

ing a measure, but it does indicate that not everyone is in accord with such a resolution.

One also has to look at what happened in the United States with the Bill of Rights. We know that the Bill of Rights was used for many years to prevent the stoppage of child labour. It was also used to prevent groups from unionizing. It was also deemed that the establishment of minimum wage laws could infringe upon the Bill of Rights.

Given that some of us approve of the general intent of this Bill, we certainly would not want to see the passage of such a measure within the space of a few minutes of discussion. It requires a very thorough airing in the House and in committee. We should call upon witnesses from all sides of the issue who could assist us further in making a final decision.

I listened very attentively to the Hon. Member who proposed this motion. He alluded to the fact that our present Charter of Rights and Freedoms is somehow deficient. I think he said that the Charter of Rights was flawed because it did not have a reference to property rights. It is incumbent upon us to remind the Hon. Member that there was an attempt in the past to get such a motion passed in the House, but the whole thing was turned into a joke by certain members of the Conservative Party. Certainly, the previous Government cannot be faulted for that. I would like to refer to an editorial from *The Calgary Herald* of May 4, 1983. It is entitled: "Property issue a joke". It reads:

Given the importance of proposed property rights amendments to the Constitution, this week's procedural hijinks by all members of the House of Commons over the issue are irresponsible at best and disgusting at worst.

Conservative MP Elmer MacKay may well be right when he said the Tory's presentation of a property-rights resolution in the form of a non-confidence motion was "one of the stupidest things our party has ever done."

It is important to remind members of the Conservative Party who think that the Charter of Rights is imperfect, deficient or flawed, as the mover of the motion has said, that they are to blame for that so-called flaw. They participated in the hijinks in this House.

**Mr. Shields:** It was the socialists.

**Mr. Boudria:** Some people say it was the fault of the socialists, but I am not here to take sides. Some Members may be against the motion, but that is the right of Hon. Members. I am not questioning that right. What I am questioning is the fact that a motion was introduced in the House in the past which was formulated in such a way that it was at the same time a non-confidence motion. Because it was worded that way, the Government was forced to vote against it. It also created the situation in which the motion could not be reintroduced in the House. That was the fault of the opposition Party—the Conservative Party.

I find it interesting that a Conservative Member has brought forward this resolution. This deathbed repentance is very nice to hear. But to do so and at the same time state that the Charter is flawed, and to suggest that the past Government which was the author of the Charter of Rights was less than competent in its duties when it made the Charter, is not

entirely correct. I am sure the Hon. Member will want to correct the fact that it was not others but indeed his own Party which sabotaged any attempt to get such a motion passed.

**Mr. Chris Speyer (Parliamentary Secretary to Minister of Justice):** Mr. Speaker, I listened with great attentiveness to the very persuasive arguments which were made by the Hon. Member for Mississauga South (Mr. Blenkarn). Having served with him for the past six years I know how sincere he is with respect to this particular matter. There is nothing more important to him than economic freedom as part of political freedom. Therefore, it is with some diffidence that I speak. To some extent I agree with the Hon. Member who has just spoken, as to the thorns and the thickets involved in this issue.

Here we are, in Private Member's Hour, discussing a matter which involves the Constitution. It is a question of public law. It is a public issue. Many people have expressed a great number of concerns. There is no doubt how I feel with respect to this matter; I would like to see the entrenchment of property rights in the Constitution. But I do not think that Private Member's Hour is the appropriate forum for such a monumental decision.

A number of years ago I heard Horace Carver speak. At that time he was the Attorney General of Prince Edward Island. He spoke about lands which were being purchased on the ocean front in Prince Edward Island. At that time he expressed concern that people were coming from New York and other off-shore areas to purchase valuable land because they were people who had money. As a result, Islanders were being left out. They could not compete with people who were coming from offshore. He expressed the concern that his province wanted to implement legislation—which it did—which indicated that anybody who was not a national should be able to come to Cabinet, but only then could an order in Council be passed.

Women's groups have made submissions to all political Parties indicating that they fear the courts may undo what the legislatures have done in the past. Those are legitimate concerns. Therefore, to debate this particular issue during a Private Member's Hour gives me a great deal of trouble.

It was the Conservative Party under John Diefenbaker which introduced the Canadian Bill of Rights in 1960. That projected the rights of individuals with respect to the enjoyment of property. More recently, during the process leading to the establishment of the Canadian Charter of Rights and Freedoms, the Progressive Conservative Party supported the constitutional protection of property rights. In the spring of 1983, my Party introduced in Parliament a resolution to amend the Constitution by entrenching property rights. This resolution was defeated by the Liberal Government of the day, but my Party has continued to support, as I do, the principle of expanding the protection of property rights.

● (1720)

Underlying this commitment is a recognition of the significance of property rights in our society. The concept of prop-