

*Indian Affairs*

with the views the Indian representatives had been expressing for years. However, the point which appears to have been missed is that the government is offering it as a view, a proposal, something upon which the consultations will now take place. The government considered that it had the duty to put forward proposals for public debate by the Indian people and by all the people of Canada. The language of the policy statement was carefully drawn to make this point.

Again, I quote from the document on page 6:

The government believes that the framework within which individual Indians and bands could achieve full participation requires:

There follows the six points which indicate the government's view of the principles involved, followed immediately by this sentence:

The government would be prepared to take the following steps to create this framework.

Following this are the four steps which the government would be prepared to take if, following consultations and public debate in Canada, these seemed to be the appropriate things to do. Similar references can be found throughout the document, but the emphasis is on consultations and participation of the Indian people themselves in the development and implementation of the proposed policy. Reference is also made to financial support to Indian organizations so that they may have the capacity to fulfil this role. In general, the whole thrust of the paper is the offering of a policy for consultation and debate.

Another misapprehension which seems to have arisen is that the negotiations and arrangements may be pressed too fast. The five year period that is mentioned in the statement is, I think, the key to this concern. Here again, however, a careful reading of the document will indicate that this is not a firm deadline. The actual language is as follows:

The government hopes to have the bulk of the policy in effect within five years.

Obviously this is not a hard and fast matter. It is a hope. If, in fact, it cannot be realized, it will not be realized. This apprehension has also been linked with the subject of land, which is probably the most sensitive area to Indian people—and appropriately so. Many have assumed that the five year period implies some distribution of land to individual Indian people within that period. Nothing could be further from what is proposed.

In the item under "immediate steps" in the document on page 6 where we talk about our

hope that within five years we could phase out that part of the Department of Indian Affairs and Northern Development we state, and I quote:

Indian lands would require special attention for some time. This process of transferring control to the Indian people would be under continuous review—

What we tried to indicate was that we saw the land question as one taking many years and that the Indian people ultimately would assume their rights in this respect. The present system of land control has satisfied no one. It has been under attack for years and the government agrees with these attacks. The system is paternalistic in the extreme. What we seek to do is to eventually transfer the lands of which the Indians now have de facto possession. What has been suggested is not the distribution of land to individuals but the transfer in law to the bands of Indian lands, now controlled by them, subject to the legal requirement of the minister's consent.

We seek to do it under the proposed Indian Lands Act which would have within it a number of protective devices which would ensure that the nature of Indian ownership of land would only change if a considerable majority of the Indian owners so desired and would additionally protect minority rights within these communities and, finally, probably have some novel provisions found in legislation in other countries to control transactions between Indians and non-Indians, should those arise in the future by provision for court review if either the Indian vendor or the band felt that the transaction was not a fair and proper one.

These are the matters upon which we want to consult with the Indian people: Do they want legal ownership of their own lands? Do they want to be free of ministerial supervision? What kind of protection do they want? What other provisions may there be of which we have not thought?

To sum up, I feel that there has not been a complete reading of the government's policy statement by many, and that many of the misapprehensions would have been found to have been answered within the document. It is a proposal for consultation. It happens that the government's view reflects much of what has been said in recent consultations by Indian people and many members in this house, including those who have been prominent in this debate and as recently as the day on which this policy was announced. As I recall it, the comment of members opposite on that occasion was that the government's policy