

Property Rights

Similarly, I think the Hon. Member's suggestion that we cannot bring in pollution standards or air control standards if we pass this motion is the reddest of red herrings. The United States has this right in its Constitution, and it does not seem to stop that Government from building airports or interstate highways. It does not seem to stop it from bringing in pollution controls.

These arguments that somehow government will be ground to a halt if property rights are conveyed on Canadians are absolutely specious.

I believe the will of Canadians deserves to be heard in this case. Canadians want property rights. Property rights are viewed as a fundamental right by Canadians and should be entrenched in our Constitution. I will support the motion when it comes to a vote.

● (1440)

Mr. Les Benjamin (Regina West): Mr. Speaker, I rise to oppose this motion. Because of the record of the CCF and the New Democratic Party on human, civil, and property rights since 1933, I take it as something of a personal insult.

I ask my hon. friend opposite—who was it when not a single Liberal or Tory would speak up, who stood in the British Columbia Legislature and in the Parliament of Canada and opposed what was done to the Japanese Canadians in 1942? Every single Grit and Tory said their land, property, and machinery could be seized, and most of them did not get any of it back. Where were these “enjoyment of property” Tories then? They were the ones who stood and supported a Liberal Government. If it had not been for Harold and Ernie Winch in the British Columbia Legislature, and J. S. Woodsworth and Angus MacInnis in the House of Commons, no one would have said a word. Yet those Hon. Members have the gall and the nerve, without the courtesy of blushing, to talk to us about the enjoyment of property!

I invite my hon. friends to examine the record of CCF and NDP Governments in Saskatchewan, British Columbia, and Manitoba, on having the best and fairest of expropriation laws with compensation anywhere in the country. We do not need these fatuous insults from the hon. gentleman about our record on human, civil, and property rights. It was the people in our movement who fought against the grasping, racist activities of governments of past years. We were the only ones who stood up to be counted.

Who opposed the War Measures Act in 1970? The War Measures Act allowed the takeover of property, the search of persons and property without warrant, arrest without warrant, and incarceration without charges. Every Tory who talks about the enjoyment of property has the unmitigated gall to come into this Chamber and tell us how they want the enjoyment of property. I can go back to the not too distant days when I was a kid, the days of R. B. Bennett. I challenge my hon. friends opposite to start some move with all the Tory Governments in Canada, federal and provincial, to do something about

expropriation laws, and we have a mess of them, right across the country. In some provinces they are unfair and mistreat people and do not do what the motion calls for except in accordance with the principles of fundamental justice.

Mr. McDermid: Why don't you support the motion, then?

Mr. Benjamin: Just wait for it. The changes in expropriation law and compensation, and who pays the legal costs, is where there is a denial of fundamental justice. No self-respecting Government, whether it is school-boards, municipal, city, provincial, or the national Government, can allow a private or individual interest taking priority and precedence over the public good or the public or national interest.

I resent these guys with the Texas or Oklahoma cowboy syndrome who import ideas from the great U.S.A. to the south. The next thing we know, they are going to talk about the right to bear arms. By the way, some of them have. I have run into some of these Neanderthals in various parts of this country. They want to imitate, copy, or ape what has been put forward by the Neanderthals south of the 49th parallel. Well, this country is different. It is something more than and better than the kind of nonsense that goes on to the south of us, or the kind of nonsense they want to provide here.

“Enjoyment of property” is a neat little phrase. When I received my last tax notice I was not sure whether I was enjoying my property very much.

Mr. McDermid: You can sell it.

Mr. Benjamin: I would not sell it to what could be called the atypical used car dealers I find seated opposite. I would not deal with them.

Mr. McDermid: What have you got against car dealers?

Mr. Benjamin: Let us go back to 1867. Had there been such a clause in our Constitution then, every time a school-board, city, province, or the federal Government had to do something in the public or national interest, it would have been faced with litigation at every level of the courts, right up to the Supreme Court. It would not have been faced by the little homeowner who could not afford to go to court. Every Government at every level would have been faced with the likes of those who want this kind of amendment to the Constitution.

The oil companies like it. These barefoot boys from Bay Street think it is great that the oil companies like it. They think it is great that the Real Estate Association likes it. They think it is great that big property developers like it.

The Government of Saskatchewan prohibited the development of a housing development beside the Regina airport, because those guys who were going to make a fast buck building homes would have put the houses right at the end of the runway if they could get away with it. We had to move in to overrule the city and the real estate developer and say, “No, you are not going to build. You are not going to enjoy your