

Yukon and Territorial Lands Act

preference to the section as it reads in the reprinted bill. The original print of the bill would have the council continue for four years instead of three years as is now set forth in the Act. Then, a certain phrase appears. Really, I would ask the minister to give us any logical reason he can that this archaic and colonialistic phrase should be continued. Although it may have been necessary at the turn of the century when it was originated, it is not necessary in this modern day and age. In section 7 the act sets forth clearly that the minister always has control of the administration of the government of the territories on the instructions of the Governor in Council from time to time through his commissioner.

In essence, the minister can do anything he pleases. He can in fact disregard every other section of the Act and proceed under a completely autocratic sort of system. I am not suggesting that he does this, but he has this power. He knows he has this power and, indeed, he said so to members during the committee hearing. Here we have a phrase which purports to extend the life of the council from three years to four years, but then it is clouded by a great club to be held over the head of the elected council of the Yukon because the Governor in Council has power to dissolve the council at pleasure if the activities of the elected members of the council do not meet with the approval of the cabinet or the minister. In that situation, the council can be dissolved. This seems to me to smack of King George III. I know the minister has no ambition to be King George III. There are some people in the Yukon or in the Northwest Territories who may wish him to be Louis XIV.

Why should the Governor in Council hold such a club over the heads of an elected body? Surely this is unnecessary. The whole purpose of Motion No. 2, as set forth on the notice paper, is to do away with this power. Why could we not simply say that there shall be a wholly elected council in the Yukon Territory consisting of seven members. We would have liked to have 15, but that has been ruled out of order. The minister knows that the Liberal Association in the Yukon, the Yukon council, and all of us would like 15, but we are not to be given 15. However, even with a council of seven members, why should we be subjected to this overriding power of the Governor in Council because the minister in any event has the power to direct the affairs of the government of the Yukon. He does not need a residual power. If he does not

[Mr. Nielsen.]

like what the elected representatives of the people are doing there, he can simply dismiss the council out of hand. This smacks of pure colonialism. It is archaic, out of date and has no useful purpose in the legislation. The purpose of the amendment is to do away with this phrase.

Mr. Chrétien: Mr. Speaker, I do not wish to be difficult, but I should like to explain to the House why we feel this amendment should not be accepted. The main reason is we are trying to have a system of democratic institutions in Canada which is similar everywhere in the country. This practice, by which the Governor in Council, the Lieutenant Governor in Council or the minister may play a role to an extent in the Yukon, is to permit the people who elected the representative to have an opportunity to have another look at the situation. Members here in Ottawa are elected to the Parliament of Canada for five years. If there should be a problem in the House of Commons, the Governor General, on the advice of the Prime Minister, (Mr. Trudeau), has the power to call a new election. A similar problem could arise in the north. There might be a conflict between the administration represented in the north by the commissioner and the elected members.

There could be a situation in which the administration and the elected members did not agree. A conflict might result in which members would refuse to vote money. All sorts of problems could arise. Normally, the matter would be referred to the electors who could elect a new council or re-elect the same members. With this provision, the administration would know that it had the power to give the voters of the Yukon Territory or the Northwest Territories an opportunity to express their view if there should be a crisis. I know that for years and years this power has never been exercised. The hon. member for the Yukon (Mr. Nielsen) should know I am the last person to be very autocratic.

Mr. Nielsen: I don't know.

Mr. Chrétien: This will provide a lot of flexibility to the operation at a time when we are moving as never before in the direction of having elected members in the administration.

Mr. Nielsen: Mr. Speaker, would the minister permit a question? Would he not agree that this power has never been exercised?