

*Supply*

value of our society, was suddenly not that. It was suddenly not that when the Government began wheeling and dealing in its attempts to get its resolution through the House of Commons at earlier times.

Second, the overwhelming majority of Canadians favoured the inclusion of property rights in the Charter. There are historical reasons for that. Canada has always had the lure of the land. Its people have always had pride of ownership. That land has always given its people security of possession. It is fundamental to our country and is therefore one of the reasons that this Party has been so overwhelmingly and absolutely forceful in proposing the inclusion of property rights in the Constitution at every stage available to it.

The principle that property belongs to men or women is steeped in British common law. When immigrants came to this country there were two fundamental reasons for their coming here. One was the right to religious freedom and the freedom of thought which is now embodied in the Charter. Equally they saw economic freedom. That economic freedom was always embodied in the right to own property.

When I speak of historical reasons, I think it is well established within our own Canadian society that property rights are fundamental to a Canadian's view of himself and his rights as a citizen. In the British context, private property has always been historically associated with the development of free institutions. It goes back to 1215, when the Magna Carta referred to it. It is referred to in the Bill of Rights of 1627. We can refer to the United States Constitution, if we want to draw on the experience of our neighbours, in 1783. All these documents have reference to private ownership of land. They recognized that not only should these rights be recognized in fact, they should also be a constitutional reality.

The Universal Declaration of Human Rights, Article 17, includes property rights. The 1962 Canadian Bill of Rights enshrined the right to property. In fact, this House passed that provision at that time.

Today our amendment, which we are proud to move, will guarantee for ordinary Canadians that they will have the fullest protection possible of the right of ownership of property.

**Some Hon. Members:** Hear, hear!

**Mr. Epp:** We want that for Canadians. If the Charter is to have further meaning, it is for that reason, and others on which I cannot elaborate now, that we are again taking the opportunity to propose this amendment. Other Members of our Party will speak on the other fundamental reasons for our amendment.

What has brought us to this stage? I have already referred to the Government's proposal back on July 9, 1980. You will recall, Mr. Speaker, the number of meetings that took place that summer between the Provinces and the federal Government. In the October resolution presented to the House, property rights were suddenly absent. During the hearings of the Special Joint Committee on the Constitution, this Party again moved an amendment to property rights. In fact, it was

moved on January 23, 1981. At that time, Members will recall, the then Minister of Justice was not representing the Government at the Special Joint Committee. The present Solicitor General (Mr. Kaplan) was there, and he gave an unequivocal understanding and assurance, a Minister's word, that the Government would support a property rights amendment.

Strangely enough, when the Minister of Justice returned after the weekend to represent the Government at the Committee, the word was no longer the word of a Minister. It was gone, and consequently property rights have not been included in the Charter of Rights to this day.

It is interesting to note why the Government's commitment, which I have read into the record, had suddenly changed over a weekend. It was quite clearly understood that the reason it had changed was that the NDP had said that if the Government wants its support for this resolution it must take out property rights. The Government was willing to break the word of a Minister. It was willing to break the oath that a Minister gives. It was willing to embarrass the then Minister of Justice because it wanted the support of the NDP in the House.

Furthermore, the then NDP Government of Saskatchewan, which was then still sitting on the fence as to whether it would support the resolution, indicated clearly during that weekend that if property rights were in the constitutional resolution it would not support it. That is also an historical fact.

I remember those days very clearly when the Prime Minister would get up and say, "You want to bargain for fish, for what, for rights?" What was he bargaining for? He was bargaining property rights for support.

The Supreme Court also indicated in its ruling that the federal Government's resolution did not have sufficient consent among the Provinces.

But that is all history now. What is more interesting is what has happened in the last two weeks in the House. The Prime Minister was asked whether he would include property rights since April 17 marked the first anniversary of the patriation of the Constitution. He said he was willing to do it, but under what conditions? He was willing to do it in a one-day debate, and he wanted the support of only the Official Opposition. What has happened subsequently? Are we to believe the Government? Are we to trust it? We would like to trust it, and today we are giving them the opportunity to earn that trust.

While I cannot go through all the details because of lack of time, twice yesterday my House Leader asked the President of the Privy Council (Mr. Pinard) when the Government would bring forth property rights. We were suddenly noticing that the Government wanted more support than just from the Official Opposition; there was concern about the NDP. If the press is to be believed, the New Democratic Party's constitutional spokesman said that they are not opposed to property rights, *per se*, but "we are not so sure about the one-day debate". He might have been misquoted, and of course I will allow him to clear the record. However, the President of the