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fact, he was even a little more generous. He said that these rights, including the right to own and enjoy property, should continue without discrimination by reason of race, national origin, colour, religion or sex. Human rights, including the right to own property, were thereby instated in the Canadian Bill of Rights. Because of the unusual flip-flop which occurred before the Special Committee subsequent to January 23, 1981, the Government opposite and the New Democratic Party conspired to constrict and limit those rights and to deny all Canadians that basic constitutional provision.

The New Democratic Party will argue that this is a provincial matter, but it is not solely a provincial matter. It is a matter of common law, which is as old as the parliamentary system. Now that the House, with the consent of the Senate and the approval of the British House of Commons, has adopted the Canadian Constitution Act, 1982, we have a provision to obtain consent of Provinces and to grant recognition of their autonomous right to engage in the process of constitutional revision through the amending formula, the very fair and proper amending formula which was established as a result of long days and months of debate. The amendment formula allows Provinces up to seven in number to be able to opt in to an amendment proposed by any other Province or by the federal Government. Such a constitutional amendment would not be adopted until seven Provinces, encompassing more than 50 per cent of the Canadian population, agreed along with the federal Government to such an amendment.

The point I am making is that there is nothing holding back Hon. Members of the House, if they truly believe in the significance and importance of the property rights amendment being incorporated in our Constitution. They can go ahead and not concern themselves with what the Premier of Alberta, the Premier of Ontario or the Premier of Manitoba might feel on the matter.

I would like to digress for a moment and just talk about what I feel the concept of ownership implies. Ownership really means that you have something. It does not matter whether or not there is a piece of paper that says it is yours. It is something, and if one needs to convert it to some other form of commodity, one can disperse it, sell it, trade it or barter it. When the Government tells us about these concepts of ownership couched in the phraseology of statism, such as our petroleum company, Petro-Canada, our airline, Air Canada, CBC or CDIC, it is perpetrating a hoax upon Canadians. We do not own anything merely because the Government says that it is sharing its generosity with all of us by establishing some Crown entitlement over a particular asset. We do not own it unless we have a piece of paper or an object which we can trade and barter to improve whatever it is we are trying to achieve in terms of the acquisition of our own resources or assets. We do not own Petro-Canada. We do not own Air Canada even though it was refinanced with some \$600 million. The Government issued a whole lot of shares to itself, but those shares are non-negotiable and meaningless because Air Canada was already owned by the Government of Canada. It

does not mean that because the people feel the quality of ownership they have the option to sell at their discretion.

Of course, there is a need for some over-riding powers in the interests of the community at large. That then leads to statutory provisions under provincial law for expropriation. Those expropriation powers have often been abused, particularly by the federal Government. One need only think about cases involving airport lands at Mirabel, Vancouver International Airport and Pickering. There are certain cases in my own riding regarding expropriation for the purpose of dike construction. Where a Government has the power of expropriation, it also has the power to send out a land agent to assess the worth of the property and then to stonewall and delay any action for years. In one case in my riding it has been going on for 25 years because the people whose land was being expropriated for airport purposes did not happen to be good Liberals. Senator Arthur Laing and a few others owned a lot of other interests in that area. The claims of these particular individuals were held up in the courts for 25 years and are still held up in the courts with a 1955 assessment of \$5,000 being offered for their land. Appeals are not being heard because the court system has not chosen to expedite the matter properly.

What I am saying is that the courts of Canada, in provincial and federal jurisdiction and under the direction of Governments as sometimes happens, although it is not supposed to, can in fact interfere in the expropriation process and ensure that citizens are not entitled to their right and proper due under the law.

• (1240)

This is one very important reason why this right has to be enshrined in the Constitution of Canada. I saw a constituent lose his family, his business, virtually his life, stand off the police with a gun and fight a municipality for five years, finally to be vindicated because his property had been expropriated improperly. You could never restore to that man the loss of his wife, family, health and all his financial resources because of the arrogant and ruthless way Governments set out to expropriate his land to build a dike.

There are provisions in this amendment, provincial statutes and provincial Bills of Rights, including that of the Province of Alberta, for these types of expropriations, to ensure that they are conducted in a spirit of fairness and before the courts of Canada, assuming that the courts are operating in the best interests of all citizens. To suggest that somehow the inclusion of this amendment would abridge the powers of Government is to evade the central issue and to make excuses for certain political philosophies in Canada according to which Canadians should not be granted the right to control and enjoy their own property. We should get to the point on this matter.

With reference to British Columbia, if I might be permitted another moment or two, during the constitutional debate it was made quite clear by the Leader of the New Democratic Party what was the position of his Party on this issue. It has not changed today, although a Premier friend of his lost an election overwhelmingly in the Province of Saskatchewan