

Constitution Acts

if people feel disenfranchised, if they feel that they do not have a voice and a representation, then clearly that is a significant problem for the country.

Having no voice and having no vote is not acceptable. I suggest that they are not acceptable to the people in the North, and they are not acceptable to Canadians. Dictatorships are systems of government in which there is no voice and no vote. That is not the system that we are participating in here.

This motion is important because it would begin to redress that wrong. It is not a radical change. It is not changing the whole character of Canada. It is so simple. It is saying: "Let our elected government leaders sit down with you and express our point of view as resident northerners about some of the most fundamental issues in Canada".

I suggest that if the Government were to allow this matter to go to a vote it, would be an opportunity to say not only *oui* to Quebec but to say *oui* to the Yukon and the Northwest Territories. It is time that we acted sensibly and maturely. Surely the second largest country in the world can function with 13 provinces, if that is what is about to happen. Is that really so complicated? Can we not cope with that? Of course we can.

What are the consequences of enacting some of the fundamental actions in the Constitution which address the concerns of northerners? It would be to the benefit of the country. It would be to the benefit, certainly, of the development of northern Canada.

In summation, I would like to say that this motion which I put forward is simply a first step in that direction. It is not a radical change to the whole country. It is not rebellion. It is not separation. In fact, it is saying: "Please, Canada, include us in the discussions about the future of this country". We are mature enough to do this. Those who read the submissions by the Northwest Territories, the Yukon and the aboriginal groups, clearly see the concerns that were expressed for the development of a just Canada, a Canada in which all citizens have equal rights. A country in which some citizens have more rights than others is not the kind of Canada we want to see.

In conclusion, I would say here is the opportunity for the Members of this House to say: "We say yes to the North. Come and join us. You are part of our country".

Some Hon. Members: Hear, hear!

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Hon. Member for the Yukon (Ms. McLaughlin) by her motion this afternoon reminds the House once again just how shabbily the Government of Canada tends to treat our two territorial Governments and their leaders. It is almost necessary to remind the House that the Governments of the territories and their leaders are drawn from their Legislative Assemblies just as our Government and our leaders are drawn from the Legislative Assembly of which we are Members. Those

Legislative Assemblies in the North are elected precisely as we are elected—by constituted elections and by secret ballot.

I submit that, with respect to Motion No. 204, to exclude the leaders of the two territorial Governments, the Yukon and the Northwest Territories, from constitutional conferences and from those economic conferences that are called for under the Meech Lake amendment is undemocratic. I support wholeheartedly the sentiments that have been so well expressed this afternoon by the Hon. Member for the Yukon on that particular point.

We know something about how the Government of Canada regards the two territorial Governments. Those views have been expressed by legal counsel for the Government of Canada in open court. What government lawyers have said in open court is that the territorial Governments are not governments at all. They have said that what they are are agencies of this Government and that, in fact, they do not exist.

That is tough to swallow. I put that to my hon. friend from the Northwest Territories, the Hon. Mr. Ballantyne who is serving as Minister of Justice. I put it to him in committee. This is what he said in response to my question:

—my colleagues in the Yukon and the Territories were shocked and surprised that an argument could even be considered in the furthest reaches of anybody's imagination that somebody by a whim can say you no longer exist. When I travel through the 73 communities of the Northwest Territories and when people come to me as they come to you as politicians with their complaints, they sure as hell think I exist. So I am not quite sure how the federal Government in 1987 could even present such a case.

As the Hon. Member has said, the approval by this House of this motion would not fully or wholly correct the constitutional insult under which northerners now live. It would not do that. However, it would at least be a small step in the right direction.

The Constitution Act of 1982 in Sections 42(1)(e) and (f) imposed upon the two territories the requirements of the amending formula, that is, if any boundaries were to be extended north, or if new provinces were to be created, there must be the agreement of seven provinces having 50 per cent of the population. I remember how delegates from the North came down here and, in fact, occupied part of the Hill to protest.

In 1982, when they came down here, I strongly favoured protesting that provision in the 1982 amendment. I came within a breath of voting against the 1982 amendment. If I did not want that Charter of Rights so badly, as I did, I think I would have been one of those who stood in the House to vote against the 1982 constitutional amendment. But that Charter of Rights and Freedoms was needed in the country as a check against the great executive power that presently exists.

Thank goodness that in 1983 at the First Ministers Conference there was an effort to repair the damage. It was suggested, first, in the 1983 Accord that never got off the ground—that agenda has never been completed—that, among other things, the future leaders of the territorial governments be