

*Indian Affairs*

was mixed up in a piece of paper and attached to the individual. Before that time and since that time, because this feeling still exists among the Indian people, on the question of aboriginal rights and title—and that is what this question is all about—the concept the Indian person had and still has about land is that it is a communal ownership and we are only custodians of that land for future generations. We only have the use of it and its resources while we are here, and have no right to destroy it in our use of it and thus deny future generations the same approach to it that we have.

There was a spiritual feeling about land. The feeling the native Indian people had about land was one that made it in tune with nature. There was a feeling, which varied from tribe to tribe, of an interchangeability of life and various forms of life. There was a religious feeling about land, about aboriginal title and about the use of land and its resources. There was respect for life forms which does not exist in our society in North America today. There was a companionship about the land, about what it encompassed and about the life of the human being.

When the European came with his greediness, his pieces of paper, his guns and his different religion—with missionaries paving the way—he brought into force a more demeaning concept of land ownership and title. The native Indian person, in the eyes of the explorer, the European, was a subhuman; he was not considered to be a person. Some while ago I was reading about the time that British Columbia was about to enter confederation. I read the debates which took place in this House of Commons prior to 1871. The debate that took place right here revolved partly around the number of Members of Parliament to be elected from the new province of British Columbia, and the number of senators to be assigned to it as it entered confederation.

The people who stood up in this House and debated whether or not the relationship in respect of the number of Members of Parliament and senators to the population of British Columbia was correct or not, in all instances said they were excluding the native Indian population in that province because they had never been counted as people in determining representation in the House of Commons. That was the attitude prior to 1871 about a group of people who have far more integrity and pride than most members in this chamber. They have greater respect for their history and their inheritance than many members in this chamber. But that was the attitude which existed at that time. They were looked upon the same as one looks upon the trees in the forest—as a resource, not as human beings.

Since that time society has perpetuated this attitude, has carried it forward and has ignored the rights of the Indian people in the process. I say that surely today we are more enlightened. Surely today we have more respect for the positions and rights of human beings. Surely we have an obligation today to deny those ancient mistakes. Surely we have an obligation to our integrity and to that of the native Indian people to correct those abuses and the neglect of people.

A responsibility rests upon the Minister of Indian Affairs and Northern Development, a responsibility set out within the British North America Act and a responsi-

[Mr. Howard.]

bility set out in the proclamation of George III in 1763. There was a responsibility on the founding fathers of this nation to carry into effect and to respect the principal declarations contained within the proclamation of 1763. Yet the founding fathers of this nation ignored them. However, just because that happened is no reason for the minister continuing to ignore his bounden responsibility, under the constitution, to the Indian people.

We cannot return to the past; we cannot go back 100 years or 200 years and start at the bottom. It is not possible. We are here today. This is where we must commence. We cannot erase the calendar, turn back the clock or say we wish it were otherwise. I think we must admit a couple of very simple, historical facts of life, and in admitting those we will recognize aboriginal title. I think we must recognize those historical facts of life, not in a legal sense as the Prime Minister demands and as the Minister of Indian Affairs and Northern Development apparently demands, but in a moral sense as our conscience demands. We appeal to the government on that basis.

It is an historical fact of life that aboriginal rights and aboriginal title to land were not extinguished in some areas. There were no wars, no positions and no treaties. They still exist. If we recognize they still exist, that is all this motion asks us to do. It is a fact of life in those areas that it was simply a matter of imposition and encroachment by the European on the area under the domain of the native Indian. It is also a fact of life that the treaties are extremely sad documents. They were written in a language which the native person could not understand and could not read. They were interpreted to him by an interpreter, and he was asked to sign something he could not read and which was written in a language other than his own. He had no idea what they contained except his bounden faith and trust in people that what he was told was what would be contained in what he signed, or to what he put his "X". History shows that he was misled into thinking something was going to take place, and it did not.

It is a fact of life that the treaties imposed, without explanation, one concept of land on top of another. The treaties were endorsed and supported by the army and the church, with all the force and the power that the Crown, the kings and queens of England, could muster at that time. If the treaties extinguished any land titles, they extinguished them by theft, by subterfuge, and nothing else. And where there were no treaties, it was just straight theft, with indifference to the position of the Indian people.

• (1610)

This motion simply asks that we declare that we recognize aboriginal title and rights. The minister, in this program on Sunday, asked the opposition to tell him what they think about aboriginal rights, to give him some guidance and to spell it out for him. That is insulting and presumptuous on the minister's part and carries with it the old concept of his party and his government, that he knows best what is right for the Indian people.

I am not the least bit interested in trying to spell out aboriginal rights, because I do not think it is the function of this parliament to make one-sided decisions and then