

Yukon and Northwest Territories

civil servant running our affairs for us. I think that situation has been going on for much too long.

I wish to point out that I believe these suggested changes would improve the situation. I hope that the new, fully elected council will act to implement some of these suggestions to help us move toward a more responsible and provincial type of government for the Northwest Territories.

Mr. Erik Nielsen (Yukon): Mr. Speaker, I listened with interest to the hon. member for Northwest Territories (Mr. Firth). I did not hear him say he had the support of his party for the views he expressed concerning the development of government reforms in the Northwest Territories.

Mr. Lewis: He has.

Mr. Nielsen: I am glad to hear the leader of the New Democratic Party say that the member has that support. I am delighted to hear that.

Mr. Barnett: What about you?

Mr. Nielsen: The hon. member for Comox-Alberni (Mr. Barnett) does not have to ask about me. He has been sitting in this House long enough to hear me make appeal after appeal for governmental reform to be brought about. A motion for non-confidence was moved in this House three years ago, a time when the government had a majority. There was no problem about voting to keep the government in office in those days. The leader of this party, seconded by myself, moved a motion of non-confidence because the government had failed to take meaningful steps toward achieving responsible government for the area. The leader of the New Democratic Party and his followers, including the hon. member for Comox-Alberni, voted against that motion.

The hon. member for Northwest Territories was not here at that time. I am sorry he was not here. Had he been, I am sure he could have educated his colleagues and we would have moved somewhat faster toward the day when governmental reform is going to be completed in the north. I could not agree more with the remarks of the hon. member for Northwest Territories with regard to the executive committee, save in one respect. He, his constituents in the Northwest Territories and anyone who is eager to achieve meaningful reform there, are taking on a device that simply will not work. The experiment, the tinkering of the minister in the Yukon over the past three and a half years, has proved that in spades.

I think the hon. member for Northwest Territories has been in the Yukon often enough and steadily enough to know that that tinkering of the minister has caused strife and difficulty, not only with regard to the administration of our affairs in the Yukon, but in the setting back of the day when full responsible government will be accorded to the two northern territories.

At the time the minister introduced that concept in the Commons in 1970, I said it was unconstitutional. I still maintain that stand. The hon. member for Northwest Territories pointed out one or two details which go to the constitutionality of the course that is being followed by the government. One of those is the absolutely unacceptable and repugnant idea that there is anything responsible

[Mr. Firth.]

about a government where there is a bureaucratic majority sitting on what has been called in the past a mini-cabinet.

I say it is unconstitutional for more fundamental reasons than that. A proposal is being put forward by a minister for expansion of the executive committee in the Yukon and for the establishment of an executive committee in the Northwest Territories. The members of that committee are first going to be allowed what the minister is pleased to call certain responsibilities, but which really are not. Second, there must be monies paid to those members of the executive committee in that capacity from the public treasury. When any such changes are made, the legislation must be accompanied by a message from His Excellency. The minister again is going to smuggle into the governmental structure in both territories, not only an unacceptable concept, but an unconstitutional one. If the concept is valid at all, it can only be valid when it is comprised of wholly elected members in its entirety without civil servants sitting on the executive committee participating in the law making process.

The minister and the government have distorted the whole concept of the separation of the legislative and executive functions of government. The minister seems to be blind to the effect of what he is doing. He is either stubborn or blind because he thinks it is proper to join the executive and legislative functions. Surely, that is farthest from the basis upon which the concept was evolved. The whole idea, and I have thought this to be legitimate over the years, is that the legislative will be separate from the executive functions of government, as will be the judiciary. For the minister to not only endorse, but to present the idea that the legislative and executive functions should be joined is simply a distortion of the principle as it should be. Until this separation is brought about there will be no meaningful responsibility.

● (1600)

In the Yukon, up to the present the executive committee has consisted of the Commissioner and his two assistants, one of them a federal civil servant and one a territorial civil servant, sitting on the executive committee with two elected members, a total of five. At the time this odd concept was proposed, I said all the minister was doing was dividing the Council. Perhaps, because the heat was on, asking for reform. Perhaps that is what he intended to do—I am not saying he did. I could say that but I won't. He may have welcomed the idea because it certainly took the heat off. In any event, what he succeeded in doing was dividing a Council, which had been united during the previous successive nine years. Members of the Council of all political views were united on the one question of reform. So, two of the councillors were extracted; they were smuggled on to what became a bureaucratic executive-controlled committee, and the spirit of unity was broken. Immediately, there was that division of two-five.

Then, of course, there was a further divisive factor and that was the decision by the Yukon Liberal Party to run a partisan slate. No other party did that. This gave rise to a political difference on the question of government reform in addition to the difference which the minister had artificially created. Again, unity was destroyed. The minister has told us he has spoken to the members of council in