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OFFICIAL REPORT
(HANSARD)

Friday, October 20, 1995

Speaker: The Honourable Gilbert Parent

CONTENTS

(Table of Contents appears at back of this issue.)

HOUSE OF COMMONS

Friday, October 20, 1995

The House met at 10 a.m.

Prayers

POINTS OF ORDER

QUORUM

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, according to Standing Order 29(4) whenever the Speaker adjourns the House for want of a quorum, the time of adjournment and the names of the members then present shall be inserted in the *Journals*.

I was present yet my name was not recorded. I signed the sheet.

The Deputy Speaker: The hon. member signed the sheet and there is a mistake. It will be checked out and if somehow it has been lost, his name will be added in the journals branch, so he need not worry about that.

I thank you for bringing it to the attention of the House.

GOVERNMENT ORDERS

[*English*]

BRITISH COLUMBIA TREATY COMMISSION ACT

The House resumed from October 19 consideration of the motion that Bill C–107, an act respecting the establishment of the British Columbia Treaty Commission, be read the second time and referred to a committee.

The Deputy Speaker: The hon. Parliamentary Secretary to the Minister of Labour had the floor. The hon. member for Surrey North has the floor for 40 minutes on behalf of her party.

Ms. Margaret Bridgman (Surrey North, Ref.): Mr. Speaker, on September 21, 1992 the federal government, the British Columbia provincial government and the summit, which is a group representing aboriginal groups involved in this matter, reached an agreement to establish a commission called the British Columbia Treaty Commission. It would aid in the treaty negotiation process by assisting the groups involved to become fully prepared for their role in this process.

In other words, the commission would not be directly involved in the actual negotiations but would ensure those persons who would be at the negotiation table would have arrived there fully prepared with all the *i*'s dotted and the *t*'s crossed. I am assuming the objective of this approach, i.e. the creation of a commission to facilitate, is to speed up the negotiating process and to ensure all parties are fully informed as to the nature and intent of the negotiating dialogue.

The September 21, 1992 agreement committed the three principals involved to establish this treaty commission via statutes in the case of the governments and a resolution in the case of the summit. This agreement also addressed the B.C. Treaty Commission's organization such as the membership, the terms of office, the location of the office, the quorum, the funding arrangements at least for the first five years, and so on. The agreement also identified the commission's mandates and its parameters.

It was all there on September 21, 1992. Very early in May 1993, less than one year later, the summit passed its resolution. Later that same month the B.C. legislature also passed its enabling legislation. However, here in October 1995, almost two and one–half to three years later, we are debating Bill C–107 which is the bill respecting the establishment of the B.C. Treaty Commission.

There has been an awareness of this need for legislation for some time, actually one year and three months since September. One can ask why this government is taking so long, since January 1994 for example when Parliament opened here, to carry out its obligations on this process.

The commission does exist but because of the delay in the passing of legislation here to establish it, it has been functioning informally. The fact that the commission has been functioning in our immediate past provides us here today with an insight as to the possible effectiveness of its role in the whole negotiating process to date.

For example, we have had some difficulties. In British Columbia six blockades were erected by the natives in the past year. One was a blockade on a road for private residences on Adams Lake near Kamloops that ran through an Indian reserve. Not far away was a two–week blockade disrupting business this spring at the Douglas Lake ranch after the ranch had asked

natives to stop net fishing on a lake that was privately stocked by the ranch. Only the delicate negotiations of the RCMP kept the peace and brought that blockade down.

A third blockade was outside Penticton. Three native bands disrupted last winter's season for the Apex ski resort with their so–called checkpoints on the access road that ran through the reserve.

Early this summer the province shelled out millions to a developer to buy waterfront property on Vancouver Island which was later discovered to be another burial ground. This triggered another obstruction.

● (1010)

Then in northern B.C. the Gitksan Indians, who are well into negotiating land claims, erected blockades to frustrate forestry operations on the land they wish to claim. Number six was Gustafsen Lake. The owners of the cattle ranch company at Gustafsen Lake were victimized by renegades who had no direct association with the North Shuswap band.

These behaviour patterns are not condoned and they are certainly not conducive toward achieving a constructive negotiating process. They are occurring regardless of the negotiations today and regardless of the commission's activity to date. Be it legal or illegal, behaviour patterns are occurring suggesting, first, that there is a frustration with the whole process, possibly partially due to delays such as the one we are experiencing today; and, second, that the present approach of the negotiations is not effective or at least not as effective as it should be.

In addressing the slowdowns or the delays, it is quite obvious in British Columbia how long the land negotiations have been dragging on. We can see that right across the country. Negotiations on the Nisga'a claim have carried on for some 23 years.

As negotiations proceeded into the 29th Parliament, which was 1972–74, the current Prime Minister was then the minister of Indian affairs. Negotiations continued on through the 30th Parliament of 1974–79 and again our Prime Minister was present. Negotiations marched on through the 31st Parliament of 1979–84 and our Prime Minister was there as well. As negotiations sped along during the 32nd and 33rd Parliaments of 1984–88 and 1988–93 respectively, our Prime Minister was in the opposition, except for a very brief period of time.

Now the Prime Minister has held a large majority in the 35th Parliament since October 1993 and here we are over two years later creating a commission to facilitate discussions between aboriginals, the B.C. government and the federal government. I wonder whether the right thing be done now on the treaty negotiations.

Another suggestion I mentioned earlier arises from the various behavioural signals we are getting, that is the possibility that the present approach for constructive negotiating is not effective or is not as effective as it should be. As I stated earlier, the commission is functioning in its facilitating role. Therefore, it should be preparing the parties involved for effective participation in the negotiating process.

Possibly it is this preparation aspect which may be the weakness in achieving the effective results for all those involved or for all those affected by the decisions which are being reached. Possibly the present method which we are using to prepare for these negotiations should be reviewed. We strongly recommend that the commission review this situation and insist that the parties involved listen to the concerns of both aboriginal and non–aboriginal peoples at the grassroots level and formulate their negotiating position with input from that source.

In our discussions with people at the grassroots level we found a common concern for jobs, public safety, health, racism, education, et cetera. We also found a common lack of understanding of the land claims and the self–government demands. We further found that there was a common mistrust of the federal department of Indian affairs and of politicians.

We recommend that the commission also promote the need for creating or establishing a fundamental change in the relationships between the aboriginals and governments, with less dependency on the federal government and more democratic control by the aboriginals over aboriginal governments. Our aim is to give aboriginals more responsibility for their own well–being, the tools to discharge that responsibility and more accountability for the results.

● (1015)

We strongly recommend that the commission prepare the parties involved to achieve that objective by incorporating the following principles into the agreements while they are at the negotiating table.

First, the development of democratic, accountable and responsible local governments on the reserves should be supported and subject to the laws of Canada and the provinces. Members will recall during the constitutional wranglings of the Mulroney government that aboriginal women were very concerned about protection of their individual fundamental rights and freedoms.

Second, aboriginal people on reserves should have access to the services of Elections Canada to guarantee democratic process is respected in band council elections and access to the services of the auditor general to maintain the fiscal accountability of local governments. We have been approached by band members who are very unhappy with what they view as this huge process in band elections and what they allege to be the misuse of band funds.

Third, land settlement processes should be not only fair, affordable and final but publicly negotiated and open to all the affected interests. The negotiations that led to Bills C–33 and C–34 being rushed through the House were not publicly conducted.

Fourth, individual aboriginals should be able to opt for private ownership of a share of any land entitlement and the property rights and reserves should be expanded and respected. Presently aboriginal farmers have difficulty getting operating loans for each crop year because they do not hold title. A newly formed aboriginal association, the First Nations Agriculture Association of Alberta, wants to address this and other related issues.

Fifth, aboriginals living on reserves should be able to receive federal financial transfers directly as other Canadians do rather than from a band council.

Sixth, direct federal funding of aboriginal political associations should end, allowing the aboriginals to decide which organizations they will support financially or otherwise. Why should anyone have to support something whose aims do not agree with his or hers?

Seventh, special tax exemptions for aboriginals provided for under the Indian Act should be rescinded and aboriginal individuals and companies should be subject to the same taxation laws as all Canadians. This would do much to counteract resentment and would give the aboriginals a stake in what happens in the federal government.

Eighth, existing treaties should be honoured in accordance with court interpretation and laws enacted by aboriginal governments should conform to the laws of Canada. Another point the commission could prepare the parties for discussing is Canadian law, including the Criminal Code. Laws should be enforced uniformly across the country regardless of race, language or culture of the victims or perpetrators of the crime.

In the Department of Indian Affairs and Northern Development policy guide on self–government listed among the subject matter where there are no compelling reasons for aboriginal governments or institutions to exercise law making authority are: maintenance of the national law and order and substantive criminal law including offences and penalties under the Criminal Code and other criminal laws, emergencies and the peace, order and good government power. That was page 7. We hope the minister will follow through on this commitment to universal application and enforcement of the Criminal Code.

A ninth principle for consideration at the table would be regional conventions of aboriginal representatives elected by aboriginals to discuss particular application of the principles of self–government. The commission can achieve the objective of giving aboriginals more responsibility for their own well–being and the tools to discharge that responsibility plus more accountability for the results by preparing the parties involved to negotiate the previously mentioned principles at the table.

• (1020)

Regarding the whole concept of treaty negotiations not specifically in the negotiating component, in British Columbia another concern comes to mind at this time. Article 13 of the British Columbia Terms of Union is: ''The charge of the Indians and the trusteeship and management of lands reserved for their use and benefit shall be assumed by the dominion government''.

The document goes on to say: ''To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia government to appropriate for that purpose, shall from time to time be conveyed by the local government to the dominion government in trust for the use and benefit of Indians on application of the dominion government''.

By order in council PC 1265, dated July 19, 1924, the federal government formally acknowledged that B.C. had satisfied all the obligations of article 13 respecting the furnishing of lands for Indian reserves and had described the process as ''full and final settlement of all differences between the government of the dominion and the provinces''.

One tends to think that would imply the negotiating aspect, as far as British Columbia is concerned, has been completed. However, here we are negotiating treaty settlements in British Columbia with British Columbia aboriginal groups which according to a release from British Columbia's aboriginal affairs minister will cost taxpayers some $10 billion.

In studying Bill C–107 I became concerned about some of the clauses. The first concern is there are several money spending clauses. For example, clause 6(3) assumes the commission has been functioning informally already, that any transactions which occurred previous to this will be assumed by the commission once this bill passes.

Clause 9 is remuneration and other terms and conditions of appointment of the commissioners. Here we are possibly talking about salaries or expenses, et cetera.

Clause 16 is a money clause which illustrates that the federal government will assume the financial responsibility of any claims or damages that the commission may incur. But it is directly related to the proportion of their original funding.

Clause 17 allows the commission to hire persons to assist it. In clause 5 allowances are made for the commission to have moneys to enable aboriginal groups to participate in the negotiations. Further to that, in clause 5(3)(c), should a dispute arise, money will be provided for the parties to prepare themselves to resolve the dispute.

Those money clauses are included in the bill. The agreement of September 1992 identifies a cost sharing program between the federal and provincial governments. It only addresses this issue for the first five years of the activities of the commission. No apparent indication is made of what occurs in the sixth year

or thereafter and no date is available in the whole process to say how long these negotiations in British Columbia will continue.

On the money concept a clause states that an annual budget will be presented to the principals. Considering all these points, auditing is essential. Clause 20 addresses the audit situation but it says:

> The accounts and financial transactions of the Commission shall be audited annually—

● (1025)

That is good.

> —by a qualified independent auditor designated by the Commission, and a report of the audit shall be made to the Commission.

It does not go any further than that. Considering that a portion of this is federal funding, it seems very logical to me that auditing of the federal funding portion at least should be done by the auditor general.

Clauses 18 and 22 are of concern as well. Clause 18 says:

> The Commission may make by–laws consistent with this Act and the Agreement—

The agreement in this case means the agreement of September 21, 1992.

> The Commission may make by–laws consistent with this Act and the Agreement respecting the carrying out of the work—

That in itself is all right. Clause 22 says:

> Nothing in this Act shall be interpreted as preventing the principals from amending the Agreement from time to time.

That is the September 21 agreement. I find that quite difficult from the point of view the whole bill is the agreement of September 21, 1992. Therefore, if the principals are to go back and change this agreement after the legislation has been passed, it is a logical follow through that the bill should be amended to incorporate the changes the principals have made to the initial agreement.

We offer qualified support to the establishment of the B.C. Treaty Commission and to Bill C–107. We are a little after the fact, but nevertheless we hope any discussions facilitated by the commission would include our recommendations which, as I said, come from the grassroots, both native and non–native.

The concerns of aboriginal people are Canadian concerns. They are concerned about jobs, personal safety, social service and control over their own government just like the rest of us are. We need to give aboriginals the same rights and responsibilities for meeting those concerns as other Canadians have.

We believe aboriginals will welcome the chance to free themselves from the paternalism of the department of Indian affairs, to assert a more genuine, democratic control over their own affairs and to realize brighter futures for themselves, for their children and their grandchildren.

Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, I am pleased to rise in my place today to join the debate on second reading of Bill C–107. The Government of Canada has maintained that providing justice and equity for aboriginal peoples requires two ingredients, self–government and the process of making modern day treaties through comprehensive claims.

Canadians have been wrestling with these issues for years. The Reform Party, for its part, has used the self–government issue to fan the flames of fear and apprehension during the debates over the Charlottetown accord and now it continues to stir up controversy in British Columbia through its misrepresentation of the treaty process.

I have heard hon. members opposite make a great deal of the media reports of the total First Nations' claims adding up to 110 per cent of the province. That total should not surprise us. Why should not the claims overlap one another? The First Nations have shared the land and its resources for centuries. They have migrated and tapped the resources of different locales at different times.

● (1030)

They have been asked as part of the treaty making process to describe the geographic area of the First Nations' traditional territory in British Columbia. They provided a map of the traditional areas of their ancestors which depicts a territory that a nation occupied historically. These maps are used to provide negotiators with a general idea of what area of land is under question, which is part of stage one of the process, the statement of intent.

A statement of intent is not a settlement. A claim is not a treaty. A treaty is a result of negotiations and the negotiations are just beginning. The claims are but the start of the bargaining position. No first nation would expect to receive the entire region described in its statement of intent. The First Nations do not expect fee simple title to the entire province.

When two First Nations have overlapping traditional claims they will settle the matter as the negotiations proceed. The federal and provincial governments do not participate in negotiating an overlapping settlement. However, several of the members across the floor, members who ought to know better, have been using the claims to instil fear among British Columbians.

They infer that these opening positions will lead to lost property for third parties across the province. They ask: ''What will become of your cottages? What will happen to the jobs in the mining and forestry sectors? What will happen to the fisheries?'' They raise these fears without adding that the treaty process provides for all sectors of British Columbia from cottage owners to the broad spectrum of industries to have a voice in the process.

They neglect to tell the people at the town hall meetings and on the radio talk shows that the Government of Canada consults with a treaty negotiations advisory committee representing many of their interests. They do not tell people that no negotiation can proceed until a regional advisory committee has been created to provide the views of British Columbians from that particular part of the province who are not at the negotiating table. They do not say any of these things.

This pattern of misinformation and fear mongering is typical of the tactics some members on the other side of the House have used to score cheap political points. They have often criticized the government for its dedication to the inherent right of self–government as a cornerstone of the Government of Canada's aboriginal policy.

We have said since the beginning, since the red book that provided our election platform, that we believe the inherent right to self–government to be an existing right within Canada's Constitution.

Hon. members of the third party have often made the case that no one has defined what self–government means. The argument that self–government has not been defined has been erected as an obstacle to prevent justice from getting through to the aboriginal communities across Canada. That argument speaks to the kind of meanspirited and narrow minded approach that has thwarted efforts to bring justice to aboriginal issues for years. It speaks for the tyranny of the status quo. It speaks for the preservation of the paternalism of the Indian Act.

Is that what Reform members want to uphold? Do they really want to impede progress, to impede righting past wrongs, to impede certainty, to impede economic stability, to impede job creation?

We want to make progress. One way we are doing it is by acknowledging that the inherent right to self–government is an existing right. We are now negotiating with First Nations on how that right is to be implemented.

No one wants to return to the constitutional debates to implement self–government. Self–government arrangements can be negotiated with individual communities based upon local culture, traditions and needs. That is exactly what we have been doing. That is how we are going about the process in British Columbia.

I remind the House, especially members of the third party who seem to specialize in misinformation and misunderstanding, of the six stages that a claim must go through before a treaty comes into effect. Hon. members will observe that it is a very thorough process.

In the first step a first nation files a statement of intent with the B.C. Treaty Commission. The commission makes sure that the statement is complete and forwards it to the federal and provincial governments. It is at this stage that the First Nations describe the geographic area in British Columbia that they consider to be their traditional territory. Forty–seven statements of intent have been filed. They represent over 70 per cent of the aboriginal people of British Columbia.

The second stage is the commission convenes a meeting to prepare for negotiations. All three parties exchange information, consider the criteria, discuss the research they will do to prepare for negotiations and identify issues of concern. Each party appoints a negotiator with a clear mandate. Each party establishes a ratification procedure and the parties agree upon the substantive and procedural matters that will be negotiated.

• (1035)

This is the stage at which the Canadian and British Columbia governments establish their own mechanisms for consultation with non–aboriginal interests. One of the requirements the B.C. Treaty Commission imposes on the two governments is the establishment of a regional consultative mechanism to represent third party interests. It imposes that.

When a commission determines that all three parties have met the criteria for readiness it confirms that they can proceed to stage three. This is where all three parties negotiate a framework agreement, a negotiated agenda, and identify the issues to be negotiated, the goals of the negotiation process, special procedural arrangements and a timetable for negotiations. So far four framework agreements have been signed and another three initialled by negotiators.

It is in the fourth stage of the treaty process that the parties negotiate an agreement in principle. These are the substantive negotiations. The parties examine the framework in detail.

Then the fifth stage is that the principals negotiate to finalize the treaty and remaining technical and legal issues are then resolved at this stage.

The sixth and final stage is the implementation of the treaty. Long term implementation plans need to be tailored to specific agreements.

All commissioners have agreed that significant progress has been made in the treaty process. The BCTC process is working. The process is fair. It is equitable and it is open. No one denies the negotiations ahead will be tough. Negotiations are tough. All negotiations are tough. There are some very complex issues that must be brought to the table.

It is time we settled these land claims so that all British Columbians, aboriginals and non–aboriginals, can get on with the job of building a prosperous society in our province, a society where all groups can enjoy the wealth, the resources that the province has to offer. This will benefit all British Columbians and all Canadians.

I hope I have said it slowly enough so that the third party across the House can understand. It is time.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I listened with interest to the government talking about dealing with the issue of land claims negotiations quickly and resolving the problems.

We heard of an Indian settlement area on the west coast that has been working for 23 years to resolve these issues. A whole generation has spent time negotiating with governments that obviously have not come to any sort of agreement. The negotiation is still not finished after 23 years.

My colleagues and I agree that it is very important to get on with the job to settle the land claim issue and to negotiate with the aboriginal people. However it is not right for the government to hold out unrealistic goals for aboriginal people. It is not fair to the aboriginal people to lead them to expect more than what they are likely to achieve through the process.

I spent 15 years living in an aboriginal community in northern Alberta. I spent three years working to prepare non–treaty settlement areas for self–government. I know the process. I have been through the process and it can be done successfully. However they have to be very realistic in their expectations of what government and the people will help them to achieve.

I do not think this government is any more able than the previous government unless it comes into these negotiations with a very realistic perspective.

I am concerned. I would like to ask a question of the hon. member for Vancouver Centre. Why has it taken the government over two years to come up with legislation to support the process which I feel may work in British Columbia? Why has it taken the government two years to address that issue?

• (1040)

Ms. Fry: Mr. Speaker, obviously three parties participate in the process: the Government of British Columbia, the Government of Canada and the summit. These three parties have to agree on what the framework will be to set up the whole treaty organization process. That takes a long time.

If the hon. member knows anything about negotiations, and she just said she did, you would understand also because you talked about—

The Deputy Speaker: I ask the hon. member to direct her remarks to the Chair.

Ms. Fry: The hon. member claimed that she understands negotiations. I would think the member would know that setting up the intent in an opening position is not what one ends up deciding on. Realistic agreements do not come until the process has taken place, until people have come to the table and have talked. Then they come with a settlement.

I do not think the hon. member understands negotiations at all.

Margaret Bridgman (Surrey North, Ref.): Mr. Speaker, I repeat my colleague's question to the member for Vancouver Centre. Why did Bill C–107, which recognizes the fact that we have B.C. Treaty Commission, take the government two years?

I do not want to get into a debate on levels of understanding of the process. It did not take the past two years to come to an agreement. The agreement was reached on September 21, 1992. In May 1993 the summit brought in its resolution. In May 1993 the B.C. government passed its resolution. In October 1995 we are debating it. Why so long? This is a typical example of the 23 years or however long it has taken on these issues. Why did it take two years for the government to bring it to the table now?

Ms. Fry: Mr. Speaker, I really thought I had answered that question. However it is obvious I have to repeat it so it is understood.

Getting three groups together to come to an agreement to write a piece of legislation takes time and agreement on every single part of the legislation before it can be brought to the table. This is a very technical and difficult process. We need to ensure when the legislation is done and on the table that everyone can agree to sign and can believe and trust it. It takes time to work that ground to ensure there is trust and there is agreement on the process.

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.):

[*Editor's Note: Member spoke in Inuktitut.*]

[*English*]

It is both a pleasure and an honour to speak to Bill C–107 today. The time has come to move forward on the issue. I am reminded of a comment made by the hon. member for Yorkton—Melville who, unlike his fellow members in the third party, does not realize this issue of land claims is what we have been talking about for many years. I refer to a quote of the hon. member for

Yorkton—Melville in the Melville *Advance*: ''Nobody even talked about it for 20 years and suddenly we're asking how did this ever come to be''. That is quite unlike the position put forward by his party colleagues who just spoke.

• (1045)

This is a very important bill and it is long overdue. However, the understanding should be that we are now at this stage and we should move forward on it. Today marks the culmination of a long and at times very difficult struggle. It is born of British Columbia's unique history. It is the product of many years of hard work and goodwill.

Fairness, clarity and justice are not issues of party politics; they are elements of principles we all share as Canadians. Over the decades many people have played a part: people from various parties and political ideologies; people who share little in common except a desire to see justice done and to get on with building a brighter future for British Columbia.

To understand why in 1995 we are still talking about negotiating treaties, we need to look at our history. Unlike most other provinces, where treaties were signed to clarify jurisdiction over land and resources and to forge new relationships between First Nations and the newcomers to this great land, few treaties were ever concluded in British Columbia. As a result, some 124 years after becoming a province the key questions of unextinguished aboriginal claims and rights remain unresolved and the majority of the province remains subject to outstanding aboriginal land claims.

Few treaties were signed because of the position historically taken by the Government of British Columbia. From the late 1800s the position was that aboriginal rights had been extinguished prior to B.C.'s entry into Confederation in 1871, or if these rights did exist they were the exclusive responsibility of the federal government. In 1990, under the leadership of Premier Vander Zalm, of the Social Credit Party, B.C. reversed its longstanding position and the way was open to resolving these issues.

It is only fair to point out that one of the key players in convincing the provincial government to reverse its historical opposition to negotiating treaties was the B.C. minister of native affairs at the time, Mr. Jack Weisgerber. I know that many of my Reform Party friends will recognize Mr. Weisgerber's name. One of the early and enthusiastic architects of this process, Mr. Weisgerber now leads the provincial Reform Party in British Columbia.

Following on the heels of the B.C. government's decision, the Government of Canada and the B.C. government acted quickly to advance this process. Later that same year the federal minister of Indian and northern affairs, the Hon. Tom Siddon, along with Mr. Weisgerber and Bill Wilson, chairman of the First Nations Congress, agreed to establish a task force to make recommendations on the mandate and process for treaty negotiations.

By June of 1991 the B.C. claims task force had released its report. One of its key recommendations was the creation of the arm's length B.C. Treaty Commission. In the ten months that followed, representatives of Canada, B.C., and the First Nations Summit negotiated the British Columbia Treaty Commission agreement, which was the blueprint for the commission.

On September 21, 1992, the Prime Minister of Canada, the Right Hon. Brian Mulroney, Indian affairs minister Tom Siddon, and B.C. Premier Mike Harcourt and native affairs minister Andrew Petter joined with the First Nations Summit leadership in signing the B.C. Treaty Commission agreement. In the three years since, the commission has made great progress. To date, 47 First Nations groups, representing over 70 per cent of British Columbia's aboriginal peoples, have submitted statements of intent to negotiate. In the agreement creating the treaty commission was the commitment to establish it in legislation. In May 1993 both the aboriginal summit and the province fulfilled their part of that commitment. Now the time has come for the federal government to honour its part of the bargain.

• (1050)

These are the events that have led us to this legislation and this debate. Across the years and across party lines people have joined in a common cause. It is their vision and determination that we celebrate and formalize today. Their cause was simple: the desire to bring justice to the aboriginal people and certainty to their province.

A Price Waterhouse study prepared in 1990 estimated that $1 billion in investment had not occurred because of unresolved claims. Since the time of that study the price has continued to be paid, year in and year out. Some 300 badly needed jobs have not been created and $125 million in capital investments have not been made. That has been the price of denying the problem or pretending that it would go away. That is the price of the status quo for the people of British Columbia. It is a price we can no longer afford. With the passage of this legislation, we will no longer have to pay it.

If the price of inaction has been high for the general population of British Columbia, for aboriginal people it has been far higher. For aboriginal people it has meant great hardships and poverty. It has meant the denial of historic rights and future hopes. It has meant generations of dreams deferred and promises unkept. It has meant a quality of life few in the House can imagine and none of us should have to tolerate.

Aboriginal socioeconomic conditions are appalling. Almost one third of aboriginal homes on reserves lack running water. Diseases such as hepatitis and tuberculosis, virtually eradicated in the non–native population, persist in aboriginal communities. Deaths from fires are three and a half times the non–aboriginal level because of unsafe housing and lack of proper sanitation. The suicide rate among aboriginal people is 50 per cent higher

than for non–aboriginal people. That difference is even more pronounced in the age group between 15 and 25.

The country simply cannot afford to lose another generation of aboriginal people who are able and willing to make a contribution to this country. The people of British Columbia have told their government to get on with it and negotiate fair and just agreements that protect the rights of both aboriginal and non–aboriginal people alike. They want to establish a stable economic climate, which in turn will help to bring investment dollars and opportunities to all British Columbians.

In 1993, speaking in favour of the legislation creating the B.C. Treaty Commission, Mr. Jack Weisgerber recounted his experience in 1989 as a member of the premier's advisory council on native affairs: ''It became clear to us, as we travelled and met with groups around the province, that if we were going to address the root of the social and economic problems we had to deal with the land claims question''. Those words were from a man who now leads the Reform Party in British Columbia, words echoed by members of all parties in the B.C. legislature when that body passed its own enabling legislation. I commend to my friends across the floor today those words, which we now have the opportunity to honour through our actions.

The history of this legislation is the story of partnership between cultures, between political parties, between generations. Let us continue in that same spirit of partnership now as we open the way for a brighter future for all British Columbians and a prouder day for Canadians.

I would also like to comment on some things the hon. member for Yorkton—Melville said. Again from the same paper: ''We are giving tax exemptions to anybody who carries an Indian treaty card. They do not have to pass a DNA test''. That is an insult to all aboriginal people across the country or anybody of colour.

● (1055)

Does that mean that if I say I am an Inuk this person expects me to pass a DNA test? Does that mean that my colleague from Vancouver Centre, if she says she is a certain colour, has to pass a DNA test in order to prove to the hon. member for Yorkton—Melville that she is the colour she is?

This is part of the Reform Party. By the way, DNA does not tell what colour the person is. The ignorance of some of the members of the third party is appalling, to say the least.

Again, this is what the hon. member for Yorkton—Melville said: ''The general public does not know the sellout that is taking place''. Who is selling out? The aboriginal people from British Columbia have been in British Columbia for in the neighbourhood of 36,000 years.

When British Columbia joined Confederation in 1871, the aboriginal people of British Columbia were in the majority in British Columbia. What did the government, when B.C. joined Confederation, do? It passed a law forbidding the aboriginal people of British Columbia to vote.

The Speaker: We will pick up the debate a little later. It being 11 a.m., we will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

NORTHWEST TERRITORIES ELECTION

Mr. Jack Iyerak Anawak (Nunatsiaq, Lib.):

[*Editor's Note: Member spoke in Inuktitut.*]

[*English*]

Mr. Speaker, on Monday the last general election of the undivided Northwest Territories was held. Twenty–four men and women, many of them newcomers, will form the 13th NWT legislative assembly.

I congratulate all those who were elected and extend to them best wishes for a productive, creative and successful term in office. I salute as well all the candidates who ran in this election for their courage and commitment to their people and their communities.

This new assembly faces challenges unlike any assembly before it. The task is great, but I have every confidence in the ability of these people of the north to pull together and work together. Through co–operation and mutual respect we will build a stronger north and a stronger Canada.

[*Editor's Note: Member spoke in Inuktitut.*]

* * *

[*Translation*]

PATRIATION OF THE CONSTITUTION

Mr. Jean Landry (Lotbinière, BQ): Mr. Speaker, yesterday, Marc Lalonde, a former Liberal minister and an old fellow traveller of the Prime Minister's, stated that the federalists did not have to apologize for unilaterally patriating the constitution in 1982.

Is it Quebecers' fault that the federalists patriated the Canadian constitution without Quebec's agreement and despite the opposition of all parties in the National Assembly? Is it Quebecers' fault that all efforts to bring Quebec back into the Canadian family fold failed, that the rest of Canada rejected the Meech Lake accord, that they felt too much was given to Quebec in the Charlottetown accord?

Now that they have shown they could shove the country's fundamental law down our throats with impunity, the only alternative left for Quebecers is to leave with honour and dignity, their heads held high, and to take their destiny into their own hands.

* * *

[*English*]

CANADA POST

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, many Saanich—Gulf Islands constituents complain about Canada Post's service. Despite rate increases mail delivery is notoriously unreliable. Personal mail boxes have been replaced with centralized superboxes. Service, rather than improving, is deteriorating.

By legislating that anyone who delivers letter mail must charge three times what Canada Post charges, government has created a monopoly operation and, typical of such enterprises, an inefficient one. Furthermore, using its financial advantage on letter mail to cross subsidize, Canada Post can sell junk mail delivery at a loss, thus prohibiting effective competition from other agencies.

Because there is no alternative mail delivery system, Canada Post has no fear of dissatisfied customers. The advent of facsimiles and E–mail gives some Canadians an option but many Canadians have no access to these alternatives. What is missing and vitally needed is fair competition. Government should remove the Canada Post competitive price advantage and let the free market set prices and standards.

* * *

"MY CANADIAN BOUQUET"

Mrs. Georgette Sheridan (Saskatoon—Humboldt, Lib.): Mr. Speaker, I rise today to pay tribute to Saskatchewan artist Anne Prefontaine.

In 1985 Anne was commissioned by the French Cultural Association to make a painting for the town of Gravelbourg, Saskatchewan. This painting was ultimately presented to the Right Hon. Jeanne Sauvé, former Governor General of Canada, on September 17, 1986. Madam Sauvé was a francophone who spent part of her childhood in Prud'homme, Saskatchewan, a small village in my riding of Saskatoon—Humboldt.

Mrs. Prefontaine's painting is called ''My Canadian Bouquet'', en français ''Mon pays en fleurs''. The painting depicts a beautiful bouquet of flowers. On closer inspection we see it is made up of the floral emblems of each of the provinces and territories, including the prairie lily, the floral emblem of Saskatchewan. Each flower is beautiful on its own, but as part of this floral arrangement the beauty of each is further enhanced. Like Canada, the final result is truly more than a mere sum of its parts.

I thank Anne for stepping forward again with her message of love and hope for a united Canada.

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QUEBEC REFERENDUM

Mr. Lyle Vanclief (Prince Edward—Hastings, Lib.): Mr. Speaker, I received a letter the other day from the Prince Edward county council. Part of it reads:

> Council was in unanimous agreement that I should forward a letter to you as our representative of the Government of Canada advising that Prince Edward county urges the residents of Quebec to remain a part of a strong and independent country.
>
> Although ours is but a small voice in what has become a national debate, the people of Prince Edward have always had a strong sentiment for home and country, a country which includes Quebec.

This letter was signed by Laverne Bailey, warden of the county of Prince Edward.

* * *

QUEBEC REFERENDUM

Mrs. Carolyn Parrish (Mississauga West, Lib.): Mr. Speaker, an open letter was sent by the Mississauga West Federal Liberal Riding Association to the residents of Quebec. It expresses their thoughts and feelings about Quebec within Canada:

> As members of two of the four original provinces, Quebec and Ontario share a 128–year history of being close neighbours within Canada. Over the years we have established many links through families, trade, commerce and tourism. The vibrant and ongoing ties continue to define the spirit of solidarity that only close friends can share.
>
> Through education, travel and a wide range of pursuits and experiences a new generation has acquired even greater cultural sensitivity. We believe that given the opportunity, young people will enhance and strengthen the ties that exist between us.
>
> As friends, neighbours, and Canadians we have helped to build a great nation. Together we can continue to enjoy the richness Canada has to offer.
>
> Le Canada n'est pas le Canada sans le Quebec!

* * *

AGRICULTURE

Mr. Jake E. Hoeppner (Lisgar—Marquette, Ref.): Mr. Speaker, the Liberal government's WGTA buyout has turned into a total fiasco. It is clear that whoever designed this program had limited knowledge of prairie agriculture. It is confused, disorganized and poorly planned.

The system for distributing applications for this program relied on obsolete information. As a result many farmers were left out of the initial mailing.

My office has received hundreds of complaints from both grain and livestock producers who are fed up with this boondoggle. An example is a recent letter I received signed by over 100 beef and grain producers incensed that compensation will not go to forage acres but will include other livestock feed crops.

If this is a forerunner of the way the government will handle changes for western agriculture, then farmers will be faced with many more hit and run farm programs.

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[*Translation*]

REFERENDUM CAMPAIGN

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, the Quebec workers' solidarity fund has come out in support of the side for change. To all those waging a scaremongering campaign against the sovereignist option, Mr. Blanchet, the president of the fund, said, and I quote: ''The solidarity fund feels that Quebec sovereignty is not only economically viable but that it will be profitable''.

Since its inception in 1983, the solidarity fund has become the largest venture capital fund in Canada with over $1 billion in assets. This represents almost 30 per cent of the total value of all venture capital funds in Canada and it is at home, in Quebec, that this money is invested.

• (1105)

Since its inception, the fund has helped create and preserve over 30,000 jobs in Quebec. The solidarity fund is a shining example of what Quebecers can accomplish when they take control of their own destiny. In the same way, Quebecers understand that Quebec's future involves sovereignty and they will vote yes to change on October 30.

* * *

REFERENDUM CAMPAIGN

Mr. Guy H. Arseneault (Restigouche—Chaleur, Lib.): Mr. Speaker, the leader of the Bloc Quebecois is resuming his duties as negotiator for the PQ government, the same job he had during the 1979 negotiations with the Quebec public sector. This time again, the chief negotiator for the PQ has his bosses' complete trust and has been given a free hand.

The PQ negotiator's mandate in these negotiations as in the negotiations with the Quebec public service is to do his utmost to meet his bosses' expectations. Sixteen years later, history is repeating itself. The negotiator rehired by the PQ can exert himself all he wants, it is not up to him to make the final decision that will seal the outcome of these negotiations. Jacques Parizeau will make this decision as he did before, a decision that all union workers in Quebec are still paying for.

* * *

[*English*]

TEMBEC FOREST PRODUCTS

Mr. Bob Wood (Nipissing, Lib.): Mr. Speaker, in Mattawa, in my riding of Nipissing, Tembec Forest Products president Frank Dottori addressed a public meeting of the Mattawa & Area Forestry Committee. He announced the future plans for a $10 million expansion of Tembec's forestry products operation in the town of Mattawa.

Also at that meeting Mr. Dottori was recognized by the Canadian Institute of Forestry. He received an award recognizing his achievements in being one of the founders of Tembec which was created in 1973 by former employees of Canadian International Paper.

The resurgence of the Temiscaming, Quebec, mill and the growth of Tembec is one of Canada's best known business success stories. Under Mr. Dottori's leadership Tembec has risen to become one of the leading forest product manufacturers in Canada.

My congratulations are extended to Mr. Dottori and to the Canadian Institute of Forestry for presenting him with this achievement award.

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[*Translation*]

REFERENDUM CAMPAIGN

Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria, Lib.): Mr. Speaker, yesterday, in Montreal, the PQ leader told a group of young people something that sheds light on the kind of relationship Quebec separatists have maintained with Canada over the past 30 years. This is what the separatist said: ''Stop bothering me with this idea of a distinct society. I am not interested. I want a country''.

The sacrosanct concept of distinct society that one separatist dream weaver after another cloaked themselves in was really nothing more than a gimmick, a trap, a ruse to create constitutional deadlock. Quebecers are staggered to learn that, for the PQ leader, the distinct society concept was only a separatist gimmick. The people of Quebec are aware of their distinctiveness and, on October 30, they will say no to this man who has been fooling them for all these years.

[*English*]

AGRICULTURE

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the minister of agriculture is having trouble with mastering at least one of the three *r*'s, namely writing.

This past August I had the opportunity to join several farmers touring an area around Lloydminster damaged by the drought. The farmers had asked me to forward their concerns to the minister regarding their grave situation. My letter dated August 18, 1995 read in part: ''They have difficult and immediate decisions to make so it is imperative that your department promptly address the concerns raised by these farmers''. It has been two months and the minister has failed even to acknowledge receiving my letter, let alone to respond to it and to the farmers affected.

I have also forwarded concerns to the minister about the Crow benefit from alfalfa producers in the dehydrated alfalfa industry. Guess what? There has been no response.

I have heard from a number of my constituents that the minister's office has not responded to their letters as well. Even farm organizations complain to me that they have not heard from the minister when they write.

Can the minister not write, or is the minister's office too busy trying to put out fires with the Crow buyout and the safety net programs that there is no time to respond to the farmers' concerns?

* * *

EMPLOYMENT EQUITY

Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, many times in the House by legislative and constitutional means members have presented laws by example to get people to recognize that we should have sexual equality in the country. Yet, right outside these doors during the months of August and September, a female engineer was harassed off the job by her subcontractor. We did not see any reaction in the House, or very little. Two hundred and ninety–five of us let this happen.

• (1110)

We did see to their credit her fellow workers put everything on the line. They walked off the job in protest leaving $165,000 worth of back pay, $15,000 or $18,000 worth of equipment here on the site, which public works will not let them take off.

We should be involved directly. This is our jurisdiction. This is happening under our eyes with our feet—

The Speaker: The hon. member for Manicouagan.

[*Translation*]

REFERENDUM CAMPAIGN

Mr. Bernard St–Laurent (Manicouagan, BQ): Mr. Speaker, not only is the no side unable to agree on the country that it would offer to Quebecers, but federal ministers, including the Prime Minister, make contradictory statements regarding the right of veto and the notion of distinct society.

The Minister of Foreign Affairs recognizes the right of veto, the Minister of Intergovernmental Affairs only sees it as a general principle, while the Prime Minister says that the decision does not rest with him, but with the other provinces.

The Minister of Intergovernmental Affairs even admits that he has trouble interpreting the text written by the no side in the brochure. This is quite something.

The fact is that Daniel Johnson and the Prime Minister only agree on one thing: make all those who seek changes in Quebec pay dearly. This is their common goal. As for the rest, they only propose to wait until 1997, when the constitutional tango will start all over again.

* * *

REFERENDUM CAMPAIGN

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the closer we get to October 30, the more difficult it becomes for the separatists to hide their true intentions.

First, the Bloc Quebecois leader was forced to define the meaning of a yes vote when he met with the editorial team of *La Presse*. He said: ''To vote yes is to ensure that Quebec becomes inexorably sovereign, regardless of whether or not there is a partnership''.

Yesterday, in Rivière–du–Loup, the Bloc leader was very clear when he said: ''Let us not forget that the mandate sought by Mr. Parizeau's government and by sovereignists is a mandate to achieve Quebec's sovereignty, following which they will try to negotiate a partnership agreement''.

The project of the PQ and its associates seeks only one purpose: to separate Quebec from Canada and make it a foreign country.

Quebecers have always been opposed to separation and, on October 30, they will once again say no to that project.

* * *

REFERENDUM CAMPAIGN

Mr. Mac Harb (Ottawa–Centre, Lib.): Mr. Speaker, the Bloc leader seems to be having increasing difficulty in keeping secrets.

In the last two days the leader of the separatists has imprudently let out several secrets which were supposed to have been kept well hidden until after the referendum.

The negotiator on the PQ payroll has no intention of trying to preserve citizenship and the Canadian passport after a yes victory. What he wants is clear: a Quebec passport.

The day after a yes vote, he will be able to guarantee only one thing: Quebec will be a separate country. He wants nothing to do with any proposition aimed at renewing federalism.

Ten days away from the referendum, Quebecers are suddenly discovering what is behind the separatist plan: they want nothing less than to provoke the disintegration of our country. On October 30, the answer they will receive will be no.

* * *

[*English*]

GOVERNMENT POLICIES

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, the biggest disappointment Reformers have experienced in Parliament is the anti–democratic behaviour of the government.

The Prime Minister exercises dictatorial control over his MPs. MPs who have voted their constituents' wishes on Bill C–41, Bill C–68 and other legislation have been punished for voting for the people they represent.

The anti–democratic behaviour has been demonstrated in legislation. Bill C–64 replaces hiring based on merit with hiring based on quota. Bill C–68 throws out such basic rights as protection against unreasonable search and seizure. Now the Liberal government is sabotaging section 2 of the charter by acting as thought police.

Canadians are entitled to fundamental freedoms of thought, belief, opinion and expression. Yet these Liberals have set up a committee to monitor and set out punishments for expressing ideas in the House with which the Liberals do not agree.

• (1115)

The government is smothering debate and stifling meaningful dialogue. George Orwell would be proud.

* * *

[*Translation*]

REFERENDUM CAMPAIGN

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, the true face of the separatists has emerged in a document released by the office of the hon. member for Chateauguay. The document is a parody of the Lord's Prayer.

It might well be considered sacrilegious in both the religious and the secular meaning of the word. The prayer in question, if we can glorify it by that name, petitions as follows:

Forgive us for having been Canadians
As we shall forgive those
Who so remain.

We will never ask anyone to forgive us for being Canadian. Quebecers will never prostrate themselves before the Leader of the Opposition, or the other separatists, either October 30 or at any other time.

ORAL QUESTION PERIOD

[*Translation*]

REFERENDUM CAMPAIGN

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, in a very revealing speech which included references to duplication and overlap, the Minister of Foreign Affairs explained that Quebec was too small to negotiate on equal terms with the rest of Canada. This unfortunate statement is one more example of what we have been hearing from Laurent Beaudoin, Claude Garcia and the Prime Minister himself, each of whom either think Quebec is too small, want to crush it or want to give it a drubbing.

My question is directed to the Prime Minister. Could he tell us whether he agrees with the Minister of Foreign Affairs who considers that Quebec is too small to negotiate on equal terms with the rest of Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, first of all, I would like to know what kind of negotiations they have in mind, because when the Leader of the Opposition is on the hustings, at one point like yesterday, for instance, in the morning he was all for sovereignty without association or without a partnership, while that afternoon and evening it was not the same message.

It is clear, and this bears repeating, that when in Quebec they say that, after Quebec separates, there will be a new structure in which Quebec will have exactly the same number of representatives as the rest of Canada, which represents three times as many people, the rest of Canada will never go along with that. This is like suggesting that in the parliament of an independent Quebec, just because Quebec City is the capital, it should have the same number of members as Montreal.

In a democracy every person counts. If there is to be a Canadian structure, it must respect the democratic principle according to which members are elected in their respective ridings, while the Canadian constitution provides for a minimum level of representation for the smaller provinces like Prince Edward Island, which is protected in the constitution.

However, when someone claims, in referring to the issue of a future partnership, that the rest of Canada will have a parliament with the same number of members as Quebec, and the Minister of Foreign Affairs, in referring to this, says that is out of the question, this is exactly what the provincial premiers have said. Anyone who is the least bit realistic, is not a magician and really wants to face the facts will have no problem understanding this.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I would be glad to clarify my question for the Prime Minister. I do not think this is a matter of bad faith, not at all, but it is not at all what I meant.

His Minister of Foreign Affairs said that Quebec, with a population of seven million, was too small to expect to negotiate with the rest of Canada with its population of 22 million. This was not about partnership or whatever, this was about negotiating from country to country.

My question is this: Does the Prime Minister agree with his Minister of Foreign Affairs that Quebec is too small to negotiate with the rest of Canada and if he does not agree, is he prepared to set the record straight? That is my question.

• (1120)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, all countries conduct negotiations. We negotiate with the Americans. We negotiate with Trinidad and Tobago. We negotiate with countries large and small. That is normal. The political clout, however, is not the same. That is where I notice another change in perception.

For the first time, the hon. member for Roberval said they are going to have a country. He was not talking about partnership. He referred to his country.

When will they have the courage to come out and tell Quebecers: ''I am a separatist''? It is nothing to be ashamed of, so why not admit it instead of playing with words and saying at one point that ''we will have a partnership'', and then ''we will not'' and then ''we will have half, or three quarters''. Be honest.

Just say: ''We want to separate'', and Quebecers—30 per cent of the people who are now saying they intend to vote yes think they will stay in Canada— Does the hon. member want to remain a Canadian, yes or no? I would like to know.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister shows very little tolerance for others, although his own positions are entirely opposed to those of the no committee to which he belongs, an issue that was raised with him yesterday. Why is he so anxious to look for discrepancies in our points of view, when he knows perfectly well that representatives for the no side in Quebec most certainly do not share his position on the Canadian federation. He should be more careful.

Does the Prime Minister agree, since we are talking about his Minister of Foreign Affairs—I realize it annoys him to discuss this but, after all, he should answer the question—does the Prime Minister agree with his Minister of Foreign Affairs, who feels that to deal with duplication and overlap, Quebec should become a province like the others, in other words, close its Travail Québec centres and let the federal government collect its taxes?

That is what his minister said yesterday. Does he agree?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, first of all, I would like to clarify one of the hon. member's statements. The program being circulated was prepared and accepted by all partners on the no side.

It says in this program that it would be desirable for Quebec to have a veto, and the answer I gave yesterday in the House was clear. We were in favour of a veto for Quebec, but René Lévesque and the separatists dropped the veto. You cannot blame me.

We voted for a distinct society and you voted against it. So today you rise in the House. I want to ask you a very short question: Do you want to remain a Canadian? It is not a difficult question, but you are afraid to tell the truth. He does not want to answer any questions because he is afraid of the truth. We are not. We are Canadians, we want to remain Canadians, and Quebecers want to remain Canadians.

The Speaker: My dear colleagues, I would ask you once more to address your comments to the Chair.

Mr. Gilles Duceppe (Laurier—Sainte–Marie, BQ): Mr. Speaker, let us recall once again that René Lévesque trusted the other premiers, and that they plotted with the present Prime Minister to betray him. This is what happened, and history is a witness.

Lisa Frulla, the deputy chair of the no committee said, this morning, that the principle of the distinct society had to be enshrined in the constitution. She is the deputy chair of the no committee.

Does the Prime Minister, who has been a member of the no committee up to now, as far as we know, agree with the proposal made by its deputy chair?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we voted for a distinct society, and he voted against. He has the gall to rise and talk about it.

Secondly, he does not show a lot of respect for Mr. Lévesque in saying that he did not know what he was doing when he signed it. I think Mr. Lévesque was intelligent enough to know very well what he was doing when he signed it. I have never underestimated Mr. Lévesque's intelligence as the hon. member is doing. He did it consciously. What were his reasons? I am not a member of the PQ, I do not know. We, however, were in favour of a veto, and it was Mr. Lévesque who did not want the veto.

Imagine rising and talking this way. As far as the distinct society is concerned, in Charlottetown, we voted for it.

● (1125)

We campaigned for a distinct society, like Ms. Frulla–Hébert. Yes. It was the PQ, Mr. Parizeau and Mr. Bouchard and all of you, who once again scuttled that, because you want separation and anything goes in the name of separation, except telling Quebecers the truth.

Mr. Gilles Duceppe (Laurier—Sainte–Marie, BQ): Mr. Speaker, the distinct society the Prime Minister is talking about is not the one in the original Meech Lake accord, it is the one in the Charest report ''à la'' Clyde Wells. Thank you Clyde, we remember the emotional outpourings on television. As for the original Meech Lake accord, the Prime Minister fought his whole leadership campaign against it, and he won. The Minister of Finance, on the other hand, campaigned for the Meech Lake accord and lost because of it. This is what history teaches us.

We must get back to Ms. Frulla, who made another statement this morning. She said that, in the case of culture, what was upsetting was the federal government's power to spend according to its own priorities. She went on to say that the federal government had to get out of the field and give the money to Quebecers to administer themselves. Her remarks were clear.

Does the Prime Minister agree with his deputy chairman, Ms. Frulla, and does he intend to withdraw completely from the field of culture, with full financial compensation, as his deputy chair wants him to?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, what a distortion of history, again. We were talking about the Meech Lake accord; the PQ was opposed. You were against it. Why are you criticizing us for siding with you at the time?

An hon. member: You were against it.

Mr. Chrétien (Saint–Maurice): Yes, but so were you.

I said at the time that it was not satisfactory, and you did not find it satisfactory either. Then, after we made the necessary changes and it became Charlottetown, I was in favour, and you were still opposed. So you have always been in favour of Quebec developing within Canada? This is where your problem lies. We, on the other hand, want Quebec to develop inside Canada. And when you talk about culture, there was a proposal in Charlottetown, and you voted against it. So shame on you, you are always opposed. Quebecers will be in favour of staying in Canada on October 30, in two weeks' time.

[*English*]

FOREIGN AFFAIRS

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, on Wednesday afternoon the Minister of Foreign Affairs stated in Washington that ''Canada will contribute to any U.S. led NATO force in the former Yugoslavia''.

Later the Minister of National Defence confirmed this commitment saying: ''It will not be a peacekeeping role. It will be more of a protective force and therefore have a combat capability''.

Yesterday, however, the Prime Minister and the government tried to backtrack saying Canada's participation is yet to be determined. But this does not alter the fact that American officials took these statements as a definite support for their plans.

What was promised to the American government? Will we be sending troops? More important, why was Parliament not consulted?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the ongoing initiative at this time to have a permanent peace situation in Bosnia should be welcomed by everybody. At long last the Americans seem to be willing. I am not sure if they will be able to send some troops but the president says that he will send 25,000 soldiers there.

I was talking a few days ago with the Prime Minister of Great Britain who told me that he would send some soldiers there. I talked with the President of France who said that he would send soldiers there. I said that we would consider being there.

I said in the House that before we made the final decision there would be a debate in the House of Commons. We have to talk with them first to know what they want, what kind of role, and nothing has been determined yet. We will come to the House of Commons. It is the first time in the history of Parliament that we have had a debate before a final decision of this kind.

We have the right to talk with the people who are asking us to be there. We cannot do it in a vacuum. Probably there will be another flip flop. For months they all supported the presence of troops in Bosnia. However, yesterday they said they did not vote for it. They supported it all along at a time when they were trying to score political points. They are now gauging the wind, and it would not surprise me if they flip flopped again.

● (1130)

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, we are talking about consultation before commitment.

The Liberals have long forgotten their red book promises. They promised to reject the camp follower approach to the U.S.

They promised a more open process for making foreign policy. They promised to expand the rights of Parliament to debate major Canadian foreign policy initiatives such as the deployment of peacekeeping forces.

The government is not only violating its own principles, it is acting like the Mulroney Tories during the gulf war. Why has the government broken its red book promises? Will it commit, here and now, to have a full parliamentary debate on Bosnia before we send more troops?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, for the first time we have had debate in the House about our presence in Bosnia before the decisions were made. Today I am standing here saying that the Americans, the British, the French and others have asked us if we would participate. We told them we would consider it.

Mr. Hermanson: And we said yes.

Some hon. members: We said yes.

Mr. Chrétien (Saint–Maurice): The decision has not yet been made because I have not taken the problem to the cabinet and to the House of Commons. The only thing we know for certain is that the Reform Party does not know anything about the facts and it is already against it.

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, let us go from France and other countries to Hungary for a moment.

Last May at a meeting of the NATO Parliamentarians Association in Budapest I spoke with representatives of that fledgling democracy in Hungary. Hungary will not permit military movement without consulting Parliament. It will not even allow military planning for deployment without consulting Parliament. When it comes to troop deployment, Hungary is more democratic than Canada.

Will the government do more than pay lip service to this fundamental principle of democracy, which is consultation, which it preaches so eloquently but violates so consistently?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, for a person who has spent his career as a high ranking officer in national defence—who as a member of Parliament is double dipping by having his pension from the army—he should know there are always discussions at the military level on how to deploy troops. It has never been done by parliamentarians. It has always been done by the military under instructions by the government.

At this time peace is coming to Bosnia, which we hope will be a permanent peace situation. Canada is always there when there is a need for peace. If we are needed we will look on it favourably. However, I have not made up my mind. If Parliament were to tell us not to go there, we would not. However, it would surprise me if the people of Canada did not want to be in a place where we can save lives, have peace and make progress for the poor people who have suffered so badly over the last four years.

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[*Translation*]

REFERENDUM CAMPAIGN

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, my question is for the Prime Minister.

We knew that there was some confusion between Daniel Johnson and the members of the federal government regarding the recognition of Quebec as a distinct society and the right of veto.

• (1135)

Yesterday, some confusion emerged within the federal Cabinet when, unlike the Minister of Intergovernmental Affairs, the Minister of Foreign Affairs expressed his support for a right of veto. As for the Prime Minister, sometimes he is in favour, sometimes he is opposed, depending on what day it is and to whom he is addressing.

Given the confusion prevailing in Cabinet with regard to the right of veto and the Prime Minister's occasional hints that he supports the notion of distinct society and giving Quebec a right of veto, why did the Prime Minister vigorously oppose the Meech Lake accord, which he played a large part in killing? On the night this agreement was rejected, he said to Premier Wells: ''Thank you, Clyde, for a job well done''.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the number of unfounded statements in that question is unbelievable. First of all, yesterday, the Minister of Intergovernmental Affairs did not discuss the right of veto issue with anyone. So much for that. There was no mention of a right of veto in the Meech Lake proposal. It was not an issue because the amending formula had been accepted by René Lévesque several years earlier. Another faulty interpretation by the hon. member.

Third, he said that on the night I became leader—I explained this but they do not want to tell the truth. I simply said—

Some hon. members: Oh, oh.

Mr. Chrétien (Saint–Maurice): No, you may be reluctant to admit it but, on the night of the convention, the vast majority of Newfoundland delegates supported my candidacy. So I thanked the people of Newfoundland for voting for me at the convention. However, that is not what they want to say. It was during the celebration following my election as leader of the Liberal Party, and I was saying thanks to Mr. Wells and all my other supporters. I also expressed my thanks to those who had run against me. I said that, for the sake of the party; to have a good convention, one needs opponents, and after it is all over, one should thank everyone and help the Liberal Party move forward. That is why I am Prime Minister today.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the Prime Minister can say all he wants about the right of veto issue, but if he wants to be serious, does he admit that he is unable to deliver the goods precisely because of the opposition of Clyde Wells and Roy Romanow, which is preventing him from getting the required unanimous approval of the other provinces?

Right Hon. Jean Chrétien (Prime Minister, Lib.): The hon. member should blame René Lévesque, who, with the leaders of the other eight provinces, imposed this formula on the federal government. It is true that unanimity is required. We were against this. Still, it was the Quebec government led by René Lévesque which imposed this amending formula, and now he is saying that it will be difficult. I agree that it will be difficult, because of the mistakes you have made in the past. Quebecers, however, will not let you make other mistakes when the referendum is held on October 30.

* * *

[*English*]

DEPARTMENT OF NATIONAL DEFENCE

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, we have learned that Canadian taxpayers contributed over $300,000 for advertising in a special edition of *Homemakers* magazine.

Ruth Cardinal, public affairs director for the Department of National Defence, defended DND's participation because it will encourage recruiting in the Canadian forces, this even though the average age of readers of *Homemakers* is 42 and the forces are downsizing.

How can the minister possibly justify such Cadillac advertising when the defence department budget has been slashed and thousands of military and civilian jobs are disappearing?

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I thank the hon. member for his question.

If his question is do we have a recruiting policy in the Canadian forces, the answer is yes. If his question is do we have procedures in place for recruiting, the answer is yes. If his question is do we have a policy where we actually advertise in reputable magazines, the answer is yes. If his question is do we have a policy to recruit women for the Canadian forces, the answer is yes. The answers are yes, yes, yes and yes.

I want to reinforce to the House that the government, unlike the third party, has a policy of equal opportunity for men and women.

● (1140)

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): The average cost of an advertisement in *Homemakers* is $26,000, not $300,000.

The documents also show that Ms. Cardinal received the idea from Alex Morrison, president of the Pearson Peacekeeping College, who also sits on the board of directors for the Canadian Institute of Strategic Studies. I remind the minister that the institute receives almost $100,000 a year in grants from the Department of National Defence. As well, Sally Armstrong, editor of *Homemakers* magazine, and Duncan de Chastelain, son of the Chief of Defence Staff, also sit on the board.

Can the Minister of National Defence spell conflict of interest? Can he explain why his department is engaging in such obvious objectionable cronyism?

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I thought I had answered the question. Perhaps I can answer it in another way, with a different emphasis.

Do we have a credible policy?

Some hon. members: No.

Mr. Mifflin: The answer is yes.

Do we have credible procedure?

Some hon. members: No.

Mr. Mifflin: The answer is yes.

Do we have a credible magazine?

Some hon. members: No.

Mr. Mifflin: This magazine enjoys the widest circulation among women in Canada. Three million women read that magazine.

Do we have a credible policy with respect to recruiting women?

Some hon. members: No.

Mr. Mifflin: Yes. Again: yes, credibility; yes, credibility; yes, credibility; yes, credibility.

The problem with the third party is it has trouble with the word credibility; it just does not comprehend it.

* * *

[*Translation*]

REFERENDUM CAMPAIGN

Mrs. Pierrette Venne (Saint–Hubert, BQ): Mr. Speaker, my question is for the Prime Minister.

In a brochure sent to all Quebecers by the director general of elections in Quebec, the no committee states, and I quote: ''—the government of Quebec must control its areas of responsibility''. What this really means is that Ottawa must stop using its spending power to interfere in Quebec's areas of jurisdiction.

Could the Prime Minister tell us if his government agrees with this position? And if so, does it intend to withdraw from areas of jurisdiction in which it is interfering through its spending power, notably education, culture, health and manpower training?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this document has been issued collectively by all members of the coalition. That is clear as day. However, before attacking us on this kind of thing, because this is a written document, Bloc Quebecois members should start by— When you see their leader crisscross Quebec with his magic wand in hand and come out with a statement like: ''I am for sovereignty pure and simple; we will not even need Canadian citizenship or Canadian passports''.

That same afternoon, he said: ''Well, no, we will negotiate a partnership'', but later qualified his statement. He was not so categorical any more. He was apologetic. That is in essence how the week started off, with all this talk about being among ourselves, francophones, people of colour, with women bearing more children and so on. Later in the week, they changed their tune once again. That is what really happened.

They do not want to tell people the truth. We, on the other hand, put our position in writing.

A moment ago, I asked the hon. member for Roberval if he wanted to remain a Canadian. Let me put the same question to the hon. member: Does she want to remain a Canadian or would she rather abandon Canada completely? She should answer this question, so that her constituents know where to stand come October 30.

Mrs. Pierrette Venne (Saint–Hubert, BQ): Mr. Speaker, will the Prime Minister tell us clearly whether or not his government intends to withdraw from Quebec's areas of responsibility such as education, health, manpower training and regional development and to fully compensate Quebec through tax point transfers?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, education comes under the full responsibility of Quebec's Minister of Education.

I am happy that the matter was raised because he should do a good job. Quebec has the highest dropout rate in the country. This has nothing to do with the policy governing transfer payments. The policy is exactly the same for all provinces, including Quebec. Why are there more dropouts in Quebec? They should start by dealing with that problem.

Provinces have complete control over the hospital sector. We do not do a thing in that area, except send money. If they want us to stop collecting taxes and sending money, we can, but that is not what they want, of course.

They do not want to do the dirty job of collecting taxes. They want us to do it and to send them a blank cheque.

• (1145)

However, we have national responsibilities. The federal government is the one providing a national health care system to which all Canadians have equal access, instead of what some provinces would like to put in place at this time, that is to say, one system for the rich and one system for the poor. It is thanks to the Canadian government that we have a national health care system ensuring that all Quebecers as well as all other Canadians have equal access to health care. Under this system, when you are sick, you can be admitted to a hospital not because you have money but because you are a Canadian. It is a simple as that.

* * *

[*English*]

PORNOGRAPHY

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the National Film Board funded movie ''Léolo'' features a scene in which a child engages in an act of bestiality. As reprehensible as that is, it is made even more so by the fact that Canadian taxpayers have helped to fund this movie and that it was shown on Canada's public broadcaster across the country, the CBC.

Could the Minister of Canadian Heritage explain why he thinks this reflects Canadian culture and Canadian values and why in the world Canadian taxpayers are paying for that kind of garbage?

Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage, Lib.): Mr. Speaker, I thank the hon. member for the question and for providing notice.

The issue of government funding for independent agencies is a thorny one. Certain artistic expression, while it may appeal to some, is clearly offensive to others. The film in question which aired on the CBC at 11.30 p.m. was produced under the former government. I understand it contained some controversial images.

However, I think even the member can appreciate that the CBC, with the airing of NFB and Telefilm movies, will allow the public to judge the works on their merit.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I am not surprised the government is trying to justify this. I knew it would try to wrap this in the cloak of an artistic film. However, the great majority of Canadians would never let that kind of trash in their houses under any circumstances. It has been permitted in under the CBC.

At a time when the government regulator, the CRTC, is looking at the issue of violence in television, how can the minister explain his own broadcaster airing a film that has many scenes that most Canadians could only describe as disgusting and tasteless?

Ms. Albina Guarnieri (Parliamentary Secretary to Minister of Canadian Heritage, Lib.): Mr. Speaker, surely on the basis of one scene in one film the member would not want us to unleash a new age of censorship or abandon the Canadian film industry. The CBC is protected under the Broadcasting Act which allows it to have journalistic freedom.

The hon. member might consider separating the two issues: on the one, censorship; on the other, our investment in the film sector and the cultural sector which is a thriving industry that results in about 600,000 jobs in this country.

* * *

[*Translation*]

REFERENDUM CAMPAIGN

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, my question is for the Prime Minister.

The no committee says that Quebec must have full control over those sectors which fall under its jurisdiction. The federal government goes against that position by continuing to interfere, with its spending power, in the manpower, education and health sectors.

Does the Prime Minister recognize that Ottawa is using its spending authority not only to interfere in fields of provincial jurisdiction, but also to impose national standards that do not reflect Quebec's priorities?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, first, the claims made by the member opposite are absolutely false. Second, the real issue is that, today, the member for Roberval talked about a country. Yesterday, the Leader of the Opposition talked about a Quebec citizenship and said that the Canadian passport would no longer be used by Quebecers. Today, he changed his tune. The burden of proof rests with those who want to split the country.

• (1150)

I ask them: Do they want to remain Canadians or not? If not, they should tell the truth to Quebecers before October 30.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, how can the Deputy Prime Minister expect to be taken seriously, considering that the establishment of the human resources investment fund, through which Ottawa will interfere even more in the manpower training sector, amounts to a blatant rejection of the position held by the no committee?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, the government which is refusing to negotiate on manpower issues is the Quebec pequiste government, not the federal government. The real issue on October 30 is the one raised this morning by the member for Roberval, and also by the Leader of the Opposition, who said that Quebecers would no longer use the Canadian passport. This will be the real issue on October 30. We are prepared to negotiate with the provincial governments. We are not in favour of status quo. There is only one government in Canada using the status quo as an excuse: it is the separatist and pequiste government in Quebec.

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FRANCOPHONES OUTSIDE QUEBEC

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the francophones of Ontario and other Canadian provinces feel insulted and revolted by the disdainful remarks made at their expense earlier this week by the separatist member for Rimouski—Témiscouata.

Would the Minister of Intergovernmental Affairs be so kind as to inform the House of the status of the francophone communities within Canada and to indicate the key measures taken by our government to support their development?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, not only has the hon. member for Rimouski—Témiscouata shown her ignorance of, and probably also her disdain for, francophones outside Quebec, but this very morning the regional delegate of the Parti Quebecois in my area had the nerve to make the statement that francophones outside Quebec are a colonized people.

This is an area in which the federal government has always assumed its responsibilities far better than the Parti Quebecois. Allow me to offer this quote: ''The government of Quebec has not done enough, even the PQ has not done enough. The federal government has certainly done far more than Quebec has. I am prepared to admit that. But I think that all of us, in Ottawa and in Quebec, ought to promote francophones outside Quebec''. The author of that quote is Lucien Bouchard himself.

* * *

[*English*]

JUSTICE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, my question is for the Solicitor General of Canada. Oresto Panacui and Jean–Guy Dipietro were convicted and sentenced to jail for armed robbery, kidnapping and attempted murder. They were released and the minister is well aware that Panacui has already reoffended.

The parole board released Panacui even though they acknowledged: ''You are serving a very long sentence for a very violent crime and drug addiction was a factor in your criminal lifestyle''.

Why is the minister allowing the parole board to release violent criminals and jeopardize the safety of Canadians?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, the law passed by Parliament creating the parole board set it up as an independent organization, an administrative tribunal operating at arm's length from the government. The law I referred to does not give the Solicitor General of Canada any authority to intervene in the decisions of the parole board.

However, I will be happy to make sure the hon. member's concerns are brought to the attention of the board.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, another case in point. Dwayne Archie Johnson, who in 1970 abducted, beat and eventually stabbed Helen Betty Osborne 56 times before he left her body in a ditch, was convicted of second degree murder and in 1986 sentenced to imprisonment for life with no chance of parole for 10 years.

In March of this year he was granted day parole after serving seven years of his sentence. According to section 135 of the corrections act, the minister can direct the commissioner of the parole board to review and revoke parole.

• (1155)

When will the minister intervene against violent killers or will he continue to jeopardize the safety of Canadians by not acting at all?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, I would be very happy to carry out the duties given to me by Parliament.

It is my understanding that the parole board operates at arm's length from government and from parliamentarians. Having said that, I will be happy to review the act and see what should and could be done under the terms of the law passed by Parliament.

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[*Translation*]

REFERENDUM CAMPAIGN

Mr. Roger Pomerleau (Anjou—Rivière–des–Prairies, BQ): Mr. Speaker, my question is for the Prime Minister.

On three fundamental elements, namely the right of veto, a distinct society and respect of Quebec's areas of jurisdiction, there is an increasingly marked contradiction between the positions of the no committee and of the federal government.

Quebecers have a right to know whether the federal government fully endorses the position given in the brochure of the director general of elections distributed throughout Quebec with respect to the right of veto, a distinct society and respect of Quebec's areas of jurisdiction.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, there is no contradiction whatsoever between the policy adopted by the committee for the no and that of the government of Canada. This is a written document in which there is a full partnership. Where the contradictions lie, however, is in the policy of the Leader of the Opposition, who claims one day that he will negotiate Canadian citizenship and the next day Quebec citizenship.

One of them says he wants to negotiate with Canada, the other says what he wants is a country. Where the glaring contradictions lie is with the policies of the separatists, who do not want to tell Quebecers the truth. I know that Quebecers are not fools and they will certainly understand that the question on October 30 is yes or no for the separation of Quebec, and the answer will be no.

Mr. Roger Pomerleau (Anjou—Rivière–des–Prairies, BQ): Mr. Speaker, my question is a simple one. We are 11 days from referendum day. Does the Prime Minister endorse all of the recommendations of the committee for the no in this brochure, or does he not?

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, the Prime Minister himself has stated that he had a hand in these documents and endorses them fully. The issue about contradictions lies not with the document of the no side, but with the separatists themselves, who are going all around Quebec claiming that they want to negotiate something with Canada while at the same time, as they finally admitted yesterday, really wanting a separate country. They want nothing to do with Canada, they want Quebec passports, Quebec citizenship, and that is the choice that will be made clearly on October 30 by Quebecers, when they say no to the separation of Quebec from Canada.

* * *

[*English*]

FISHERIES

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

When the Atlantic groundfishery was announced last year, $300 million was allocated for capacity reduction. To date

one–third of this allocation has been spent. How many licences have been retired? Two hundred and fifty–two out of 14,000. That represents less than 2 per cent of the groundfish licences on the east coast, nowhere near the 50 per cent reduction that was targeted.

Given that the minister has already spent one third of his budget for a capacity reduction of only 2 per cent, can he explain how he intends to reach his 50 per cent target?

Mr. Harbance Singh Dhaliwal (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, as the hon. member knows, the TAG program has a $1.9 billion budget. Because more people applied and were approved, there is a shortfall in some parts of the program.

The total budget of $1.9 billion will be respected. We will ensure that we live within our means. Within those programs is a retirement program and a training program. We will work closely with my colleague, the Minister of Human Resources Development, to ensure that we, stay within that budgetary program.

● (1200)

Some adjustments will have to be made. Those retirement programs will be part of the overall program to deal with TAGS and to deal with the issues on the east coast.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the parliamentary secretary acknowledges that cuts have been made to training, to green projects and to capacity reduction. The list goes on and on.

When the program was introduced it was clearly stated by the government that the program would only meet its financial targets if training, green projects and capacity reduction were successful at getting people off the program. Now that the government has slashed these programs and capacity reduction targets cannot be met, will the minister tell Atlantic fishermen what they are proposing to do when the $1.9 billion run out?

Mr. Harbance Singh Dhaliwal (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, these are the members of the Reform Party who after spending a weekend on the east coast were telling everybody the problems of the east coast. They do not have a clue about the problems of the east coast.

These are the same members who did not support TAGS. They wanted to cancel the whole TAGS program. I am very glad to see they have developed some understanding of the east coast problems by spending one weekend there.

I can assure the members that the training programs will continue. We will work closely with the Minister of Human Resources Development. There have to be some adjustments in the program. The green projects are continuing.

I hope the member will make another trip to the east coast so that he can see the training programs, so that he can see the green programs that continue to help with the disaster on the east coast.

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BREAST CANCER

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, this is breast cancer awareness month. Although progress has been made, much more needs to be done to eliminate breast cancer. Can the Minister of Health tell the House if the government has met its goals and what is further being done to eliminate breast cancer in Canada?

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, we have done considerable work to ensure that more and more dollars are channelled toward research in breast cancer.

Within our department we have reallocated an additional $2 million a year. Better still, along with those additional dollars we are working very closely in partnership with other groups so that huge sums of money are now being expended on breast cancer research.

We are not only doing more in research for breast cancer; we are also funding such things as the breast cancer information exchange projects. We are participating in setting standards of care and professional education so that the women of Canada have uniform, first class care when they are diagnosed with breast cancer. We are participating in the Canadian breast cancer screening initiative, one method of early intervention so that more people can be cured when breast cancer is detected at an earlier stage.

We will continue to do everything we can with the resources of Health Canada. We will also work in partnership with many other groups which have a very big interest in seeing this disease minimized, if not completely abolished.

* * *

POINTS OF ORDER

QUESTION PERIOD

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, during question period I was asked a question by the critic for the solicitor general from the Reform Party, the member for Calgary Northeast. He alleged that in section 135 of the Corrections and Conditional Release Act the solicitor general is empowered to direct the parole board to cancel or suspend parole.

I have before me section 135 of the act. I see no reference whatsoever to any power of that sort given to the solicitor general. It says rather that this power can be exercised by a member of the parole board or a person designated by the

chairperson of the board. The chairperson of the board is not the minister. I therefore ask that the member for Calgary Northeast have an opportunity to correct the record.

The Speaker: Would the member for Calgary Northeast like to add something to this point of order?

● (1205)

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I directed my question to the solicitor general indicating that under section 135 it was within his power to address the commissioner of the board to review and revoke the decision made at the parole hearing. I understand that is what section 135(1) indicates.

Mr. Gray: Mr. Speaker, with the utmost respect to the hon. member, he should read the section of the act before asking his question. It makes no reference to any power of the minister to give any direction to the chair of the board or any member of the board.

The Speaker: I thank both hon. members for their interventions. The point has been made.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, earlier today, in answer to a question from the official opposition, the Deputy Prime Minister said that Quebecers were not fools and that they would vote no on October 30.

That statement implies that 50 per cent of Quebecers, including all the Bloc members who intend to vote yes are fools. I ask—

The Speaker: This is a point of debate, certainly not a point of order. I thank the hon. member.

Hon. Sheila Copps (Deputy Prime Minister and Minister of the Environment, Lib.): Mr. Speaker, since the member claims in his point of order that I made a derogatory comment regarding Quebecers, I want to point out that my remarks concerned the blatant contradictions contained in the separatists' policy.

In that context, I believe those comments are not only acceptable, but also understandable.

The Speaker: Dear colleagues, this is not a point of order. Both sides have had an opportunity to say a few words. This is not a debate. I thank you.

The hon. member for Laurier—Sainte–Marie has the floor on another point of order.

Mr. Gilles Duceppe (Laurier—Sainte–Marie, BQ): Mr. Speaker, I want to ask you to clarify a point. What you just said is that both sides of the House can use the word ''fool'' in reference to people who do not agree with us. Is that so?

The Speaker: As I said before, there is no word which is unparliamentary in itself, and that applies to this word. The important thing is how a word is used. Today, the word ''fool'' was used. It has been before. I would appreciate it if we never used it again. Sometimes, words are used during a debate and then we try to justify them.

I gave an opportunity to both sides to express their views. I want to leave it at that. Again, this is not a point of order.

[*English*]

Mr. Hanger: Mr. Speaker, relating to the solicitor general's earlier point of order regarding his intervention or involvement with parole board decisions, there is nothing in the act which prevents the solicitor general from approaching the parole board or the commissioner. It is on this basis under section 135 that I am appealing to him to intervene in those parole board decisions.

The Speaker: I thank all hon. members and I hope that clears the air a little.

ROUTINE PROCEEDINGS

● (1210)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 55 petitions.

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 93rd report of the Standing Committee on Procedure and House Affairs, which lists the members of the Standing Committee on Public Accounts and the associate members of the standing committees.

With leave of the House, I intend to move concurrence in this report.

[*English*]

Therefore I move that the 93rd report of the Standing Committee on Procedure and House Affairs be concurred in.

(Motion agreed to.)

PETITIONS

LICENSING

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, I have three sets of petitions to present.

The first petition has 56 signatures. The petitioners request that Parliament legislate a maximum level of profit taking from the private brokerage of all licences and permits.

COLLVER ECONOMIC SYSTEM

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, the second petition has 47 names. These petitioners request that Parliament commission the publication and study of a privately developed economic system by Mr. Roger Collver.

ABORIGINAL AFFAIRS

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, the third petition has 43 signatures. The petitioners request that Parliament honour the treaties made between the settlers of this country and its original inhabitants.

HUMAN RIGHTS

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I have several petitions pursuant to Standing Order 36.

The petitioners in the first petition pray and request that Parliament not amend the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the Canadian Human Rights Act to include in the prohibited grounds of discrimination the undefined phrase of sexual orientation. The petition bears 169 signatures.

RIGHTS OF THE UNBORN

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, in the second petition the petitioners pray that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings. This petition bears 175 signatures.

PEDOPHILES

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, in the third petition the petitioners call upon Parliament to eliminate the right of a convicted pedophile to be let out of jail on bail pending an appeal. This would thereby ensure the protection and safety of victims and the community from such a convicted offender. This petition bears 250 signatures.

ASSISTED SUICIDE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, in this petition 262 petitioners pray that Parliament not repeal or amend section 241 of the Criminal Code in any way and to uphold the Supreme Court of Canada decision of September 30, 1993 to disallow assisted suicide or euthanasia.

RIGHTS OF GRANDPARENTS

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, pursuant to Standing Order 36, I am presenting yet again more petitions on behalf of grandparents throughout British Columbia. They ask this government to keep its commitment already declared to this House on May 4, 1995 and amend the Divorce Act to give grandparents access to their grandchildren.

NATIONAL DEFENCE

Mr. Bob Wood (Nipissing, Lib.): Mr. Speaker, pursuant to Standing Order 36, I present a petition from residents of my riding of Nipissing.

My constituents' concerns deal with the interdepartmental committee on household goods removal services which is chaired by the Department of National Defence. The allocation of all moves to one bidder will cause more problems and cost more money than does the present system of allocation. They feel the proposal would force many small family owned businesses to cease operation, causing job losses in regions already hard pressed to maintain employment opportunities.

The petitioners humbly pray and call upon Parliament to direct the interdepartmental committee to drop this proposal and to work directly with the Canadian moving industry to develop other alternatives to reducing federal expenditures.

● (1215)

EMPLOYMENT

Mr. Jerry Pickard (Essex—Kent, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have the privilege of presenting a petition from several people in my riding requesting the Minister of Human Resources Development to continue funding for agricultural employment services.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that the remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

BRITISH COLUMBIA TREATY COMMISSION ACT

The House resumed consideration of the motion that Bill C–107, an act respecting the establishment of the British Columbia Treaty Commission, be read the second time and referred to a committee.

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, before question period I was pointing out some of the contradictions of the party opposite in terms of its aboriginal affairs policy. I was referring to the hon. member for Yorkton—Melville, who has made some contradictory and naive observations regarding the hardships aboriginal people in British Columbia and all across Canada have faced over the last 300 or 400 years. I mentioned the attitude of wanting something like a DNA test for Indian people, which is very insulting to aboriginal people across the country.

The hon. member for Yorkton—Melville stated: ''We cannot continue to assemble a system that creates entitlements because of the colour of your skin. We are building a South Africa. That may sound extreme, but that is exactly what we are doing. We are going to have the same strife that South Africa is going to have''.

If the hon. member were up to date on the issue he would know that South Africa is enjoying good times as a result of doing away with the apartheid policies of the previous government. Now Nelson Mandela is president and he is doing great things for the people of South Africa. That is probably the way we should go with respect to aboriginal people in Canada.

The South African people who have resided in and maintained their lands in that area are finally getting an opportunity to address their concerns, which we are also doing in the area of Nunavut. I am happy to state that the Minister of Indian Affairs and Northern Development a couple of weeks ago announced to the general public of Nunavut that it would have a role in deciding where the capital of Nunavut would be. There will be a plebiscite in the communities to determine that. Such a decision making role is precisely what the aboriginal people of British Columbia have always wanted.

British Columbia entered Confederation in 1871. At the time British Columbia entered Confederation, the aboriginal people of British Columbia were the majority. To overcome that fact, the government of the day quickly passed a law that basically stated that the aboriginal people would not have a vote.

• (1220)

In 1884 people all of a sudden found that because the aboriginal people were the majority they would able to do a lot of commercial fishing. The government of the day passed another law, which banned the aboriginal people of British Columbia from commercial fishing. They have debated that ever since.

I do not particularly like to revisit the history. We have to improve the state the aboriginal people are in and move forward. However, a lot of Canadian people do not know the history. Sometimes it has to be revisited or the people of British Columbia will not have the opportunity to correct a lot of the wrongs that were committed against aboriginal people at that time.

I have a letter written on October 13, 1995, from someone who says: ''We the people of British Columbia will not give up our property, our home and our land, to which we have registered rights''. This person reiterates what Squamish Chief Joe Mathias claims, that the aboriginal people own British Columbia 100 per cent. This person says: ''Members of my family are Friesians. We were in Holland well before the Dutch. Are we now going to go back and say to the Dutch government that we own Friesland 100 per cent and we want compensation?'' I do not think we would give that advice to this person, to go back to Holland to claim it back from the Dutch government. However, this person should understand that when he came from Holland the aboriginal people were already in British Columbia. They are still there.

I do not think aboriginal people are suddenly going to say you cannot stay on this land because it belongs to the aboriginal people. However, I think they have a very strong case. As aboriginal people, we believe we were here long before anybody else came along. People who took our lands do have some redressing to do. We have to face the fact that a lot of aboriginal people in British Columbia will say it is our land. If people can accept the premise that they were here first, then maybe the negotiations would go a lot more smoothly and hopefully will result in making sure that justice is served to the aboriginal people of British Columbia.

I would be prepared to answer any questions that may arise.

Ms. Margaret Bridgman (Surrey North, Ref.): Mr. Speaker, I have two questions for the hon. member.

• (1225)

In his role as parliamentary secretary, is he quite satisfied with the length of time it has actually taken this government to bring this legislation to the House? As was said earlier, the legislation was already established through the agreement. It was just a matter of recopying it into a format for this House. I would like to know whether he is satisfied with a delay of two years for something as straightforward as this.

The second question I have was referred to by the previous government speaker from Vancouver Centre, in which she implied that this commission has the authority to actually state whether or not the parties involved are ready to negotiate. That is not necessarily my interpretation of what the act actually states. It states that the commission can assess the readiness of the parties. I think that is possibly a little loose from the point of view of what the criteria are to base that assessment on. It could turn to a dictatorial type of thing from the commission's point of view that one must meet these specified criteria.

Mr. Anawak: Mr. Speaker, in responding to the question I may not necessarily satisfy the member. I look at it from the point of view that it has taken two years for this government, but it has taken since 1871, which is 124 years, to arrive at this stage. I think what we should be rejoicing in is the fact that we have finally come to this stage today, so let us move forward from here. While I would be very hopeful that the negotiations will be expeditious, it has taken 124 years. I would hope that when the negotiated settlement arrives it will be the best for all concerned, but especially for the people who have been trying to get to this stage for the last 124 years.

On the other question, we have to do our bit as members of Parliament to ensure that the best possible procedure is taken to ensure a more expeditious conclusion of land claim negotiations in British Columbia.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I was a little bemused at the parliamentary secretary's remarks with respect to the hon. member for Yorkton—Melville's question on treaty cards and DNA. I would expect a parliamentary secretary could recognize a bit of sarcasm when he sees it.

He must be aware that there is a stampede of people who have just a few drops of aboriginal blood trying to get their hands on treaty cards. If he thinks this is not a problem, he should consult with the band councils that have to deal with this and the problems created by Bill C–31. The secretary has to be aware that treaty cards have become articles of commerce. If he is not aware of this, he should not be secretary of state. If he is, he should not pretend to misunderstand the member for Yorkton—Melville.

With regard to the question of apartheid and who has it and who does not, it strikes me as curious that while South Africa is doing away with apartheid, the parliamentary secretary advocates and applauds the establishment of homelands within the Dominion of Canada. I think we should be moving beyond all that and be talking about one Canada, not a whole bunch of little enclaves divided on the basis of race and history. I know all that was irrelevant to Bill C–107, but it was a response to the irrelevant remarks of the parliamentary secretary.

• (1230)

Mr. Anawak: Mr. Speaker, it is always a pleasure to get a question from the hon. member.

I am a member of Parliament and the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, but I am also an Inuk.

Whether the government of the day or governments past or the member believes it or not, as far as I am concerned all of Canada belonged to the aboriginal people long before, in some cases 30,000 years, anybody else came along. That is my belief. However I have to be realistic. Some 30 million people now live in Canada, the majority of whom are other than aboriginal. We have to deal with that reality.

However, the wrongs that have been done to the aboriginal people are very wrong. This is how I feel. I am not naive about aboriginal concerns. If the hon. member wants me to elaborate on aboriginal issues and aboriginal concerns I can do that quite well without any lessons from the member across.

I live in the small community in the north in which I grew up. In 1962 the Inuit got the vote. I know about aboriginal concerns. I know some people came north and started putting up ''no trespassing'' signs on gravel deposits. No trespassing signs on my land? I have no lessons to learn from the hon. member across. Aboriginal people have been on the receiving end of a lot of wrongs for a long time. This attempts to correct the injustices that have been done.

When the hon. member for Yorkton—Melville makes a statement like that I am unlike the member across. I do not think the person is joking. I realize there may be some problems with the status cards. That probably is the case. Is it the Indians, the aboriginal people doing that? I do not know. I must say I am naive in that regard. I can honestly tell the member that I do not know. I apologize for not knowing because it is part of my responsibility.

One my responsibilities is to ensure that there is expeditious approval of bills that deal with the concerns of aboriginal people. I hope the hon. member, when we are dealing with this bill, will give his support to it so that we can correct the injustices that have been dealt to the aboriginal people in British Columbia.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, before I get into the text of my remarks I will make a few comments on the parliamentary secretary's remarks.

The parliamentary secretary was discussing the issue of land ownership. He said that in his opinion the land that we know as Canada is owned by aboriginal people. I remind the parliamentary secretary this issue has been dealt with in the courts. It has been dealt with in the Delgamuukw decision which was originally heard in the B.C. supreme court and was appealed to the B.C. court of appeal and is going before the Supreme Court of Canada

at some point in the very near future. The decisions of the courts to date have been that land ownership and ownership of resources resides with the crown.

• (1235)

I will talk for a minute about who benefits from that ownership. Thirty million people live in Canada and to a great extent the wealth of the nation and the standard of living that those people enjoy depend on the land base and resources.

We are talking about the B.C. Treaty Commission. In British Columbia approximately 96 per cent of the land is owned by the crown. The balance is owned by individuals on a fee simple basis. What the Government of British Columbia is talking about doing under the auspices of the B.C. Treaty Commission is negotiating agreements which will convey, in its own words, approximately 5 per cent of the land base to approximately 3 per cent of the population. A good deal of that population does not live on reserves.

In addressing the concerns of people in British Columbia who depend on forestry, fishing and mining for their livelihood and all of the secondary and tertiary jobs that spin from that, it is clear the issue of land ownership and resource ownership is a very serious one.

I will talk a little about British Columbia's participation in this process and the concerns expressed by ordinary citizens in that province. As I have said, the land base is very important to the economy of the province.

The Government of British Columbia and the Government of Canada are entering into a negotiating process to settle, depending on who one is, treaties or land claims with aboriginal peoples. There has been virtually no public consultation. The beginning of that consultation process is starting to happen, but in my view it is happening in a way that will make it very difficult for the real views of ordinary British Columbians to be heard.

On a straightforward philosophical basis, most British Columbians are opposed to the general principle behind the treaty process. With the negotiation of the agreements described by government to date we will have, as my Reform colleague said a few minutes ago, enclaves within Canada which will have a land base and which will have their own governing bodies.

There is a great deal of concern over the divisiveness this will create. The parliamentary secretary referred to South Africa as have other people in the Chamber. In South Africa the people are working to break down barriers between different parts of society, between black and white. They have been working at removing the different status that people received in that country based on their racial origins.

In Canada we are going in the opposite direction. We are erecting further barriers. I suggest there are barriers right now. I think they are inherently wrong. That is one of the reasons native people find themselves in the very difficult circumstances they find themselves in. As a country we have treated them differently.

Most of us on this side of the House believe very strongly that Canada is a very big welfare state. The welfare state that government policy has created around native people is many times larger and it has been very harmful to native Indian people. It has been very destructive. We need to do away with that, to break down those barriers, to do away with the Indian Act and start to treat everybody in our country as equals.

• (1240)

That leads me to the next point. In a democracy one of the fundamental principles of democracy is equality before the law, individual freedom, individual liberty and the notion that we all participate in a democracy on the same basis.

Sovereignty inherently rests with the Government of Canada. The provinces are way stations but in the end, citizens have to a certain degree an ability to exercise personal sovereignty in that they are able to vote, to participate in the democratic process and to influence to some degree at least the direction the government takes.

When we start looking at people, whether native Indian or other racial minorities or groups that have distinctive characteristics and start treating those people differently and we suggest they should have different status, whether that status is supposed to assist those people or not however well meaning that might be, the end result is that we create divisions in our society.

We create an us versus them mentality and we violate the fundamental principles of democracy. We violate the fundamental principle of equality before the law. We do that as a nation at our peril.

We can see what has happened in British Columbia with the implementation of the aboriginal fishing strategy. No doubt it was a well intentioned strategy. The result is that we have native fishermen and non–native fishermen on the rivers in conflict with each other. We have the very real possibility of violent conflict right on our doorstep as a result of that policy. I would suggest to the House that the aboriginal fishing strategy is one component of what the government's agenda is all about.

We are not talking in negotiating these treaties about moving away from the apartheid that we already have and treating people as equals; we are talking about building further walls. We are talking about finding new and better ways to segregate people by race and treat them differently. By doing that, as I said earlier, we are endangering future civility and peace in our country.

We need to not stand with our backs to the future gazing serenely over the past, over the wreckage of failed policies and massive outlays in expenditures by governments which have not worked and which have created a system of dependency and paternalism. We need to strive toward policies that include all people.

The Government of Canada has a serious obligation to deal with this problem and to deal with it in a manner that will, at the end of the day, bring all Canadians together as equals.

At the time British Columbia joined Confederation in 1871 the terms of union clearly spelled out that the federal government shall take all responsibility for existing and future obligations to native people.

There was one proviso in that agreement. The provincial government had an obligation to designate areas for reserve lands. The provincial government from 1871 through into the 1920s continued to set aside and designate lands as reserve lands, to the point where in 1924 the federal government acknowledged in writing that B.C. had met its obligations under the terms of union and therefore was discharged from any further obligations in that regard.

• (1245)

This is a very important and fundamental point because Canadians residing in British Columbia have been contributing through the tax system to the settlements of land treaties in other parts of Canada. They have been required to assist in the underwriting of the costs of the Nunavut settlement, of the Yukon land claims agreement, of the Saulteaux–Dene–Métis agreement and so on.

Now British Columbians will be asked to pay twice: once as taxpayers through the federal system and once as taxpayers and citizens of British Columbia through the alienation of land and resources. That is fundamentally wrong. That is asking the people of British Columbia to accept a situation of double jeopardy.

I believe very strongly the province of British Columbia should not be at the negotiating table other than as an observer. If the federal government intends to convey land and resources, it ought go to the province to find out for what the province is willing to sell those assets, the land and resources, in pursuit of the land treaty negotiations.

When we talk about these land claim issues and when we talk about treaty settlements and so on, as I said in my remarks a few minutes ago, the government tends to treat native Indian people as if they are all the same, whether it is the Gitksan and Wet'suwet'en people in my riding, the Niska people or the Casca–Dene people. They are not. They are individuals like all Canadians. They have many different aspirations, goals and desires. They do not all think the same way. They do not all want the same things; they want many different things.

In many cases the leadership in these native communities is acting in a fashion that is not supported by the majority of people they supposedly represent. I am deeply concerned when native Indian people come into my constituency office and say that they are very concerned about the ramifications for self–government because they do not know what it means. Quite frankly I do not think any of us know what it means. The Government of Canada and provincial governments have been talking for the last couple of years about recognizing an inherent right of self–government but they have never defined it. They have never said what that means.

The implications for that kind of statement are very serious indeed. It is instructive to note the native Indian people of British Columbia voted against the Charlottetown accord at almost the same rate as non–native people did although the provision for native self–government was one of the five key components of the agreement.

The ordinary grassroots people in native Indian communities certainly are not overly enamoured with the idea of native self–government. Their leaders are because their leaders understand the position of power and the position of authority they will end up in as a result. However the ordinary grassroots people in native communities are not in favour of it and certainly have grave reservations.

I remember very clearly that the Native Women's Association of Canada actively campaigned against the Charlottetown accord for the very reason the inherent right to self–government was one of the five key components of the agreement.

It is fine for the parliamentary secretary to stand and say that this is what all native people want, but it clearly is not what all native people want. They voted against it. I suspect that if I were to go into his riding I would find many native Indian people, aboriginal people, who would be very much opposed to the concept of self–government even though the member supports it.

• (1250)

Having given this matter a great deal of thought and having expressed my concerns, particularly in British Columbia, for two years now, I am convinced there has to be a better way. There has to be a way that the Government of Canada in concert with the provinces can negotiate agreements which will be inclusive rather than exclusive, which will bring Canadians together rather than separate them forever on the basis of race.

We have to recognize we are settling agreements that will be set in constitutional concrete. We have to think in terms of 50, 100 and 150 years down the road. We cannot settle the agreements on the basis of a five, ten or fifteen year window.

It is for these reasons that I have grave concerns with respect to the work of the B.C. Treaty Commission. I am convinced that the province of British Columbia should not be at the table other than as an observer. If we continue down the road we are going, I am certain it will only create further problems in our society. The net result will be that those people who we would most like to help will be the people who will be most hurt.

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the comments about my riding demonstrated the need for some lessons on the history of aboriginal people in Canada.

My riding, Nunatsiaq, spans over three time zones from Tuktoyaktuk in the west to Pangnirtung in the east, from Arviat in the south to the home of Santa Claus in the north. However the fact remains that the native Indian population of Nunatsiaq is probably less than .05 per cent. The area I represent is Inuit. It is 85 per cent Inuit.

The ignorance of people like the hon. member opposite is why aboriginal people in Canada must be recognized. At the beginning of his comments the hon. member quite clearly said that this could not be native land because the courts said so. He may very well believe what the courts have said, but whose courts? Whose justice system determined that this was crown land? We did not set up the present justice system. By the way, we were not asked whether it was the kind of justice system we wanted or whether it was the kind of government we wanted. We were not asked any of those questions by the Government of Canada when the provincial and territorial governments were set up.

There has to be an understanding. We have a bit of a problem with all the things that have happened. I do not want to revisit all of it. However I want to point out to the member and to all other Canadians that a great injustice has been done in the past and we are trying to correct the situation. If we take a little more time as the government than members opposite would like to see, I say we can afford to do it because it has taken 124 years to arrive at this stage.

We have to ensure that expeditious approval of negotiated claims is achieved. I am sure members opposite will ensure that we have their support when the bill comes to committee. I hope the member ensures that he understands the issues, whether it is the justice system or righting the wrongs that have been done over the years, before thinking that every aboriginal person who comes to him is representative of aboriginal peoples at large.

• (1255)

I take back my comment about all aboriginal people, but the majority of aboriginal people know that wrongs have been done to them and are trying to right those situations. I apologize for making the hon. member think that I was representing all aboriginal people. I am a Canadian, I am an Inuk, and I do not represent all aboriginal people. However I have a problem telling the House that in a lot of cases I do not always agree with the president of Inuit Tapirisat of Canada, but I have no problem saying that she is my leader for the benefit of the Inuit people at large. We as aboriginal people have leaders who may not necessarily be representative of all aboriginal peoples, but by and large they represent the majority.

Mr. Scott (Skeena): Mr. Speaker, I listened to the parliamentary secretary's remarks. I was offended that he would refer to me as ignorant. He may disagree with me on a philosophical basis and that is fine; that is what Parliament is all about. However I can assure the House that I am not ignorant. I am not ignorant on this issue. I have spent a great deal of time on it.

I should like to respond to some of the remarks the member made in talking about representatives of native people. I have never had the opportunity to spend much time in the member's riding, but I have spent a great deal of time in British Columbia and I have met with many aboriginal people. I can assure the member that great numbers of aboriginal people have real concerns about their own leadership.

In my riding massive amounts of federal tax dollars are turned over to aboriginal leaders with no accountability whatsoever. Members of that community cannot even go to into the band office to get a breakdown of how the money is being spent. We see aboriginal leaders driving around in fancy new pickup trucks and fancy new cars while the people in their communities are getting by on virtually nothing. That is the kind of situation we are faced with in British Columbia.

I find it very difficult to listen to the member talk about representatives of aboriginal people. There are any deeply concerned people in my constituency who write to the ministers involved: the Minister of Health, the Minister of Fisheries and Oceans, and the Minister of Indian Affairs and Northern Development.

In the case of the Minister of Fisheries and Oceans they write to tell him they have a problem supporting the AFS. There is no accountability for how that money is being distributed. They just see a bunch of rangers going around their communities with fancy new pickups and new jet boats. There is no accounting of how the money is being spent.

The Minister of Health is signing health agreements with aboriginal hereditary groups, not elected representatives, in my riding. The people who live in those communities come to me with serious concerns about the future of health care for them under that kind of system. The native leadership in those instances is always talking about how it is working for the good of its people and how it is trying to further the interests of its people.

In many instances they are not concerned about their people. They are concerned about their personal well–being. They are making sure they are well off while the rest of the people in those communities are left to suffer and are hung out to dry.

• (1300)

That is why the aboriginal people in British Columbia voted against the Charlottetown accord. That is why they do not want self–government. In spite of all the grandiose statements by people like Ovide Mercredi, the federal minister of Indian affairs and the minister of aboriginal affairs in British Columbia, these people do not want it and it should not be shoved down their throats. Their individual rights and equality should be respected by the Government of Canada, not abrogated and trampled on.

Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, the last speaker was concerned about the word ignorance. I would not use that word but would use the term misunderstanding and misinformation.

I have heard members of the third party mention a few things which I perceive to be a complete misunderstanding of what this commission is being set up to do. A question was asked about whether the commission had any role to play in making sure that the parties were ready to negotiate. There was no understanding that was a role.

I will read very quickly the role of the commission: ''The duties of the commission are assessing the readiness of the parties, Canada, B.C. and First Nations, to negotiate''. A clearly stated duty is to encourage timely negotiations. Therefore, with respect to the concern over stalling, that is something the commission is set up to ensure does not happen.

Another comment from members of the third party was that everything was being done in secret, nothing was being done in the open. The role of the commission is to prepare and maintain a public record of the status of negotiations.

I have another comment with regard to constant references to being Canadian together rather than apart because of race. This is a clear denial of the cultural heritage of people who do not belong to a majority group.

One of the things I clearly saw as a physician when we discussed aboriginal health issues was that the aboriginal people had a great deal of health problems. This was because their culture had been denied for so long. The lack of spirituality which is an inherent part of their culture has led to loss of self–esteem and to hopelessness. This has led to the large number of suicides and abuse we now see in the aboriginal community which have clearly been traced back to loss of cultural identity. These things are important to a people. It does not mean that people are different because they are given their cultural heritage. Cultural heritage is inherently what people are; it is what makes them the way they are.

I am really concerned about those statements. They show a lack of understanding of basic human dignity and human rights.

Mr. Scott (Skeena): Mr. Speaker, the member is quite right in saying the role of the B.C. Treaty Commission is to assess whether the parties are prepared for negotiating.

In the case of one aboriginal group within my riding, the government is entering into agreements for negotiating with hereditary governments, not with elected representatives. People from that community continually come to my office and ask: ''Who do these people represent and why is the government dealing with them? Why is the government signing agreements with them? Why is the government going to negotiate with them?'' Their rights have been completely ignored in this whole process.

Yes, there are very serious problems in Canada's aboriginal communities. It is not because of a loss of culture nearly so much as it is a complete reflection of the state of the welfare industry which has been built up around native Indian people. This symptom will be found in any community, be it aboriginal or non–native, wherever we go. If people are treated as wards of the state and are forever on a short leash from the Government of Canada, those are exactly the kinds of problems we can expect to find in communities like that.

Perhaps the hon. member could take time out of her busy schedule to come to my riding. I would be more than happy to take her to some of the aboriginal communities and introduce her to some of the people who have serious concerns about the direction in which both the federal and provincial governments are going. They have very serious concerns because they know it is not good for them. They know the government finds it very easy to deal with collectives but has a very difficult time dealing with individual rights and individual responsibilities.

• (1305)

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, it is my great pleasure to speak on Bill C–107.

In the House we are usually pressured to deal with immediate problems. We get representations from constituents about existing problems and they want immediate solutions. This is one of the rare opportunities we have in this House to pass this bill and build for the long term health of Canadians, particularly young aboriginal Canadians.

It is also fitting to be here with the member for Vancouver Quadra. Both of us were in Beijing. At that meeting a platform of action was adopted. It particularly acknowledged the importance of including the aboriginal communities in decision making specifically recognizing their knowledge of environmental management, addressing their right to education, to ensure equal access to health care and to acknowledge traditional health care. It is an important step. Around the world people

are talking about giving aboriginal peoples the tools to do what they need to do.

One of the key commitments made by our party in the last election was to act on implementing the inherent right to aboriginal self–government. We did so because we saw the place of aboriginal peoples in Canada as a litmus test for our belief in fairness, in justice and in equality. Sadly, it is a test which we as a nation have too often failed.

In the red book we promised to implement the inherent right of aboriginal peoples to govern themselves by negotiating self–government agreements. On August 10 we delivered on that commitment. We released our policy on aboriginal self–government and presented the principles which will guide the negotiations. This is a pragmatic and practical policy, one which we believe will work.

One of the key reasons we think it will work is that it is the product of some 18 months of consultation with aboriginal groups, provincial and territorial governments, as well as others on what they thought our policy should be in this area. In co–operation with provincial and territorial counterparts, our policy aims for direct negotiations with aboriginal people in their communities on issues directly affecting their lives.

As a government we believe the time has come to stop the endless, fruitless debates about how many angels can dance on the head of the constitutional pin and get down to negotiating practical, pragmatic and realistic arrangements that implement the inherent right of self–government. Our approach is new but it is animated by principles as old as our country, principles of respect, of tolerance, of fairness and of compassion.

In the case of British Columbia the policy provides that negotiations on self–government will take place at the same table as discussions on land and resources. The process and structures already in place for treaty negotiations and confirmed by Bill C–107, the British Columbia Treaty Commission act, will also be used to negotiate self–government issues.

These two sets of discussions, self–government on the one hand and land and resource uses on the other, complement each other perfectly. It means that for the first time the parties will be able to have all the issues dealt with at one table under one set of negotiations. This will be more cost effective, something I am sure members of the third party will herald as a great achievement. It eliminates overlap and duplication and permits a much more comprehensive approach to achieve progress, something I also hope they will herald. We are committed to ensuring that the same principles and practices of openness which have characterized the B.C. treaty making process will also be applied to the self–government decisions and discussions.

• (1310)

There seems to be some confusion on the part of members opposite, particularly in the third party, as to just what our inherent rights policy is all about. Let me lay down the main elements so they can see for themselves how the BCTC process can be utilized to negotiate fair and meaningful self–government agreements.

As a government we propose to negotiate self–government agreements with aboriginal groups and the province or territory concerned. These negotiations and the agreements they produce will be based on a number of principles.

We begin with the premise that the inherent right of self–government is an existing aboriginal right under the Constitution. What does that mean? It means we will recognize that aboriginal peoples were self–governing before the arrival of Europeans and that they never gave up that right to govern themselves, even though that right has been ignored or suppressed for many years.

Because this right is in the Constitution, it is enforceable in the courts. Litigation, as we know, is lengthy and costly and often serves only to create conflict rather than engender understanding. It can discourage a willingness to work together as Canadians to build a better, stronger future for our country. Is that not what we are here to do?

In the end, it is unlikely that the courts would go much beyond providing broad principles, leaving the details of self–government to be negotiated by the parties who would have to live with those agreements anyway. It is far better, this government believes, to negotiate practical ways of implementing this right at the outset, tailoring each agreement to the unique circumstances of each community or region.

Bill C–107 is not a one size fits all exercise. That approach has been tried and it only led to gridlock and frustration on both sides. What we need is an agreement and a process that is flexible enough to accommodate the diverse needs of diverse communities. This policy will do that.

The second guiding principle in our negotiations is that aboriginal self–government will be exercised within the existing Constitution. As a consequence, the right of inherent self–government does not include a right of sovereignty in the international law sense and it will not result in independent aboriginal nation states.

Our goal is to enhance the participation of aboriginal people in Canadian society, not place them outside it. The policy will not create little enclaves dotted across the country. It will provide aboriginal people with the tools they need to manage their own affairs and realize their own potential. It will mean an end to conflict and it will open the door to progress for all Canadians.

Third, the charter of rights and freedoms will apply to aboriginal governments as it does to all other governments in Canada. This of course makes sense only if we are talking about protecting rights within Canada.

The fourth principle is that federal, provincial, territorial and aboriginal laws must work in harmony.

While we are prepared to negotiate a wide range of powers, there are some areas that must remain with the federal government. As a general principle, matters which are integral to the aboriginal culture or internal to the aboriginal group are open for discussion. These might include areas such as education, health care, policing, natural resource management, agriculture, the establishment of governing structures, internal constitutions, elections and a leadership selection process.

• (1315)

However there are a number of areas where there is no compelling reason for aboriginal governments to exercise law making authority. Those areas include matters relating to Canadian sovereignty such as international diplomatic relations, foreign policy, national security and defence, international treaty making, immigration and international trade.

It includes as well matters affecting the fundamental national interest such as the management and regulation of the economy, the banking system, currency or broadcasting, postal service, emergency and peace, order and good government powers, and matters relating to the maintaining of law and order such as the Criminal Code.

While this is a federal policy we know we cannot go it alone because many of the jurisdictions contemplated by this policy are provincial. It is essential to have the territory or province concerned involved in the self–government negotiations. Its involvement will be crucial to the ultimate success of the process.

Not only do the provinces have jurisdiction over many of these areas, they also bring with them invaluable expertise in their administration. Having the three parties at the same table will allow new aboriginal systems, such as education, to be harmonized with existing provincial structures and minimize conflict down the road so as to create the best possible aboriginal governments. I am sure that is something we all agree with.

Fifth, where all parties agree we are prepared to protect rights and self–government agreements in new treaties. Finally, the government has made it clear that all funding for the negotiation and implementation of self–government agreements must come from existing resources. There will be no new money.

I have outlined the principles that will guide our discussions. As a government, we believe that they are both fair and realistic. We believe they provide a solid foundation on which to build. We believe they advance the rights of aboriginal people in a way which also protects the rights of all Canadians.

I have spent some time discussing inherent right because I am pleased to report that those involved in the B.C. treaty process have endorsed our self–government policy. Chief Joe Mathias of the First Nations Summit said that the new policy ''means finally we have an important initiative that will bring First Nations into the 21st century''.

Surely that must be our goal. With this bill we can begin to create the certainty that will encourage economic growth. We can provide the aboriginal people of B.C. with the tools they need to create the future they deserve.

We can move beyond the adversarial postures of the past to a new relationship based on mutual respect, trust and understanding, a new relationship that reflects the true Canadian values.

Some 50 per cent of all the aboriginal peoples in our country are under 25 years of age. It is an important point if we are to address their needs and make sure they have the systems in place to be the best they can be so that Canada can ensure them a long and successful future. It is an important point because all too often we talk about how we believe our young people are one of our greatest resources. Yet we do not always put our money where our mouth is in terms of implementing policies that will allow them to be just that, our greatest resource. We must do that more and more.

• (1320)

I am pleased to support Bill C–107 and encourage all parties in the House to pass it quickly and to agree with us in our position.

Mr. Jack Iyerak Anawak (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, it is always encouraging to listen to members that understand what processes we go through, the hardships we go through. One of the most often asked questions by members opposite, and other people I am sure, concerns the definition of self–government or inherent right. The two seem to always be an issue with some members of the public or politicians.

I will try to define what I think inherent right and self–government are. The hon. member elaborated on it. One time I was asked about the inherent right of self–government. I replied that as far as I am concerned it is the acceptance or the acknowledgement that we have been here for a few more years than anybody else. In the Indians' case it is something in the neighbourhood of 35,000 years; in our case it is a little shorter, only 3,500 years. However, we do not feel left out by the fact that the Indians have been here 30,000 years longer than we have.

The words inherent right and self–government to us have always been accepted as they are without trying to put them in a little box the way people quite often like to do. It is asked, is this the way it is going to be? Some people would say there is no other way when in fact there could be 10 different ways to do the same thing.

Would the member care to elaborate on her understanding of what is meant by self–government or inherent right? As far as we are concerned, it is the fact that we were here, we had a system in place. The Government of Canada and through it the Canadian people at large must acknowledge that we have the right to determine our future. We have that right to set up a self–government within our geographic areas without necessarily having to ask permission from a government that has been around for 125 years or so.

I wonder if the member would care to elaborate.

• (1325)

Ms. Torsney: Mr. Speaker, as the parliamentary secretary has outlined a number of principles related to self–government, I will identify some of the key principles that I think my constituents would be interested in and those that perhaps are a little greyer to some people than they should be.

Aboriginal self–government will operate within the existing Constitution. It is an important tool which will allow our aboriginal peoples the ability to make a lot of the key decisions which they need to make for themselves. Sometimes it is not appropriate for the federal government or the provincial governments to make all the decisions for this diverse group of communities which have very specific needs and problems that have either been neglected or that government policies at the provincial and federal levels in the past have tried to ameliorate but have only served to exacerbate because we tried this one size fits all philosophy.

The aboriginal peoples in the communities across Canada, particularly in B.C., need to be able to use their inherent rights to make the decisions within the context of the Canadian Constitution that will benefit their communities and see them empowered.

It is ironic that around the world people are recognizing the rights of empowerment of women, empowerment of individuals to make decisions, to have the tools to ensure they will be productive members of our communities so that we are more economically viable, we are more environmentally friendly and we take care of our population issues. All too often people within our own country do not recognize the importance of those values when it comes to a very specific group of people, the first people of Canada, the aboriginal peoples. Whether it was 30,000 years ago or more, they still were definitely our first peoples and we must give them the tools.

Another aspect, which seems to me to be common sense, but of course common sense is all too often not very common, is that the current system under which we have been operating has not worked. We have seen aspects of the aboriginal communities doing very well. I do not mean to draw from their success, whether it be in the arts, in business or in other areas of our communities. The aboriginal peoples have done very well in many aspects.

However, there are too many problems. There are too many young aboriginal people in jail. There are too many aboriginals who are dropping out of school, who do not seem to feel a part of Canadian society. It is incumbent on us to do everything we can to give them the tools so that they can be the best people that they can be.

This bill, this new approach to things, given that it was proceeded with after 18 months of consultations with the communities and with our provincial and territorial partners, has given us the answers and the policy decisions that they would like to see in here. It will be successful and it will make a huge difference in the lives of many Canadians, particularly our young aboriginal Canadians, to whom we must leave a good legacy.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I am one of the first to support self–government at a local level within the context of Canada being the nation. Not only do I talk about it; I have worked hard to implement it.

I have a concern which I would like the hon. member opposite to address. How do we deal with the aboriginal communities who see inherent self–government as being separate and apart from Canada? They see the right of inherent self–government as a separate and distinct nation from that of Canada. How will we deal with those aboriginal communities which see inherent government as being separate from the Government of Canada?

Ms. Torsney: Mr. Speaker, certainly this is a process which is evolving. I am pleased to have her support for the concept and for this bill in terms of self–government.

There will be a series of negotiations, but I have outlined already the basic principles on which we are proceeding. It must be within the context of the Constitution. We must ensure the structures are appropriate on the issues they have decision making power on and it is all outlined in the bill and in the process we are going forward with.

The Deputy Speaker: It being 1.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

SENATE

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.) moved:

That, in the opinion of this House, representation in the Senate should be equal from each province, elected by the people, and have sufficient power to make it effective in order to better represent the people of the less populous provinces.

She said: Mr. Speaker, it is a great honour for me today to rise as the mover of Motion No. 459 and therefore to speak in favour of it.

Advocating a triple E Senate has been part of the platform of the Reform Party of Canada virtually from its inception. As Senate critic over the past year I have had the opportunity to research the Senate. Senate reform for the Reform Party and for all of us from the less populous provinces addresses a feeling of alienation from central Canada and the central government, which has grown through the last two decades.

This feeling of alienation stems from the reality that governments will respond positively to pressure exerted by the provinces or the regions that contain the largest portion of our population. Sometimes these policy responses are at the expense of the smaller provinces and their desires. Equality of representation of provinces in the second chamber of Canada's central Parliament we believe would give the people of the less populous provinces real clout over the policy agenda of the federal government.

However, I am getting ahead of myself. I would like to spend some time today talking about the original purpose of the Senate; in other words, why it was created. I would like to speak about how it has performed this role, then deal with the criticisms of the Senate and attempt to respond to them. I will then conclude with the reasons why I believe the triple E concept for the Senate makes a lot of sense.

The Senate was designed to perform two main functions, the review of legislation emanating from the lower House, and provide a forum wherein the regions would have a voice in the central Parliament's law making process. It was to provide an institutional voice to small governments and perhaps to minority groups against the popular majority of the lower house. One could say that it was designed to act as a political bridge between the component parts of the federation and the central government.

The work of the Senate as presently constituted in the scrutiny of legislation has been praised by most political commentators. Also, Senate committees have carried out useful investigative studies over the years, which have added new information to policy development. Yet criticism has been levelled against senators who have stayed in the post regardless of the fact that they may show up only once a year, some less often than that. This criticism stems from the fact that senators used to be in for life. Also, because of undeserving patronage appointments Canadians have lost respect for the Senate, so much so that it has resulted in uncomplimentary names and references such as the old boys' club.

However, the main criticism of the role played by the Senate in our country concentrates on the inability of the institution to represent all regions. This has led to great frustration in western Canada predominately because there is a definite perception that central Canada, because of sheer numbers, sets and controls the public policy agenda.

Following on this argument is the feeling that senators, because they are not elected, have no legitimacy to act. Therefore, even if senators decided to start voting in regional or provincial blocs, they would not have the ultimate legitimacy to do so, in that they are not elected by the people of Canada. This is a strong reason for an elected Senate.

Bear in mind as well that our present Senate's powers are virtually equal to those of the House of Commons, except that while it can initiate legislation except money bills, it cannot hold up constitutional amendments for longer than 180 days. With these two exceptions, it is important to note that it can defeat, amend or indeed stall all legislation coming from the House of Commons. However, because of its lack of legitimacy its exercise of these powers is constantly subject to criticism. Therefore this lack of equality of representation and legitimacy to act to either defend or promote the interests of the smaller provinces has given great impetus to the movement of Senate reform.

• (1335)

While the impetus to a triple E Senate seems to have grown out of actions by the previous Liberal government to implement the national energy program, there have been other proposals for reform. Let us take a look at some.

The most popular subject for these proposals has been the method of selection of senators. Popular election, provincial government appointment and a mixed formula whereby half would be appointed and half elected have been proposed through the years. As early as 1908 Senator David suggested one third of the Senate chamber be named by the federal government, another third by the provincial government and the final third by universities and other public bodies.

A popular suggestion for reform in the 1970s was the creation of the house of the provinces. This second chamber would be made up of delegates appointed by the various provincial governments or perhaps provincial cabinet ministers. This was a second chamber modelled on what was then the West German upper house. While this reform had many supporters, especially among the provinces, it was obvious that this Senate could quickly evolve into a house of obstruction or a constitutionalized permanent federal–provincial conference. Neither scenario would have a long term positive effect on how the country is governed. Provincial interests only would be advanced in the

upper house, with the national interest taking, at best, second place.

The idea of an elected Senate attained prominence in 1981 with the publication by the Canada West Foundation of ''Regional Representation—the Canadian Partnership''. It was based on the work of Dr. David Elton of the foundation and Mr. Burt Brown of Alberta. In 1982 Senator Duff Roblin, former premier of Manitoba, proposed that senators be elected on a basis similar to the elected system in Australia.

The first federal parliamentary report to espouse an elected Senate was written by the Special Joint Committee on Senate Reform and released in 1983. It is noteworthy that the Senate co–chair of the committee is now the Speaker of the Senate, Senator Gil Molgat of Manitoba.

More recently, the Meech Lake accord proposed a hybrid type of appointment procedure for Senate vacancies, and the 1992 proposed Charlottetown accord proposed an elected Senate. I remember in British Columbia just how this was interpreted by our present NDP government. As a matter of fact, it was the B.C. provincial government's interpretation of the proposals for Senate change in the recent Charlottetown accord that helped to precipitate my entry into politics. At the time there was some suggestion that the provincial government would control the format of how the elections by the people would proceed.

In B.C. statements were being made by elected government MLAs and the premier that there would be equal men and women and the government would look after candidate selection for Senate seats. The first statement flies in the face of Canadian tradition. Canadians have long been committed to a system of merit for job applications. That is, those who can do the job best should do it. And any potential candidates for a Senate position must come from all spectrums of the province, not from government patronage lists.

As a point of interest, we must recognize in our country that to hire employees according to an ethnic and gender preference program is not working. In California, where the selection of employees has been based on preferential treatment based upon race and gender over the last while, Americans are going to see a ballot question in the 1996 election year that will potentially forbid the use of ethnicity or gender as criteria for either discriminating against or granting preferential treatment to any individual or group by the government.

Those who take the time to think realize that discrimination, if it exists, cannot be cured by counter discrimination. It is very divisive and fundamentally unfair.

During the 1980s a unique event in the history of the Senate occurred in Alberta. Alberta enacted legislation to enable persons to stand for election on a province–wide basis to contest a vacant Senate seat. An election was held and Reform Party member Stan Waters topped the polls. He was subsequently summoned to the Senate by the Governor General on the advice of the Prime Minister. Unfortunately we lost Stan Waters before he had the opportunity to show Canadians just how valuable an accountable senator could be. The election of Senator Stan Waters is a valuable precedent. Unfortunately, it was not followed with later Senate appointments from Alberta.

That very briefly is the history of how we got to where we are now, the history of why the contents of this motion are so dear to the hearts of all of us who represent the Reform Party.

The triple E Senate should be elected and therefore accountable. It is our belief that a Senate must be popularly elected. In a democratic age in a country that prizes democracy so highly, an appointed upper house lacks legitimacy.

• (1340)

More specifically, elected representation is essential in addressing issues of equity, since an elected Senate would place greater emphasis on increasing the likelihood that people will be elected based on merit rather than appointed simply to fulfil equity quotas. This would also address the longstanding problem of patronage appointments.

Let us take a look at the issue of patronage and the practice of the government to promote adding party members and friends to the Senate, whether as a result of section 26 of the Constitution Act or just to fill vacancies.

Section 26 of the Constitution Act, 1867, provides that in exceptional circumstances an additional four or eight senators may be appointed. This provision was invoked in December 1990, when the Senate systematically opposed passage of the legislation introducing the goods and services tax, legislation that had been passed after much contentious debate in the Commons. Here it could be argued that the Canadian people did not want the GST, but in order to raise more money in taxes—sounds like England in the days of wicked King John and others—the government of the day forced through legislation that people did not want by invoking section 26 and adding more senators.

If senators were elected by the people of Canada, the Prime Minister and present government could not run roughshod over the wishes of the people or set the odds in his government's own favour, but would have to abide by the will of the people.

At this time I must remind the House that we have a similar situation in the House of Commons today. We have the hated legislation on the contentious Bill C–68. The people of Canada do not want the national gun registration. Most of them know that forcing law–abiding Canadians to register guns that have been collected over the years, some as collector's items, some to be used in hunting, and some left to them as heirlooms from their fathers from a previous period in history, will not make Canadians one bit safer in their homes.

Most Canadians have done their research and know of the thousands of weapons smuggled in each year over our borders. Most Canadians know that these illegal weapons will not be registered. Most educated Canadians know that criminals or those with minds of criminal intent can get guns in all of our major cities from the underground network. Worst of all is the computer list that honest, law–abiding citizens will be placed on when they register their guns. They say those lists will be secure. American and Canadian authorities already admit that security cannot be guaranteed any more. The criminal element in the new computer world and information age breaks our security time and time again. American spokespersons readily admit the computer criminal gets access from supposedly secure documents.

Now our law–abiding citizens will have their names placed on these lists. Criminals will be able to access these lists. How safe now will Canadians be in their homes? If they are law–abiding citizens already, their guns will be locked up with the bullets in different places. The criminal will have the advantage both of surprise and of being prepared for a fight. Is this what this government wants, to put good, law–abiding citizens in jeopardy? No, it says. Then why have the national gun registration? Will it make Canadians safer in their homes? No. Will their names being placed on a list for all and sundry to steal from make them safe? No. Is this then another way for this government to raise money, taxes, as it is already deep in debt and going deeper all the time? Possibly.

This is the damage that occurs in our country when senators are placed in positions as vacancies occur, rather than being elected by Canadians, for the Senate can vote against government legislation. It can vote against poor government legislation.

In the case of the GST, which costs us heavily in the administration of it, the Prime Minister of the day invoked section 26 and appointed more senators at his own will and forced the GST on the Canadian people. In this way the governing party became a majority in the Senate and the hated GST legislation finally passed.

How has the GST helped Canadians? It has forced some businesses into bankruptcy. It has added extra tax burdens on already heavily taxed citizens. At present, when Canadians get their paycheques, after taxes they are taxed again. The promise of the government of the day that part of the GST would go toward reducing the deficit and debt did not happen. What about the growing underground economy, growing because of the enormous tax load placed on Canadians?

Today, because of attrition, the Liberals can stack the Senate and once again we will have the wishes of Canadians put second to the wishes of the Prime Minister and the cabinet. By appointing the latest four senators, good strong Liberals, to the Senate we are seeing once again the upper house not being accountable to the people. Canadians can do nothing about making senators accountable. Only with an elected Senate is this possible. If the hated gun legislation is forced on Canadians, down the road we will see happen exactly what Canadians warned today's government would happen.

• (1345)

Today's law–abiding citizens will be forced to break the law to protect themselves and their families. Canadians will be more vulnerable in their homes if the criminal element will know where the guns are.

Another costly government bureaucracy will have been created as the present federal government attempts to administer this latest tax burden on Canadians. The present gun registration will have proved no more effective than the existing gun registration, which has been in force for many years. It is past time that we as responsible MPs looked to an elected Senate so unpopular laws are not forced on the Canadian people.

As far as the method of election is concerned I think we have a lot to learn from our Australian friends. In a recent edition of the *Canadian Parliamentary Review*, Professor Howard Caddy, in an article about the Australian Senate, states that proportional representation ensures that the upper house in Australia does not reflect exactly the representation of the lower house.

He also goes on to say that ''as a result of the fact that the political party composition of the Senate is usually different from the House, compromises can be obtained when there is a difference of opinion between the two houses on particular legislation''. It can be worked out.

When we look at an equal Senate under the triple E Senate, each province will have the same number of seats. This is the present situation in both Australia and the United States. In such a Senate the less populous provinces would have a majority of the seats just as the more heavily populated provinces do now in the House of Commons.

Regarding equality, at present the Constitution stipulates that there shall be 104 senators, a number that can be changed only by constitutional amendment. Distribution of Senate seats is by region now in Canada. If we look at Ontario and Quebec, they have 24 each. If we look around the rest of Canada, the west has only 24 between four provinces and the maritimes only 24

between three. The present representation favours central Canada and is unfair.

Do we need 104 senators? No, we do not. Can we lower the numbers? Yes, we can if the will of the Canadian people decides so. Now that senators are no longer elected for life and leave the Senate at 75 years of age, it is opportune to look at the less cost involved in fewer senators and the fact that absenteeism should be a less serious problem than it was in the past. An equal number of seats from each province suggests a fairer representation.

Should the two most populated provinces with the most MPs in the House of Commons also have the most senators in the Senate? No. This policy is unfair for the less populated areas of our vast country.

To be effective the Senate must have adequate power to balance the House of Commons. We do not believe that defeat of a government bill in the Senate should lead to the resignation of the government. However when we are fine tuning the powers of this Chamber we must ensure that the Senate can amend or veto regionally offensive legislation.

In conclusion, the adoption of an elected, equal and effective second chamber in Canada's central Parliament would be of great benefit to our political system. Through equality the interests of small provinces would be protected. With the combination of elected and effective, senators would have the legitimacy to act, to amend or to defeat legislation which did not respect regional differences in the country.

It would also combine the best aspects of the present Senate, its scrutiny of legislation, with the legitimacy to act to defend regional interests.

I realize as with all proposals there is some fine tuning to do. Ways must be found to ensure elected senators do not act to slavishly serve the interests of the political party they represent. They must have the freedom to represent their regions even if the interests of the region do not coincide with the interests of the national political party they represent.

However these are details and we can work them out if we get the fundamentals right, an elected, effective and equal Senate.

[*Translation*]

Mr. André Caron (Jonquière, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Quebecois on the motion by my colleague, the hon. member for Mission–Coquitlam, which reads as follows:

> That, in the opinion of this House, representation in the Senate should be equal from each province, elected by the people, and have sufficient power to make it effective in order to better represent the people of the less populous provinces.

This will be recognized as the proposal for the triple E Senate, that is elected, equal and effective.

Let me state right at the onset that I am going to oppose this motion and I shall close my remarks with what it leads me to conclude about the present Senate.

• (1350)

First, I want to deal with the concept of an elected Senate. To start with, obviously, we know that the Senate is one of the two Houses in this country. A number of countries have two houses, the USA and France, for instance.

What sets the second chamber apart in Canada, as in England, is that it is not elected, in other words the members are appointed. The Senate we have is an elitist Senate, an aristocratic Senate, one that is not accountable. Often its appointees are men or women who have had a long career in politics, or business leaders who backed a given political party, or party organizers who find in the Senate the income and means to allow them to continue to serve their party.

The Senate in its present form is an extremely negative aspect of our democracy. When reference is made to an elected Senate, I think that most people who want to have a Senate, to retain the Senate, would agree that in the current political situation and in response to current views on democracy, the Senate ought to be elected.

Now, for the concept of an equal Senate. From what I have been able to understand, each province would have the same number of senators, like the U.S. Senate. I think some people here either watch too much American television or are at least very much aware of the American philosophy and would like to see in Canada people with the same power as American senators. When we look at American history and the process by which every State large and small, was given the same number of senators, we see that at the time the political philosophy was such that people wanted to create a certain equality between the States by having the same number of senators from each State.

However, that was in the 18th century, and we are in the 20th century. I think that in the 20th century, people do not look kindly on the fact that states or provinces with a population that is relatively low compared with the more densely populated provinces, and I personally and the people of the Bloc as well do not look kindly on the fact that some provinces are given so much power, considering their low population numbers.

If we look at the current system in Canada, each province is represented in the House of Commons, according to a certain ratio that is used to determine proportional representation. I think that considering the present state of democratic thinking, people are well represented.

There could be some special considerations on the basis of which one part of the country would be better represented than another part, there is the historical aspect, there is the cultural aspect and there are all kinds of considerations, but I do not see why, considering the present state of Canadian culture or Canadian politics, Prince Edward Island would have the same number of senators as Ontario. It would be interesting to see some evidence that this would be better than what we have now.

The concept of an equal Senate takes us back to the Constitution of 1982, in other words, Canada as checker board, a vast country divided into ten parts, with each part being equal to the other. That is what we saw and that is what we see now, to a certain extent under the current amending formula for the Canadian constitution, and I think that if we consider the effectiveness of this mechanism, we may have some reservations about giving certain parts of the country so much power that they could easily obstruct the operations of our institutions.

I am referring to the potential power of entities that may represent as few as 300,000 people out of Canada's total population of 28 or 29 million, so I do not think that today's proposal for an equal Senate is in the interests of Canada and Quebec.

• (1355)

And now, let me deal with the concept of an effective Senate. When the hon. member for the Reform Party introduced her bill, she made a connection between effectiveness and the Senate's power to obstruct, to hold up legislation passed by the House of Commons. I think there is something a little dangerous in all this. It would mean having a Senate that would obstruct the will of the representatives of the people. Two, three or four hundred years ago, the people in the Commons were not always considered to be sufficiently intelligent, knowledgeable or enlightened to debate the real problems, so people were appointed to block their decisions.

Today, however, if we look at countries with only one house, we can see that democracy functions effectively and well there. In Quebec and Ontario there is no longer a second appointed house, and democratic institutions are functioning well. So I do not think we need a second house to block the democratic will of the representatives of the people, as is currently the case.

Reference was made to the gun control bill. It is totally unacceptable, in my opinion, for appointed senators to be able to block legislation passed by a large majority of the representatives of the people. I see it as dangerous for democracy in Canada when people who have not been elected are given the power to prevent the will of the people's representatives from being effectively expressed in the administration of the country.

Therefore, we in the Bloc oppose the motion. The motion is not a votable item, but if it were, we would vote against it, particularly because we have repeatedly called in the House for the abolition of the Senate. We consider the present Senate ineffective. We consider it too costly. According to the budget, the Senate will cost Canada $42 million this year. The services the Senate currently provides have a certain value. However, in comparing their cost with the Senate's potential influence, its effect, if it were operating at maximum capability, I think that, right now, the $42 million spent on the Senate is too much, given the needs and the cuts being made in various areas, where there are desperate needs.

We are calling for its abolition, particularly because we have no hope or expectation of its being reformed. It is impossible. With the Canadian constitution as it currently stands, if we look at sections 38 and 42 of the constitution, we see that Senate approval is required to amend the powers, role, election and appointment of senators in Canada.

So, from what I understand of the way the institution works, I do not think the senators would go so far as to commit hara–kiri. So, I think the only way to abolish the Senate is along the lines of the motion I made in connection with the bill to implement certain elements of the latest budget. It would simply be a matter of cutting off the Senate, of arranging for senators not to be paid anymore, of abolishing the funds needed to operate the Senate so that the Senate dies on its own. With the state of Canada's constitution and the way institutions work, it is beyond reform, it is ineffective, it is not elected, and the powers currently in its hands serve more to hamper the flow of democracy in Canada than to help Canadians live better in this country.

• (1400)

[*English*]

Mr. Gouk: Mr. Speaker, there were some very interesting comments made by the hon. member from the Bloc.

The Deputy Speaker: The Chair received no indication that anybody on the government side wished to speak. The Chair has not seen anybody on the government side stand. However there is a rotation and we have heard from one member of the Reform Party. Therefore the hon. parliamentary secretary to the government House leader has the floor.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am sorry to interrupt the hon. member. I know I would enjoy hearing his remarks, but I think in terms of the normal rotation of speakers among the parties that a government member should participate in this debate at some point.

The hon. member for Mission—Coquitlam has proposed a motion to the House and I am pleased to speak on it. I was surprised that she did not quote from her leader in the course of her remarks. I thought a decree had been issued from the leader's office that all members of the Reform Party were to quote the leader in every speech at least once. Perhaps she forgot the decree this afternoon.

I would like to help her out because I have a quote from the little green book. It is the little book of Reform, the gospel according to the hon. member for Calgary Southwest and the Reform Party.

The hon. member for Calgary Southwest in one of his more lucid moments said: ''The three priorities of the present Senate are in order: protocol, alcohol and Geritol''. These remarks might be considered by some to be insulting of the Senate. I guess for that reason the hon. member for Mission–Coquitlam did not feel it was appropriate to quote those remarks. However, I have quoted them.

The hon. member for Calgary Southwest evidently thinks these remarks are appropriate. I know that his views are shared by the hon. member for Kindersley—Lloydminster because the last time I quoted this he was citing along with me. He remembered all the words. He had memorized the words of his leader and quoted them along with me.

I point them out because there is a lot of agreement on that point among members of her party apparently. Yet, at the same time, they have not proposed the abolition of the Senate, as members of the other group which was largely western based, the New Democratic Party, used to do and still does. They now are back to abolition but for a while they supported the Senate.

Mr. Speaker, you will remember in the last Parliament when we were debating the GST that the NDP changed its principles. The principle was that there could not be an unelected body in Parliament; however, it changed its principles in the course of the GST debate.

I see that I have hit a nerve.

Mr. Morrison: Mr. Speaker, I rise on a point of order. I am wondering what the relevance of all this is to the matter which is under debate.

The Deputy Speaker: The hon. parliamentary secretary will make his point relevant very soon.

Mr. Milliken: Mr. Speaker, I remind the hon. member for Swift Current—Maple Creek—Assiniboia that this motion deals with the Senate; it is not on gun control. He may have heard the hon. member for Mission—Coquitlam spend half of her time speaking on gun control. The only reason she did so was that her arguments on this motion were so thin she ran out of them in about 10 minutes and had to fill in the rest of her time on gun control.

This motion is about Senate reform. If the hon. member had read the motion instead of making these interruptions, he would realize what I am talking about. We are talking about the Senate and I was talking about the approach of the New Democratic Party to the Senate. It wanted to abolish it. The motion before us is not for abolition; it is for a triple E Senate and it is that to which I wish to speak.

The hon. member's motion proposes changes to the powers, the method of selecting senators and the number of members by which a province is entitled to be represented in the Senate. Thus the motion would require a constitutional amendment under the seven provinces with 50 per cent of the population general amending procedure. That is what would have to be done in order to achieve the amendment as proposed by the hon. member.

This seven and fifty amendment, as we call it, seven provinces and 50 per cent of the population represented by those seven provinces, must have the consent of the House of Commons and the legislative assemblies of two–thirds of the provinces representing at least 50 per cent of the population according to the most current general census. The Senate could in respect of such a constitutional amendment exercise a six–month suspensive veto.

Once again, I would say to the hon. member that the Charlottetown accord contained a Senate amendment proposal along the lines proposed in the hon. member's motion, but it was defeated by a majority of Canadians in a majority of the provinces. There is little evidence to indicate that Canadians wish to reopen this constitutional debate. Other issues, such as the economy and job creation, are the priorities of Canadians. That is why the government is dealing with those issues and not the one the hon. member has raised today or any others like it.

• (1405)

I think the hon. member would agree that despite her best intentions, this is not a good time to be opening a constitutional debate in this country, as her motion would suggest. In Quebec the current government of that province is unlikely to approve any constitutional changes, save for an amendment making the province an independent country.

It is important to note that because Quebec's approval will be necessary to achieve the kind of Senate reform she wants, we should not bother pursuing it. We need that agreement. It is not just because it has to be part of the seven and fifty portion of the agreement; Quebec has a special arrangement.

Quebec of all the provinces is divided into 24 electoral divisions for the purposes of representation in the Senate pursuant to section 22 of the 1867 Constitution Act, the British North America Act. Because Quebec senators must meet their property or residence qualifications in the division they represent, it could be argued that a scheme for Senate reform which sought to provide equal representation for the provinces, as this motion does, might require not only seven of the provinces

representing half the population but also a bilateral amendment with Quebec if the current provisions respecting these 24 seats were to be altered.

Bilateral and multilateral amendments are covered by section 43 of the Constitution Act. It provides that an amendment to the Constitution in relation to a provision applying to one or more but not all provinces requires the consent of the Senate, the House of Commons and the legislative assemblies of each province to which the amendment applies. Imagine getting that kind of agreement in the Senate, let alone in the provincial legislatures involved.

Bilateral or multilateral amendments are not subject to minimum and maximum time limits and do not require votes by a majority of the members of the legislative bodies involved. Otherwise they are subject to the same rules as the seven and fifty amendments and the Senate is limited to a suspensive veto.

Thus even if Parliament were to pursue the motion and seek to amend the Constitution in accordance with it, it is doubtful we could secure the requisite consent of the National Assembly in Quebec. Furthermore there is also no guarantee other provinces would approve of these changes.

The Ontario government of Premier Mike Harris could hardly be expected to weaken the province's influence in the upper chamber without getting something in return, being mindful of the defeat of former Premier David Peterson in 1990 after he agreed to give up some of Ontario's seats in order to keep the Meech Lake accord alive. We all remember that. I thought it was a generous gesture on the part of the premier but it was not popular in Ontario. Mr. Speaker, you would remember that; you have a seat in Ontario.

Smaller provinces like Nova Scotia and New Brunswick which together represent 6 per cent of the population and hold 19 per cent of the Senate seats are hardly likely to be enthusiastic supporters of the motion put forward by the hon. member for Mission—Coquitlam. Therefore I think there is very little reason to believe that these provinces would consent to any changes unless they got something in exchange, like a stronger constitutional obligation for the federal government to make equalization payments. I only throw that out as one suggestion out of many possibilities.

Furthermore we could not contemplate radical Senate reform without public participation. Various groups would argue that other constitutional issues are far more pressing than changes in the Senate and should take precedence over the Senate, things like entrenching specific rights of aboriginal peoples in the Constitution.

Again, I draw attention to the failure of the 1992 Charlottetown accord. This accord contained provisions for an elected, equal and more effective Senate, all the things that are in this motion. It was rejected in a federal referendum in nine provinces and two territories and in a provincial referendum in Quebec. A majority of Canadians in a majority of provinces voted no.

Outside Quebec, Canadians rejected the accord by 54 per cent to 45 per cent with 1 per cent casting spoiled ballots. Quebecers voted 55 per cent no, 42 per cent yes. In the member for Mission—Coquitlam's province of British Columbia the Charlottetown accord suffered its most resounding defeat where 67.2 per cent voted no. Yet she trots into the House today and puts forward exactly the same provision that was in the Charlottetown accord.

I thought her party trumpets how democratic it is all the time. The will of the people in her own province was 67 per cent against this proposal and what does she do? She trots in here and proposes the same thing. I have hit another nerve and this one is from Saskatchewan.

Mr. Morrison: Mr. Speaker, I do not believe it is proper for a member to use deliberately inaccurate data when he makes—

The Speaker: Order. I think we are getting into debate. I am sure the hon. member will have his turn in a little while to refute whatever one hon. member or another says. We always have the interpretation of figures which can go either way.

• (1410)

However, I caution all hon. members in using the term. I believe I stand to be corrected, but deliberately mislead is an unparliamentary term and I would hope all hon. members would shy away from it.

Mr. Milliken: Mr. Speaker, I do hope these needless interruptions will not be taken off my time. I am pressed to finish what I think is an accurate speech and I am looking forward to the hon. member making his own instead of interrupting by arguing.

Again, I express my shock that the hon. member for Mission—Coquitlam would come forward with proposals very similar to what was in the Charlottetown accord after that accord was rejected out of hand by the electors of her riding, and even more shockingly was rejected by her party and opposed vigorously by her party while some of us had the good sense to support it.

Despite the fact that the accord contained provisions for major Senate reform, including measures to provide for representation of aboriginal peoples and new powers to veto any House of Commons legislation that changed taxation policy in key areas of natural resources, this accord failed. I stress that.

The Charlottetown negotiations demonstrated that agreement among first ministers, territorial and aboriginal leaders was possible, but it was not arrived at easily. Although the Reform Party leader referred to the accord negotiated by 17 parties as the Mulroney deal, it was in fact the result of a very complex process that required extensive accommodation and compromises.

Writing in the Edmonton *Journal*, former Alberta Premier Don Getty said: ''The package was so difficult to get, I would say it was almost a miracle that we were able to put it together''. Yet here the Reform Party, having worked against it and having striven for its defeat, now is pulling chunks out of it and saying it supports this and that, let us do this and let us do that. It shows what a lack of sound policy thinking it has. It keeps going back to things that are really dead. The Reform Party should rethink this resolution.

I urge the hon. member for Mission—Coquitlam to consult with her leader again, refer him to the quote I have read from the little green book, and ask him what he really thinks of this motion to see if he does not think that perhaps it is pie in the sky, unnecessary, and not a reasonable thing to put forward in Canada as we know it today, having gone through these two recent constitutional discussions at great length and at great pain to our country.

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I have a few notes to keep me on track, but after some of the unbelievable rhetoric I heard coming from the hon. member for Kingston and the Islands I feel like throwing them out and straightening the record on all the things I would probably make unparliamentary reference to if I were not under complete control.

The one comment I will make is about how the hon. member said that former Premier Peterson of Ontario was thrown out of office because he agreed to reduce some of the seats for Ontario in the Charlottetown accord. I suggest he was thrown out of office because he was a Liberal. We will soon see that happening on the other side here as well.

I will deal with other parts that he erroneously brought forward in the content of my comments today.

The Senate is something about which I hear a lot of complaints. It is an ongoing complaint within my riding. I have a tremendous number of people who communicate with me in one form or another asking why the Senate is even there and calling for its abolition.

One of the things I have suggested to them is that the Senate in its current form does not provide much of a benefit to Canadians. It is in essence a rubber stamp most assuredly for the balance of this term of government, now that the Liberals have functional control of it, and carrying on for as long as it takes the balance to shift again once we have managed to send the Liberals to the other side of the House, chasing after Mr. Peterson. There is no need for it to be a rubber stamp, but that is the way the system currently works. We are saying rather than abolish it, change it into something that is far more democratic.

The hon. member for Kingston and the Islands, the Prime Minister and many others who occasionally sound out on the other side of the House keep talking about the Charlottetown accord and how we rejected not the Charlottetown accord but the triple E Senate. The Charlottetown accord was not about a triple E Senate. That was a little carrot put in there, which was kind of like putting a bad tasting pill in something sweet to try to attract us.

• (1415)

The Reform Party gave full credit to any part of the Charlottetown accord that was worth while. We said there were some good parts. At any place I went to address the Charlottetown accord, the first thing I commented on were the good parts, not all the garbage that was in there. Believe me, there was plenty. Some of the parts were actually good.

It is absolutely ludicrous that the Liberals, every time we try to bring up something that has some linkage to the old Charlottetown accord, say it was offered to us on a platter and we turned it down.

There are three parts to a triple E Senate. First is the elected Senate. We could have that part now without any constitutional amendment. It takes absolutely no change. It takes the co–operation of the Prime Minister and his Liberal cronies to agree to do what the majority of Canadians would like to see.

We have already seen it. We have seen the democratic election of Senator Stan Waters in Alberta. As other vacancies have occurred, we have called on the Prime Minister to allow that province to designate who it would like him to appoint by allowing it to hold a democratic election, as Alberta did, instead of appointing some Liberal hack he had some obligation to look after for one reason or another. The majority of Albertans said they wanted Stan Waters.

Why not start this now? The reason is that the Liberals would not have any place to pay off all the people they have obligations to and to put future obligations on people whom they place in the Senate.

Many senators not only could get elected but would be willing to stand for election. It would give them the credibility they may be due but have lost because most people look on the Senate simply as being loaded up with friends and people who have special ties to the party in power, whatever that party might be.

What does electing senators provide? It provides regional representation from people who do not owe their allegiance to their patron but instead can represent the people of the region they come from.

The second part of a triple E Senate is equality, the equalness of the Senate. It calls for an equal number of senators from each province. We live in a country that goes by the concept in government of representation by population, the ultimate definition of democracy which should not be changed.

There are problems with almost every system and rep by pop has its problems, particularly in a country where 90 per cent of the population lives within 50 miles of the American border in a huge geographic area. Further, a large portion of them live in the central part of the country because that is where the original development started before moving westward. There is an imbalance in the distribution and the needs of the people in the different regions.

We need in the Senate some kind of regional balance to provide control over the problems created by rep by pop. This might be a difficult concept for centralists but there is a growing number of regional concerns that the government and others do not address.

The Quebec referendum is a direct result of what happens when regional concerns are not addressed by Parliament. The number of senators has to be large. Two people represent states in the United States that have population bases as large or larger than this entire country. They do it quite happily with two people. I do not hear complaints from California, from Texas or from New York that they have the same number of senators as Rhode Island. I refute what the previous member from the Bloc Quebecois had to say.

Finally, we get to the third part, the effective part of triple E. The Senate must have sufficient powers to be able to provide a regional perspective and address regional problems created by legislation without being beholden to their patron.

A majority of the House, as was referred to by the member for Kingston and the Islands, is not necessarily a majority. A majority from the Liberal Party is the word of the Prime Minister. We have seen that with several bills already where some members in the Liberal Party had the audacity to vote according to the direction of their constituents and were thrown out of their committees for it. That is not a majority. It is not democracy. That is autocratic rule. That is what a Senate has to be able to overcome. A triple E Senate gives them the tools and the power to do that.

● (1420)

This creates a dilemma for members of the Liberal Party. I can understand that because they would lose this tremendous source of patronage appointments, a place to shove their friends and other people to whom they have obligations.

There was a vacancy for the chair on the board of referees in my riding. I heard through very good sources that the former assistant campaign manager of the Liberal candidate was being appointed to that position. In fact, he came to us and told us not to bother putting any names forward because he was getting it.

I raised the matter in the House and eventually it became a big issue. I certainly was talking about patronage. The individual was interviewed by the Vancouver *Sun* and was asked whether it was a patronage appointment. When asked how he would respond to that, he said: ''What is wrong with patronage? How else are we going to get anyone to join our party?'' How else indeed.

I am not suggesting that all senators are not good. There are some good people in the Senate, but that is more from good luck than good management. I am simply pointing out that the Senate does not do the job most Canadians need and want it to do. There is an opportunity for us to start now with the triple E part by having elected people going to the Senate.

Let us start with an idea that does not need any constitutional change and then branch out from there. Before we know it, the place may even become fully democratic.

Ms. Judy Bethel (Edmonton East, Lib.): Mr. Speaker, the private member's motion before us proposes changes to the powers of the Senate, the method of selecting senators and the number of senators by which the provinces are entitled to be represented in the Senate.

Clearly what needs to be understood here is that the third party is asking that there be constitutional change. If there is one thing which is absolutely clear, it is that Canadians have said they do not want constitutional change now. They want to focus on priorities. They do not want us to focus on constitutional change. They clearly expect, and rightfully so, for us to focus on their priorities which are jobs and economic growth.

The hon. member talks about regional problems, regional priorities and regional concerns. One thing we can be positive about is that all Canadians no matter where they live in Canada are concerned with jobs and economic growth. It is time to focus on exactly those.

The thing I find so difficult about this type of motion is that members of the third party had an opportunity to support exactly what this motion is asking for in the Charlottetown accord but they chose not to. They had their opportunity but instead chose political opportunism ahead of principle.

The Reform Party stated in Montreal on October 15 that it wanted to change federalism only through administrative agreements, not constitutional talks. Each of the 20 changes proposed by the Reform Party could be accomplished without comprehensive federal–provincial negotiations of the sort that led to the failed Meech Lake and Charlottetown accords.

What we are seeing here is an absolute flip–flop. The introduction of this motion shows once again the inconsistency of the Reform Party. It adopts policies based on which direction the wind is blowing at the time. Certainly the member must realize that her motion would require constitutional amendments. I ask: What will it be, constitutional amendments or Reform Party administrative agreements? The Reform Party must make up its mind. This is an incredibly inconsistent statement.

In conclusion, unlike the Reform Party, our government believes in working with Canadians to improve the effectiveness and responsiveness of our federal institutions. We have done many of those things already. We have taken a number of steps, for example introduced parliamentary reforms to allow MPs to better represent their constituents, overhauled the committee process to allow for greater input, and so on.

• (1425)

I close by saying that Burt Brown of Alberta is the strongest proponent of a triple E Senate. Everyone in Alberta recognizes that clearly. He is being really responsible. Today he is not talking about a triple E Senate. If members know Burt Brown they will know that he ploughed a giant message in his fields with the words: ''It is better together''.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, there is conventional wisdom among the people who sit at my right and certainly those who sit at my extreme left, no pun intended, that the best thing to do with the Senate would be to do away with it and save the people $40 million annually.

That could be done but it would be a very shortsighted move. We need a real Senate, not the old people's home that we have over there now, to protect the common people from the House of Commons or, to put it perhaps more succinctly, to protect the public from the PMO.

Every meaningful federal union on earth, save ours, has an elected upper house to protect the rights of the regions. If we look at what has happened in Canada in the last five years, we see there have been two instances where the existence of a real Senate would have permanently blocked some very unsavoury parliamentary legislation. The first instance was the infamous GST which passed because there was a Senate that could be easily manipulated by the Prime Minister.

The second one has already been alluded to by my colleague and that is Bill C–68, the people control bill. They call it the crime control bill but it is a masquerade. If we had a real Senate representing the regions that bill would be consigned to the darkest corner of hell where it belongs.

In the last 50 years there has been no greater public outcry than there has been over that specific piece of legislation. We have the spectacle of the governments of four provinces and two territories lining up together with the protesting citizenry, demanding that the particular bill be stopped. Yet, because the Prime Minister has the ability to manipulate the Senate, to stack it, nothing can be done. There will never be a real democratic system in the country that reflects the views of the regions or of individual citizens unless we have the opportunity to elect two Houses, and both Houses should have power.

This legislation will almost certainly be proclaimed into law. The only hope we have now would be to get a Reform government to repeal it.

I must confess that before I came to this place I was a bit of a Senate basher. I felt that the other place had no place. However I have attended some of the committee hearings that it holds and I must say that they compare very favourably with the ones we hold. The problem is that those committees represent an illegitimate body and therefore cannot make recommendations that have weight.

Even if we cannot get triple E, surely we should be electing our senators. I do not know how many people are aware that in the United States of America, which has triple E, there was a period of more than a century when all its senators were appointed. They were appointed by the state governors. The elected Senate in the United States devolved from an act by the Oregon legislature when it demanded that its senators in that one state be elected. It grew from there and eventually they changed the constitution of the country to accommodate the new realities.

Changes can be made. In the long term I agree with my colleague that we must have triple E. In the short term I would plead with the government to get off its high horse and start allowing the provinces to elect senators to be appointed subject to their election.

[*Translation*]

The Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(1), this item is dropped from the Order Paper.

[*English*]

It being 2.30 p.m. the House stands adjourned until Monday next at ll a.m., pursuant to Standing Order 24(1).

(The House adjourned at 2.30 p.m.)

CONTENTS

Friday, October 20, 1995

ROUTINE PROCEEDINGS

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