The first point which I would like to deal with arises from the language in Bill C-84 which is most closely directed and obviously affects the rights and customs of the people I am here to represent, the Eskimos of Cape Dorset and its environs. I refer to clauses 15 and 20. Clause 15 restricts the legislative powers of the territorial council with respect to game preservation; but we should note that the restriction is qualified by subclause (3) which, in effect, permits such legislation with the intention of:

> Restricting or prohibiting Indians or Eskimos from hunting for food, on unoccupied crown lands ... game declared by the governor in council to be game in danger of becoming extinct.

The effect of these provisions, in my opinion, is such that hunting may be very seriously restricted by the territorial legislation passed before or concurrently with such a declaration by order in council that certain game is in danger of becoming extinct. This, to my mind, is no more than a step, but a most serious step in the eyes of the Eskimos towards government by order in council with which we have had some experience in our history.

It is my respectful submission that game preservation should, so far as restrictions upon hunting are concerned, be the subject of direct and explicit legislation, territorial or federal—preferably territorial—for reasons I shall come to, and that it should not become subject to restriction or prohibition by order in council.

It has not been unknown to have orders in council go through with somewhat less than the scrutiny given to a bill, certainly a bill affecting the livelihood and culture of people such as the Eskimos, and I suggest that you will wish to give serious thought to the implications of this clause for that reason. We have today a number of such declarations on the books concerning the proposed extinction of certain species; these declarations have been made by order in council. I think that is enough to say on that subject.

It has been mentioned to you earlier here that clause 15 of Bill C-84 is no more than a re-enactment of that 1960 legislation. I think clause 20 is also. I will just read clause 20, if I may. Clause 15 is somewhat more complex. Clause 20 simply says:

> All laws of general application in force in the territory are, except where otherwise provided, applicable to and in respect of Eskimos in the territory.

I ask you to mark well, gentlemen, that this legislation—passed originally in 1960 and which is on the books today—was passed at a time when there was no member of parliament for the eastern Arctic.

I cannot imagine that a member who had the interest of the people there in mind—for it requires that degree of awareness that only direct and close knowledge of conditions can bring—could have allowed this legislation to pass without protest. Yet, that virtually is what happened.

The legislation which passed in 1960 has been questioned by the territorial court as to its effectiveness. I merely mention that. It may—thank heaven—legally be ineffective. My question is not in respect of its legality, but in respect of its propriety, its wisdom, its effects on the constitution if permitted to stand and, in respect of what it is doing to the Eskimo people, particularly with regard to what it is doing to their view of us and of our laws and of our concept of Canadian sovereignty in the Arctic. I submit that the legislation does not do this house or the laws of Canada credit in the eyes of the Eskimo.

I might refer to an article in the Canadian army *Journal* published in 1960. It is a prize essay by Major Dominico. This was an essay on the strategic value of the Canadian Arctic pointing out that in some future time it might be a