

Yukon and Territorial Lands Act

Territories will continue to be even more backward than some of the colonial countries in Africa.

Mr. Chrétien: Mr. Speaker, may I ask the hon. member a question? He used the word "backward." Does he mean by that, that the Parliament of Canada, Canadian legislative assemblies and Westminster have a backward system of administration?

Mr. Nielsen: A good deal of improvement could be made there as well. What I meant to say to the minister—I and every member of the Yukon Council have told him this many times—was that we feel the system that this Parliament continues to impose upon the Yukon is a colonial system. For the minister to speak of this great reform toward autonomous government is a hollow mockery. I really cannot understand the Parliamentary Secretary who is sitting next to the minister. He voted in support of every one of these amendments that we have considered so far, particularly the one with respect to consultation, the words of which almost came out of his mouth in the committee. We are considering the inapplicability or otherwise of section 24 in allowing the seven elected members to set their own indemnities. He voted for that amendment in committee, as did his Liberal colleagues. Now they are about-facing simply because the minister has been advised by his civil servants that it is not a very good provision and this power should not be lost because the old ivory tower will start crumbling.

Mr. Honey: The hon. member is anticipating.

Mr. Nielsen: I hope the hon. member will be here and will vote on these amendments in the same way as he did in committee. But I doubt that he will, if he wants to keep his job. The fact is that the Yukon Act which is under consideration here can be amended in any way we please. Parliament is the master, not the minister and not his departmental officials. This House of Commons and the other place are the masters of what design the Yukon Act will take. What is the matter with modernizing it a little? Why does the minister, to quote a well-worn phrase, have to be dragged, kicking and screaming into the twentieth century of constitutional development?

The Yukon Act as it now stands sets up a separate consolidated revenue fund, and what the minister is asking the House to swallow

[Mr. Nielsen.]

in the form of a red herring, that the members of council are paid out of the consolidated revenue fund of Canada, is fiction. If he does not know it is fiction, he had better read some books on constitutional law. Perhaps he has been away from his office too long. Maybe he should get back there and familiarize himself with some of these finer constitutional points. But the fact of the matter is that the act contained provisions setting up a separate consolidated revenue fund. In that fund there are no compartments setting aside certain areas into which territorial revenues will fall and certain other compartments into which the federal grant will fall; no more so than it is in the provincial consolidated revenue funds, and from there he draws his example.

● (3:50 p.m.)

He says he wants it to be the same as the constitutional structure in the provinces. What is so different between the constitutional structure in the provinces and that which I suggest should prevail in the Yukon Territory, where the members of the elected council should have the power to set their own indemnities without a civil servant telling them what indemnity they are to get? Believe me, Mr. Speaker, this minister is going to tell the commissioner what he should do. He has already said this, as recorded in *Hansard* of May 14, at page 6978:

The fact that no provision is made for this in the bill means nothing at all, since the commissioners always act on the direction of the minister.

You had better believe it, Mr. Speaker: they always act on the direction of the minister, and that is what we resent. The commissioner is the horse and the minister is the driver. The minister has reins 4,000 miles long, trying to drive that horse, and he is making a darn poor job of it.

Mr. Chrétien: We have a good telephone system.

Mr. Nielsen: Exactly, there is a good system of telephonic communications, so why did you need that last pernicious amendment with respect to consultation, a requirement to consult each of the councillors if they are available, if it is practicable, if it is wise? With a good system of communication there is no need for that kind of nonsensical and unnecessary provision.

I am sure it was unintentional, but the minister distorted the constitutional picture. The analogy between the provinces and what should be taking place in the territories is that in the territories the people who are