

MP Dennis Bevington speaks in the House of Commons Bill S-6 First Nations Elections Act

May 28, 2013

Mr. Speaker, I have the opportunity here, quite late on Tuesday night, to speak to this particular Bill.

It has been my viewpoint over the past two years on the Aboriginal Affairs Committee that the Conservatives really have not been consulting in the correct fashion with First Nations across the country. They come in with the wrong attitude. What we really need is to have First Nations design the legislation that they would like to see enacted for their governments, their people and their nations. We can then take that in Parliament and understand how we can amend it so that it works.

However, we have the opposite way and we saw that with the Accountability Act, an Act that really was an unfortunate piece of goods that came from the government. It was universally condemned by First Nations. They did have a couple of supporters there, but they were some very specific people who had problems in their own particular communities. Those who understood the nature of the First Nations-Canada relationship rejected the accountability act.

We are now at Bill S-8, the Safe Drinking Water Act, which we would think that everyone could get behind and support. However, once again, we see that the method of consultation and delivery of these bills is simply not working. The Conservative government is not providing the First Nations with the opportunities to design the legislation so that it works for them. In this case, with the Senate putting forward Bill S-8, we also have the additional problem that we cannot make requirements for resources to ensure that First Nations can actually meet standards that they would all want to meet.

The history so far of the majority government has been of one that refuses amendments. I think of Bill C-47, when we put forward some 45 amendments on a bill that only affected Nunavut and the Northwest Territories. Of those 40-some amendments, the Conservatives turned down all of them, even though the amendments were designed to make the bill work better. They were not coming from people who had great opposition to the Bill. They were coming from people who were concerned that the Bill should work right.

In other words, once again the Conservatives failed to provide a methodology of consultation that delivered a product that people could get behind. I see that this pattern is being repeated with Bill S-6. The Conservatives did go into some consultation. They did hold meetings with First Nations. They got recommendations from First Nations about how this Bill should be set up. The problem is that when the bill showed up, those recommendations were not carried forward in the fashion that the First Nations had assumed.

We can see that in the problem with the Assembly of Manitoba Chiefs. The first Grand Chief, who was involved in the consultation side of it before the Bill was put out, was pretty happy with what was going to happen. He said that, but then when the bill arrived in the Senate, the Manitoba Chief that I quoted in my question to the parliamentary secretary said, "No, that is not what we are after".

The consultation process is wrong. The consultation process does not deliver the goods for First Nations. That is the problem here and the government has to change its direction in order to make legislation that truly represents First Nations' points of view. The legislation is for the First Nations. This legislation does not affect other people in Canada. The legislation is for the governments of the First Nations. Therefore, it should really have those elements as the prime elements within the legislation.

That seems to be simple. We are not here to force our way upon other governments. We are here to provide guidance and accommodation and to make the system work.

Conservatives have a different view. They view it from that economic development lens. We heard the parliamentary secretary say that. Implicit within all the work that the Conservatives are doing is the idea that economic development for the First Nations is the most important element. The most important element is not what the First Nations want, not what the First Nations deserve, but what will make economic development work. That is the Conservatives' point of view.

What we see in legislation over and over again is that message. What is important for economic development is the primary thing that we will see in legislation that comes from the Conservatives on First Nations issues. If First Nations go along with that, and the government can get some to go along with that, those will be the quotations that are used. Those will be the validations that Conservatives seek.

What really is needed? We really need to listen to the First Nations. This legislation is for them, it is not for us. It is not telling us how we are getting elected. It is working with the First Nations to come up with a system that they endorse, that they want for their very valid self-government efforts.

In the consultation process there was probably a little more give, a little more understanding, but when it came back to Ottawa, the changes were made to ensure that it worked for the government and its plans. That is the reality of what we are dealing with.

We have trouble with the Bill. We also have trouble supporting it at second reading and taking it to committee. We have done this over and over again, but we are not getting any results. We are not getting the government to come onside for valid amendments to Bills.

That is the process by which we all want to engage in here. This is what we want to do at committees. We want to have the opportunity to take what the people want, take what

the government wants, come up with some compromises. We do not want this hard line attitude about the committees and about how amendments are dealt with at committees. That is not working for us. What we are saying is that will oppose this Bill at second reading because it does not what the First Nations want.

It is a tragedy that we cannot take the Bill to committee with some kind of assurance that some of the important elements that need to be fixed in the Bill will be fixed. However, when we beat our head against the wall and do not get results, then we should quit beating our head against the wall. That is sensible.

We can fight it here in Parliament. We can go to committee and hear the witnesses who will say that they want amendments and to make the Bill work properly. That is what we have heard over and over again. With all the legislation that has come in front of us, it has always been the case that the First Nations witnesses who testify want solutions. They do not want to go away empty handed.

It is a tragedy and it is wrong. That is not the way we should do government. Government is for the people. The people who are affected by legislation are the primary concern of the legislation. This is not for all of Canada. This is for First Nations. They have the primary say here. If we go against that principle, we are really going against the principle of democracy if we are not allowing the people who are affected by the law to have the dominant say over how the law is put together.

If a law affects all Canadians, then we all have a say in it. The responsibility is different. However, in the case when we are making laws for First Nations, First Nations that have a constitutional right of self-government, that have been in this land for thousands of years, who signed treaties, they should have a say in it. We did not take the land away from them, we signed treaties with them. The Queen agreed about how these treaties were taken care of in 1763.

That is our history. Do we want to rewrite history? We should write it the way it has been done.

I really would like to get along with the government on legislation for First Nations when it starts getting along with First Nations and when it starts listening to First Nations. This is what the legislation is for. These are the people who are affected by the legislation. It is not for businessmen, not for those who look upon reserves as potential new sources of land and resources. No, it is for those people. Let us remember that when we deal with legislation. If we do not, we are simply not doing the job that, as Canadians, we know we should be doing.