

Constitution Act, 1982

Mr. Murphy: It goes on to say:

—or that good farmland be restricted to agricultural use only, or that labour rights, native peoples' rights or environmental protection not be jeopardized.

Mr. Blenkarn: You can't have a bank account.

Mr. Murphy: Perhaps the Hon. Member who introduced the Bill will be kind enough to sit and listen instead of yapping like a dog.

In putting forward my motion, Mr. Speaker, I suggested that the House resolve:

—that the subject matter of property rights be referred to a committee consisting of representatives of all parties in the House of Commons, which committee will hold hearings to ascertain the views of interested groups and individuals.

I tell members of our Party, members of the Liberal Party, and especially members of the Government Party, that if you are serious about property rights, then deal with it in a serious manner. Allow those groups to come before one of our committees to explain their situation. The hypocrisy of bringing a Bill forward as a Private Members' Bill, which I suspect the Government will talk out, proves that Members opposite are not serious. Amending the Constitution of Canada is such a serious and important matter that we cannot do it on the basis of what I call a 55 minute debate in the House of Commons. We must amend our Constitution through a process which allows the public to participate.

It is interesting to be in a position where I can quote a Conservative provincial Government speaking out against the Bill before us. It is no secret to the Members of this House that it is the provincial Conservative Governments which say they do not want a constitutional amendment protecting property rights. For example, Prince Edward Island, with its Conservative Government, is concerned about making sure that recreational land remains available for Canadians. That province does not want a constitutional amendment which will prevent it from passing laws making sure that limited and valuable resource is available for Canadians first. I will quote a member of the Alberta Government, which I suspect you recognize happens to be Conservative. The then Minister of Federal and Intergovernmental Affairs, Mr. Horsman, said that the debate made clear that the Government of Alberta's position is that the constitutional responsibility for property and civil rights is that of the provinces. It should properly remain there and not be entrenched in the Charter of Rights and thus become subject to any control by the federal Government. That is a Conservative Government, Mr. Speaker, talking about why it does not want property rights entrenched in the Constitution. Because the Government of British Columbia passed a resolution on this very matter, the Alberta Government also addressed that fact. It said that it is true that the case for inclusion was put forward by the Province of British Columbia at those meetings, but no extensive discussion took place relative to the matter. In other words, the other provinces did not feel convinced that that was a matter on which they had to join the others in support.

● (1740)

The British Columbia Government, the token secret Tory Government in this country, put forward the position for property rights. The other provincial Governments at that time which, as Mr. Speaker knows, are by and large Conservative Governments, did not support the Government of British Columbia. After a brief survey of other provinces by the Province of Alberta it was clear that there was very little support given by other provinces for inclusion of the subject of property rights in the Charter. This is not the New Democrats saying that property rights should not be in the Charter. This is the Government of Alberta telling us that that Government and other Conservative Governments across the land did not want property right in the Constitution.

Let us have no more hypocrisy and false debates in the House of Commons. Talk to your political friends and colleagues. If they want property rights in the Constitution, have them come to the House of Commons and explain that they really want property rights in the Constitution, because it is apparent that that is not what they want.

There is a reason for that. We talked about the Government of Prince Edward Island wanting to protect recreation land. I am sure you realize, Mr. Speaker, as do Hon. Members, that recreational land in Prince Edward Island is largely owned by non-Canadians. I am sure that you are aware, Mr. Speaker, because you are a very wise and honourable person, that in many other provinces there is a concern, as there is in the Province of Manitoba. I am sure that my friend, the Hon. Member for Brandon-Souris (Mr. Clark) would like to get up and speak on this. Manitobans are concerned that farmland is being bought by people from West Germany and the Netherlands and by people who are not interested in farming. The Government of Manitoba, like many other western Governments, is very concerned that it have the right to pass legislation to make sure that the limited agricultural land in the country remains available to Canadian farmers. It does not want a clause in the Charter which would prevent it from passing legislation which would restrict that land for agricultural use.

The same thing applies with regard to workers, native people and others who are very concerned about what is happening in the country. Native people are concerned that if property rights are in the Constitution they may not be in a position to get the land to which they are entitled. The very fact that it is called land entitlement tells you that they are entitled to that land. They are concerned that something in the Constitution may prevent them from negotiating for what is their due.

The workers and tenants in the country are afraid that property rights may restrict their rights. When I spoke on this matter in April of 1983 I quoted from an article from the *Winnipeg Free Press*. At that time a representative of mortgage holders told the *Winnipeg Free Press* that one of the major reasons they wanted property rights in the Constitution was that they would have more rights to the assets of the companies than the workers who work there. That mortgage