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altogether with a very small budget which would allow Canadian citizens to do battle with the government in cases where their rights are involved, not only with it but with provincial governments and corporations as well.

I want to ask the hon. member who is very familiar with the justice system and has experience as a lawyer: Am I missing something here? I always thought a Department of Justice was to provide justice for Canadian people and to use taxpayers' money to provide justice, not to support a government in preventing justice. Would she, with her experience, try to straighten me out on that one?

Ms. Clancy: Mr. Speaker, I thank my hon. colleague from Notre-Dame-de-Grâce who is a well-known champion of human rights and of those people who have been disenfranchised by the removal of the Court Challenges Program. Of course he is absolutely right.

Any of us on either side of this Chamber who have practised law know the horrendous cost involved in litigation, even at the provincial level. To talk about taking a case all the way to the Supreme Court of Canada is beyond the realm not just of lower income or poverty level Canadians. It is beyond the realm of possibility for middle class Canadians. It is a heck of a big expense even for those with the kind of money it costs to push these cases forward.

As was so eloquently put forward by all of my learned colleagues, governments on the other hand have the money. They have their in-house departments such as the Department of Justice. The absolute scandal of this is that while this government has removed the sword and the shield from the disadvantaged groups, it has sharpened its sword and toughened up its shield against those very people. Talk about overkill. It has knocked down fortifications that disadvantaged groups had to enforce their rights. At the same time it has given itself a bigger stick with which to beat those disadvantaged groups.

It is a scandal and it is something that we as Canadians should really be ashamed about.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, I am pleased to take part in this debate. I have been in the

House since about two o'clock and I have heard the whole debate. I have some questions because I realized that the House had to decide whether to stop funding the Court Challenges Program. On that, I must congratulate all hon. members who ask questions because they show their interest in Canada's linguistic minorities. I want to assure you, Mr. Speaker, that our commitment to our country's linguistic duality remains just as firm.

The Court Challenges Program was created in 1978. At that time it was an answer to the federal government's concern about the possible erosion of some minority rights guaranteed by the Constitution of Canada.

In March 1978 the Department of the Secretary of State and the Department of Justice together announced that the Canadian government would help those who sought court rulings to clarify language rights based on sections 93 and 133 of the Constitution Act, 1867. Section 23 of the 1870 Manitoba Act was not mentioned because at that time it was not known to be a constitutional provision.

From the beginning the Court Challenges Program focused on language rights. It dealt only with them. The program continued as such until 1982. When the famous Canadian Charter of Rights and Freedoms took effect, the federal government decided to update the program. In December of that year it announced the expansion of the program. Cases eligible for financial aid could be based not only on the Constitution Act, 1867 but also on section 23 of the 1870 Manitoba Act and sections 16 to 23 of the Canadian Charter of Rights and Freedoms.

Until 1985 the program was administered by the Department of the Secretary of State. In September 1985 it signed an agreement with the Canadian Council on Social Development under which the council undertook to administer the program for a five-year period. The administration of the program was entrusted to an independent body so that it would be at arm's length from the government. The council was then required to set up independent committees to review applications for assistance and distribute funds with no intervention from the federal government or the council.