyment of property in the constitutional protections in the Charter but, as well, it was actually our idea. We were the one who brought it forward, and they agreed to our draft.

Mr. Siddon: Let us get on with it.

Mr. Hawkes: Mr. Speaker, I certainly remember the Liberal Party voting against it in the constitutional hearings and here in the House.

Some Hon. Members: Nonsense.

Mr. Hawkes: I would like to bring to the Minister's attention the fact that under the British North America Act, a