

PRESS CLIPPINGS

Office of
The Prime MinisterName of Publication The Peterborough ExaminerDate May 17/58

Subject

Should Canada have a Bill of Rights?

The new Government plans a Bill of Rights. Some say it will be worth the paper it is written on, others that it will provide a fundamental safeguard. Here are some local opinions.

GORDON FARQUHARSON,
lawyer, Water St.:

I am not entirely convinced there is a need for such a bill. I think there is a danger in trying to set out by legislation what our freedoms are. If we set our freedoms in pigeon-holes, we may inadvertently restrict them.

At this time I think we enjoy greater freedom than any other nation, and we have accomplished this without a Bill of Rights.

I am sure those sponsoring such a bill are sincere in their efforts to forward the cause of liberty, but in as much as parliament can always repeal, is it really any protection?

As it stands now we are protected by common law.

R. B. BATTEN, lawyer, Aylmer St.:

I would like to see one, but sometimes a Bill of Rights may be restrictive and interpreted narrowly. I think perhaps we could rely on the freedoms and rights we have developed over the years and which we still cherish.

When these freedoms are violated there is always a large cry, so it actually doesn't matter if they are legislated or not. Common law protects us.

WILFRED F. HUYCKE, QC,
lawyer, Homewood Ave.:

I never thought there was. We have the Magna Carta and a lot of other acts. I know that over in the United States they have a Bill of Rights but their constitution is not the same as ours. We have many good acts. The trouble is to enforce them—the same goes for our city by-laws.

FRANCIS D. KERR, QC,
lawyer, 586 Rubidge St.:

"We have the Magna Carta and the Habeas Corpus Act; and, with the common law of England, it seems to me that a judge of our courts is well able to protect the rights of citizens. But as a lawyer I wouldn't object to a bill of rights. After all, it is a parliamentary assertion of the rights of the individual, and in that particular respect it may serve a very useful function.

ALEXANDER FLEMING,
lawyer, Walkerfield Ave.:

Yes. Some legalists insist that a bill of rights would be a challenge to the supremacy of parliament.

In my opinion this is not so as parliament exists by reason of, and for the people, and the rights of the people are paramount.

There are certain inalienable rights such as the freedom of the individual which can never be stressed too much, and if a bill of rights does nothing more than do just this, it will have justified its existence.

STAN SHIPPAM: Secretary-manager, Peterborough Chamber of Commerce:

I think that most Canadians feel that they now have those freedoms which would be incorporated in a bill of rights as proposed by the Dominion government. However, I think the authorities will have to be extremely careful in framing such a document which would define our rights as Canadian citizens.

JACOB LOW, QC, lawyer,
271 Brock St.

I think that there is a need for a Canadian bill of rights. Britain has one and the United States also has one.

DR. E. DUTKEVICH: pathologist, St. Joseph's Hospital:

Certainly, I think so. I think that every person should have the right of personal judgement and freedom to talk about that judgement.

REV. DR. HARRY HUTCHISON: minister of St. Paul's Presbyterian Church:

I would quite definitely say yes. I fully believe there is a need for one. It is one of the essential safeguards for the individual and I believe it should be written down.

GORDON POWELL, former alderman and mayoralty candidate:

Yes, definitely. It is necessary to have the rights of a citizen in a democracy clearly defined. Not just for the freedom he enjoys but for the responsibility that comes with it.

MRS. JOHN LENART, cosmetician, Gilmour St.: originally from Hungary.

Yes, I think there is. I think it is necessary for women. I think we are not treated equal to men in many ways. If a man dies or leaves his wife, she does not have the same rights as he had.

ALFRED BARBER, maintenance at Canada Packers Limited, Aylmer St.

There certainly is a need for a Canadian bill of rights. I feel there should be strong enough laws to enforce the act once it has been put through parliament.

The bill of rights would help Canadians to understand one another better. I believe in the freedom of race, color, and creed but there are some people in Canada who do not live up to this.

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MRS. ALENE HOLT, City Alderman:

Yes. Canada should have a Bill of Rights. Not that we, as individuals need fear abuse of power by the present government, but in English history, such documents go far back. The Magna Carta, Petition of Rights and Bill of Rights contain many provisions of a general political nature, and they also affirm and reiterate for every Englishman certain rights, one of the most important to my way of thinking being "the right to petition the government at any time for redress of grievances."

Of interest in the Virginia Bill of Rights, the first to be patterned after the English example, are the assertions that all authority is derived from the people; that all officers therefore are responsible to the people; that the people retain the right to change the form of government at will, and must do so from time to time to prevent decay.

In municipal as well as in federal and provincial governments, consideration should be given at all times to the grievances of people.