

[Translation]

The department has already advised government representatives and others defending the interests of museums that it appreciates the fact that they generally operate on a non-profit basis, on limited budgets, and that the rates would be established accordingly. Furthermore, they would be established on a full cost recovery basis, and there is considerable emphasis on modern technology that would make it possible to operate more efficiently.

In concluding, I would like to quote from this morning's *Le Droit*. I am referring to an article by Murray Maltais, in which he said:

According to their conscience —

He said that today, senators will vote according to their conscience, and went on to state:

The amendments proposed by the Conservative majority in the Upper House are basically aimed at making the bill less strict, to more or less legalize the possession of arms that are readily available, which would of course be welcomed by the powerful lobby financed by the people involved in the manufacture and sale of firearms.

I am opposed to these amendments. Bill C-68 will receive my support and that of the majority of Canadians, in addition to the support of many national organizations that came to testify before the parliamentary committees.

[English]

• (1520)

Hon. A. Raynell Andreychuk: Honourable senators, I will restrict my comments to a number of areas, although I have concerns on both sides of this issue that I wish we had more time to discuss.

Honourable senators, I grew up in this country understanding and accepting two concepts. The first was that, in the democracy that I thought Canada had, the will of the majority would prevail, not at the expense of a minority but taking into account the views of that minority. This was especially true if the minority were disproportionately affected. Sensitivity was the key and civility was the rule.

Second, I grew up in a Canada that looked at criminal law starting with the question of what behaviour or action we would find collectively intolerable. In most cases, to be successful, a criminal law requires significant support from those affected to be effective. Utilizing the Criminal Code for social engineering is rarely successful. We are most successful when the rules are rules which we all understand, and which we are able to protect. In

other words, we build a fence within which normal, appropriate behaviour is tolerable. If you go beyond the limits, that is criminal behaviour. We try to leave as much room for people to use their own discretion with the changing times.

I make those comments, honourable senators, because those two concepts underpin where I wish to start. While I believe that we should be governed by our conscience, I respectfully disagree with Senator Johnson in the most vehement terms. This bill, uniquely, sets out a fiduciary relationship.

I will return to this point, but before I do, I want to say that I have deep regrets with respect to Bill C-68. I regret that the bill does not go far enough or fast enough in its stated objective of attacking the criminal use of firearms. I regret that the roots of violence are not attacked sufficiently. We are again dealing with the symptoms. We are trying to cure, not prevent.

I regret that there is no overall strategy to look at firearm registration within the context of the conventional and non-conventional use of weapons in the international setting. We cannot combat the improper use of firearms without an international strategy like the drug strategy.

We must understand that globalization is a factor in our daily lives, and I regret that this bill is silent except when talking about holding our borders accountable to the extent that the bill outlines, which I believe is inadequate.

I also regret that Bill C-68, the Young Offenders Act and many other criminal statutes do not have a wellness model for justice. At least we are struggling in the field of health to use a wellness model, not a curative model. We have a long way to go in justice to make that adjustment.

I regret that the will of the majority does not function in such a way as to take into account the minorities.

Honourable senators, I would return now to what I believe are our fiduciary duties. The duty of Parliament is not to say that this legislation is inconvenient to our aboriginal peoples; the issue is much deeper, and it does a disservice to the aboriginal people and to our history to say that, to them, it is simply inconvenient legislation.

History tells us that the rights we gave aboriginal peoples are not to be trifled with, and not to be taken lightly. If we consider section 35 of the Constitution, and if we consider the treaties, the covenants, the agreements we signed, we must ask ourselves: Did we sign them as people of integrity? Did we sign them as people who care about their word? Did we sign them as people who care about the rule of law? Did we sign them because we believe in democratic principles? If we did not, we can continue being paternalistic and fragmented; and we have no right to believe that our values are worth keeping. I feel very strongly about this.