

however, that some time be given before this bill receives third reading.

Honourable senators, the Indian communities are not asking that we kill this bill now. All they are asking for is a little more time so that they can have a full understanding of what really is contained in the bill. Give us at least the summer. We are not asking for amendments; we agree with the removal of the discriminatory provisions. The Indian communities all agree with that aspect of this legislation, but they need time to understand—they need time to go to their people; they need time to find out who those people are who will be coming into their communities. Are we going to give them that time? If not, what effect will that have on those Indian women who are so keen to go back to the community? Are they going to live there in a peaceful fashion? Are we approving something that will destroy not only the community that exists today but also the people that will go into it tomorrow?

Honourable senators, that is my philosophical concern. That is the argument that I feel I must put forward today. I feel that I have to say that, if this bill goes to a vote, I will not vote in favour of it.

I, too, understand what it means to live in a small community. I understand what might happen when that community has a whole influx of new people. It may be that more than 50 per cent of the people who were enfranchised before will be returning to those communities. What will that do to the society that is already there? It may mean a lot of disturbance; it may mean a total imbalance. Honourable senators, are we going to destroy the communities or are we trying to improve the living conditions in them?

I know that some women are going to say that I am a male chauvinist, but that is not the case, and I will repeat it—that is not the case. I simply want to make sure that peaceful attitudes develop between the people as a result of this bill. I simply want to make sure that the people at the receiving end of this legislation will benefit.

At this point, honourable senators, I will read the letter written to me by Mr. Crombie, the Minister of Indian Affairs.

Dear Senator Watt:

I am writing to confirm the results of our discussion today. As you know, Clause 22 of Bill C-31 requires the Minister to make a detailed report to Parliament on the implementation of the Bill two years after Royal Assent. Clause 22 also provides for a review of the report by a Parliamentary Committee, including a review of "any provision of the *Indian Act*" enacted by Bill C-31.

For greater certainty, I would like to confirm that I will be prepared to recommend further amendments to the *Indian Act* at that time, if practical experience with the implementation of the Bill indicates this is warranted.

Sincerely,
David Crombie

Honourable senators, a letter such as this may help, in a political sense, but, as far as I am concerned, it cannot be

legally enforced. The minister does not have to exercise this if he does not want to. Further, what happens when the Minister of Indian Affairs is no longer the person who has written this letter? What if he is replaced by another minister in a cabinet shuffle? What happens if an election takes place? There are many uncertainties. What guarantees those political commitments that the minister has made with regard to the financial assistance that will be provided to the Indian communities? Honourable senators, there are no guarantees because the minister does not know the numbers that are involved.

Honourable senators, I regret that what I have to say may not be regarded by some as a favourable speech, but our job is to make sure that justice is done. I do not feel that justice will be done by shoving Bill C-31 down the throats of the Indian people when they are not quite prepared to deal with the influx of people who will be coming into their communities. I ask that we give them a chance to become prepared.

● (1510)

Hon. Joyce Fairbairn: Honourable senators, before speaking on third reading of Bill C-31, I should like to commend Senator Watt for his remarks to which I listened carefully. I respect very much the personal struggle that this debate has generated for some of our colleagues: Senator Watt, Senator Adams and Senator Marchand. I want to thank them for their tolerance and their great patience in educating me and other senators as to the real implications of the provisions of this bill for the native Indian people in Canada.

Last week I outlined a variety of thoughts and concerns about the conflicting purposes of this bill, some of which remain today. Honourable senators have now completed the process of committee study which is often viewed as the most productive activity of this chamber. There were some 10 sessions of the Standing Senate Committee on Legal and Constitutional Affairs where we heard witnesses from the Indian community from all across Canada; from women's groups, from the legal community, and from the government during the pre-study stage of the legislation. Every aspect and conflicting view was listened to.

Lengthy briefs were submitted and read. As the process of amendment proceeded through the House of Commons committee, additional briefs, opinions and legal points of view were received, read and discussed again among members of our committee and, indeed, among a number of senators who were not members of the committee. This continued through our final hearings last week; through conversations, letters and telegrams from Indians across the country. Indeed, some messages were still coming in to some of us today as this bill reaches the third reading stage.

The minister, Mr. Crombie, appeared and gave the committee as much time as it wished to question him. As he had already made clear to us, the substance of the bill was firmly cast and would not be changed. However, he studied our concerns and responded to some of them.

Last week, I suggested that the government should use its power, under section 55 of the Supreme Court of Canada Act,