

*Indian Act***GOVERNMENT ORDERS**

[English]

INDIAN ACT

MEASURE TO AMEND

Hon. David Crombie (Minister of Indian Affairs and Northern Development) moved that Bill C-31, an Act to amend the Indian Act, be read the third time and passed.

He said: Mr. Speaker, now that we have finished with the details of clauses and motions to amend it is time to review briefly what we have accomplished and where we shall go from here. The passage into law of Bill C-31 will be an historic moment. It will mark the first time in a generation that significant amendments have been made to the Indian Act. It marks a small but tangible beginning to the process of federal government recognition of Indian self-government.

When I rose in the House nearly four months ago to move second reading of this Bill I said that there were three principles at the heart of the Bill. With the passage of Bill C-31 these principles will become reality. For the first time in well over a century we will have an Indian Act free of the blight of sexual discrimination. For the first time in over a century the Government of Canada will recognize that Indian communities should be able to define who their people are. Finally, after more than a decade of struggle, those women who suffered the direct effects of sexual discrimination through marriage to a non-Indian will be able to regain the Indian status and band membership that they lost so unjustly.

In the course of debate we have become well aware that Bill C-31 does not resolve all the shortcomings of the Indian Act. It was not meant to do so. Much more needs to be done. However, let us recognize with some honesty the solid achievement which this Bill represents. When I spoke last March I said that I would stick to the three basic central principles in the Bill, but that I would also accept amendments that would make the Bill better. There is no doubt that the work of this House on all sides has made this Bill better and fairer. The standing committee alone adopted 30 amendments at report stage, and the House adopted another 10 the other day. The positive results of the parliamentary process are there to be seen in the final version of this Bill.

These results were achieved by a joint effort that I want to acknowledge. I would first like to express my gratitude to, and respect for, the dozens and dozens of native and other groups which appeared before the standing committee and made their views known. Second, I want to salute the chairman of the standing committee, the Hon. Member for Wetaskiwin (Mr. Schellenberger). The Hon. Member offered his patience and wisdom in guiding the committee's deliberations. In the same breath I would like to thank as well my Parliamentary Secretary, the Hon. Member for Erie (Mr. Fretz); the two opposition critics, the Hon. Members for Cochrane-Superior (Mr. Penner) and for Cowichan-Malahat-The Islands (Mr. Manly), and all the members of the standing committee for

their long hours and obviously very careful consideration and reflection on this Bill.

I am probably more painfully aware than most in the House that many groups will not be satisfied with this Bill. Some will complain that we should have given band membership directly to the many tens of thousands of descendants of those who lost their membership through discrimination. This Bill says no to that proposition. Only those who themselves had band membership and lost it through sexual discrimination should be restored to band membership. Other groups will complain that we should leave band membership entirely to the bands and let bygones be bygones. This Bill says no to that as well. This Bill says that there is a duty on the part of the federal Government to restore what its laws have unjustly stripped away.

After all the debate, Bill C-31 is, I say with some modesty, a careful balance between two just causes, that of women's rights and that of Indian self-government. If either of those two clauses had triumphed, it could only have been at the expense of the other. Therefore, this Bill avoids both those extremes. No one gets 100 per cent of what they sought, but each group gets something that is vitally important to them. There was no other fair path to follow.

● (1530)

I think now is the time that our thoughts should shift from Bill C-31 to the future. The first step is implementation. The Government understands the heavy responsibility it has in this matter. I have repeatedly assured the House of the Government's commitment to seeing the Bill through to implementation. I want to reiterate today that bands will not become worse off as a result of this Bill.

When Bill C-31 is passed in the Senate and receives Royal Assent, which I expect will be next week, I will announce my Department's administrative arrangements for dealing expeditiously with implementation. In two years this matter will be brought back before us when I report to Parliament on the progress of implementing the Bill. I can assure the House that that report will be extensive and thorough.

I see a real opportunity in this Bill for greater local community control by Indian communities. I hope that virtually all bands will take the initiative to assume control of their own membership. They will also discover, if they do not know now, that the Bill provides other new opportunities for increasing local control over their own communities, to regulate the use of intoxicants, to regulate residency on reserves, and to enforce their by-laws by injunctive relief in court. These are new examples of powers that bands have not had until the passage of this Bill.

I also urge the bands to open their hearts to those 18,000 people, mainly women, whose right to band membership is restored through this Bill. These people are not strangers, they are their own flesh and blood. Now is the time for reconciliation, to welcome back those whom unfair laws had forced to leave.

To those regaining their rights, I offer my sincere best wishes. Their long wait is over. At the same time, I would like