

Government Orders

reserves and the degradation that goes with stewardship and integrate the Indians with all speed into Canadian society”.

Is this ambition now too obvious and too practical for today's NDP? When the leader of the Liberal Party was the minister of Indian affairs his department published a white paper on the status of Indians. The proposal of that document formulated by the now Prime Minister was that Indian citizens should become equal citizens of the provinces and of the country.

• (1900)

In recent weeks there has been much discussion whether the charter would apply to aboriginal self-government. On two occasions the minister of aboriginal affairs said the charter would apply to this legislation. This certainly has not turned out to be the case.

In spite of the fact that this party introduced an amendment that would allow the Charter of Rights and Freedoms clearly to apply, the government and the House refused the amendment. That begs the question, was it refused because the Indian leadership did not want it or was it refused because the government did not want it. Either way there are serious questions that need to be answered.

Clause 8 of the bill which refers to an as yet unadopted constitution by an as yet undefined government structure calls for the recognition and protection of the rights and freedoms of citizens. There is now expert legal opinion that the charter probably does not apply to aboriginal self-governments unless special provisions are made.

We believe the protection of the charter must apply for the same reasons the aboriginal women of Canada voted against Charlottetown. It is not some idle thought or idle dream of the Reform Party to be obstructionist. I would like to quote from an article in the *Free Press* recently by an aboriginal person. Make note that these are not my words. They are the words of an aboriginal woman and an elder of an aboriginal band.

“One thing for sure, I am not for this self-government. All it is going to do is make a lot of men think they are high politicians. I know native men. They are still trying to be dominant. All this power will go to them. According to the native men, women are just supposed to follow them around like little puppies”.

The native elder goes on to say: “Aboriginal leaders have failed in their efforts to improve conditions and now expect to be trusted with more power. Everything they,” that is the aboriginal leaders, “have done backfires. We are supposed to be running our reserves and we are \$1.4 million in debt. We have no control now. There are drunks everywhere, bootleggers in every corner of the reserve. The law was strict before. Now there is no law. How can we say yes when there is no control. This may be good for Ovide Mercredi and the chiefs. They can fly all over Canada. Winnipeg has become a paradise for our chiefs. Now they want to put in self-government”.

Those are the words of aboriginal people so when it is said that all aboriginals, all people, support the agreement there are other opinions.

Clauses 11, 13, and 20 refer to the law-making powers of these self-governments and schedule III, parts I, II, III and IV spell out in detail the areas of jurisdiction.

In most of these 44-plus areas one would naturally assume that self-governments would have jurisdiction but there are notable exceptions where power formerly granted only to provinces is given to these governments.

Schedule III, part III, No. 7 appears to give authority over gaming and lotteries.

Number 13 provides control over operation and licensing of motor vehicles.

Number 14 provides control over the manufacture, supply, sale, exchange, transportation, possession and consumption of intoxicants, i.e. alcohol or drugs.

Number 17 provides control over the administration of justice.

This unprecedented power and control raises questions of the approach aboriginal governments will take to access these lands in question. I believe there are ominous signs also and I would like to demonstrate with a couple of these examples as well.

In the *Slave River Journal* of Fort Smith on June 8, 1994, there was an article telling of a Mr. Ray Decorby who was shot in the leg for trespassing on Indian lands while he was trying to photograph birds.

Another example that might apply is a subdivision in the township of Archipelago where the Indian band involved erected a steel gate across the road denying access to non-aboriginal homes and cabins on the lake and demanded \$5 million for passage through the gate.

Everybody in the House heard what happened at the Mohawk reserves in Quebec and southern Ontario when the Canadian military dared to trespass on Indian lands.

The provision of these powers goes well beyond powers granted to any government subordinate to provincial governments in Canada.

• (1905)

In the briefings the minister told us the agreement would provide clarity and certainty and would be much less expensive than the current situation for Canadian governments and people wishing to do business in Yukon. We have to question how this will be possible when now instead of three levels of government to deal with in Yukon, anyone wishing to do business in that part of Canada will have to deal with 17 different governments. Each government will have its own bureaucracy, taxes, laws and