

Some hon. Members: Agreed.

Mr. Chrétien: I thank you, Mr. Speaker, and I thank the hon. members for their courtesy.

I plan to meet these representatives next week and, in the days that will follow, I will be in touch with the Premier of Quebec who has already agreed to meet with me at my convenience. We are following the situation very closely, and I can assure hon. members that the interests of the Indians will be protected by this government, and that we will keep our cool. I am sure the best interests of everyone concerned will be served by finding a settlement acceptable to everyone.

I am very grateful that no one in this House so far this afternoon has taken an extreme position, denying any development or anything like that. I think this is the approach we have to follow. There are many interests which have to be considered and I want to say to the Quebec government, the Indians and members of this House, that we will make sure the interests of the 6,000 Indians living in this area will be well protected.

Some hon. Members: Hear, hear!

Mr. Thomas S. Barnett (Comox-Alberni): Mr. Speaker, it was very interesting this afternoon to listen to the statements made so far from the government side of the House. The Minister of Energy, Mines and Resources (Mr. Macdonald) took a very narrow view of a situation lying entirely within the jurisdiction of his department. I listened with interest to the Minister of Indian Affairs and Northern Development (Mr. Chrétien) who did make reference to the problems of the Indian people. Quite frankly, while he said a lot about talking to Indians, neither he nor the Minister of Energy, Mines and Resources gave us any kind of assurance that this government is going to cease doing what it has been doing, namely flaunting the laws of this parliament and the constitution of Canada as they relate to the rights of the aboriginal inhabitants of this part of Canada or, indeed, of any other part.

It is small wonder that the Indians of that particular region may have thought it advisable to talk first to the government of Quebec, in light of the announced policy of the government as made clear by the Prime Minister (Mr. Trudeau) of this country, that as far as the federal government is concerned it refuses to recognize the aboriginal rights enshrined in the constitution of this country. I certainly would not want to see the minister go back to what he referred to as "any old paternalistic attitude" in his discussions with the Indians. However, I would have liked to hear him make a positive statement assuring the members of this House and the people involved that the government of Canada was prepared to protect their constitutional rights.

Mr. Chrétien: That is what I said.

Mr. Barnett: The minister made some reference to the act of 1912, and this was mentioned by my colleague the hon. member for Kootenay West (Mr. Harding), in which this parliament validated an agreement between the government of Canada and the government of the province of Quebec. It reads:

James Bay Power Project

That the province of Quebec will recognize the rights of the Indian inhabitants in the territory above described to the same extent, and will obtain surrenders of such rights in the same manner, as the Government of Canada has heretofore recognized such rights—

Perhaps in 1912 the government was still recognizing the necessity of obtaining surrender rights from the aboriginals, although the present government is not doing so either in the province of Quebec, the Northwest Territories or, for that matter as far as I can determine, anywhere else in this country. That is the nub of the question and that is why the minister, when he speaks in his engaging way, has to hedge and go around and around in circles, saying he must wait for resolutions from the Indian people and then have meetings and discussions with them, after they have discussed things with the Assistant Deputy Minister and officers of the department.

The minister did make some reference to the fact that the territory under discussion in this resolution was not originally part of the province of Quebec. It is interesting to note that, but I should like to suggest to him that he might have gone back to the Royal Proclamation of October 7, 1763, which sets out certain boundaries. It reads:

The Government of Quebec bounded on the Labrador coast by the river St. John, and from thence by a line drawn from the head of that river through the lake St. John, to the south end of the lake Nipissim; from whence the said line, crossing the river St. Lawrence, and the lake Champlain, in 45. Degrees of north latitude, passes along the high lands which divide the rivers that empty themselves into the said river St. Lawrence from those which fall into the sea;

Later on there was the act of 1791, which separated Lower Canada, and the Union Act of 1840 that put the pieces together again. We then moved on to the point where in 1867 the Dominion of Canada was established under the British North America Act. The point that has to be mentioned, and the minister made reference to it, is that these territories known as Rupert's Land and the Northwest Territory in 1870 were added to and became part of the new nation of Canada under the direct jurisdiction of the federal government. It is interesting to note that in the Order of Her Majesty in Council of 1870, based on the British North America Act, there is reference to a matter which I think is pertinent to the debate today. I should like to just make one or two brief references to it.

• (1600)

I asked the Minister of Justice (Mr. Lang) on a couple of occasions what the government was doing in relation to the terms and conditions under which these lands were transferred to the province of Quebec from their original territorial status so far as Canada is concerned. I also asked what position the government was taking with regard to the proposed James Bay development with particular reference to the rights of the Indian people in that region. The minister said they have been looking into the matter. When I asked the minister directly if he would participate in this debate today, he apparently decided to hide behind the skirts of the Minister of Indian Affairs and Northern Development (Mr. Chrétien). We have not had from the government any clear policy on this matter.

I quote as follows from term 14 of the order of 1870 of Her Majesty with regard to Rupert's Land and the Northwest Territories: