

*Indian Affairs*

The minister's introductory statement was couched in many honeyed words indicating that these were simply the ideas of the government which were open to discussion. Therefore, it was difficult to know what was fixed government policy and what was open for discussion. This was the reason I asked this question of the minister. In reply, the minister had this to say:

The government acknowledges the legal rights of the Indians and the rights derived from legal documents. As for the other rights they are the same as those of the Canadian citizens.

Any member of this house who participated in the earlier debates on the subject of the establishment of a claims commission cannot be unaware of the fact that when we start talking about Indian rights that are contained only in legal documents we are talking about a very narrow segment of the whole question of their aboriginal rights.

The statement of the minister, so far as he is concerned, may seem quite legitimate. The outrage that has been expressed by Indian spokesmen since the minister made his statement results from the fact the Indian people did not have a chance to look at it. On that same day the minister made the following statement in reply to a question concerning the appointment of a commissioner:

—but the appointment of a commissioner rests solely with the government which alone is authorized to appoint one.

● (4:20 p.m.)

As far as I am concerned this is the attitude which goes to the nub of the matter. This is basically why there is unrest among the Indian people and dissatisfaction with the minister. He has continued to insist that this question can be dealt with solely within the normal authority of the government of Canada. While it may be true that the kind of policy statement the minister prepared is normally a proper function of the government of Canada, it is not of much use in this regard. It is similar to other statements of policy announced as a result of decisions made by the cabinet in the privacy of the cabinet chamber. We accept this fact because we recognize the validity of the proper exercise of the authority of the Crown in this parliament. I submit that what the minister has failed to understand, and what the government across the way has consistently failed to see as a result of the discussions we have had on claims commission bills, is that when we get into this particular area in respect of the rights of people in what is now Canada, we

[Mr. Barnett.]

have to go beyond the normal terms of reference if we are to consider this question in any realistic and meaningful way. As a result, I can understand at least in part the reaction of one of the younger, but in my opinion most responsible, Indian representatives here in Ottawa with whom I had a conversation the day following the minister's statement. This Indian told me that the young Indians are going to be very bitter about this whole matter. He said there are going to be riots. I suggested to him that he might agree with me that riots were pretty stupid. He gave me a questioning look until I added that, usually they are caused by someone else's stupidity.

I submit that if unfortunately situations of that kind develop, the responsibility will rest fairly and squarely upon those of us who sit in this parliament at this time. They will result because of our own stupidity and because of our failure to recognize that we are dealing with something that goes beyond the normal confines of the jurisdiction of this parliament. We have to look at this problem in broader terms than we look at normal questions of Canadian policy. Unless and until we are prepared to recognize that fact, the so-called Indian problem in this country will never be solved. To me this is the nub of the whole matter, and this is why I feel sorry, like my colleague the hon. member for Skeena (Mr. Howard) for the present occupant of this difficult position. We both have a very kindly feeling toward him. So far, at least, he has not appeared to grasp this point, nor have his colleagues in the government.

Let me go back to the remarks I made during a debate we had a week or so before the minister made his statement, during which I said I was hopeful but a little skeptical on the basis of the past experience with government, that there would be something in the statement recognizing the principles I have been trying to outline. On July 4 I addressed a question to the right hon. Prime Minister (Mr. Trudeau) as recorded at page 10842 of *Hansard* for that day:

Since the policy announced by the Minister of Indian Affairs and Northern Development in respect of future treatment of Indian people is based on the concept that white is right, is the Prime Minister considering withdrawing Canada's sanctions against Rhodesia?

Mr. Speaker ruled the question out of order on the ground that it contained an allegation. I do not seriously quarrel with the ruling of the Chair but, as everyone who has been a member of this chamber knows, that is perhaps the only way one can attempt to make a