



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

DEBATES

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Pages 704 to 749

Speaker: The Honourable Donald M. Stewart, M.L.A.

LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

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FROBISHER BAY, NORTHWEST TERRITORIES.

THURSDAY, OCTOBER 30, 1980

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Mr. Curley, Ms. Cournoyea, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Hon. Arnold McCallum, Mr. McLaughlin, Mr. MacQuarrie, Hon. Richard Nerysoo, Mr. Noah, Mr. Patterson, Mr. Pudluk, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. Don Stewart, Mr. Tologanak, Hon. James Wah-Shee

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): As I understand it, it is the wish of this House to continue with the unity debate in committee of the whole. I am looking for unanimous consent to set down Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 from the order paper. Do I have unanimous consent?

MR. CURLEY: Nay.

MR. PATTERSON: Nay.

MR. SPEAKER: Do I hear nay? I do not have unanimous consent.

Item 2, oral questions. No oral questions.

Item 3, questions and returns. I have no written questions.

Item 4, petitions. No petitions.

Item 5, tabling of documents.

ITEM NO. 5: TABLING OF DOCUMENTS

Mr. Curley.

MR. CURLEY: Mr. Speaker, I would like to table Tabled Document 21-80(2): Newspaper Clippings Regarding Nunavut, dating back to September 1979, and if the Clerk would distribute them it would help. The hon. Members from the West have not had any experience or awareness of the fact that this has been covered very favourably and I think it will help them make a proper judgment. Thank you.

MR. SPEAKER: Thank you. Tabling of documents.

Item 6, reports of standing and special committees.

Item 7, notices of motion.

Item 8, motions.

Item 9, introduction of bills for first reading.

Item 10, second reading of bills.

Item 11, consideration in committee of the whole of bills, recommendations to the Legislative Assembly and other matters.

ITEM NO. 11: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATIVE ASSEMBLY AND OTHER MATTERS

The Assembly will resolve into committee of the whole, with Mr. Fraser in the chair, to continue the study of the unity paper.

MR. FRASER: Mr. Speaker, did you mention motions?

MR. SPEAKER: I believe so. Do you wish to go back to motions?

MR. FRASER: I must have missed it because I only heard notices of motions. However, I have a motion that was to be brought up yesterday but at this time I will stand it down until we have finished with the unity report.

MR. SPEAKER: Thank you, Mr. Fraser. Mr. Fraser, if you will take the chair in committee of the whole on the unity paper.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 16-80(2): Report of the Special Committee on Unity, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 16-80(2): REPORT OF THE SPECIAL COMMITTEE ON UNITY

THE CHAIRMAN (Mr. Fraser): The committee will come to order to study the unity committee report. Is it the wish that we invite the witnesses back to the witness table?

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN (Mr. Fraser): Is it agreed?

HON. ARNOLD McCALLUM: Nay.

THE CHAIRMAN (Mr. Fraser): Is it agreed?

---Agreed

Would the Sergeant-at-Arms see that the witnesses are seated at the witness table? I will continue where we left off last night and I still have the names of the Members who wished to ask questions of the witnesses, and the first one I have on the list is Mr. Patterson. Mr. Patterson.

MR. PATTERSON: Thank you, Mr. Chairman. My question results from a question posed by Mrs. Sorensen yesterday and her question asked about the status of the so-called Nunavut proposal, the paper on political development in the Northwest Territories. I would just like to ask, for clarification, did that paper not deal with plans for the possible land claims strategy? It is not ITC's proposal for political development in the Northwest Territories, but simply a part of that whole strategy. To put it in simple terms, is your political development proposal not simply, simply nothing more than the creation of a territorial form of government which would eventually evolve to provincial status; is that not what you are proposing in very simple terms, is that not what we are really discussing rather than land claims strategy?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Patterson. Mr. Amagoalik.

MR. AMAGOALIK: Basically that is it. I think people should understand that once the idea of creating a new political unit has been accepted that is all we are really after. We do not want to reject anything and lay down what that political unit should be like or what it should do now at this time. I think that should be up to the people who will form the government. What you are saying is basically true.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Amagoalik. I have next Mr. Nerysoo.

COPE's Involvement In Nunavut

HON. RICHARD NERYSOO: In your reply to Mrs. Sorensen, the Member from Yellowknife South yesterday, you said you had not amended or changed your position with regard to the position of the creation of a Nunavut territory. Now, in your original position, or your position to date, you include those areas of the Western Arctic; is that not true?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Nerysoo. Mr. Suluk.

MR. SULUK: I wonder, Mr. Chairman, if I could ask the hon. Member to restate his question, please.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mr. Nerysoo.

HON. RICHARD NERYSOO: Are those areas which are presently being negotiated by the Committee for Original Peoples' Entitlement included in your position of political development?

THE CHAIRMAN (Mr. Fraser): Thank you. Did you get the question, Mr. Suluk?

MR. SULUK: Yes, I think I got the general drift of the question. First of all to date the Committee for Original Peoples' Entitlement, to my general knowledge, have not given us a specific official stand concerning their involvement or disassociation from the formation of a new political unit in part of the Northwest Territories above the tree line.

I think what we should first of all keep in mind is that we are dealing with two areas, two specific areas. One of them being what we are discussing now, the political development for the Northwest Territories, or the eastern part of the Territories. In our general position paper on political development in the North we have stated that in view of past differences of opinion regarding COPE and ITC, and by reason of the fact that this proposal is being advanced by ITC, and regardless of that, this being a different situation altogether it is in our proposal that people, I imagine as represented by COPE, would have the option of opting into the Nunavut territory, or the Eastern Arctic territory within a specified period of time. The length of time for them to be included -- first of all that position was made or advanced since we understand that they may want to consider these things very carefully, the implications of it, and recognizing that we are leaving room for COPE to opt in or, in the event that this split does become a reality, they should have the freedom and the right to choose whether to opt into Nunavut or to remain in the western portion, or whatever they may want to decide upon. Does that answer the question? I know it is a bit long, but let me see if I got the drift of your question first of all.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Ms. Cournoyea.

Public And Private Part Of Negotiations

MS. COURNOYEA: I feel that the questions that are coming forth in terms of the proposal for the division of the Territories somewhat get confused with the private part of the land claims negotiations. I realize that the delegation who are witnesses today understand the difference between the public part of negotiations and the private part of negotiations. It seems the questions that are being fielded show that there is a very general misunderstanding of the two different issues.

MR. CURLEY: Hear, hear!

MS. COURNOYEA: I feel I should apologize to the people who are making their presentation at the lack of knowledge on those two parts and maybe ask them if they could clarify and talk a little bit about the difference so the general membership of this Assembly understands too some basic principles what we talk about when we talk about the desire for division of the Territories and as well the public part of negotiations.

THE CHAIRMAN (Mr. Fraser): Thank you, Ms. Cournoyea. Did you get the question, Mr. Suluk?

MR. SULUK: Mr. Chairman, I would like to ask one of our resource people sitting behind us to give an answer to this question, since that is why they are in the back.

THE CHAIRMAN (Mr. Fraser): If you want to ask one of the gentlemen to sit beside you, that is fine.

MR. SULUK: We will ask Mr. John Merritt, one of the legal counsel for ITC to answer this question.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mr. John Merritt, did you get the question all right?

MR. MERRITT: Yes, I did. Thank you, Mr. Chairman.

THE CHAIRMAN (Mr. Fraser): Proceed.

MR. MERRITT: I think it has been a general position of ITC for some time that the question of aboriginal rights negotiations and the question of political change in the Territories, although related, should not be confused. ITC's position paper Political Development in Nunavut is addressed to the question of political change in the Territories and does speak about the political division that would result in two separate territorial governments inside what is now the existing Northwest Territories. The proposals have been very clear in stating that what is being suggested is territorial government for all residents inside Nunavut, both Inuit and non-Inuit. The proposal has also been very specific in stating that all residents would enjoy equal rights, equal responsibilities, equal access to government services.

MR. CURLEY: Hear, hear!

MR. MERRITT: Subject, of course, to some residency requirements that would be acceptable to the people of Nunavut and acceptable to the Government of Canada. There is, of course, a long history of public discussion in the North about the need for residency requirements going back at least as far as the Berger Inquiry.

Nunavut Not An Ethnic State

The recent resolution passed at the ITC annual general meeting at Coppermine made specific and repeated reference to the people of Nunavut, not to the Inuit and the Inuit alone. I think the point is a fundamental one and a very

important one and I think that everyone here should recognize that what is being suggested is a new form of public administration for the eastern and central portion of the Northwest Territories. It is not an ethnic state. It is not something that should be repugnant to the Government of Canada on the basis of ethnic exclusivity. Everyone here is also aware that Inuit Tapirisat of Canada has the responsibility of negotiating aboriginal rights on behalf of the Inuit of Nunavut.

Negotiation of aboriginal rights will involve resolution of a number of questions that are essentially of a private nature, including the definition of such matters as harvesting rights, property ownership, royalties, participation in economic development and a number of other related issues. Those negotiations are going forward of course because the Inuit of Nunavut have an outstanding claim based on aboriginal title, title that was recognized as recently as the Baker Lake court decision. It has been Government of Canada policy since 1973 to negotiate that claim and the process of negotiation will be starting hopefully within a couple of weeks.

Political And Aboriginal Rights Of Inuit

I think the people of Nunavut are in a position to seek political change on the basis of their citizenship as Canadians.

MR. CURLEY: Hear, hear!

---Applause

MR. MERRITT: That is quite apart from the rights, the separate rights of the Inuit of Nunavut to negotiate on the basis of aboriginal title. The fact that the two processes are going on at the same time may make things difficult, but I do not think the problems are insurmountable. I understand that the position of ITC for a number of years has been that the two questions of fundamental importance and the Inuit of Nunavut would hesitate to sign a land claims agreement in the absence of satisfactory political change. I think that is a question of tactics and of strategy and of a realistic assessment by the Inuit of Nunavut as to their long-term and short-term needs. Certainly I would not in any way criticize the judgments being made.

I think ITC has, in recent correspondence with the Minister of Indian Affairs, indicated its unwillingness to sign a land claims agreement without the question of political change being seriously addressed. Certainly ITC as an organization would hope that the question of political change would lay the basis of some kind of early decision in order to add some certainty, both as to political evolution and to the successful outcome of land claims negotiations. I hope that that has been of some help.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Merritt. I think that may clear up a few of the Members' questions. Mr. Curley.

MR. CURLEY: No, thank you.

THE CHAIRMAN (Mr. Fraser): Mr. McLaughlin.

Overlapping Of Borders

MR. McLAUGHLIN: Thank you, Mr. Chairman. I have a question for Mr. Merritt along the lines of what he just described and it is a fairly general question but specifically very important. Is the position then that this political division of the Territories into what I would be -- which would remain a Northwest Territories, at least for the time being, and a Nunavut territory, the actual boundary lines between these two new territories may not necessarily be exactly the same boundary lines that are drawn due to the land claims and aboriginal rights negotiations. There may be some overlap or sharing of lands along the border areas through the usage by both the Dene and the Inuit or because of COPE and the Dene in that area. Is that a pretty good general comment?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. McLaughlin. Mr. Merritt.

MR. MERRITT: Thank you, Mr. Chairman. That is my understanding. My understanding is that political boundaries and aboriginal rights negotiating boundaries do not have to conform and it is unlikely that they could in every respect conform. I would also like to point out that in aboriginal rights negotiations of course it is also possible to have a soft boundary in the sense of overlapping interests, whereas when we talk of political boundaries we have to draw something fairly hard.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Merritt. Are there any further questions? Mr. MacQuarrie.

Public Government Proposal

MR. MacQUARRIE: Thank you, Mr. Chairman. The witnesses have certainly heard many of my questions over the past year and have been able to answer many of them to my satisfaction. The greatest concern that I have had continuing has to do with the fact that what is being advanced is a public government proposal, it is the establishment of a new territory, a public government proposal. I certainly uphold the rights of the Inuit Tapirisat of Canada to advance a public government proposal and I would also assert that the federal government has a very serious obligation to consider, give due consideration to such a proposal in that the Inuit are a majority people in the Eastern Arctic territory. And yet the Inuit Tapirisat of Canada is an organization for the Inuit people, it represents Inuit in the Northwest Territories, in Arctic Quebec and in Labrador. I have always wondered then what opportunity there would be for non-Inuit in the area to have input into the public government proposal, and I would say that several of your statements in the very thoughtful paper you presented to us yesterday have largely served to alleviate my concerns in that regard, but I would ask you to clarify a couple of points for my further understanding.

In the paper, both on pages eight and 15, it is stated that once the principle of support for the creation of a Nunavut territory were decided, that it is recognized there would be a process by which the many questions relating to timing, transitional arrangements, boundaries and so on could be answered and that there would be a process accompanied by extensive and continuing public consultation. That is very important to me. The one thing I do not see in some of the items that would be considered for public discussion is the shaping of the government itself. So, I would just appreciate if you would clarify for me a little more how you see non-Inuit having the chance to have input into the shaping of that government, considering of course that they are living in Eastern Arctic territory and have lived there long enough to make a significant commitment to that territory.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Which one of you is prepared to answer that question? I think the question concerns page eight. Mr. Merritt.

Involvement Of All People

MR. MERRITT: I believe it to be the intention of ITC that any kind of consultation, any process would be open and involve all the people of Nunavut and would also include people living outside Nunavut where issues arise that are of immediate concern to them such as boundaries, such as timing, transitional arrangements. I guess it is important to emphasize again that we are talking about public government and that we are talking about the people of Nunavut, and there would not be any distinction drawn between the Inuit and non-Inuit residents of Nunavut, either in the process of creating Nunavut or in the government of Nunavut after its creation. I believe Mr. Amagoalik would like to add to that.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Merritt. Mr. Amagoalik.

MR. AMAGOALIK: I think it is clear that any process that takes place in the process of creating a government would be completely open to everyone. As a matter of fact I think this process of forming a government, at least in our minds has already started, and a demonstration of a non-Inuit getting involved in the initial stages of putting together ideas is demonstrated by people like Dennis Patterson...

MR. PATTERSON: Hear, hear!

MR. AMAGOALIK: ...and by many other people in the Eastern Arctic. I think one of the problems we face is that the present Government of the Northwest Territories has placed many restrictions on the people who work for them, and those people who work for the present Northwest Territories government are mostly non-Inuit and there have been a lot of restrictions placed on them, and I think for this reason they have been very quiet up until now. Hopefully after this they will be much more vocal and not so afraid to take part in this process.

MR. PATTERSON: Hear, hear!

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Amagoalik. Mr. MacQuarrie.

Opportunities For Input For Non-Inuit

MR. MacQUARRIE: Thank you very much. Just a couple of follow-up questions then. So, the opportunity is there for people and can you suggest how maybe non-Inuit in the Eastern Arctic at this present time who are making a long-term commitment to living in this area might begin immediately to take advantage of the opportunity for input if they have not done so?

MR. CURLEY: We can vote on it.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. Suluk.

MR. SULUK: It is not always easy to answer a question like this since it is pretty well known the ITC and its regional associations, including their land claims, are recognized as speaking for the Inuit people only, and it has been recognized that non-Inuit people use such avenues as radio, newspapers, civil servants, councils and established forums for the public government to voice their concerns or their participation. The only instance in which we have attempted to include non-Inuit directly, although they are not under our responsibility, is the one regarding the Keewatin region in which last winter and last spring a number of fairly involved questionnaires were directed to the Inuit and a more condensed form of questionnaire was circulated to non-Inuit which includes civil servants trying to be careful on wording such as, "This does not mean..." or, "This does not imply..." so on and so on, taking the cautious approach. Now, I believe that we received a fair number of replies, in fact it was our feeling that it might be worth while doing the same thing for the non-Inuit regarding political and other issues.

The other example I can point out to you at this time is how we have publicized -- not really publicized but distributed a limited circulation of our general aims and objectives concerning our land claims which have been distributed to all the settlement and hamlet councils in the Eastern Arctic, including the two CBC stations at Frobisher Bay and Rankin Inlet. I think -- first of all, I think the difficulty of not involving non-Inuit has been that they have a tendency not to recognize or consider the organization as either too

restrictive in their view and maybe not sophisticated enough to deal with them or not having enough sincerity to be able to deal with them. I think that once that barrier has been removed that it might open the door for ITC, as ITC already gets into that, and it might be more possible for the regional associations and regional claims and others to involve non-Inuit as well, but we believe that the primary responsibility, as recommended by the unity committee report, is for this Assembly and this government to take charge of formulating a process as to how that will be done.

In fact we had a few concerns that we might be left out, we might have to do it on our own. So, I think I have given you some very specific answers and I believe Mr. Amagoalik would like to add in a few remarks as well.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mr. Amagoalik.

Process Of Public Consultation

MR. AMAGOALIK: Because the question of Nunavut is a public concern it should be open to everyone and because ITC is what is known as an ethnic organization I guess we have been reluctant to dictate what process should take place in the formation of a new territory. We do not want to impose what we feel should be the process. We hope that such public bodies as the present Northwest Territories government, once the principle of division has been reached, would along with the Government of Canada and along with the representative organizations which have an interest in this process would get together and work out the process of public consultation as to how a new government would be formed. I think that is only fair.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Amagoalik. Mr. MacQuarrie.

MR. MACQUARRIE: I would just like to say, Mr. Chairman, that those are very satisfactory answers as far as I am concerned.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Any further questions, Mr. Curley?

MR. CURLEY: (Translation) Thank you. I would like to make a few comments in Inuktitut as to the questions that are being fired back and forth and the non-Inuit seem to be afraid that it is restricted to the Inuit by the Members across the table. I think the ITC had stated very clearly that we are Canadian and we have to follow Canadian rules politically. If anybody wants to voice his concerns or opinions and the Members across the table who are -- elect a position supporting the issue, the political issues, I would like to answer there are Members across who can be advised by their constituencies the position they should take on the question of Nunavut politically. (Translation ends.)

I would like to point out before I answer the question related to the democratic process, that is the fact that at least one politician in Ottawa who attended the ITC annual meeting in 1979 when the political paper was released, Mr. Warren Allmand, when he was introduced during the national program titled "The House" on September 15, 1979 he took part as a white person, a non-Inuit person, and he said and I quote from the transcript: "They propose in this document to entrench the rights of the non-Inuit in the territory. They recognize..." which refers to ITC "... that non-Inuit living in the Territories have rights and that their rights, their language rights, their cultural rights, their schooling should be protected. So, things like in this proposal are very well thought out, this very well thought out proposal will I think assist in the accepting of it."

ITC's Proposal Is A Public Document

I propose those Members from the Western Arctic, particularly from Yellowknife should recognize that, the fact that ITC's proposal is a public document. It is not restricted to the Inuit people. It goes to the public and the CBC and the national papers which have -- we have tabled here earlier will indicate that response from the public has been very favourable. I would suggest that hon. Members read those transcripts and those copies of the press clippings dating back to 1979, from September and which will show that the Members from the other side seem to be attempting to override the support and offset it by putting in what I call a fear or whatnot to the public. I think the very important factor in this is the fact that this is broadcast and it allows individuals, the non-Inuit people, the white people to take part and come forth and make presentations because the message that has been given out by resolution, by motion of this House that any interest groups are invited to make their presentation and I think if anyone, non-Inuit, who is objecting so strongly to the division of the Territories, they should make themselves known and speak here rather than just speaking in hypothetical situations.

So my question to the members of the ITC is, is this process really carrying out the political proposals in the democratic process? We are not trying to restrict it to one. We welcome any comments from the public regardless of race. Is that correct?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Suluk.

Forming Of Nunavut Is Not Vengeance

MR. SULUK: I do not quite know whether to answer in English or in Inuktitut. However, since I think this was directed more towards non-Inuit, yes, the answer to Mr. Curley's question is affirmative. ITC or those of us in the executive level and board level will make every attempt to ensure that non-Inuit who wish to make legitimate representations, questions, inquiries, or otherwise will be given every opportunity to be answered as to any of their specific concerns. Just the fact that non-Inuit have not gotten used to talking with us yet since we always seem to be talking about them, including southerners and not to mention the reverse which has become true in this case at the council level in which the defendant seems to be non-Inuit more and more. So I imagine some of the non-Inuit people might feel a little reluctant to try and submit any of their concerns to us for fear of us using them for political gain. I think, however, time should tell that we are not proposing a Nunavut territory out of the need to take vengeance on those who had been the masters of Inuit destiny for the past 20, 30 or 50 years.

It is true that some Inuit or native people might feel this way, but there is still time in our part of the Territories to avoid coming into that situation. We have tried to show, we have tried to prove to you that the situation is getting to the point where the unpleasant consequences in the long term could be avoided by the formation of this territory. So I think I have gone a little bit beyond Mr. Curley's question. However, I thought the situation warrants it. Thank you, Mr. Chairman. John Amagoalik would also like to add something.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mr. Amagoalik.

MR. AMAGOALIK: I think it should be understood that ITC is pushing this Inuit government idea because nobody else will. I think that is the only reason. I think if a public body was to come into existence to advance the cause, I think ITC would be more than willing to give that responsibility to that representative body. I think once agreement has been reached on the principle of division, I think a large part of ITC's job is done. I think ITC has had the responsibility of trying to convince people that this is a good idea, that it makes sense and I think we have done that.

---Applause

I think that once you people decide it is a good idea, then a large part of our responsibility will be given to you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Amagoalik. Any further questions? Mrs. Sorensen.

Taxation In Nunavut

MRS. SORENSEN: Mr. Suluk, yesterday I mentioned that there were a number of concerns that I had about the establishment of this new territory and you will have to forgive me for returning again to one of those concerns. I am the chairman of the standing committee on finance for this Legislature and accordingly have often been called stingy or too concerned about money, but that is my nature. However, I know that you will bear with me when I ask my finance questions.

Yesterday you said that the financing of your territory, of Nunavut, would be negotiated with the federal government and I see that certainly will be the case. That is certainly the case that we have now as a territorial government. Our elected officials in fact are going down next week to negotiate our budget, but in addition there is revenue that we collect, that the territorial government collects within the Northwest Territories and then we use that revenue to offset costs for some of our programs and services. For instance, people in the Northwest Territories pay to the territorial government a tax on tobacco and cigarettes and that money then is used by our government to give additional money to our senior citizens so that they could have some assistance with the heavy cost of living. Now the territorial government collects other taxes, a tax on property, we collect personal income tax, we even collect a profit on alcohol and we use that money plus the federal government money to build schools and to help people in outpost camps and to support municipal and local governments. Now, would Nunavut, would your new government raise any of its own revenue for its programs and services by taxing the people of Nunavut? Have you considered taxation as an option?

THE CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Suluk.

MR. SULUK: Thank you, Mr. Chairman. Definitely. I think I should also ask you to forgive me in giving you an abrasive reply yesterday, but I did consider it last night and I have been reading, and although I am not a technically educated guy having responsibility for finances and so on, we have people like that too. Unfortunately I am not one of them. My role is to deal with the political end of it. However, the answer is in the affirmative. It is our intention, in fact I should not say it is "our" intention, I would have to say that it would probably be the intention of the new government to use the same kind of financing plus a few more.

People Will Become Less Dependent On Government

Now, of course you know that we will be entering into negotiations with the government and in any land claims settlement a substantial amount of compensation is normally given, plus other rights, royalties and so on. We expect to have our people less dependent on government in certain areas -- for example, outpost camps. There is probably no question as far as we are concerned that we will take over outpost camps and it would no longer be the responsibility or financial burden for the territorial government, plus there are probably quite a number of other things. I really cannot disclose to you our financial dealings and arrangements at this time, and I think you would understand we will be entering into negotiations very shortly. I just mentioned that there are certain programs, and others which we intend to take over and we intend to finance on our own through our own settlement money, so to speak, and I was just using the example of outpost camps.

Now, concerning the raising of taxes for cigarettes and for other commodities and goods and so on, plus property taxes and that sort of thing, we have every confidence in the ability of the new council if it should come about, or when it should come about I should say, and also the fact that it would be our hope, I suppose, that many of the existing civil servants of the present Government of the Northwest Territories will remain to assist the new government and will remain on in the same or other capacities. Also, I had a very good one, but I have forgotten it, and perhaps it will come to me later on, but does that answer your concern regarding financial arrangements?

Present Territorial Government Programs Will Be Reviewed

Oh, yes, now I have got it. We do recognize that the present territorial government has put a lot of money into schools, staff housing, buildings, offices and have gone into programs. It might become necessary to review those programs and review the previous commitments made by the past assembly. There is no doubt that the new assembly or new government would not necessarily want to do the exact programs and policies which were adopted and there might be a variation on this program or that program. I think that would be understandable. However, yesterday when I made reference to negotiation with the federal government and with the other territory which in this case would be your area, when I made reference to that, I was thinking of all these other things which you mentioned and which I now mention.

So, I must apologize for not being a specialist on finance, as we do have others, and we are looking at all of the things, but I think our approach would be that it would be better to see how things develop. We would not want to give out too many details since our land claims and political development are overlapping and since the approval or rejection of this Nunavut proposal will have a lot of bearing on how we develop and approach our land claims negotiations, but I think apart from that what I just told you should at least be sufficient for the time being unless you have more specific ones. Thank you.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mrs. Sorensen.

Conflict Cannot Be Avoided

MRS. SORENSEN: Somewhat related to my question is this. Do you see a situation where this public government, this Nunavut government, would ever be in conflict with the settlement of aboriginal claims? I am primarily thinking of a case whereby huge tracts of land might be removed from under the jurisdiction of the public government and set aside as lands reserved for natives whereby there would be certain restrictions upon that public government with respect to the raising of say taxation...

MR. CURLEY: Shame on you!

MRS. SORENSEN: ...and things like that. Do you see any conflict there?

THE CHAIRMAN (Mr. Fraser): Thank you. Mr. Suluk.

MR. SULUK: Thank you, Mr. Chairman. We cannot get away from conflict. We have accepted this as a fact of life and there cannot be a very cosy relationship, and by that I mean it does not necessarily mean that we would have a very close relationship with the new territorial government or Nunavut government. We do recognize that there might be certain conflicts. However, we believe there is enough for everybody, especially since the land takes quite a large amount of land area and in view of the fact that the only real conflict that could probably come is in the actual community itself, such as those relating to lands which have specific value, or blocks of land or lots or properties which have specific value other than lands which have potential but are just lying around and are not being developed.

We of course have considered all of those. However, the main reason that we are proposing this Nunavut government is that we believe that this new Nunavut government would be able to speak for those areas where lands or spaces, or see land and so on, better than this government can speak at this time because we have to recognize that you have at the moment a very strong chamber of commerce, you have developed interests over in the western part of the Territories and also there is quite a bit more development happening over there than over here. So, at the time when we now have one territory but two distinct ways of ideologies and of political allegiance and ways of life, it is very difficult for the Inuit especially to rely on this Assembly or this government to defend their interests, especially on the land.

Now, we believe that this would be a lot more important than whether the land claims and the government would be in conflict. I think that if we should have at least one special case in Canada, I think that should be quite acceptable to the people of Canada since the other provinces and other regions are doing things the way we want so why can we not do it here? Perhaps that may tend to confuse things a bit more but that is all I can offer you at this time. Perhaps Mr. Merritt can answer you more specifically on that.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Suluk. Mr. Merritt.

Negotiations Will Take Place Between Two Parties

MR. MERRITT: Thank you, Mr. Chairman. I just wanted to remind the Member that the negotiations will be taking place between two parties, the Government of Canada and ITC, and I think based on past performance of the Government of Canada on aboriginal rights negotiations we can see them upholding the position of governments. We think it is ITC's position however that the government of Nunavut could assist in a more positive way than the existing Government of the Northwest Territories.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Merritt. Any further questions? Mr. Noah.

MR. NOAH: (Translation) I have two questions. There are people from foreign countries who live in Canada and who have for a number of years. For example when somebody comes in they have to get Canadian citizenship certificates from the federal government. When we get Nunavut do you have any policy that would deal with these issues? Would you have any at this time that you know of that would deal with these issues in Nunavut?

Type Of Government Nunavut Will Be

Now, another question I have often asked and that is the question of what type of government are we getting? Are we getting a very different and new government or would this government extend from the ITC organization, or have you considered this or would you have a legislative assembly like this one, this House, because the majority of the Legislature Members are native Members now, and those are my two main concerns? Will you have to negotiate further with the federal government to deal with these issues yet?

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Noah. Did somebody get the question? Mr. Amagoalik.

MR. AMAGOALIK: (Translation) We have continued to say we would create a new government and we will be under the democratic Canadian system and I would say that if there is an immigrant to Canada, he can gain Canadian citizenship a number of years after he has been in Canada and it will not be very different from that system if we get our government.

The second question. The ITC organization cannot say what kind of government we are going to have. We are representatives of the people. Once there is an agreement in principle between the people of Nunavut we are going to be involved in the government, but the different organizations will have to have an agreement on the government to decide upon, to negotiate what exactly will happen, the structure we will have.

THE CHAIRMAN (Mr. Fraser): Thank you, Mr. Amagoalik. Any further questions? There being no further questions, we have Mr. Nickerson and Mr. Ittinuar who would like very much to appear before the House. As they plan on leaving on the aircraft this evening we would like to accommodate them this afternoon. If there are no further questions for ITC, I would like to thank ITC for the presentation that they made to this House and for putting up with the questions that the Members have asked. I imagine as you will be around for a few days if there are any further questions you would be prepared to answer. Thank you very much.

---Applause

Is Mr. Nickerson prepared to appear? Mr. Theriault, will you see that Mr. Nickerson is seated at the witness table, please? Thank you, Mr. Nickerson. Your opening presentation, please.

Presentation Of Member Of Parliament For Western Arctic

MR. NICKERSON: You do not have to wait for the red light on this. I see the system has changed somewhat since I was here last. First of all, Mr. Chairman, I would like to thank you and the assembled MLA's for the invitation to appear before you today. It is rather like coming back home, but after having been in the South for about a year I feel that now I have the correct qualifications to come back as an expert.

---Applause

The purpose, I understand, for the invitation was to discuss the Report of the Special Committee on Unity and I was rather pleased to see that that committee had been established quickly after the elections in the fall of last year. I believe it was done pursuant to election promises made by several Members and I am pleased to see that some politicians at least keep to their election promises.

MR. CURLEY: Hear, hear!

---Applause

MR. NICKERSON: My initial impression on reading the report was that it bears the indelible stamp of its author. It certainly bears the very identifiable style. I would have hoped that the report would have addressed itself to a number of other issues, not just the Nunavut question, but a number of other issues affecting unity in the Northwest Territories. Unfortunately, as the report itself explains, it was unable to get a consensus in many areas, so it devoted itself, except in certain philosophical terms, almost exclusively to the Nunavut question and the question of division in the Territories. I do not want to deal with the philosophical discussions within the report, but the way I would like to approach this is to go through the recommendations and maybe give you my ideas in response to those very specific recommendations. The only philosophical argument that I am prepared to get into at this time is that in reading the report I see continual reference to groups and collectivities. Myself as a legislator, when we are trying to come to terms with public policy, adopt policies and adopt the legislation that is in the best public interest, I always try to keep in mind the individual. I guess everybody is a member of occupational groups, lives in certain geographical areas, but I think that the individual is probably the most important entity and we can get carried away and not come to the correct conclusions if we always look upon individuals being a member of a specific group.

Creation Of The Province Of Mackenzie

Before going through the report, Mr. Chairman, maybe a few historical notes are in order. It is a traditional Canadian method with ample precedence of creating new provinces out of the Northwest Territories or Rupert's Land as it was known before it became the Northwest Territories, that is the way that the province of Manitoba was created in the 1870's I believe and it was later expanded in area. That is the way that the provinces of Saskatchewan and Alberta were created in 1905. Now in my estimation probably the most likely method of creating a territory of Nunavut would be to first of all create a province of Mackenzie, take the Mackenzie district out of the existing Northwest Territories in the same way that other provinces have been taken out, thereby leaving the new territory of Nunavut and if that were to be done it certainly would not be at all contrary to established Canadian practice.

The question of division has been with us for quite some time. In the early 1960's the impetus for division came from the western part of the Northwest Territories who saw itself being able to proceed toward provincial status much faster if they were unencumbered by at that time the less sophisticated East. There was a bill introduced to the parliament of Canada in the 1960's at the time that the Hon. Walter Dinsdale was minister, to divide the Territories but the opposition to rapid passage of that bill was such that the Carrothers Commission was established to look further into the situation. Carrothers did this and he foresaw separation at some point in time almost as being inevitable and it is a view that I share myself, but recommended against it at that particular time. He made a number of other recommendations, many of which were carried out and pursuant to the recommendations of Carrothers that we find ourselves here today.

The question of division, although it had continuously been in the background, was brought up again a few years ago mainly by ITC and people in the East. Again a good deal of discussion has been generated and the appointment of Mr. Drury as special representative of the Prime Minister on constitutional affairs in the Northwest Territories was in part a response by the Government of Canada to these discussions taking place. Mr. Drury took the Carrothers view I think you could say, in that he did not close his mind entirely to the possibility of division, but thought that maybe you should not proceed again at this time. He said the decision really was to be made by the people of the Territories.

Decision Supported By People

Now, Mr. Chairman, I would like to go and I hope briefly, through the report that has been made by your standing committee. Your first recommendation: "That this Assembly, recognizing the Dene, Metis and Inuit peoples within the Northwest Territories present boundaries, as well as a significant presence of 'others' either who were born in the Northwest Territories, or who have demonstrated a commitment to northern living by having resided here for five or more years, acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people." That, Mr. Chairman, is largely a statement of fact, that numbers of people live here and it is very much a motherhood statement. Surely nobody would want to make these decisions if they were not supported by the people of the area. I will not comment on this particular recommendation. It was the five year residency requirement I think that is an issue for further discussion, whether or not you want to make it five or three or some other particular figure. The higher the residency requirement, the more people who might possibly take offence at being excluded. I am pleased to see that within the report here mention is made of the sovereignty of the Crown in right of Canada over the lands of the Northwest Territories.

The second recommendation: "That this Assembly formally express what has been implied in its previous motions dealing with aboriginal rights and constitutional development, namely that it regards the present geopolitical structure of the Northwest Territories, including the institutions and practices of government, to be an interim arrangement, subject to such change as may be negotiated by the leaders of the Northwest Territories peoples, and subsequently affirmed by the peoples themselves." I think everyone would agree that the present system is not particularly satisfactory. The present system is in my opinion a semicolonial system and is in definite need of change. This recommendation avoids saying what changes, but I think that everybody can agree on the need for changes of one kind or another. Just under that recommendation you refer to the negotiation of a new constitution, or new constitutions, depending upon whether or not the Territories remain together or is split into two parts.

Matter Of Timing

Now, if I might get technical for a while and think about the matter of timing, the basic constitution of the Northwest Territories is the Northwest Territories Act, an act of the federal parliament. If you would like to make changes in the constitution of the Northwest Territories it means that you have to get the federal parliament to change the Northwest Territories Act. There is always difficulty in scheduling and dealing with legislation before the federal parliament. The federal parliament never has enough time to deal with all the legislation that governments and government departments and private interests would like to put before it. Therefore, in my opinion, if you want to make changes, even if they are fairly minor changes to your constitution, it is incumbent upon you to get your act together in short order so that you can work out with the federal authorities draft legislation and have that legislation brought before the parliament of Canada. This is a very time-consuming exercise and the longer the Legislature waits before it gets its position together, the less the likelihood of success in Ottawa. You must keep in mind that the present Legislature will expire in 1983 and there is a possibility of federal elections at that time or slightly later. So, you must bear the timing arrangements in mind.

Your third recommendation, and I quote: "That this Assembly declare as its objective in the area of political and constitutional development the establishment of stable, strong and effective government for all peoples of the Northwest Territories, founded upon the consent of the governed." This is again a motherhood statement and no one I think would disagree that government should be founded upon the consent of the governed. That is the way we try to operate in Canada. One word in that recommendation that occurs on several other pages in the report, the word "strong" gives me a little cause for alarm there. I do not particularly know what it is that you mean by "a strong government". I hope it is not the type of strong government that they have in the USSR for instance or that they had in Germany...

MR. CURLEY: Not like the Progressive Conservatives.

MR. NICKERSON: ...some years ago. I hope another connotation is to be put upon the word "strong".

MR. CURLEY: Other than the Progressive Conservative government.

Cost Not The Deciding Factor

MR. NICKERSON: I am pleased to see that on page eight of your report, and this is not part of a recommendation but just in the text, that the cost factor of the establishment or possible establishment of another territory was taken into consideration by the committee because it obviously is a matter of some importance, but I am pleased to see that your committee decided that this was not to be the deciding factor, something we must carefully look into, but I do not think that cost, because I agree with you, should be the deciding factor.

With respect to your recommendation four: "That this Assembly declare itself immediately to be receptive to the possibility of a major division of the present Northwest Territories into an eastern and a western territory, subject to the expressed will, by public debate and by referendum, of a majority of the people of the northeastern Arctic showing preference for the establishment of a new northeastern Arctic territory." I see you have receptiveness and an open mind and I think it behoves all of us, particularly those of us in political positions to be receptive and to have open minds. It would appear that this committee of this Legislature, if not the Legislature itself, have come around in many respects to a similar way of thinking as that espoused by Mr. Drury and possibly by your predecessor Legislature. These other organizations themselves have said that they have had an open mind on the issue if not for the immediate time, for some time in the future and have proposed mechanisms whereby public opinion could be assessed, particularly by the referendum method. I am pleased to see that the committee recommends the need for public debate on the issue. I think it is good that the Assembly takes the lead in this debate so that the people of the Territories know what it is they are getting themselves into, that they do not rush blindly into a decision that they may or may not regret in the future.

Views Of The West Are Important

This recommendation recommends a referendum for the people of the northeastern Arctic and the northeastern Arctic alone. Yesterday I was listening carefully to the questioning and it is pretty obvious from the questions that were asked that there are other people in the Territories, people from the western area who have an interest in what goes on and I would not like to see their views and opinions not taken into consideration. Maybe there has to be a mechanism, and this is addressed later in the Report of the Special Committee on Unity, whereby the views of the people of the West can be heard, because they will be affected. If a new territory is created in the East it automatically creates a new one in the West. So, their views of course are of importance.

Recommendation five, Mr. Chairman, and I believe because we are on the radio and other people in this room do not have copies of the report I should read it out, although recommendation five is fairly lengthy, and that I will do before I get into discussion of this, but recommendation five reads: "That this Assembly ask the federal government to conduct, subject to the ongoing concurrence of this Assembly, a referendum, not sooner than one year, and not later than two years, from this date, concerning the question of division of the Northwest Territories, and further:

- (a) That the referendum ask, in essence, the following question:
 - (i) Do you favour the establishment of a new territory in the northeastern Arctic, the assumption being that your community and its environs will be part of the new territory if it is established?
- (b) That this question be referred to residents of those communities of the northeastern Arctic which indicate by petition, five per cent of the population, that they would like to be polled; and
- (c) That all citizens residing in those communities to be polled, who are 18 years of age or older, and who have lived in the Northwest Territories for five or more years, be entitled to vote in this referendum." I have some reservations with...

THE CHAIRMAN (Mr. Fraser): Excuse me, but I think we had better break for 15 minutes. I realize we are cutting you off here but you would be at least another 15 minutes and coffee is ready, so if we could recess for 15 minutes you could come back. Thank you very much.

---Applause

---SHORT RECESS

THE CHAIRMAN (Mr. Pudluk): The Chair recognizes a quorum. Mr. Nickerson, I believe you were still in your opening remarks and would you proceed?

Referendum Should Be Under Territorial Authority

MR. NICKERSON: Thank you very much, Mr. Chairman. With respect to the first part of recommendation five, that the federal authorities be requested to conduct this referendum, I think this will cause certain difficulties. First of all, because of the constitutional issues of Canada, I think that the federal government would be very reluctant to establish any kind of precedent with respect to referendums. It would be very difficult for them to conduct a referendum on a local constitutional issue in one part of the country and be unprepared to do so in another part of the country. I think they would look very carefully at the precedence which would be established in such a referendum, and I do not think they would be inclined to go for it.

It would be my opinion that the referendum, were one to take place, should be done under the auspices of territorial authorities and on page ten I looked at your reason, or the reason of the special committee for asking that it be done by federal authorities and the reason is because it has recommended, and it refers to the committee: "...that the federal government administer the referendum because it has ultimate legal authority for political and constitutional development in the Northwest Territories, and because the Government of the Northwest Territories has a credibility problem with native associations."

Now, it would be my opinion that if you feel you have a credibility problem that you should address yourselves to that problem and work on it so that you do receive the credibility which would enable you to conduct a referendum, or do other things, with the backing of the people of the Northwest Territories. Surely a politician has to feel that he has credibility with the people who elected him or her, otherwise the thing that you should do as politicians is resign. I do not see the reasoning at all in asking that this referendum be conducted by the federal government.

Making The Referendum Mandatory

Part (b) of the recommendation, where you talk about petitions of five per cent of the population being submitted before the referendum would be conducted in any particular community, that would seem to me to give rise to certain technical difficulties. What, for example, if Broughton Island decided that they did not want to be polled or they did not want to participate in the referendum? How could you exclude Broughton Island? How could you exclude Paulatuk which is more a case in point because Paulatuk might likely go into either a western or eastern division? It would be difficult to draw your proposed boundary not having received an opinion from people in places such as Paulatuk and maybe Coppermine and maybe even as far east as Gjoa Haven. So, I do not know whether you could give individual communities the opportunity to opt out of a referendum. I think if a decision was made to hold one it would have to be mandatory that all people within a certain area take part in this referendum or have the opportunity to do so.

In reading through the report, and trying to work out the proposed mechanics, it seems that you have recommended a rather tortuous system of determining public opinion. It might have been that you have done this or made this recommendation deliberately. It is not specified in steps one, two, three and four anywhere in the report, but if you read through it you can see that the proposed system would be; one, to request of the communities by way of petition from them whether or not they were interested in being polled. First of all there would then be a referendum on a rather general question, "Do you think that the Territories should be divided?" A very simple and general question like that.

If the results were in the affirmative, then there would be a more specific question asked. Presumably by that time a proposed boundary line, if there is going to be a great deal of difficulty over the boundary line as the hon. Member for Hay River brought to our attention yesterday, that question would again be put to the public. Then, if you read page 12 of the report, assuming the specific question had been answered in the affirmative, then there would be a ratification vote. So you have gone through four separate procedures and this might be a little bit difficult. Even Mr. Levesque the premier of Quebec only proposed I think two referendums.

Your recommendation six and I quote: "That this Assembly make arrangements to conduct its own referendum on division if the federal government delays unduly, or absolutely refuses to act." I think it is a good idea you put that recommendation in there and where you would proceed with this, that is the option that you would most likely be obliged to undertake.

Impact Of Division On The Territories

The one to two year period of public discussion is a good one so the people can be brought up to date on the issues and make an intelligent decision. Your recommendation seven and I quote again: "That this Assembly ask the Executive Committee of the Government of the Northwest Territories to set up, subject to the approval of this Assembly, an independent body to prepare an objective study of the impact of division upon the Territories as a whole, and upon its several parts and their peoples, and to disseminate the information resulting from this study as widely as seems to be necessary well in advance of any public decision making; and further, that this Assembly schedule debates on the question of division, and on constitutional development generally, at least twice before the referendum."

I agree with this recommendation. I think that you should schedule debates on the issue to allow the public to be aware of all aspects of the question. When you propose the establishment of an independent body to study the impact of division I think that that is a good idea. People would want factual knowledge of what they are getting themselves into, but it begs the question as to who would appoint this independent body, what would be its make-up and nature, what would be the authority that it would have and how would it work? So that question would need more detailed study.

N.W.T. Referendum Ordinance Necessary

Your recommendation eight: "That this Assembly if the referendum is answered affirmatively in sufficient northeastern Arctic communities to establish a viable northeastern Arctic territory, ask the Government of Canada to establish such a territory independent of the present Northwest Territories, its government being the subject of negotiation between the Government of Canada and the people of said territory." These are my comments on this particular recommendation. I think you have to give consideration to the question of whether or not the Assembly in its referendum bill, because I presume you would have to have an ordinance to enable you to conduct such a referendum, the same indeed as the Government of Canada would have to do. I do not know whether the Government of Canada could conduct a referendum of the nature you propose under its Referendum Act but I would presume that the referendum recommended in this report could only be brought about by you yourselves passing a referendum ordinance. You would have to think carefully what should go into that particular legislation and particularly whether or not the Assembly would see itself being bound by the results of the referendum, whether it would consider the results of the referendum to be advisory or whether it would consider them to be binding and thereby automatically initiating further action.

One interesting paragraph in the report at the bottom of page 11 and I quote: "...the special committee on unity believes it is in the best interests of all people, at least in the Western Arctic, if not throughout the territory, to try to remain together in the largest single geopolitical jurisdiction possible commensurate with the consent of the governed." This paragraph gives me the idea that the Members of your special committee, Mr. Chairman, themselves, although keeping an open mind on the subject of division and being willing to hear all representations and, if needs be, give their consent eventually to division after you had gone through the referendum procedure and given the matter very careful detailed consideration, that they themselves at the present time are not really in favour of division and they themselves think that the Territories, at least for the time being, should stick together. I hope that I am not reading anything into this report that does not properly reflect the personal views of the Members of that committee.

Establishment Of A Constitutional Development Committee

Now, I find recommendation nine really not to be in keeping with the general flow of the other recommendations that have been made. Maybe I should again read this recommendation out which is as follows: "That this Assembly immediately take the necessary steps to establish a constitutional development committee, comprised of five Members, and including the Minister for aboriginal rights and constitutional development, mandated to explore with the various peoples of the Northwest Territories who may wish to continue to remain in association with one another, and to reach with them if possible, agreement concerning the identification of processes and the creation of mechanisms for future political and constitutional development; and further, that this Assembly direct its constitutional development committee specifically to explore the possibility of holding a constitutional convention which would include representation from all peoples in the area defined above, as well as from this Assembly, and which would have as its primary aim the creation of a constitution for the largest and strongest possible geopolitical jurisdiction." It would seem that the committee, after following a series of steps towards a referendum and then division, assuming the referendum is entered in the affirmative, has now had second thoughts and said "Well, as well as that route, there is another route we can go, the route of the constituent assembly whereby you might have a large gathering comprised of Members from this particular organization and from all other interested parties in the Northwest Territories." As the previous witness described them, the ethnic organizations, municipal interests, commercial interests and everybody get together and try and come to some conclusions as to how we can proceed constitutionally. I believe that Mr. Drury in his report put this forward as a possible way in which we should proceed. I have no objections to it. I think that it might be a worth-while idea exploring further.

My final comments on committee recommendation ten: "That this Assembly select a delegation to deliver by hand to the Prime Minister, the Minister of Indian Affairs and Northern Development, the Minister responsible for federal-provincial affairs, and to a meeting of the federal parliament's standing committee on northern affairs, all such of the foregoing recommendations as may be approved by it." I, of course, have no objection to that whatsoever. It is completely in keeping with the correct way of doing things with one possible exception, that to the best of my knowledge the present Prime Minister of Canada, Mr. Trudeau, has not yet appointed a federal minister responsible for federal-provincial affairs.

A Constitutional Survey In The Western Arctic

Over the summer, Mr. Chairman, I conducted a rather unscientific survey of the views of the people in my constituency. I circulated a questionnaire containing a number of questions of a constitutional nature and I received back or had at the time this compilation had been made, 127 completed questionnaires. As I said before, I do not state that this questionnaire was done in a scientific manner. It is certainly not a Goldfarb poll, but I thought I might like to bring to the attention of the Legislature the results to certain questions. One of the questions asked was "When do you think the Northwest Territories or parts thereof, to allow for the possibility of division in the Territories, should be granted provincial status?" The possible answers that people were asked to reply to were "Now, within 15 years, after 15 years and never." It is significant to note that 97 per cent of the people favoured the granting of provincial status at some point in time. Only three per cent responded "never", "Now", 19 per cent of the people answered in favour. Sixty-one per cent said "within 15 years". Seventeen per cent said "after 15 years", so it would say that the wishes of the people at least of the Western Arctic would be for provincial status within that 15 year timeframe.

Another question which I asked and I quote: "For many years there has been a debate whether the Territories should be split into two political units, the more highly developed West and the East. The latest proposal has been the Nunavut idea put forward by the Inuit Tapirisat of Canada. Would you approve of splitting the present Northwest Territories into two separate territories?" Forty-four per cent of the respondents answered "yes" and 50 per cent of the respondents answered "no" with the balance of six per cent being "undecided". I point out that a number of people made comment on this because they were asking for a simplistic response to a rather complex question and a lot of people would say, "Yes, but within five years", or put some condition on their reply. This would seem to indicate that at the present time the feeling within the western part of the Northwest Territories is that about 50 per cent of the people would be in favour of division and the other 50 per cent would be opposed. I do not know where that leaves me when I am supposed to take a position on it.

Amendments To The BNA Act

Now, one or two very brief and final comments on the constitutional proposal that has been put forward by the Prime Minister and Government of Canada and that have of late been debated in a rather limited fashion by the parliament of Canada. It is proposed that if the government gets its way a joint address of the House of Commons and Senate will be presented to Her Majesty asking for certain amendments to be made to the British North America Act. I understand that the Legislature has briefly looked into this matter and plans to do so again before the end of this session. I would commend careful study of the federal government's proposals to Members of this Legislature because it certainly has a significant impact on the constitutional development of the Northwest Territories. It might be very difficult for you if you decide you wish to make a division after certain provisions regarding the Territories have been entrenched in the Canadian constitution.

In particular, I would bring to your attention what I would personally interpret, and it might be subject to different legal opinions, but my interpretation would be the entrenchment of colonial status in the overriding power of the federal authorities under section 29(1)(a) of Mr. Trudeau's proposals. Also, the language provisions of the proposed amendments to the British North America Act would or could have significant impact on the Northwest Territories and particularly the Nunavut territory, were it ever to be brought into being.

The French language rights are gone into in a great deal of detail, French language education rights and a number of other issues are gone into in detail in the Trudeau proposals, but other languages, and of particular significance right here in Frobisher Bay, Inuktitut, are not dealt with at all. That to me would seem rather unfair. For instance, if somebody, assuming that the amendments to the BNA Act are made, if somebody walks into a post office in Pond Inlet, presumably they could demand that they be dealt with in French, whereas a local person from Pond Inlet speaking Inuktitut would not have that same right. So, that is something to be given consideration.

Territories Have Limited Say In Amending Formula

Also, thirdly and lastly, the Territories would seem to have practically no or only very limited say in any amending formula. The provinces are given a good deal of say into how and why the proposed constitution can or should be amended, whereas the Territories seem to be left out completely. So, that should obviously be something that this House should look into.

That is the end of my prepared submission on this particular matter and on the work done by your committee, Mr. Chairman. I would like to thank you for the opportunity of appearing before you, as I said before, and it is certainly nice to be home for a while.

---Applause

THE CHAIRMAN (Mr. Pudluk): (Translation) Thank you, Mr. Nickerson, for giving your presentation and I want the CBC staff to know that the person who just spoke is the Member of Parliament for the Western Arctic, representing the Western Arctic in Ottawa. I am sure there are questions and first on the list is Nellie Cournoyea.

MS. COURNOYEA: Mr. Nickerson, as a long-term resident of the Northwest Territories I am still quite surprised at your pronunciation of "Nunavut". It seems to come out of your presentation as "None of it". So, I would like to know if you do support division.

THE CHAIRMAN (Mr. Pudluk): Thank you, Ms. Cournoyea. Do you want to answer that question?

MR. NICKERSON: I must apologize for my Inuktitut pronunciation but you should hear my French pronunciation, it is even worse.

THE CHAIRMAN (Mr. Pudluk): On my list Tagak Curley is next. Are you finished, Ms. Cournoyea?

MS. COURNOYEA: I do not believe Mr. Nickerson has answered my question. I asked him if he was in favour of division.

In Favour Of Division But Not Proposed Boundary

MR. NICKERSON: I got the question that time but the acoustics are pretty bad in here and I did not get it the first time. I believe the question was do I personally favour division. My answer to that is known as far as I know and this is a subject which I have spoken on on many previous occasions and the answer is that as a personal opinion, were I to be called upon to vote in a referendum for instance, would be yes, I do. I think that the division should have occurred in the 1960's. I must say however that I could not support the proposed boundary in the Nunavut, and I hope I have pronounced that correctly, proposal. I think that a lot of work yet remains to be done on determining a sensible boundary between two possible provinces.

Now, having said that, and that was my personal opinion, as a politician representing people in the Northwest Territories I certainly do not intend to push personal views until I have first of all received the advice of the Legislative Assembly, I would like very much for you people to come to a decision as to whether or not you would like me to push for this in Ottawa or not to do so. I want to know what the views of my constituents are after they have had the opportunity to look into everything that might arise from a possible division, after they have carefully considered the matter and have given me the benefit of their opinion. Their opinion, as I pointed out, as far as I can determine at the present point in time seems to be about equally divided pro and con. So, I think that before I took any real public stand on the issue that I would want to see the view crystallized one way or the other.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. Curley.

Leadership Is Needed

MR. CURLEY: Thank you, Mr. Chairman. We have been giving a lot of advice lately to the western Members and they have been giving the eastern people advice to restrain themselves in making a decision for division, but what we do not need today is advice to delay any more, what we need today is leadership. Today when everyone else seems to be saying if you wanted I could possibly agree with you, but what we have been denied in the case of the East is that they want a decision, they do not want all sorts of advice from outsiders or whatnot, they do not want advice from the multinational companies who are against division, they do not want advice from the civil servants in Yellowknife who are pro unity people, and what you seem to be indicating to me is that your constituency, where most of them are probably short-term residents in that area, and the fact that there are many civil servants over there, you are telling me you are going to have to wait until you hear from them before you can put yourself in a position of leadership. What we need today is someone to stand up with courage and say that the Northwest Territories is so darn big, the administration system we are experiencing, it is comparable to the southern system, it is not workable and we have to make a decision. Your position seems to be exactly the same as the former minister of Indian Affairs, Jake Epp who was very evasive and he would not make any commitment on division. So, my final question is if this Assembly gives its support to the principle of dividing of the Territories, would your party back the Assembly?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Do you want to answer that question?

MR. NICKERSON: I think that if you thought that the Hon. Jake Epp was evasive you should see the guy we have now. I am afraid it is very, very difficult to get a yes or no answer one way or the other out of the present Minister of Indian Affairs and Northern Development and I suspect that maybe there are good reasons for this. On issues like this there has to be, as I said before, a crystallization of public opinion one way or the other. There is such a thing as leadership but a leader cannot get too far out front of his followers otherwise they cannot see him any more. So, I guess the proper technique of leadership in a case like this is to be slightly ahead of the general population but not so far ahead that they lose sight of what you are doing. Now, the question was that if this Legislature decided that they approved of division of the Territories would I support that view in Ottawa?

MR. CURLEY: Your party.

In The Best Interests Of The People Of The N.W.T.

MR. NICKERSON: I think my answer would be yes. It would have to be a little bit better than an 11 to ten vote. It would have to be a reasonable majority vote where you were sure that that is really what the people wanted, that they were not likely to change their mind at the next session. If those were the conditions that were met then yes, I would try to help this Assembly to get that which they thought to be in the best interests of the people of the Northwest Territories.

THE CHAIRMAN (Mr. Pudluk): Thank you, Dave Nickerson. Tagak Curley.

Majority Continued To Be Denied

MR. CURLEY: The last question I have is that we in the Northwest Territories have had experiences that even the majority has continued to be denied. The eastern majority in terms of development for instance have said, "Let there be no development until the land claims are settled", and that has been expressed but the majority is expressed by the politicians, and you have not supported it and another good example is that the majority of this Assembly decided at the June session in Baker Lake that there should not be a pipeline built at Norman Wells until certain conditions were met, and the majority of the Assembly agreed but you opposed it, you did not support it. How can you tell me today that on this issue there has to be a majority when in fact the practice has been that even though there has been a majority, the Members of the Legislative Assembly voted on a certain action, you do not agree with it, you do not even support it and now on this one you are saying that if the majority vote -- how can I know that what you say is what you are going to do?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. Mr. Nickerson.

MR. NICKERSON: I hope the hon. Member, Mr. Chairman, is not suggesting I am not a man of my word. I would like to point out to the honourable gentleman that the question over development in general and the Norman Wells-Zama Lake proposed oil pipeline was a major issue in the recent federal election in the riding of Western Arctic and the fact that I got more votes than any other contestant clearly indicates to me that public opinion in the Western Arctic is in favour of the construction of such a pipeline.

THE CHAIRMAN (Mr. Pudluk): Thank you, Dave Nickerson. Mr. Sibbeston is next.

Possible Name Of New Northern Province

MR. SIBBESTON: Mr. Chairman, I just want to say a few words in Slavey and I will ask my question in English.

(Speaks in Slavey.)

Thank you for your patience. Mr. Nickerson, there are a number of points in your presentation which I would like to ask you about. One of the things that I noticed that you mentioned in passing was that if our western part of the North ever becomes a territory by itself or a province you mentioned that it might be called Mackenzie. I must say that this has caused a spark in me. It is no large thing, but I am afraid that in saying that, using my knowledge of the last Assembly and its policies which many of us here today detest and abhor and are totally against, I guess just the fact that you would think that a province or new territory would be called Mackenzie shows just how insensitive to the original

people of the North that you are. Surely it is a foregone conclusion that it would be a Dene or other native name like Denendeh or Nah hen daue which is "land of the people" or "our land" and I would just like to ask you are you serious in thinking that the future territory in the western part of the North or a province may be called Mackenzie?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston. Mr. Nickerson, do you want to respond to that?

MR. NICKERSON: I must apologize if I have conjured up any horrendous visions of previous Legislatures in the mind of the hon. Member. If you consult the map of the Northwest Territories you will see that the present divisions of that territory are named and I do not know why, but they are named Mackenzie, Keewatin and District of Franklin. When I was referring to a possible province of the West I was referring largely to that area that now finds itself designated the district of Mackenzie. I quite frankly would not care what the new province was called. That is what it is called right now. I do not know of any other name for it so that is why I use that particular name. I think that there are good opportunities when the time arises for us to look into other possibilities. I know that names are very important. Some people will say that they are not. A rose by any other name would smell as sweet, but names are important.

I notice that in the province of Quebec, for instance, just across the river from Ottawa there are a number of towns and villages with decidedly English sounding names like Perkins Mills, and Wakefield and the Government of Quebec is purposely going around and putting up new signs in these towns giving them more French sounding names. Now, if it is the policy of the government of the day of a new province of the West to find names more in keeping with the spirit that the people in that area want to convey, then I certainly would have no objection and I am not stuck at all on Sir Alexander Mackenzie who I never had the privilege of knowing.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson.

A Lack Of Credibility

MR. SIBBESTON: I am so pleased you are open to a good Dene name. The other point I wish to raise with you is that you seem to be -- you noticed the statement immediately after recommendation five which said in part, that this Northwest Territories government has a credibility problem with the native associations. Did I hear you say that you understood this because of the fact that this territorial government is not fully responsible as yet?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston. Mr. Nickerson.

MR. NICKERSON: I do not think I said that was the reason. In fact I have a higher opinion of the Members here assembled than apparently some of them do themselves. I admire them for their modesty. I do not think that this Legislature does suffer from a credibility gap. In travelling around the area that I represent most people that I come across have a respect for the Legislature, for the institution of the Legislature. They might have quarrels with particular incumbents, but as a whole I do not think that the Legislature does suffer from a lack of credibility. That was the suggestion made in the Report of the Special Committee on Unity and it was my suggestion that if they do feel that the people do not believe in them and believe in their institutions, then they should maybe devote some of their time and energies to doing and saying things that would generate a sense of credibility.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. Sibbeston.

Credibility Of The N.W.T. Government Has Increased Substantially

MR. SIBBESTON: One last question, Mr. Chairman. I guess I would like to take issue with what Mr. Nickerson has said in respect to the credibility of this government. I, too, just recently did say that the credibility of this government is going up. It was at a very low point a number of years ago and particularly since this last election I think the credibility of this government has gone up substantially.

MR. NICKERSON: That is one Member who is not overly endowed with modesty, Mr. Chairman.

MR. SIBBESTON: Because of such things as having native people on the Executive and this Assembly dealing with issues and seeming to be concerned about things that native people in the North are concerned about. Certainly one or two years ago we would never have had native organizations in the same room as this Assembly. Now they are coming here before us and they seem to think there is some merit in coming here. So I guess my feeling is that there is still, despite the positive things that are happening, a great matter of credibility. In the communities people do not fully understand this government and in many ways do not accept it. The native people in the communities have more respect and more credibility for their own native organizations. I take as an example the Dene Nation General Assembly in Fort Good Hope this summer where people from all over the Mackenzie Valley went there by plane and people canoed there. People travelled in various ways for long distances to attend and see their leaders. I do not see people doing this with this government. You know, you do not have hardly anybody here to watch us perform.

The other matter is the matter of credibility toward the Legislative Assembly as such. I think that, you know, there is still a great credibility problem. A lot of native people do not understand the decor, the practices of this House. A lot of people do not understand why we must have a big chair and they do not understand who we are bowing to. People do not fully understand what the mace is about. So I think we still have a long way to go to change the government and this Assembly so that people really do fully support it. Would you agree after my assessment or analysis?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Sibbeston. Dave Nickerson.

MR. NICKERSON: The easy answer to that question is that in general terms I would tend to agree with the hon. Member that the credibility of this Legislature and of the Government of the Northwest Territories is on the increase.

---Applause

THE CHAIRMAN (Mr. Pudluk): Thank you, Dave Nickerson. I recognize Jim Slaven, chief territorial judge.

---Applause

Thank you. Mr. Patterson is next.

Need To Avoid Cumbersome Approaches

MR. PATTERSON: Thank you, Mr. Chairman. I would like to thank Mr. Nickerson for a very thoughtful analysis of the unity committee report which I was happy to hear expressed some of my concerns, particularly about the need to move fast and avoid cumbersome I believe you used "tortuous" processes. I know also that you have considered the issue of division for a long time prior to your election as an MP and you have made public statements while a member of this Legislature indicating sympathy for the proposal which I, of course, have found gratifying and encouraging. I wonder if you would be good enough to outline briefly the major reasons why you personally feel that division makes

sense. Also since some of your constituents think you have reservations and feel that unity is desirable and since to date in this debate it seemed there has not been a strong case made for unity and there have not been arguments heard in favour of unity, if you would also give us the benefit of your analysis as to what some of the major reasons and arguments in favour of division are? If that is not too big an order, Mr. Chairman.

---Applause

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Would you like to comment on that, Mr. Nickerson?

Reasons For Division

MR. NICKERSON: The political question of division is like many other political questions, there are good arguments on both sides. I think the simplest, and I admit it is not extremely logical but it makes sense to me, argument in favour of division, is that the present Territories are just too big to hold together. You just have to look at a map of the Territories and you see that it is a third of Canada, 1.3 million square miles, and I do not think in the long run it can just hold together, that one great big geographical area. I take the view that Carrothers did, that it is inevitable it will split on some occasion.

If you look at the geography of the area you will see that in the West there is a much larger population and the area is probably capable of sustaining a much larger population. The climate and topography are not that much different from the adjoining provinces of Alberta, British Columbia and Saskatchewan. There is agricultural land there and we could have an agricultural industry, and there are much more diverse resources both in that area and the area to the East which are rich in non-renewable resources, oil, gas and minerals I suspect, because they have not really been proven but we suspect they are there. Other opportunities exist in more abundance in the West than they do in the East.

In the West we have an established infrastructure, a road network, ready communication with the adjoining western provinces of Canada. Whereas in this area, in the East, the natural lines of communication are with the eastern and central areas of Canada, Montreal for instance, and I can well understand the frustration of people who live on Baffin Island when they have to deal through Yellowknife which is so far away when all they have to do is hop on a plane and they are in Montreal in three hours. Those are some of the reasons in favour of division.

Reasons Against Division

The reasons against division, or the major reason at the time of Carrothers was the lack of political sophistication that he perceived on the part of the people of the East at that time. I do not think that reason holds very much water at the present time. I think that throughout the whole of Canada there is no population which is more politically sophisticated than the people of the Northwest Territories. The main reason that Mr. Drury, the Hon. Bud Drury gave against division at this point in time was that he foresaw a continuing battle with the federal authorities and it was his opinion that there was strength in unity. The Territories combined would be able to present a better case in Ottawa over some of the important decisions that have to be made such as resource revenue sharing, how we develop toward full responsible government and hopefully in the near future provincial status for even the Territories of the whole or for divided parts thereof. He thought it might be better to go the route of the old Northwest Territories whereby responsible government

was achieved there eight years before the establishment of provinces. There the Territories put up a fight, achieved responsible government in 1897. but not provincial status for the two separate provinces of Alberta and Saskatchewan until 1905. I think that is Mr. Drury's reason for his view that the Territories should stay together at the present time.

There are certain financial considerations and I am pleased the committee recommended that we look into these and see what the financial implications are. The Government of Canada obviously has an interest in the fact that if it proves to be a lot more expensive to administer two separate territories than one, they, acting on behalf of all the taxpayers of Canada will and should have something to say about it. Those to my mind are the principal reasons and there are all matter of subsidiary reasons I am sure you can bring into it.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. Patterson.

Unity Can Still Be Maintained After Division

MR. PATTERSON: Thank you, Mr. Chairman. Just a supplementary question. On the argument of unity that Mr. Drury espoused, namely that there is strength in numbers and strength in unity, I am sure you heard it was ITC's suggestion yesterday that in fact there still could be unity following division by a federation of the territories and that in fact there might be strength in having two territories and two governments approaching Ottawa with the same basic demands. Does that argument make any sense to you as an answer to Mr. Drury's reasoning?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Dave Nickerson.

MR. NICKERSON: That argument was very eloquently put by the witnesses yesterday. In my own opinion I would not like to hazard a guess as to where we would have the greatest say vis-à-vis the federal authorities. I guess I should correct myself, I am part of the federal authority right now, but I certainly have always continued to thoroughly espouse the view of increased responsible government in the Territories, in fact that has always been one of the major planks in the platform of any election that I have run in. I honestly do not know which way we would have the greatest weight in Ottawa. As a westerner, and it is a selfish reason that I should put forward, but there is a possibility that the West could travel the route toward provincial status quicker were it to be unencumbered by the eastern areas which, administratively are difficult and expensive to look after. The western part of the Territories is much closer to financial self-sufficiency than is the East. So, that would be a rather selfish reason.

The North's Dependency On The Southern Taxpayers

If I might be permitted to follow up the financial line, because I know certain Members, particularly the hon. Member for Yellowknife South always has those dollar bills in front of her, and of course money is very important, but an argument that has always been presented in the past by the federal government why there should not be provinces established in the North was our inability to conduct or provide provincial-type services out of revenues generated within the Northwest Territories, that we were dependent upon the southern Canadian taxpayer. Now, that argument is true to date, but if you look at some of the proposals that have been made for the development of the North, or the development of the North's natural resources, and look at the funds that would accrue to government as a result of those developments, particularly in the hydrocarbon field, you will see that very soon a position is likely to be reversed.

The Arctic pilot project for instance which is a fairly small project involving only the use of two icebreaking LNG tankers, a fairly small proposition, would, I have been advised, generate something like \$12 billion in public revenues over its lifetime. Now, that is an awful lot of money. So, pretty soon we in the Northwest Territories will be financially self-sufficient and I suspect there is a lot of feeling in the central parts of Canada that now the reason is reversed, we will not give those fellows up there any more responsibility, any more access to provincial-type revenues because we want to get that money from the Territories and bring it to Montreal and Toronto. That is going to be the fight from now on.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. I think we will adjourn for coffee at 4:30. Mr. Braden.

Little Recognition From Government Of Canada

HON. GEORGE BRADEN: Thank you. I have a general question for Mr. Nickerson who is a very experienced legislator and parliamentarian and one who has followed politics in the North and in the South for the last decade. I am wondering if you can give me some kind of reading on how you feel the Government of Canada and the parliament of Canada would deal with a resolution from this Assembly on a request to divide the Northwest Territories. Maybe you will have a hard time speaking for the government but I believe as someone who is a Member of the House of Commons this request may one day end up in the form of a bill before you. I think you have made some points this afternoon which I find pretty disturbing, particularly in terms of the way people in the South and people in provincial and federal governments perceive the North. I am a little disturbed that every time the issue of resource revenue sharing comes up, cold sweat breaks out on the brows of federal bureaucrats and politicians and as it also does similarly for provincial people as well. I am also a little disturbed when the issue of a separate territory is raised as there is concern on the part of some officials, "My God, we will have to deal with another bunch of unmoving northerners who will be demanding provincial status, revenue control," etc., etc.

Finally I want to say that I am getting a little annoyed with the Government of Canada and some provincial governments because they are not willing to recognize some pretty fundamental and serious issues in the Northwest Territories. What is happening up here is that people are getting frustrated. In the case of division expectations should this Assembly say yes, and should the people of the Northwest Territories say yes, expectations will rise. I want to know, Mr. Nickerson, based on your insights and experience, do you think that the House of Commons and the Government of Canada is really going to say, "Thank you, people in the Northwest Territories, if you want two territories you have got it"? Do you believe that or will they lead us along like they have led us along in many other areas over the last ten years?

THE CHAIRMAN (Mr. Pudluk): Mr. Nickerson.

Long Hard Battle For Provincial Status

MR. NICKERSON: I think that you will have to fight every inch of the way to get responsible government and provincial status. I do not think there is an easy route. If you look at the historical, given the historical perspective, and look at the difficulties that Manitoba had to go through before they achieved provincial status, look at the difficulties that Alberta and Saskatchewan had to go through, the years and years of struggle before they achieved it. So, especially with the present Government of Canada which is an old government, it has been in there for a long time and has established ideas, it is not going to

be easy. I think that your special committee said that itself that this is going to be a very frustrating exercise, you anticipate the frustrations and you know as well as I do that that has been what has occurred in the past and it will occur in the future. So it is going to be a continuous battle. I cannot promise any easy solutions.

Now you asked me what the view of the Government of Canada on the issue of division might be and unfortunately I am no longer privy to the innermost thinkings of government any more. That might possibly change three years hence. But I can give you some possible indication of the thinking of a number of Members of Parliament on the issue and without really naming any names, of course, most of the members of the federal parliament and most of the senators are not really familiar with the North and with northern political aspirations. So their reaction to the proposal put forward by the government in the form of a bill to either of the houses of parliament would be "Is there any objection to this from the areas that are going to be affected?" If they can be assured that any proposal has the support of a large majority of the people, it has that support, say, of the local legislature, it has the support of special interest groups from that area, that it has the support of the Members of Parliament from that area, I think that they would be likely to go ahead with it, they themselves would not manufacture objections. Out of those Members of Parliament that are familiar with the North and have some understanding of it, they are interested in the debate over division and in general I would say that providing again that they can see that a suggestion has a lot of support from the area, they would be inclined to go along with it. They would not be inclined to raise objections. So if the government put a bill before parliament and if there was a general consensus of opinion in the Territories, I do not think it would have too much difficulty getting through the houses of parliament. That is good in a way.

Problem Of Convincing The Government To Propose Legislation

Now that still leaves you with the important problem of convincing the government to come forward with proposed legislation and that is going to be a slightly different matter. The Department of Indian Affairs and Northern Development in Ottawa could be expected to look closely into the matter and give their recommendation to the Minister. The Minister would obviously take the recommendations of his department into very careful consideration. He might also consult with other entities and I hope that he would. I am very pleased to see that the parliamentary secretary to the Minister of Indian Affairs and Northern Development is here in the audience this afternoon so he will be able to go back to Ottawa and advise his Minister independently of the departmental officials, but nevertheless...

---Applause

...that is Mr. Ray Chénier, I believe the parliamentary secretary to the Minister of Indian Affairs and Northern Development, a gentleman who has recently been appointed to that position, an eminent and fair parliamentarian even though he does belong to the wrong party.

---Laughter

He will be able to get his own back next Monday. I would anticipate some difficulties within the department. Sometimes I find it difficult to understand their views. They do not always reflect the views of the people of the Northwest Territories, although by and large individually the people within the department themselves are fine people. So I think it is probably a bigger job on your part to convince the government to put forward your recommendations by way of a bill before parliament if that is the route that is necessary than it is to really get parliamentary approval.

Problem Of Revenue Sharing

Now the other question was the one relating to the very important problem of revenue sharing. Both this Legislature, the one previous to it and the one previous to that, dwelt at length on this problem and it is pretty obvious that the Territories by way of income taxes, by way of licence fees and liquor profits and taxes on cigarettes are not able to raise the required revenues for their purposes, the purposes of providing provincial-type services. You have to have access to resource revenue before you can achieve financial self-sufficiency. Now a very interesting offer was made by the Hon. Marc Lalonde, federal Minister of Energy, Mines and Resources to provinces that have offshore areas containing oil, gas and minerals. There is a considerable difference of opinion and debate as to who should own, administer and collect revenues from these offshore areas, but the offer as I understand it, made by the Hon. Marc Lalonde was that ownership should be vested in the federal government. The administration of these offshore areas would reside with the federal government at least for the time being, but that 100 per cent of the provincial, normal provincial-type revenues from these resources would go to the provinces that had these on their coastal areas until a certain maximum had been reached and then those revenues should be shared on some formula between the province concerned, the province of Newfoundland, the province of Nova Scotia or British Columbia and the federal government. That seems like it would have been a very fair offer to the Northwest Territories.

Access To Financial Resources Necessary

That offer was not extended to the Territories and I wish that it had been. As an interim measure I think that makes a lot of sense were that offer to be made to the Territories. I am sure that in many ways people in the Territories would be more receptive, those that are not already receptive to major developments, were they to know that revenues would accrue directly to them even though the ownership and administration were for the time being controlled by the federal government. It is my intention to pursue this question as I have in the past in Ottawa and I would hope that we could persuade the federal government to extend that type of offer to the Territories that protects them from us, us in the Territories from becoming northern Arabs so to speak, from getting too much. It protects the federal interest but it also gives us in the Territories access to those badly needed resources, financial resources which lie within our geographical boundaries.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mrs. Sorensen.

MRS. SORENSEN: Thank you, Mr. Chairman. My question, Mr. Nickerson, is with respect to your comments concerning recommendation nine. That recommendation involves the suggestion of the committee that we establish a constitutional committee and that it further look at the feasibility of a constitutional convention. In your remarks you mentioned that you felt that it seemed that the unity committee was having second thoughts and you wondered out loud just how the referendum came into play or the recommendation for the referendum came into play with the recommendation nine. I wondered if you could tell me what means or mechanism you would suggest that we implement for the discussion of constitutional and political development in the Northwest Territories.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mrs. Sorensen. Mr. Nickerson.

MR. NICKERSON: That is certainly not my decision to make. That is quite right. Mr. Curley, the hon. Member for Keewatin South suggests that that decision lies predominantly with the Assembly and I would tend to agree with him.

---Applause

Referendum Route Or Constituent Assembly Route

One of the very few times I do I might point out. I am trying to think quickly but I do not know. He proposed two routes, either the referendum route or the constituent assembly route. Both of them have things to recommend them. I think the referendum route would be preferable if you have already made up your mind that -- if you want answers to a very specific question. If you have decided that there is a specific question to be asked of the public of the Northwest Territories and you would like to receive the answer to that specific question. If, on the other hand, you think that there are a number of things to be resolved, that you want the advice of a very large number of parties, that you are not that specific, there are a lot of things yet to be thought about, a number of proposals to be considered, then the constitutional assembly route might be the better route to take.

I do not know if the two routes that have been suggested by the committee are mutually exclusive or not. It might be, for instance, that on the matter of division a referendum be held and then in advance of a new territory being formally proclaimed the people of that territory might themselves want to call a constituent assembly to work out a possible constitution for that new territory. The new constitution would obviously be something the equivalent of the Northwest Territories Act passed by the federal parliament but there is no reason why a constituent assembly might not be called upon to make recommendations to the federal parliament and also work out those aspects of the proposed constitution that lie within the domain of the territories to decide themselves. You might consider, for instance, the Council Ordinance as part of the constitution of the present Northwest Territories. It is not the basic constitution which is contained within the Northwest Territories Act but it certainly could be looked upon as constitutional legislation. How is that for an evasive answer that does not mean anything?

THE CHAIRMAN (Mr. Pudluk): Thank you, Dave Nickerson.

MRS. SORENSEN: I will rise to that bait, Mr. Nickerson. I remember the time in Yellowknife you accused Bob MacQuarrie and me of being both typical politicians, talking a lot and saying nothing. I would never accuse you of that.

Turning The N.W.T. Into A Native Reserve

I do have another question. I am just throwing this out for you to perhaps pick up on. I wonder if it has ever occurred to you that the federal government may be contemplating in the interests of the national interest, turning the Northwest Territories into a huge native reserve which would come under federal jurisdiction and in so doing phase out the territorial government as we know it...

SOME HON. MEMBERS: Shame!

MRS. SORENSEN: ...and perhaps establishing some type of federal administration which would devolve responsibility to the native people including those things they might want like health, education, wildlife, or some aspects of wildlife perhaps. Can you respond to that in any way? Do you hear anything like that in Ottawa?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mrs. Sorensen. I would like to advise you that when you are talking would you please talk closer to your microphone so we can hear you? Mr. Nickerson.

MR. NICKERSON: I think there is something of a danger of that happening. I do not know whether people in Les Terrasses de la Chaudière with malice aforethought have come up with those ideas, to be charitable to the ladies and gentlemen who work in that establishment, or say that they have not deliberately

had that as a plan of strategy. I think nevertheless the danger does lie in that with all good intention that might eventually develop and you would have the Territories split up into numerous very small jurisdictions which would then never really attain responsible government in themselves, they would be too small, too weak and too diverse and subject to too much federal authority, federal legislation and probably even with federal regulation. So, there is in my opinion an inherent danger that that might come about, but I do not know if it is a deliberate strategy.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, it is good to see my old colleague of the Eighth Assembly back before us in this House. He has certainly not lost his ability for keen political analysis and for communicating articulately and understandably his thoughts and thought processes. I think that his presence and the presence of Mr. Ittinuar with us today is an historic moment. I cannot recall in the past the Assembly has been favoured by the presence and wisdom of MP's representing us in Ottawa.

---Applause

Possibility Of Achieving A Division In Three Years

I have a general question and it relates really to something which you said which echoed part of the presentation made yesterday by the executive members of ITC, I think it was Mr. Thomas Suluk who pointed out their concern with regard to delay if division was to go forward. He mentioned at that time his concern that the life of this Assembly was only another three years and the life of the current government was about the same length of time. You are thinking or your opening remarks have indicated the same thing. Now, while I know you were in the House yesterday and I do not know if you heard all of the ITC proposal, and while I do not ask you to comment on their proposal I would like to read what they said because I would like to ask you whether it is feasible to achieve a certain objective within three years. What was said yesterday: "It has never been argued that the creation of Nunavut territory could be achieved overnight. Rather, ITC has sought support in principle for the creation of a Nunavut territory and it is believed that consensus on the desirability of Nunavut would be followed by a process by which the many questions relating to timing, transitional arrangements, boundaries, etc., could be answered. Such a process of course would necessarily be accompanied by extensive and continuing public consultation with governments, organizations, communities and individuals having an interest."

My question is, with your experience at the federal level, and also with your experience in the Eighth House when we spent two years or more trying to get a very, very minor change in the Northwest Territories Act which was to increase this House to its current number of 22 Members, do you think it is possible to achieve this blueprint that ITC has put forward within the life of this Assembly and the life of the Government of Canada?

THE CHAIRMAN (Mr. Pudluk): Thank you, the Hon. Mr. Butters. Mr. Nickerson.

The Question Must Be Given The Highest Priority

MR. NICKERSON: The answer to that question would be that if the Territories came to a large consensus, if this Legislature took it up as their personal crusade so to speak, this is something they gave the highest order of priority to, if there were no major objections from other ethnic organizations for instance, if there was a very high level of agreement in the Territories as to the proposal and as to the priority they would give to having the federal authorities bring it into being, I think it would be possible to accomplish this within the life of the present territorial Legislature and the present parliament of Canada. But it would mean I think that you would only have a few months left in which to come to these decisions and which to generate that consensus.

There are very funny things that can happen in legislatures and in parliament. I might not be entirely correct in my history, but as I understand it the proposal to put forward -- not a proposal -- the bill in the 1960's that was put before parliament to divide the Territories at that time was done by a Conservative government. There was considerable opposition at that time to this suggestion by the then Liberal opposition. The matter died on the order paper without having come to a vote. Now, the results of the ensuing election resulted in a change of government and so now we have the Liberal party in power with a Conservative opposition. So, the Liberal government introduced virtually the same bill as I understand it and at that time the Conservative opposition gave as much opposition to the proposal as the Liberals had previously, so very, very funny things can happen and parliament is not a reliable organization in that respect.

So, I think that if we could not address ourselves specifically to the question of division, but constitutional changes that you might wish to make in general, I think it is imperative that you decide what these are within the very near future and start working on them in Ottawa if you want changes made within the lifetime of this Legislature and the present parliament of Canada.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Before I call the next speaker let us take a 15 minute break for coffee.

---SHORT RECESS

THE CHAIRMAN (Mr. Pudluk): The Chair recognizes a quorum. Will we continue with further questioning? Also I would like to advise you that the hon. Member Dave Nickerson must be in Winnipeg tomorrow and wants to leave tonight. I wonder if we could speed it up a little bit so we can be finished with him. The next speaker is Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. Mr. Nickerson, my question or comments will overlap slightly with what Mr. Braden said although they are not entirely along the same lines. I have some concerns about what parliament might do when and if they divide the Northwest Territories by amending or repealing the Northwest Territories Act. I worry about the possibility of the creation of two new territories with less legislative power than we have in this House now. I also think this might give the federal government the chance to take the Arctic islands and make them into a preserve of some sort entirely under the federal government's jurisdiction. I also doubt that they would ever let the non-renewable resources of the Northwest Territories be owned by the government or governments North of 60 and therefore prevent us from ever gaining financial independence from Ottawa. Also some southerners in the past have even considered extending provincial boundaries north. Bearing these concerns in mind when you respond, what do you think the average MP in Ottawa, regardless of party lines, thinks about the North and its future, especially taking into consideration what Mr. Appaqaq said yesterday that the average southerner does not even know where the Northwest Territories are; in this case geographically or politically. The main area I would like to address is do any of the MP's or will they ever let us become equals or will we forever have the present semicolonial status we have now?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. McLaughlin. That sounds more like a written question. Mr. Dave Nickerson.

Reduction In Legislative Competence Not Anticipated

MR. NICKERSON: As regards the legislative competence of territories created by the division of the present Northwest Territories, I do not think that there would be a reduction in areas of legislative competence. The areas that have been given to the present Northwest Territories were given at a time when there was very little in the way of self-government at all in the Territories. The federal authority is under, I think it is the infamous section 13(b), but I am not sure offhand if the Northwest Territories Act retains the right to enact federal legislation which would supersede in any area any territorial legislation. For instance, if they did not like your Marriage Ordinance they could pass an act of parliament regulating the solemnization of marriages in the Northwest Territories which would take precedence. Of course, in a province that cannot happen by virtue of the Canadian constitution, solemnization of marriages comes under strictly provincial jurisdiction and there is nothing the federal government can do about it. I would not anticipate them cutting down on your legislative authorities.

They might in the eastern territory, as an interim measure, want to reduce the administrative authority of that new territory. I could see that coming about and there is ample precedent in the past for that occurring. I referred to the question of natural resources before and certainly the present incumbent Government of Canada, in my opinion, is doing everything possible to retain unto itself for the foreseeable future the ownership and administration and revenues to be derived from natural resources in the Northwest Territories. The federal governments of Canada, as do all governments, change from time to time so even if that is the unalterable position of the present government, that might change in the future. Even if the government were to change, I think we can present a good argument at least as far as revenue sharing goes

and then we might be able to persuade them to change their mind on that issue because it does not affect the federal ownership or the federal administration. Now, having said that, I must say that it would be my wish that at some point in time the administration and eventually the control or ownership of resources would reside in a province or provinces to be established in the Northwest Territories.

No Present Danger Of Provinces Extending Boundaries

At the present point in time and anything can be resurrected, but at the present point in time I do not think there is a danger of the provinces that abut the Territories making a real push to establish or to extend their boundaries northward. Occasionally from time to time you hear this in certain municipalities which shall be nameless in the southern part of the Mackenzie district -- and I am sorry I have to use that term "Mackenzie" again, but that is the one that exists on the map right now -- have been known to use this as a threat to get what they want, but in all seriousness I do not really consider it to be a possibility at the present time.

Your comments with respect to the High Arctic islands do give me some cause for concern. I had not really thought about that too much in the past, but I know that there are certain arguments that it might be possible for the federal government to use. For instance, if you look at the land use and occupancy maps published by the Inuit Tapirisat of Canada you will see according to their own information that historically the High Arctic islands have been virtually unpopulated. They were not an area of great use by the Inuit people in times past. That could be an argument used against you by the federal authorities. I am not aware of any serious arguments that have been put forward by the federal government for taking those areas out of the Territories as they now exist or they might exist in the future, but it is something that we should undoubtedly be wary of. I hope that you have not sown the seeds of that idea on fertile Ottawa soil because maybe sometimes we should be very careful what we say lest somebody take you up on those ideas. The least said the better about that.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. The next speaker is Mr. Patterson.

ITC Proposal Rules Out Ethnic Government

MR. PATTERSON: Thank you, Mr. Chairman. Mr. Nickerson, I cannot really understand the paranoia of the Member from Yellowknife South about giant native reservations and lands reserved for natives. I am a little bit surprised to see you giving credence to those hysterical concerns in your answer. I believe that land claims settlements will provide a great economic stimulus to all northerners...

---Applause

...and greatly benefit territorial or provincial governments and certainly should not be seen as a threat. The Inuit Development Corporation already, for example, has assigned an employment contract for the Polaris mine which will guarantee northern employment, revenues for the territorial government and economic stimulus to communities in the Baffin and Central Arctic in a way that so far our Economic Development department and our territorial administration have not been able to succeed at. With reference particularly to the ITC proposal which we heard in clear terms yesterday, it clearly rules out ethnic government and proposes a territorial and provincial model along existing lines. Are you saying with reference to that proposal that in spite of assurances from the very native organization which speaks for the Inuit at least, you believe the federal government would seriously consider, or the bureaucrats would seriously consider special status and ethnic government, at least as far as the Inuit proposal is concerned?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Patterson. Mr. Nickerson.

MR. NICKERSON: If I might respond to the second part of the question first, I would tend to agree with the honourable gentleman that if land claims are handled properly, if they are settled in a responsible manner, they will bring rise to economic benefits to everybody in the Northwest Territories. I certainly see that as the most likely thing to happen and certainly a very desirable thing to happen so we have no quarrel on that particular point. Now I do not think that the hon. Member for Frobisher Bay did the hon. Member for Yellowknife South too much justice in describing her comments as "hysterical". I think that the honourable lady brought up some good points and points that we have to be wary of.

Dangers Of Separate Land Claims Settlements

Now with respect to the ITC proposals and Nunavut proposal I do not really see the threat there of anything happening along the lines that the honourable lady suggested. But if the Government of Canada did not go along with the Nunavut proposal and look upon land given under a land claims settlement as being private land within an area of political jurisdiction open to all people, but rather if they -- I do not think they will but it is a possibility and a possibility we have to be wary of -- if they made a separate settlement with the Keewatin Inuit Association, another separate settlement with the Baffin Inuit Association, another separate settlement -- I am sorry, I cannot pronounce the word, but the people representing the Inuit interests in the Central Arctic area, yet another one with the Inuvialuit in the Delta area and if for some reason each of these small areas became a separate political jurisdiction unto itself it would be very difficult for such small areas to have the jurisdiction that you now enjoy within this Legislature and within the Government of the Northwest Territories. If that was to be the nature of land claims settlements, then I think the dangers the hon. Member for Yellowknife points out might very well occur, but as you so readily yourself pointed out that is not contained within the ITC proposal.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. I have a couple of comments rather than a question, if I may. First of all, as a teacher of long standing I have marked many, many themes in my day and passed judgment on style, and I suppose it is only just retribution that there should be a judgment made on mine. I will not inquire any further of Mr. Nickerson what it is. But at any rate, with respect, Mr. Nickerson, it seemed to me from the comments you made on a couple of the recommendations that as a very busy man you may have given short shrift to the body of the report that surrounds the recommendations. If I am wrong about that, I extend my sincere apologies, but I would take the occasion to express the hope to anyone who is going to be dealing with these recommendations, that they do not take that approach because it is my firm opinion that the body in many ways is as important as the recommendations.

Paper Contains Significant Philosophy

I do not think that it can be dismissed in a cavalier way as philosophy in quotation marks because there is philosophy. There is philosophy and I know that very often when that word is used it is to imply something that is esoteric and far removed from the practicalities of everyday human life. But on the other hand, philosophy can mean perceptions and expressions of value that shape the way things will occur. I believe that there is philosophy in that paper, but it is of that second kind and not the first at all. I would suggest that if this philosophy had been applied earlier -- I know that you do say that two out of the first three recommendations are motherhood. I can only say that if the

philosophy that is contained in them had been adopted at an earlier stage we might not find ourselves in the kind of difficulty that we find ourselves in at this time. I hope that they may be seen as motherhood by Members of this Assembly and pass easily in the days to come, but at any rate I believe they are significant.

I would say the one other comment I want to make is that you felt that recommendation nine was out of tune with the other recommendations. It is the one that calls for people who wish to remain in association with one another to sit down and try to agree on some means for future political development. The reason we had dealt with division first was simply because what is included in recommendation nine was not implemented by an earlier Assembly.

Momentum For Division Cannot Be Ignored

What has happened is that a momentum has built up for division which the committee, in the body of the report, states that it is probably too late to ignore. Mr. Patterson has expressed that, and I would have to agree that it is too late to try and include the Eastern Arctic proposal as a part of that kind of process, that there is a momentum that is so strong that that part of it has to be dealt with at this time. Then in recommendation nine we are saying that everyone else who would like to remain in association with one another ought probably to follow that pattern. Incidentally, in saying it ought to have been done by an earlier Assembly is not intended by me in any sense to be a put down because I can humbly say that four or five years ago I could not have said some of the things that I have said in that report because I did not understand them yet. We live and learn.

I just have one brief question to you. I get the impression that if we are able in this Assembly, and the people of the North as a whole, to come to an agreement as to a procedure for political development and constitutional development, and you were satisfied that it was a democratic process, that you would work very hard for us in Ottawa to try and see that the things we want come to pass. Am I right in that understanding?

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. MacQuarrie. Mr. Nickerson.

MR. NICKERSON: I would like to thank the hon. Member from Yellowknife Centre for the very lucid explanation that he gave of as to why he did certain things -- I am sorry I will not say in his report because obviously it reflected the views of all the Members of the committee. The hon. Member for Yellowknife Centre has a way of being able to make these explanations and make them in a way that I and I am sure other Members here assembled think about and give proper consideration to.

Member's Position On Decisions Of Legislature

Now, what was the second question? Oh, what would be my position, what would I do in Ottawa with respect to a position that had been taken by the Legislature? I earlier told the Members what I would do with respect to a decision made by a substantial majority of this Legislature on one particular matter, that being the matter of division. Now, in the general case your recommendations might be on any subject under the sun, everything from municipal sewage works to marine transportation, but as far as possible, were it not to be against my conscience, and were it not to be -- now there is not very much likelihood of you taking one particular position which would not be supported by a vast majority of the people who I represent, I do not think that is likely to occur, but if for some reason, say by a narrow majority the Legislature passed a resolution that I did not think had a great deal of support or majority support amongst my constituents, I might feel reluctant to act wholeheartedly in those particular circumstances.

However, I can assure you that while, of course, I do not take orders from the Legislature I am always very sympathetic to the views that they have and I know that when a measure is adopted by the Legislature, by a reasonable majority, that that has been fully debated and in large term reflects the wishes of the people of the Northwest Territories. So, as far as is possible I would try to carry those concerns and act upon them in Ottawa.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. The hon. Member from the Western Arctic, Nellie Cournoyea.

Control Of Insignificant Matters

MS. COURNOYEA: I have been listening to you this afternoon and as well I have listened to you previously on statements you have made in terms of your opinion as to what the land claims should be and the movement toward more self-government at a regional level and what land ownership really means. It seems that sometimes when you discuss the desire for people to have farmland you have a real strong approach to that. Yet when you take the same argument to the Inuit and Inuvialuit, the question of how we approach this in a reasonable manner, when all the concerns are brought forward, no matter how minute they are -- and I get confused sometimes about that because it seems to me that you basically agree that something should happen but the quantities and the quality of what should happen should never be anything that really matters -- I have never heard you say anything that can be significantly turned over to anyone in terms of control and in a manner that people will get something where they can have control of their lives. I have always found that confusing in listening to you in the past and today as well.

As well, in terms of the importance of Inuit and Inuvialuit, the fact is that Canada has used these groups of people to claim sovereignty over the Arctic. They have not used the Scotsmen or the Norwegians or whoever may be roaming into the Arctic islands, but in fact, the importance of these people, in claiming sovereignty over that area, whether they have been there once or have sat there in groups of more than one or two. So, it seems to me that there is still a sort of token feeling that you have that, "Gee, let us let these guys go because we could move ahead. Let us say sure, you are not very sophisticated but go ahead because we want to move ahead in the Western Arctic."

Financial Importance Of Inuit

I think if you really look at it the Inuit and Inuvialuit are really important to this area, because if you take the payment in terms of the status people, the payment per person is much better than others, the return on the dollar; like if you have 16 Inuit in health care the government will turn over a little bit more money than they would for an "other". So, I think in terms of the financial arrangement I do not think there is a problem in making a division but there seems to be a whole lot of concern raised on why we would do that. Then we talk about where we are going to get the money. I wonder if it is your view that Yellowknife wants to hold on to the money and ask these people to get money to run the government from somewhere else.

I wonder if the holding on of the Inuit is that they do bring a certain -- I feel this is true and I think you will agree with me -- a certain style and a certain, I guess class, to the Northwest Territories. It would be very difficult for Yellowknife not to have these people to represent any longer and possibly that would take something away from the style and manner that Yellowknife government has operated in and they would have to develop another approach. I am wondering if you could place your opinion on that and really dig down deep into your soul and see if maybe one of the problems is that you do not really want to let people go because they have brought a style and custom of making decisions and bringing recognition to Yellowknife. It would be very difficult if you lose these people because you would no longer be able to go to the federal government

and say, "We are representing these people and we need this and we need that," because they would then be doing that for themselves. Is that fear, is that really the fear, losing this group of people rather than, "Well, go ahead and go, but I will raise all these concerns"?

THE CHAIRMAN (Mr. Pudluk): Thank you, the hon. Member from the Western Arctic. Mr. Nickerson.

Legal Controls Of Small Holdings Of Farmland

MR. NICKERSON: Thank you, Mr. Chairman. The hon. Member for the Western Arctic, my namesake, brings out some interesting points. The first one deals with land, land title, land ownership and the differences between, let us say, the ownership of a section of farmland in the Hay River Valley and the type of ownership that might be involved specifically under the COPE proposal. Now, if we talk about Farmer Brown in Hay River with his section of land or half section or ten acres or whatever it is the present federal authority will allow him to have, he owns that land, he holds title to it, but that land is subject to all the laws of general application made by the legislative authorities in that area. He is subject to federal laws, he is subject to laws passed by the Legislative Assembly, and if it is within a municipality the municipal authorities have control over that land. They do not have control, and that is a bad choice of words, but they can certainly zone it and very often municipalities will zone land agricultural, etc., etc., that occurs within their boundaries.

So, that is a well established system of land title, everyone knows what they are getting themselves into. The municipality, if the land is in a municipality knows that it will have taxing authority over that land, that it will be able to impose zoning regulations, that if it becomes necessary that the territorial or local authority could use the powers of expropriation that they have, whereas in the style of ownership of land contemplated under the COPE agreement these questions have not been settled. With respect to the one issue of rights of expropriation in the COPE agreement, apparently municipal and territorial authorities are not to have the right of expropriation, that is to reside solely with the federal government. So, this is of great concern to municipalities and to yourselves as territorial legislators.

Transfer Of Very Large Blocks Of Land

There is the question of the transfer to private ownership of very, very large blocks of land. The farmer might have a section, he might have two sections or five sections, but they will be contiguous blocks of thousands probably or at least hundreds and possibly thousands of square miles contemplated in the COPE agreement; land that is not used for any specific purpose for the time being. At some point in time somebody might want to go and use a piece of that land for some purpose but will they be allowed to receive some form of title to it or will one entity control these huge blocks of land and not allow them to be used for a specific purpose?

Access over these lands. The farmer with a section of land, or other authorities will have adjoining strips for public purposes such as public roads and so the public can travel from one part of the area to the other. Will this be possible under the type of land ownership envisaged under the COPE agreement? What about the taxing authority, a view you yourselves here assembled, will you be able to impose taxes on that land, taxes that are needed to build schools, to run the hospitals, to fill the potholes in the roads?

So, there are a lot of unanswered questions when it comes to the type of ownership envisaged under land claim settlements. That is why it is a relatively easy thing to say, "Yes, we should have farms established in the southern Mackenzie under known rules and known precedents, known ways of operating." It is easier to do that than, "Okay, we will accept everything in the COPE agreement in principle because there are lots of presently unanswered questions and it is an entirely different system of land ownership that is envisaged under that agreement."

Assumption That Public Servants Against Division

Now, it is unfair to ask me really, because I have never been a Yellowknife public servant, what it is that is holding them back and that is maybe not my opinion, but the opinion expressed by the MLA for the Western Arctic. Why Yellowknife public servants might be reluctant to support the idea of division -- I know for a fact that the employees in the public service of the Northwest Territories are probably as divided on the issue of division as anybody else. I think it is unfair to say that they form a monolithic bloc in opposition because I know for a fact that that is not true. I think you do the public servants in your employ somewhat of a disservice by assuming that they are against any progressive constitutional development in the Northwest Territories. I do not think that that is true.

---Applause

One of the reasons that I am sure and it is a reason of the heart that certain people in your service in Yellowknife have, for not wanting to go ahead with division may be -- some of them explained this to me themselves, that they have spent a lot of time, a lot of service has been done in the Eastern Arctic. They have grown to love this part of the country and although they are now stationed in Yellowknife and they have had to go there to take advantage of transfers, they still have it in their heart that this is where they would like to be and they continuously think of how the things that they do in Yellowknife are affecting this part of the country. So maybe everybody would not agree that that is a good and proper reason, that it may not be a logical reason, but it is certainly a heartfelt reason that a number of people have.

Any institution, any organization has as one of its principal objectives, whether it is written down or not, to protect itself and very seldom you get anybody recommending that they should have less authority or their authority should be reduced or they should be diminished in influence. So I am sure that that is a natural human reaction to some of the proposals that have been made, but on the whole I would suggest that you probably are wrong in assuming that everybody who lives in Yellowknife is against all of these proposals because Yellowknife people are pretty good people. I have always found that to be.

---Applause

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. The hon. Member from Yellowknife South, Mrs. Sorensen.

MRS. SORENSEN: Mr. Nickerson, you mentioned in response to a question put to you by the hon. Member from Frobisher Bay that you felt land claims should be settled in a responsible manner. I would like for you to describe to me what you mean by responsible manner.

MR. CURLEY: Negotiate.

HON. ARNOLD McCALLUM: Mr. Chairman, a point of privilege, if I may, I do not want to cut off Mr. Nickerson, but it is my understanding that the MP from Nunatsiaq, Mr. Ittinuar has to leave this evening.

THE CHAIRMAN (Mr. Pudluk): Just a moment. He has said he can stay another night and we can talk to him tomorrow. Thank you. Go ahead, Mrs. Sorensen. On a point of privilege?

Right Of Member To Advise On Aboriginal Rights

MR. CURLEY: On a point of privilege, Mr. Chairman. Our Member for the Western Arctic is not the minister responsible for negotiation. I do not believe we should be dealing with the subject of aboriginal rights because he has no authority to make any policy statement and I think the Members from the Western Arctic part of the area should know that this hon. Member is only in opposition. I would not want him to include those people over there in dealing with the aboriginal rights question. He has no business in advising this Assembly on that question and I question his right to answer any questions related to aboriginal rights.

---Applause

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Curley. I agree with you.

MRS. SORENSEN: Mr. Chairman, I think it is crucial that we know what our MP thinks and feels about land claims. I think that we have said time and time again that land claims and constitutional development, while not necessarily one and the same thing, are very, very closely related and this man could have tremendous influence even though he is in the opposition down in Ottawa, with respect to land claims. He has already made some very interesting comments about the COPE situation and I would like for him to define what he means by responsible manner. It is a simple question.

MR. CURLEY: On a point of privilege, Mr. Chairman. We are dealing with the political issue. We are dealing with the division question. We are not dealing with aboriginal rights and on that basis I would suggest you rule her out of order with respect to the land claims question.

THE CHAIRMAN (Mr. Pudluk): My goodness!

MR. SIBBESTON: It is getting worse. Mr. Chairman, I have a motion.

THE CHAIRMAN (Mr. Pudluk): Just a moment please. We are discussing the unity committee report and on page six the unity committee recommends in number two -- Dave Nickerson, please proceed.

MR. NICKERSON: Excuse me, Mr. Chairman. Are you requesting that I answer that question or are you requesting that I do not?

THE CHAIRMAN (Mr. Pudluk): For that question, please answer Mrs. Sorensen's question. You have the floor to answer that question. Order. I accept that question.

MR. CURLEY: It is out of order.

THE CHAIRMAN (Mr. Pudluk): Go ahead, Mr. Nickerson.

Elements Of Responsible Land Claims Settlement

MR. NICKERSON: Thank you, Mr. Chairman, very much. It is a very difficult question to answer and probably the hon. Member for Keewatin is correct in that to give an answer to that question would be very time consuming if you were to do it in the proper manner. Actually I would prefer not to get into it because I do not know whether I will be able to stop myself before 6:00 o'clock, but in a very short and brief response to that question I should say that land claims have to be resolved primarily by negotiation. They have to take into consideration the wishes and aspirations of the claimants. They have to take into account the existing authorities of this Legislature. They have to be in the public interest of the locality in which they occur, in the public interest of the Territories and indeed in the public interest of Canada. I would hope that under any proposed settlements there would be an economic base transferred to the claimant groups and I think that that would be, as one of the hon. Members pointed out, of advantage to the whole of the Territories and to all the people who live in the Territories. Those are some of the elements of a responsible land claims settlement, but in the interests of time and because this question does not impinge directly on what we have before us today I do not think at this point in time I would like to continue with what could be a very contentious issue.

--Applause

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. McCallum, do you wish to speak?

HON. ARNOLD MCCALLUM: Thank you, Mr. Curley. Mr. Chairman, I did not have a question. I raised the point of order that got this whole thing going. I do not want to start any more.

THE CHAIRMAN (Mr. Pudluk): Thank God!

---Laughter

Hon. Mr. Patterson.

View Of Standing Committee On Indian And Northern Affairs

MR. PATTERSON: I do not have a point of order, Mr. Chairman. I would simply like to ask Mr. Nickerson something he left out in his interesting analysis of the current political climate in Ottawa. Now you and our MP, Mr. Ittinuar are on the standing committee on northern and Indian affairs and you recently heard a delegation from Inuit Tapirisat of Canada expressing your views on, among other issues, division of the Northwest Territories, I believe. Bill C-80(3) which would have created the territory of Mackenzie back in the 1960's died after first reading, while it was buried, it was I think a precursor to the present standing committee on Indian and northern affairs, it was called the standing committee on mines, forests and waters. What I would like to know is, since our unity report proposes to present our consensus to the standing committee of which you are a member and I expect that that consensus may well include support in principle for division, can you give us a reading based on your knowledge of the present committee and perhaps its reaction to the ITC delegation? What sort of response the motion of division might receive in the standing committee on Indian and northern affairs?

THE CHAIRMAN (Mr. Pudluk): Thank you, hon. Member for Frobisher Bay. Mr. Nickerson.

MR. NICKERSON: The standing committee listened carefully to the presentation made to it by ITC. That committee has not yet come to any decision or conclusion or made any recommendation regarding the division in the Northwest Territories, I think that the committee collectively would feel that it would have to give some other bodies, in particular yourselves, as Members of the Legislative Assembly of the Northwest Territories. So far the report of the special committee has not been acted upon by the Legislature itself. The Legislature has not made up its mind so if I could speak for the committee as a whole and maybe I am a little bit out of line in trying to do that, but I would suspect that they would be most interested to hear from the territorial Legislature and would not be prepared to make a decision or a recommendation, a recommendation to the Minister or a recommendation to the House of Commons on this matter until they had thoroughly studied the views of all interested parties.

Invitation For Legislature To Make Presentation

So, it is a question that they are very interested in, and which I would like more information on before they could make a recommendation. If this Legislature comes to a decision and wishes to appear before the standing committee, make a presentation to that body, both I, and I am sure I can speak for the Member of Parliament for the Eastern Arctic, the Nunatsiak riding, would do our best to make sure that you would have that opportunity to appear before the committee. Knowing the chairman of that committee I am sure I could speak on his behalf that he would have no major objection to that being done. There might be some difficulty with scheduling but I am sure we would be pleased to see you there.

THE CHAIRMAN (Mr. Pudluk): Thank you, Mr. Nickerson. Mr. Stewart.

Motion To Extend Hours Of Sitting

HON. DON STEWART: Thank you, Mr. Chairman. I have had a chance to speak to Mr. Ittinuar and although he is prepared to stay overnight he would prefer to go this evening and on that basis I would at this time like to move that we extend the hours of sitting until 7:00 o'clock and/or when Mr. Ittinuar's presentation has been completed to continue the debate on the unity report.

THE CHAIRMAN (Mr. Pudluk): There is a motion on the floor. To the motion, Hon. Tom Butters.

HON. TOM BUTTERS: Mr. Chairman, I think the signals have been crossed up. I notice the MP for Nunatsiak is suggesting by motion of his hands that possibly the communication delivered by the Speaker is not quite correct and he would be available to us tomorrow. I approached him about half an hour ago suggesting I would make a motion to extend the session and he told me at that time he would be available to the committee tomorrow.

Motion To Extend Hours Of Sitting, Withdrawn

HON. DON STEWART: I would not like to suggest that Mr. Ittinuar does not know if he is coming or going but that is the information he gave me. If he is staying, fine, then I will drop my motion.

THE CHAIRMAN (Mr. Pudluk): Thank you. Those are the last of the people I have on my list right now. Mr. Patterson.

MR. PATTERSON: Mr. Chairman, since we seem to be drawing to a close I would like to simply say that I am -- if I may make a comment -- I am very delighted with the openmindedness with which Mr. Nickerson has approached this question. I am particularly delighted that he was willing to come here during a very busy period in the House of Commons and I think the visit has been most worth while and enlightening for all of us. Thank you.

---Applause

THE CHAIRMAN (Mr. Pudluk): I would like to thank Mr. Dave Nickerson and that is all I have to say. Thank you very much.

MR. NICKERSON: Thank you very much, Mr. Chairman, and thank you very much.

---Applause

THE CHAIRMAN (Mr. Pudluk): Now I will ask this House if this House would like to invite in Mr. Ittinuar. Do I hear agreement?

SOME HON. MEMBERS: Agreed.

HON. TOM BUTTERS: Mr. Chairman, I would suggest, and I do not know what Mr. Ittinuar may feel, but he may wish to have a fresh start tomorrow as he will be staying over, that he make his presentation in one complete unit, his presentation and the questioning associated with his presentation all at one time.

THE CHAIRMAN (Mr. Pudluk): Is it the wish of the House I report progress?

---Agreed

MR. SPEAKER: The House will come to order. Mr. Pudluk.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 16-80(2): REPORT OF THE SPECIAL COMMITTEE ON UNITY

MR. PUDLUK: Mr. Speaker, your committee has been considering the Report of the Special Committee on Unity and we wish to report progress.

MR. SPEAKER: Now, we have for the debate on the unity committee report for tomorrow the Dene report, the Metis Association report, we have Mr. Ballantyne and we still have Mr. Ittinuar to be heard. Now, the options open to us are to keep our regular time, that is starting at 1:00 o'clock to 6:00 and then extend sitting hours to complete the witnesses. I certainly do not think the paper can be concluded by any stretch of the imagination, but complete hearing the witnesses although we are under a time constraint. We have a caucus meeting scheduled for 9:30 tomorrow morning which can be cancelled I presume but I wonder what the feeling is. If we move along we could get through with it under our regular sitting hours but if we get bogged down -- are you prepared to take a chance on regular sitting hours and extension tomorrow night?

SOME HON. MEMBERS: Agreed. Tomorrow morning.

MR. SPEAKER: Mr. Braden.

HON. GEORGE BRADEN: Mr. Speaker, I have found in my limited experience that if we try to sit in the morning, afternoon and evening the debate tends to become perhaps unproductive, if I can use that term. With all respect to Members I would suggest that if the Executive is willing, we sit tomorrow morning, cancel the caucus meeting and sit tomorrow morning and tomorrow afternoon.

MR. SPEAKER: Thank you. Mr. Sibbeston.

MR. SIBBESTON: Mr. Chairman, my view on the matter is that we ought to simply meet tomorrow afternoon. Mr. Speaker, I am of the view that we should simply begin tomorrow at 1:00 because I am aware that the Dene Nation intends to make a presentation and intends to make it in part in their Dene language and I think that is important to our part of the North because they do not have the benefit of understanding a lot of what is going on. There is a bit of opportunity for the people in our part to hear their own reps and so I think we should simply start at 1:00.

MR. SPEAKER: Thank you. Are there any other opinions? Mr. MacQuarrie.

MR. MacQUARRIE: However, while there is importance in what Mr. Sibbeston said, we have Mr. Ittinuar first and then we would presumably have Mr. Ballantyne and the Northwest Territories Association of Municipalities, so we could profitably fill the morning and I think I would prefer to.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Mr. McLaughlin.

MR. McLAUGHLIN: Mr. Speaker, just to make it clear to all the Members the order that was agreed to amongst the various delegations, the remaining order would be Mr. Ittinuar, then the Dene and Metis and then the municipalities association.

MR. SPEAKER: Thank you.

MS. COURNOYEA: Have you not got any flexibility in it?

MR. SPEAKER: Mr. Sibbeston.

MR. SIBBESTON: If Members would be prepared to have Mr. Ittinuar begin in the morning and they are not concerned about the radio broadcast then that perhaps might be fine but with the understanding that the Dene Nation ought to start at 1:00 o'clock.

HON. ARNOLD McCALLUM: A wise move.

MR. SPEAKER: I have asked the CBC to ascertain if they can give us any morning coverage. Mr. Clerk, are there any announcements?

CLERK OF THE HOUSE (Mr. Remnant): There will be a caucus meeting in the Ukkivik students residence, 9:30 tomorrow morning. The bus will be in front of the hotel at 9:15.

MR. SIBBESTON: Mr. Speaker...

MR. SPEAKER: Orders of the day.

MR. SIBBESTON: A point of privilege. Have you then decided we are not meeting in the morning?

MR. SPEAKER: I will advise you what the hours are very shortly, Mr. Sibbeston. You will know them. Mr. Clerk, orders of the day. I have decided that we will commence sitting at 9:30 tomorrow morning. The hours of sitting will be from 9:30 until 11:30 and 2:00 p.m. until 6:00 o'clock. So, I presume that negates the announcement that was on the announcement paper. There will be no meeting in caucus in the morning. Mr. Clerk, orders of the day.

ITEM NO. 12: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Remnant): Orders of the day, October 31, 1980, 9:30 o'clock a.m., at the Gordon Robertson Education Centre.

1. Prayer
2. Oral Questions
3. Questions and Returns
4. Petitions
5. Tabling of Documents

6. Reports of Standing and Special Committees
7. Notices of Motion
8. Motions
9. Introduction of Bills for First Reading
10. Second Reading of Bills
11. Consideration in Committee of the Whole of Bills, Recommendations to the Legislative Assembly and Other Matters: Tabled Document 16-80(2); Motion 20-80(2); Information Items 1-80(2), 2-80(2), 4-80(2), 5-80(2), 6-80(2), 18-80(2); Tabled Documents 6-80(2), 12-80(2); Bills 3-80(2), 13-80(2), 7-80(2), 8-80(2), 9-80(2), 10-80(2), 12-80(2)
12. Orders of the Day

MR. SPEAKER: This House stands adjourned until 9:30 o'clock a.m., October 31, 1980, at the Gordon Robertson Education Centre.

---ADJOURNMENT



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