

*Immigration Act, 1976*

The Hon. Member stated that he was upset when he attended the University of Washington and saw students demonstrate. What were they demonstrating against? They were demonstrating against a legal system that suppressed the rights of blacks for 200 years. That is what they were rioting about back in the 1960s. They were protesting against an immoral war that their Government had carried out against the wishes of its own people. The riots were not because it was a fraternity party, it was because they felt that the Government was abusing its power.

Surely that goes back to the basic, fundamental natural law of a democracy, the right of people to oppose an autocratic Government. Yet there is a mind-set developing here that the Government, because of its huge majority, is acquiring a right to dictate and determine what the rules and laws will be. Of course, as we have seen in things like Meech Lake and free trade, the Government wants to entrench them in order that future Parliaments can never change them. The Government Members want to entrench their interpretation of society. They are welcome to it. The Member for Surrey—White Rock—North Delta has a view about morality and law and order. That is his business, but I ask him to be consistent. I ask him to at least be honest enough, if he is talking about a rule of law, to explain to me why the Government, of which he is a Member as a Parliamentary Secretary, is clearly contravening the Convention on Refugees established by the United Nations? It is clearly contravening the Charter of Rights of Canada. It is clearly going against basic principles that this country has recognized for decades about search and seizure, about the right to be heard in front of a proper tribunal, and have independent judicial or quasi-judicial tribunals in order that they will not be subject to political influence and manipulation.

Why is this Government, and why is he as a defender of the rule of law, tolerating, accepting, and becoming an accomplice in that type of violation of principles that his own Party and his predecessors have fought in Parliament to obtain? That is really what is happening in this country.

The Government is making this type of law dealing with refugees. I can tell the Hon. Member that in this case it will not work. Does the Hon. Member really think that by turning away a smuggler's boat that that will deal with the problem? The Hon. Member is somehow equating the types of larcenist individuals who are immigration smugglers with people who read Jean Paul Sartre and Camus. The fact of the matter is that there are larcenist people in the world, and there always will be. But if they are going to hire a boat and send it to a shore and then simply be turned away, the captain of that boat will find some way to dispense with that human cargo. He will already have his shekels and the money in his pocket. If the boat were confiscated, brought in, and the people in the boat were allowed the right to at least enter into the determination system to see whether they are legitimate refugees, then they would lose something valuable and all of a sudden we would have a deterrent to the smugglers and all the rest of them.

There is one basic thing that the Member does not understand. No one is trying to prejudge who is a refugee. But on the other side, the Government should not prejudge who is not a refugee. The Government should not prevent those who may have legitimate rights from coming to the border to apply for application. The people who are escaping torture in Central America or in parts of Asia have exactly the same type of problems in their own communities as they did in Vietnam in the late 1970s, or in parts of eastern Europe earlier than that, or in Nazi Germany in the 1930s. They are exactly the same problems. But the Government is reverting to where this Government was in 1930 when a boat of Jewish refugees who were trying to escape from Germany was turned away.

**Mr. Friesen:** This Government?

**Mr. Axworthy:** This Government is doing exactly the same type of thing in this Bill. There is not one whit of difference in principle in what the Government is doing. It is taking this country back 50 years.

**Mr. Friesen:** Who did it in the 1930s?

**Mr. Axworthy:** This country did it, and a Liberal Government did it, and I am ashamed of that. One of the things I tried to do as a Minister of Immigration was to rewrite that history. We tried to do that. Because a Government 50 years ago made a stupid and immoral mistake, this Government in 1988 should not repeat it. If the Hon. Member for Surrey—White Rock—North Delta did not like what happened back in the 1930s, why is he becoming an accomplice to the same type of transgression in 1988? If he thought it was reprehensible then, it is more reprehensible now. Surely we have advanced our civilization, our openness and toleration for rights since that time.

I say to the Hon. Member to look at his own words and his own speech. He should look at what he believes, in terms of the rule of law, and ask himself why he is part of a Government that is contradicting everything for which he says he stands.

**Mr. Friesen:** Mr. Speaker, the Member made a speech that could be used anywhere in the House. All that has to be done is change the names around a little and it is one that could be sold. The Hon. Member admired John Diefenbaker, Jed Baldwin, and others in the Party. I do admire Bob Andras, Donald Macdonald, and Martin O'Connell. I do not know if they would feel very comfortable in that caucus right now.

Since the Member has been fairly loose in rewriting history, I have to put on the record the fact that the Conservative Members on the committee in the other place did not vote for the amendments of that committee. None of them did. I want that put on the record because of what the Member has stated.

**Mr. Axworthy:** If the Member will look at the record, he will see that I did not say that they voted for it. I said that they supported those amendments. If one looks at the testimony, and the statements by Senators Spivak, Nurgitz, and others, it