

Canada Elections Act

170,000 individuals of Indian origin whose names appear on the record are recognized as Indians by the federal government. Others, legally speaking, are not Indians or have ceased to be Indians: they are just Canadian citizens.

If it were agreed across Canada to apply the word "Indian" exclusively to people recognized as such by the federal government, to define its meaning in purely judicial and sociological terms, and to cease using it to designate native people of the past or any of their present descendants, in general, there would be much less confusion, and our social native problem would become much clearer. I do not claim to be a sociologist or a jurist, but I will try to describe what an Indian really is in this particular meaning of the word.

Legal status of the Indian.

Basically, the legal status of Indian means the privilege, for the native Canadian so qualified, to live in a specific territory, vested in Her Majesty but for the exclusive use of the human community to which his father belongs. The territory is called a "reserve" and the body is called an "Indian band." As long as he does not voluntarily surrender that title or, as in the case of a woman, through marriage with a non-Indian, that citizen is entitled to his share of the collective receipts from the sale, rental or mining rights of that territory, in whole or in part. Mr. Speaker, as long as he enjoys this privilege, that is as long as he lives on a reserve, he is exempt from land taxation and tax on all income gained locally. Along with his children if he has any, he is entitled to free education and free medical care, if he is unable to pay for such medical services when required. If in need, he can qualify for assistance from the federal government or from the trust fund of the band. Again, if he wants to set up or improve a farming organization or other in the reserve, he may borrow the required money from the government or from the band. He may inherit any house or rent one already built, either through the band revenues or through the government, or he may build one on his own. Again if he lives on the reserve, he may, if he is of age, participate in the elections or become a member of the council of his band, which has powers more or less identical to those of a municipal council, but under the supervision of the government superintendent, whose presence is required for the validity of any decision. Mr. Speaker, many of those decisions, when of major importance, must also be ratified by the government in Ottawa.

This governmental control on the band activities in the reserve—

(Text):

Mr. Speaker: Order; I am not sure that I follow the relevance of what the hon. member is saying. The bill before us concerns an amendment to the election act, not the Indian Act, and while it is relevant to say who is considered to be an Indian, it seems to me the hon. member is going far beyond that.

(Translation):

Mr. Pigeon: Mr. Speaker, I would like to go on with the definition of the term "Indian-Canadian", but since I must confine myself to the content of that bill, I must say that the explanations I was giving about the Indians apply indirectly to that bill.

Anyway, the Conservative government has already taken steps in favour of the Indians and I think that the appointment of an Indian Senator helps to place in the public eye the first citizens of our country. I am sure that the Conservative government will continue to study the problem of the Indians in order to facilitate their integration in Canadian life.

And referring to Bill C-13:

An Act to amend the Canada Elections Act.

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph (e) of subsection (2) of section 14 of the Canada Elections Act is repealed.

2. Subsection (4) of section 14 of the said Act is repealed.

3. Section 14 of the said Act is amended by adding thereto the following subsection:

"(8) Notwithstanding anything in this Act or the Indian Act, an Indian, as defined in the Indian Act, shall not have any of his hereditary, treaty, aboriginal, or other similar rights detracted from by reason of having his name included in the list of electors for the polling division in which he was ordinarily resident on the date of the issue of the writ ordering an election in the electoral district, or by reason of having voted at an election."

As I said earlier, Mr. Speaker, the Conservative government is more anxious than ever to take into consideration the problem of the Indians of Canada.

I feel sure that the ministers of the crown will continue their efforts to this end and, in closing, may I point out that the adoption of this bill would contribute to give more predominance to the first occupants of this country and to make true Canadians out of them.

(Text):

Mr. Jack Wratten (Brantford): In rising to take part in this debate, I must congratulate