

persons having training and practical experience in the major fields of surveying.

Mr. Speaker, we feel that the proposed amendments are likely to improve the quality of land surveying in Canada. Moreover, a number of very minor amendments which are desirable are included in this bill.

● (1210)

[English]

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, on the surface this appears to be a housekeeping measure to set up machinery for a modern system of surveys suitable for our northern and offshore lands. However, on reading through the legislation it becomes obvious that this is more than a housekeeping bill. There is a political operation going on here reflecting the government's determination to do away with the nomenclature we traditionally use to describe our country.

This country is still, legally, the Dominion of Canada, and traditionally we call the survey the Dominion Land Survey. The main object of this bill, and everywhere where that phrase is used, is to get rid of the word Dominion and replace it by Canada. And the phrase "Dominion lands" is replaced by "Canada lands". Looking around this country today, we find alienation from the government, alienation between the regions, alienation between groups. Surely we are in enough trouble. But here we find just one more exacerbation of the alienation to which I have referred. I cannot understand what possible good the government is doing by yielding to a few extremists who want to get rid of the word "Dominion". The word "Dominion" was decided upon at the time of the formation of our nation by people of many ethnic origins. They were to have dominion over this land from sea to sea. Yet here we find this squirreling going on.

The proposal to set up a survey system suitable for the north will arouse no great excitement among our people. But carrying into a housekeeping act this additional needle, adding to the tension which already exists in the country, is not sound, especially at a time when we should be working toward national unity, not disunity. I have to point this out loud and clear—and if my right hon. friend from Prince Albert were here he would make the point more forcefully than that.

The next point I wish to make concerns the handling of affairs in the territorial areas. If we look at the legislation which gives statutory powers to the minister in charge of the north we find he has all the powers of a czar. Any conscientious minister aware of this great power in his hands must worry a great deal about its exercise. I had it for three years and I must say it worried me. Every week scores of forms passed across my desk for me to sign, affecting the livelihood and security of people in the north about whose affairs I had no knowledge. Nor was it possible to gain personal knowledge of what was involved, since no minister can regularly fly 4,000 miles here and 4,000 there. He has to accept the words of his officials.

Canada Lands Surveys Act

In 1963, when the government changed, the late Arthur Laing became minister. He decided to delegate this part of the work load to a number of senior officials across the north—a huge region. Knowing his sincerity, I asked him in the House whether he would make certain that the officials to whom he had delegated this power understood the significance of this completely dictatorial authority. Let me give the House an example of what I have in mind.

When you look at a map of the Yukon it becomes apparent that there is a vast unsurveyed area. In accordance with our concept of law, no one owns it. When land was granted to people in that area, every single acre had to be approved by the minister. Under Mr. Laing, that authority was transferred to five or six senior officials. Let hon. members read the legislation before them. That power still resides with the minister here. Any Privy Councillor, not only the minister directly responsible, can order the officials to conduct a survey. In addition, the commissioner can so order.

To get back to what I was saying: you see this vast area which does not belong to anyone—it is public land—and you approve a survey and give ownership of title. But suppose that in this vast area there are groups of native people, Indians here and Eskimos there, who use this land as a place to settle down during the seasons of the year when they are not travelling. When you find out months or years later that you have allowed a document to go through your hands, and you have allowed surveyors to go in and survey a piece of land and give ownership to a person, and you did not even realize the ownership you were turning over on a blank sheet of paper happened to be the traditional wintering grounds of 200 or 300 families of loyal Canadian citizens, that is what I mean by the danger which is not mentioned in this legislation.

● (1220)

In this legislation we have applied all the dictatorial rules which we applied to the citizens of the south, that if the government has directed that a piece of land be surveyed, any person is punished if he stops that survey. You can cross a person's land in southern Canada, and if any effort is made to hinder the surveyor, that person is the one who is guilty. They have applied this type of southern culture to the north.

Officials think the north is such a huge place that rarely will there be cases of infringement on native habits and customs. The fact is that it has been happening for all the years I can remember. Under this legislation you give statutory power, as if these native people are the same as those of us who are domesticated down here in the southern part of the country where we are used to taking orders from governments. These people have no legal claim to the land, under our law. They have just a moral right to it. They keep moving around and are not happy with a fixed boundary. Therefore I should point out to the minister and to the government that this housekeeping legislation has inherent in it great power to harm innocent people and a great ability to break a moral custom or a moral right that these people have to access and use of this land. We