

Under the Constitution as it now stands, there is provision in the British North America Act for the taking into the federal state of additional territories and converting them to provinces in exactly the same way that Manitoba, Saskatchewan, Alberta and British Columbia entered confederation.

With the proposals now before the House, that process is no longer possible. As for provincial status, they can forget about it in Yukon, the Western Arctic and in Nunatsiag. It will never come. Why do I say never? It is not simply "not in my lifetime", as the Prime Minister said; it has now become never. It is never because, by the formula proposed in the constitutional proposals before us, there are two provinces with a veto, namely Quebec and Ontario. If either one of those provinces objects to the entry of any other territory into confederation, as is now provided for in the British North America Act, the territory will not get in. That is the result of the proposals before us.

Another question which concerns us greatly is that of mobility rights. There was a great deal of time, effort and expense involved in the production of the socioeconomic terms and conditions with respect to the construction of the Alaska highway natural gas pipeline, if indeed that project ever goes ahead. Those socioeconomic terms set forth a hiring preference and a mechanism by which migration could be controlled so that the impact of thousands of workers who would be foisted upon Yukon all at once in the construction stage of the pipeline would be minimized. We tried to amend that provision in the joint committee. It was rejected. We have a provision in the constitutional proposals which will negate the effect of that mechanism. When that matter was raised with the Minister of Indian Affairs and Northern Development (Mr. Munro) in a recent visit to Whitehorse, his response was, "Well, we will find a loophole". It sounded rather strange for a minister of the Crown who supports the constitutional proposals now before us to be telling the public in Yukon that a loophole would be found whereby we can get around the mobility rights of the Constitution. The fact is that when the proposals before us become law, if indeed they do, we can forget about the socioeconomic terms and conditions which would provide that protection to Yukon.

● (1210)

The other matter which concerns Yukon and the Northwest Territories greatly is the proposals contained in section 35(3), I believe it is, which deal with the attendance by elected representatives of Yukon and the Northwest Territories at federal-provincial conferences. At first blush that provision would appear to go a long way toward meeting the legitimate aspirations and desires of Yukoners and Canadians of the Northwest Territories. However, a careful reading of it will disclose immediately that all it does is maintain the status quo, because there will be no representation at the federal-provincial conferences by either Yukon or Northwest Territories unless the Prime Minister in his magnanimity deems to allow that representation at the table.

The Constitution

When the Minister of Indian Affairs and Northern Development was in Whitehorse recently, he said this, and I quote from page 5 of the text of his speech given to the Whitehorse Chamber of Commerce on February 14, 1981:

Hand in hand with the economic development to which we all look forward must go political progress and evolution.

One cannot disagree with that statement. It was indeed our policy, our aggressive policy.

For the past year, Yukoners have enjoyed full responsible government, at least in practice if not in statute.

That statement is absolutely false. Yukoners do not now enjoy, nor have they in the past year enjoyed, full responsible government either in practice or in statute.

Mr. Baker (Nepean-Carleton): Why would he say such a thing?

Mr. Nielsen: Why? Because of the deviousness of this government. It is very evident in their advertising campaign. They try to twist the minds of their listeners.

Mr. Collette: Nonsense.

Mr. Nielsen: The parliamentary secretary says "Nonsense". All one has to do is refer back to the advertisements this government put forward at taxpayers' expense, trying to sell its constitutional package before debate even commenced in Parliament. One can refer to the energy ads which went out previously and which apparently we are going to be saddled with again, at taxpayers' expense. They do not tell the truth. That statement I just read is not the truth.

Yukoners do not have jurisdiction over laws. They do not have jurisdiction over resources. Yukoners do not have the right to introduce money measures in their own legislative assembly when even the municipalities in Yukon have such a right. The minister retains the residual power to say yea or nay to anything done by the legislative assembly, the elected representatives of the people in the Yukon. The same situation pertains in the Northwest Territories. Therefore, it is utterly false for the minister to say that full responsible government has been enjoyed in practice if not in statute.

The government recently got itself into hot water on the disposition of federal lands by not publicizing their availability and not giving all Yukoners full opportunity of bidding on their disposition. The minister said in the same speech:

That means that the decisions of the territorial government have been made by your elected representatives.

That decision certainly was not made by the territorial representatives. It was made by the minister's public servants in Whitehorse and in Ottawa.

It also means, obviously, that they must be held accountable for their performance.

"They" refers to the territorial legislatures. That patently is not so in the example which I have just exposed to the House. It was not the territorial government which disposed of the lands in question, it was the federal government.