

• (1730)

There was also cause for optimism about having a meaningful input after the government continued to pursue the direction it took in 1971 by broadening the terms of reference of Dr. Lloyd Barber's Indian Claims Commission to include non-treaty claims, and when it acknowledged the position presented in the submission of the Yukon Native Brotherhood and agreed to the establishment of a negotiating committee. The non-decision of the Supreme Court in the Nishga tribe's case was also reason for greater interest, not only in the cause of aboriginal rights but also in the need for our committee's report. Throughout these past two months we have received numerous presentations dealing with the question of aboriginal rights. As a result of the presentation of the National Indian Brotherhood we now find our second report before the House. However, we have had several further submissions dealing with aboriginal rights and we expect to hear several more.

The court's non-decision points up the need for Canadian law to recognize the question of aboriginal rights. To do this, some legislative action is required. I think it is generally agreed that parliament, in negotiating with native peoples, should reach a firm decision. It was pointed out by Professor Peter Cumming of Osgoode Hall law school, one of the witnesses before the committee, that "as parliament has complete control over any legislative settlement of aboriginal rights nothing is really 'being given away' through the recognition of such rights and the negotiation of a fair settlement." He feels that "there is much to be gained by the suggested approach. The unquestioned intention of the government is to improve the well-being of the native peoples. The unquestioned fact is that the native peoples remain the most underprivileged minority group in Canada."

The implications of the adoption of a position on aboriginal rights have been widely imagined. First and foremost, native peoples such as the Nishga, who have occupied land from time immemorial, will finally have rights. Secondly, and of major significance, the government and the native peoples will have a starting point from which to negotiate and reach a settlement. Any type of settlement will be worked out by parliament. In all the presentations about the settlement of aboriginal claims there was a real awareness that to achieve justice for all, a great deal of give and take on the part of all parties would be needed. Mr. Speaker, I see that you are on the verge of rising, so I conclude my remarks.

**Hon. Walter Dinsdale (Brandon-Souris):** Mr. Speaker, I congratulate the hon. member for Kingston and the Islands (Miss MacDonald) for her contribution to this debate. She has placed into focus, in quite precise terms, the most important issue with respect to our native peoples which faces the government and parliament today. And she did so in a way that makes it possible for this parliament to make a final decision on a basic issue that must be resolved if we are to deal justly with the long neglected native peoples of this country. I can understand the emotional response of the Minister of Indian Affairs (Mr. Chrétien) to that presentation, because its logic was inescapable.

### *Indian Affairs*

I would hope, and this is why we have agreed to shorten the debate, that we will have an opportunity to reaffirm the vote that has already been taken by the standing committee. The government supporters who abstained from the vote were obviously confused with respect to the government's position on aboriginal rights. This motion now presents an opportunity for the government to withdraw from the position it outlined in the ill-fated white paper of 1969 and to accept the principle of aboriginal rights.

All hon. members of the House will agree that one of the great social tragedies of Canada has been our treatment of the native peoples. We destroyed their way of life and we gave them no opportunity to become established in the white man's society. As a result, they are marginal people. Because they were disease-ridden for a long time, they were a vanishing people. Demoralization is still rampant, as expressed in some of the indices of social destruction among those people. I agree that there has been an improvement over the past two decades or so. There has been a concerted attack on the health problems of the Indians, so that they are no longer a vanishing people. They now have the largest birth rate of any group in Canadian society.

There have been important breakthroughs in our approach to education. The minister referred to this in his speech as though it were something that happened in the past five years. But I would remind him that what has happened in his department is its adoption of the excellent education program that operated in the Department of Northern Affairs from the mid-1950s on, when Indian Affairs was incorporated in that department. Another important breakthrough gave the Indian population the right to vote in 1959, and the Inuit population the right to vote in 1962. For those who say that the Progressive Conservative government had no interest in these matters, I point out that these fundamental breakthroughs came during the administration of the right hon. member for Prince Albert (Mr. Diefenbaker).

As a result of giving the Indian population the vote in 1959, they have now become an important part of the political process. This is reflected in the responsible, intelligent, capable leadership that has emerged, because now they have their day in court. They have been given the opportunity to make their contribution to the political process because they were given the basic right of citizens in a democracy, the right to exercise the franchise.

In 1963, the next major breakthrough in the progress of our Indians towards full Canadian citizenship was to have been the establishment of a claims commission. The resolution was on the order paper. Then the government changed, and for the past ten years the Indians have been wandering in the wilderness in this regard. Admittedly, the pressure had come from south of the border where the principle of aboriginal rights had been accepted without equivocation. But instead of proceeding to deal with the recognition of long neglected claims, the two succeeding Liberal governments resorted to conferences and, I suggest, devious conferences in many respects.

We had a joint parliamentary committee that went across the country over a period of 12 months. One of the most persistent themes presented to that committee was