

## TIMELINE OF IMPORTANT EVENTS LEADING UP TO BILL C-31'S PASSAGE

IRIW – Indian Rights for Indian Women

NIB – National Indian Brotherhood

NCC – Native Council of Canada

IAA – Indian Association of Alberta

DIAND – Department of Indian and Northern Development

SCIAND - Standing Committee on Indian Affairs and Northern Development

1969 – Trudeau releases White Paper on Indian Policy recommending termination of special rights for Indian peoples

1970 – (June) Alberta Chiefs presented the Trudeau government with their own policy proposal, the "Red Paper"

1971 – Lavell launched legal challenge against s. 12(1)(b) of the *Indian Act*

1973 – Lavell case reaches SCC, along with Bedard

1974 – (October) federal government agreed to unique policy-making experiment called the Joint NIB-Cabinet Committee; created two working groups to deal separately with the area of Aboriginal and treaty rights and *Indian Act* revisions; aboriginal women excluded from process

1977 – (December) Lovelace brings case to United Nations Human Rights Committee

1978 – (April) NIB withdrew from process due to lack of progress on agenda items; Joint Committee collapsed

1978 – (April) IRIW holds conference to discuss membership provisions of the *Indian Act*; conference developed a detailed policy paper that proposed defining Indian status through "1/4 blood rule" and restoring "full rights" to women who lost status through discrimination

1978 – (June) DIAND presented Aboriginal leaders with a package of *Indian Act* amendments, had concerns about retroactivity; IRIW denounced proposals, asserting that concerns about retroactivity were unacceptable

1979 – (August) UNCHR found Lovelace's 1977 complaint admissible

1981 – UNCHR rules in favour of Lovelace, finds Canada in violation of Article 27 of the Covenant on Civil and Political Rights

1982 – (August 4) Standing Committee on Indian Affairs and Northern Development (SCIAND) was mandated to study and recommend how the *Indian Act* might be amended to remove discriminatory provisions

1982 – Indian Affairs Minister John Munro released a discussion paper presenting some of the membership policy options being considered by the government

1982 – (September 1) SCIAND begins deliberations; SCIAND was instructed by DIAND to deal with discrimination against Indian women before dealing with band government issues;

1982 – SCIAND creates subcommittee on Indian Women and the *Indian Act* to review the discrimination issue separately from the self-government; AFN, NWAC, NCC, and NIB all appointed as ex officio members

1982 – NWAC president Jane Gottsriedson argued that Aboriginal women's rights must not be kept in abeyance while Indian leader and federal provincial governments sort out the meaning of Aboriginal constitutional rights

1982 – (September 22) Subcommittee on Indian Women and the *Indian Act* tabled its report with recommended repeal of s. 12(1)(b), reinstatement of women who lost status and their children's right to status and membership, and allowing bands to decide on the residency and political rights of non-Indian spouses; NWAC and AFN both publicly supported the Subcommittee report

1982 (December) – Special Committee on Indian Self-Government began its hearings on December 1982

1983 – (November 3) Special Committee's final report was tabled, also known as the Penner Report

1984 – (March) federal officials unveiled plans to bring forward two legislative packages – one to deal with ending discrimination against Indian women, the other with Indian band government

1984 – (March 5) Munro tabled the government's first official response to the Penner Report in the House of Commons; Cabinet rejected enshrining the notion of self-government into the Constitution

1984 – (March 8) Trudeau announced that the *Indian Act* amendments to end discrimination against Indian women would, in the near future, be brought forward because the current membership provisions conflicted with the Charter and UN covenants; many Indian leaders were greatly alarmed by reinstatement proposal while NWAC asserted that DIAND's reinstatement proposal didn't go far enough to include all the victims of past *Indian Act* discrimination

1984 – (May) Trudeau withdrew the government's proposed amendments indefinitely in May, saying that he wanted to avoid any suspicion of paternalism

1984 (May 16-18) – AFN and NWAC met in Edmonton to attempt to formulate a common position; NWAC and AFN succeeded in establishing a consensus, but it was one that cost the AFN much of its support from western Indian leaders; agreement became known as Edmonton Consensus

1984 – (June 18) Liberals introduced Bill C-47, *An Act to Amend the Indian Act*

1984 – (June 26) SCIANND began its review of Bill C-47

1984 – AFN and NWAC made a joint presentation that demanded reinstatement of "all generations who lost status as a result of discrimination" and denounced the bill's encroachment "on the fundamental Aboriginal right of each First Nation to define its own citizenship."

1984 – (June 27) Munro tabled Bill C-52, the government's Indian self-government legislation; Bill never made it past the first reading in the House of Commons

1984 – (June 29) Bill C-47 received third reading in the House of Commons, last sitting of the 32<sup>nd</sup> Parliament; MPs expressed concerns due in part to the short three-day period allocated to SCIANND to review the bill

\*After third reading, bill required unanimous consent for it to be passed in the Senate. Two senators denied unanimous consent and the Parliament adjourned for the summer, and Bill C-47 died on the Senate Order Paper when an election was held that September.

1984 – (September) Conservatives take office with only six months to deal with discriminatory provisions of the *Indian Act* before Charter equality provisions come into effect

1985 – (February 28) – Crombie tabled Bill C-31, DIAND's new legislation to amend the Indian Act; separating legal status and band membership for the first time

\*After Bill C-31 was read for a second time in the House of Commons, it was referred to SCIANND for detailed review. They were given more time than with Bill C-47. In the next few months, Bill C-31 was subject to scrutiny from both SCIANND and the Standing Senate Committee on Legal and Constitutional Affairs (SSLCA). Very few groups supported the amendments.

\*Notably, Marilyn Kane of NWAC rejected Bill C-31's legal distinction between status and non-membership arguing that it created more divisions within the Indian community.

1985 – (April 17) section 15 of the Charter comes into effect

1985 – (June 12) Bill C-31 read for the third time in the House of Commons

1985 – (June 28) Bill C-31 enacted into law