

The Constitution

In fact, we are displaying an enormous ego to believe that we have the answers for all time. Several members have argued that our treatment of the Japanese during the Second World War and the Chinese before that justify an entrenched charter. The treatment of both was a tragedy, but in reality they were also treated badly in the U.S.A. with its entrenched charter.

In Russia and many other countries with beautifully written, entrenched charters we find the most barbarous and vicious tortures ever designed by mankind. On the other hand, here in Canada with our representative, responsible democracy with no entrenched charter, we have a sense of fairness and justice and, on balance, a rapidly improving sense of human rights.

The reality of human rights is that they exist in people's minds and are protected by individuals standing up and insisting on the value of human dignity. Right from the beginning people in this nation stood and spoke against the treatment of the Japanese Canadians and, earlier, the Chinese Canadians.

If our government was oppressive and putting people in jail without trial, or if our police or military forces were out of civil control, then I would be arguing strongly for a change. But they are not, and the reason they are not is that we are individually and collectively committed to being a civilized society with a system of government that has grown and adapted as our sense of human dignity and rights has grown and adapted. The focus of that change and the changes which should occur in the future should be in the provincial legislatures and in this House where we are subject to review by the people every four years.

The beauty of John Diefenbaker's Bill of Rights is that it sets out the basis for our values. Mr. Speaker, let me read those values, and I quote:

The Parliament of Canada, affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions:

Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;

And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a bill of rights which shall reflect the respect of Parliament for its constitutional authority and which shall ensure the protection of these rights and freedoms in Canada:

Therefore—

It then goes on to enumerate specific rights. But, Mr. Speaker, in this proposed entrenched charter did the Liberal-NDP coalition accept the PC amendments to include the right to own and enjoy property? No, they did not. Did they accept the PC amendment referring to the dignity and worth of the human person? No, they did not. Did they accept the PC amendment referring to the family? No. Finally, the Liberals voted against a PC amendment acknowledging the supremacy of God. Shame! The NDP sent a member to speak against the amendment, then sent others to vote for the amendment, but I submit only when they knew the Liberals intended to defeat the amendment.

Since then, has the Leader of the NDP insisted on the supremacy of God clause? Of course not. Their philosophy

does not accept the concept. What hypocrites! They make the pharisees look like angels.

Under the proposed entrenched charter, an aggrieved citizen will have no choice but to engage a lawyer and go to court; and if that citizen loses, there will be no remedy except a constitutional change, which will be virtually impossible. Also, Mr. Speaker, I wonder if ordinary citizens genuinely realize the enormous legal cost involved in the use of our judicial system. An entrenched charter will do for us lawyers what the Liberal government tax reform did for chartered accountants. We will be creating a new class of high priest, the constitutional lawyer. This will concentrate wealth in still another level of privileged class. It is ironic that the NDP members who purport to stand up for the ordinary Canadian are in fact injuring those very people they purport to protect. The same argument applies to their stand on energy and fiscal policy.

The right to own and enjoy property goes to the root of what being a Canadian is all about. Except for our native community, we are all immigrants to Canada within the last 400 years. Most of our ancestors came for the opportunity to work hard and make a better life for themselves and for their descendants. The right to own property was vital. John Diefenbaker's Bill of Rights confirmed and acknowledged that right.

The form of property ownership has changed over the last 50 years as we ourselves have changed from a predominantly rural to a predominantly urban society. In the past, ownership of property meant land, but now it means shares in corporations. At the root of our PC policy to have each and every Canadian owning directly a few shares of our national oil company was the desire to have each citizen receive a direct dividend from their oil resources. Each citizen, wherever he or she lived, would directly own and feel a part of western Canada, the Beaufort Sea and High Arctic, the Atlantic Hibernia play as well as several international plays. People would excitedly wait for the quarterly and annual reports to learn of the current status of their property.

People ask me why the Liberals and New Democrats voted against property rights. The reason is clear, at least to my mind; property rights prevent them from nationalizing companies in which Canadians own shares. You will recall that when PetroCan bought Pacific Petroleum for \$1.5 billion, some \$430 million went to Canadians who were forced to sell their shares to their own government. An entrenched right to property would block such forced sales, because the enforcement clauses in the various corporation statutes would be null and void. Let there be no doubt as to the long-term intention of the Liberal-NDP coalition: they are preparing to nationalize industry generally.

The Liberal-NDP position means that future Canadians will once again have to fight the same battles as the English did in 1215, the Americans in 1776 and the French in 1790. What a waste!

● (1530)

The referendum clause which permits this Parliament to bypass provincial legislatures and even change provincial