

*Indian Act*

momentous occasion. Somehow I do not feel that way. However, the Bill is going through. We will hold our nose and swallow the medicine and see it go through.

● (1430)

**Mr. Jack Shields (Athabasca):** Mr. Speaker, the Indian Act was imposed on the Indian people of this country 100 years ago. It was legislation that was passed in this very Parliament that imposed a law on the Indian people across the country.

Today is a historic day if this Bill passes through the House because once again this House is passing legislation and imposing it on Indian people across the country. When in God's name will this paternalism stop?

I have talked to constituents of mine in northwestern Alberta as well as the band members. I have yet to find one registered treaty Indian—I wish the Hon. Member for Broadview-Greenwood (Ms. McDonald) would listen. I was kind enough to listen to what she had to say. Maybe she should listen to what others are saying. That is unparliamentary but I will do the same to you. There is not one treaty Indian of whom I know in this country who denies that the Indian Act discriminates against women. There is not one chief, one band councillor or one member of any band in my riding who has told me that he does not want that clause removed or the discrimination clauses removed. They all want it removed because it is blatant discrimination against Indian women. That injustice was imposed by this House of Commons on the Indian women of this nation.

What are we about to do now? Think about it for a minute. We are not just eliminating the discrimination clauses of the Indian Act; we are now imposing on the very people whom we say should be given self-government and should be allowed to make their own decisions, and the very people to whom we say we should not be paternalistic, a piece of legislation that retroactively reinstates to the band lists members who were discriminated against as a result of the old Act.

Do Hon. Members realize what this will do to many of the bands across the country? We are talking almost about genocide. We are talking about cultural genocide. Rights are being restored to women who lost them either because the husband became enfranchised and took the wife and children with him or because they married non Indians. But they were following the law. It was not the Indian bands which made the law; it was the Government.

We are doing exactly the same thing again. People are being put back on the band list. One of them, who was referred to in the House by the Member for Broadview-Greenwood, is an American citizen who is demanding treaty status on a Canadian reserve. Think about that for a minute.

Do Hon. Members know the implications? A problem which we have recognized in the House, the passing of the Indian Act years ago that discriminated against Indian women, is being thrown back to the Indians. Instead of the House having the courage to remove the discrimination clause from the Act, it reinstated these women and children to the band lists. The House does not have the courage to compensate the women although it is the House of Commons itself that created the

problem. It is giving the problem back to the Indians and telling them to solve it.

There was no discussion about how they will be compensated. In fact, the Minister of Indian Affairs and Northern Development (Mr. Munro) who is pushing this Bill through told the committee that he could not give guarantees to the bands that the Government of Canada will be able to compensate them for any monetary losses that they might experience as a result of these women and children coming back. When the Department is asked how many people will be returning to the bands, the Minister does not know. But the Department says it has received many assurances that people do not want to move back to the reserves.

Let me say that there are a number of reserves in my riding and a number of reserves in Alberta and Saskatchewan to which people will move back. Even if they do not move back, since they are on the band lists they are entitled to funds that are received from oil and gas revenues. There are bands which are working with this depleting resource and beginning to build an economic base and pull their people out of the quagmire into which we pushed them. They are doing this on their own with their own funds. It is true that the Parliament is now passing a very historic document. It will push those same band members down into the quagmire again. I know the one band right now whose population will increase or whose band membership will increase three times over. It happens to be a band that has wealth in the ground and that receives oil and gas royalties.

Surely there is a fundamental injustice, bordering on immorality, when the House passes a piece of legislation and, in the style of Pontius Pilate, it washes its hands of the situation and throws it into the lap of the bands to solve.

I would like Hon. Members to come to my riding and visit some of the reserves, including the poorer ones. I can think of one reserve now, the Janvier band. Half of the people are treaty Indians and the other half of the population of the Janvier area is classified as Métis. They are related. They have been enfranchised. Some of them married off the reserve, knowing what they did. The current band membership still cannot provide adequate housing on the reserves. If this Bill goes through, that band will have to cope with twice the population. Again they will face poverty because the Department of Indian Affairs and Northern Development and the Government of Canada cannot guarantee that they will provide the funds necessary to keep the band merely at a subsistence level.

It shocks me absolutely to think that when the Indian people petitioned the Minister of Indian Affairs and Northern Development and Members of Parliament to remove the discriminatory clauses in the Indian Act we do not do just that. Why do we say that we know best, that we in central Canada, in the House of Commons, know best. The Government says that it will reinstate all the women who lost their rights and that cut-off date will be sometime in the 1950s. If they lost their rights before the 1950s, there will not be reinstated, and