



**THE
SECRET LIFE
OF CANADA**

The Indian Act

What you'll hear in this episode:



- How early agreements between European settlers and First Nations Peoples led to treaties
- How the Indian Act came to be
- How the Indian Act impacts First Nations people, especially women.

Essential Questions:

How did the Indian Act come to be?

What is the human cost of this policy for First Nations People, particularly women?

Learning Goals:

We are learning to...

1. Explore the historical relationship between European settlers and Indigenous Peoples.
2. Examine the causes and consequences of the treaty-making process.
3. Recognize the impacts of the Indian Act on First Nations peoples, particularly women.

Minds On:



Have you heard of the Indian Act? Does it affect your daily life?

How do laws or policies affect your daily life?

How do rules impact your daily life?





To listen to the episode, click below:

[Listen: The Indian Act](#)



Falen Johnson,
co-host of *The Secret Life of Canada*
Haudenosaunee from Six Nations

[Indigenous Performing Arts Alliance](#)

“I am going to use the word **‘Indian’** a lot in today’s episode because it is unavoidable. It is deeply **entrenched** in law and policy in this country so while I wouldn’t use it publicly otherwise, today I will be saying it a lot. The point is **just because the government uses outdated racist terminology doesn’t mean you should.**”

“What's in a name: Indian, Native, Aboriginal or Indigenous?”

Indian

→ “Indian” is the legal identity of an Indigenous person who is registered under the Indian Act.

Native

→ A collective term referring to Indians, Métis, and Inuit; has largely been replaced by the term ‘Indigenous’

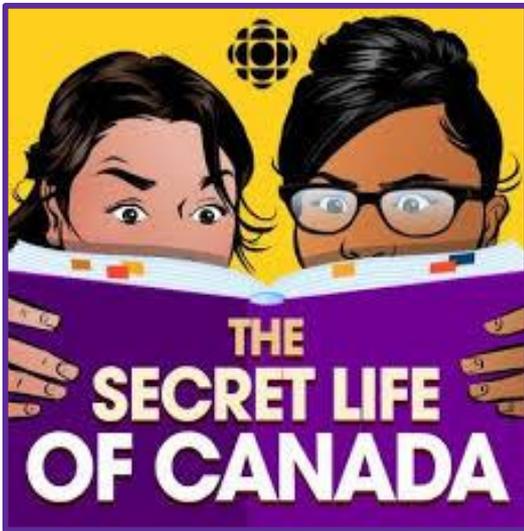
Aboriginal

→ The collective noun used in the *Constitution Act 1982* and includes the Indian (or First Nations), Inuit and Métis Peoples

Indigenous

→ A collective noun for First Nations, Inuit, and Métis; growing in popularity in Canada.

Want to
learn more?



Read the
CBC article
"What's in a Name?"

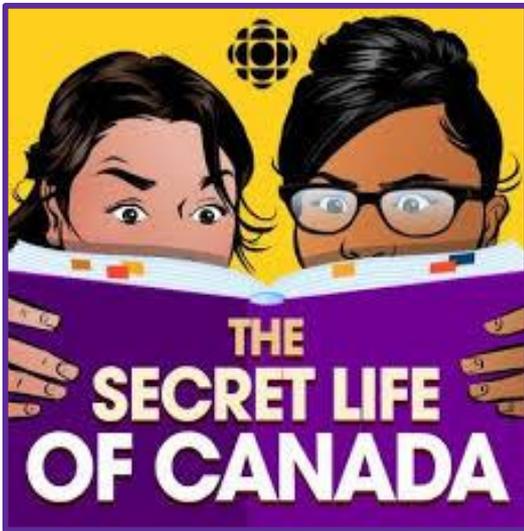


June 21 is National Indigenous Peoples Day

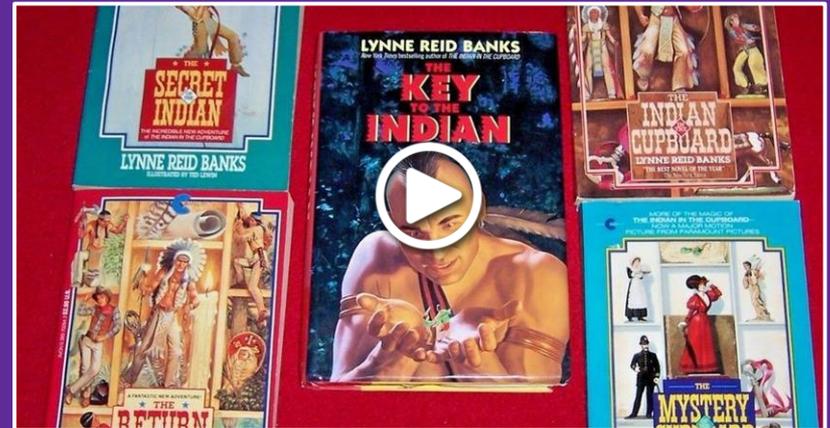




Want to
learn more?

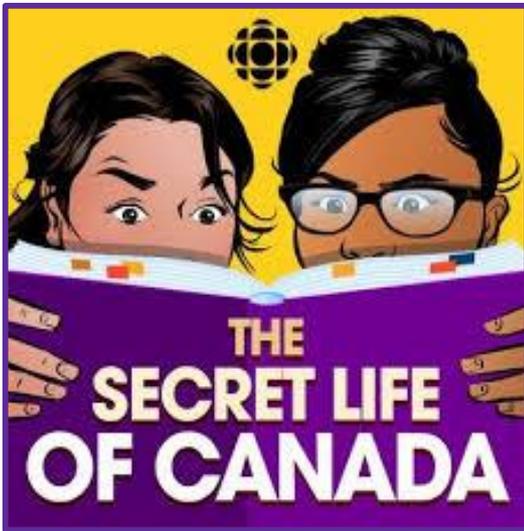


Check out this
movie trailer for
*The Indian in the
Cupboard.*



Sony Pictures Home Entertainment

Want to
learn more?



“How to Talk About
Indigenous People”



with Ossie Michelin.

Want to
learn more?



Check out *Reel Injun*



by the National Film Board.

“I have to say, as an Indigenous person, the Indian Act has always been a bit of a mystery to me. I know it impacts me, I know *how* in some ways, but I know there is a lot I don't understand. And I figured there must be other people who feel the same way.”

~ Falen Johnson

OFFICE CONSOLIDATION

THE INDIAN ACT

1906

AS AMENDED BY

1-2 Ed. VII, 1910—C. 38
1-2 Geo. V, 1911—C. 14
4-6 Geo. V, 1914—C. 35
8-9 Geo. V, 1918—C. 26
9-10 Geo. V, 1919—C. 56
10-11 Geo. V, 1920—C. 50
12-13 Geo. V, 1922—C. 26

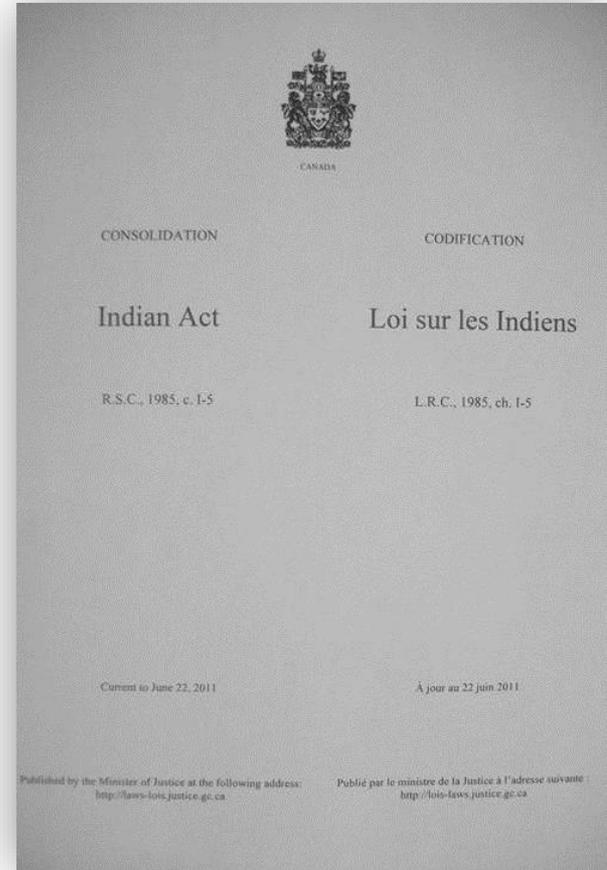
What is the Indian Act?

It is Canadian federal law that governs all matters regarding to:

- Indian status
- bands
- Indian reserves

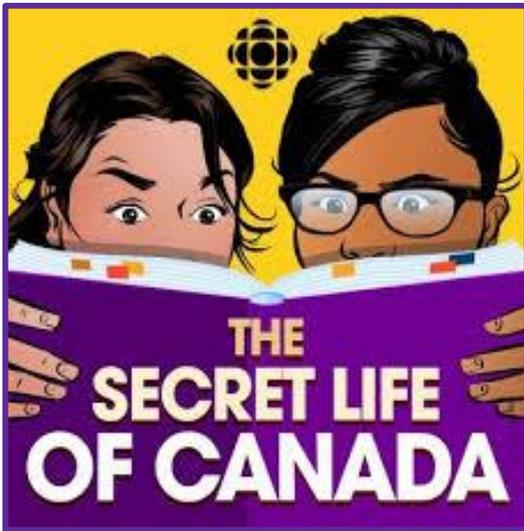


It passed as law in **1876** and still remains as Canadian law today.



[The Canadian Encyclopedia](#)

Want to learn more?

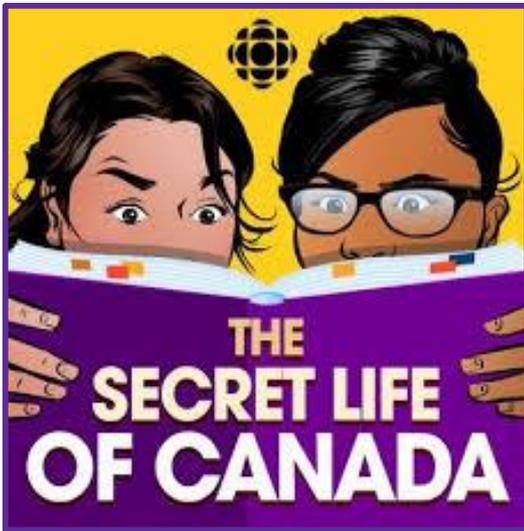


Read the *Indian Act* for yourself

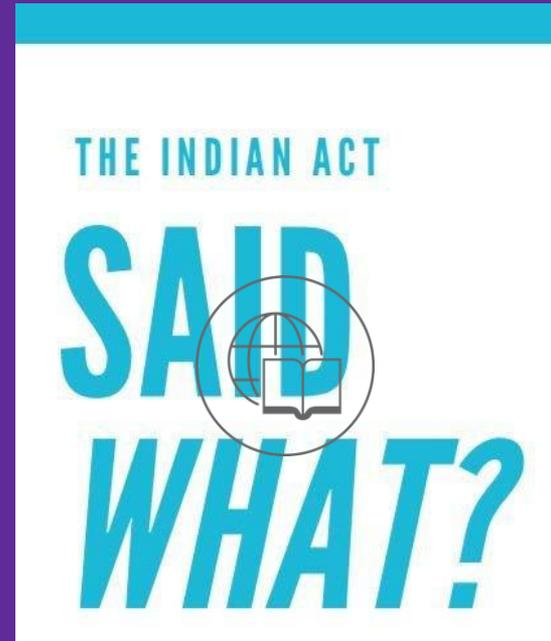


From Indigenous and Northern Affairs Canada.

Want to
learn more?



Trace the timeline of
the *Indian Act*



From the Native Women's
Association of Canada.

The Seven Years War: 1755-63




St. John's


Louisbourg


Halifax


Quebec/Québec


Montreal/Montréal


Boston


New York

CANADA

BRITISH AMERICA/
AMÉRIQUE BRITANNIQUE

Britain and France fought for control of North America and several other continents in this global conflict.

 French Settlements, 1755/
Établissements français, 1755

 British Settlements, 1755/
Établissements britanniques, 1755

The **French** fought with the help of **Indigenous allies** to defeat the English.

However, the **British** were able to take Quebec City in **1759** and Montreal in **1760**.





National Geographic

The Treaty of Paris

France formally conceded defeat to the British in **1763**.

The French believed that Canada would not be as commercially viable as the sugar islands of the West Indies.

Timeline of Canadian Governmental Agencies overseeing Indigenous Relations

1755-1880

**Indian
Department**

1880-1966

**Indian
Affairs**

1966-2017

**Department
of Indian and
Northern
Affairs**

2017-present

**Crown-Indigenous
Relations and
Northern Affairs
&
Indigenous
Services Canada**

That's quite a mouthful,
King George!

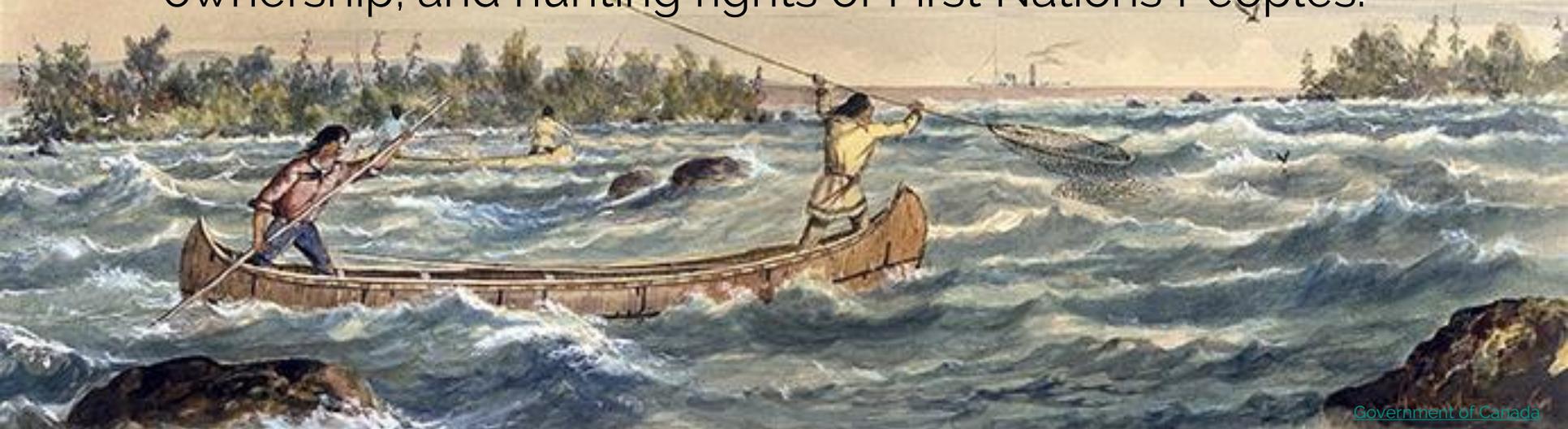


**In 1763, King George III
issued *The Royal
Proclamation.***

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom we are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds.

The Royal Proclamation (1763)

King George III legally verified the original occupancy, ownership, and hunting rights of First Nations Peoples.



Government of Canada

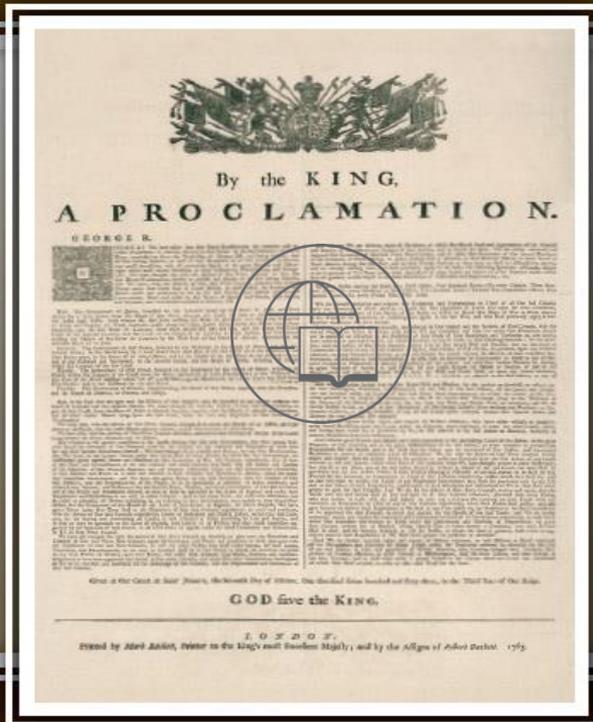
This laid the groundwork for future treaties between the British Crown and Indigenous peoples.

Royal Proclamation of 1763

La Proclamation royale de 1763

On October 7, 1763, King George III issued a Royal Proclamation for the administration of British territories in North America. The Royal Proclamation of 1763 set out the core elements of the relationship between First Nations and the Crown, established the recognition of First Nation rights in Canada, and laid the foundation of the treaty-making process.

*By the King, a Proclamation.
George R. (Royal Proclamation of
1763) FF 1763 G, Clements Library,
University of Michigan*



Le 7 octobre 1763, le roi George III a publié une proclamation royale de l'administration des territoires britanniques en Amérique du Nord. La Proclamation royale de 1763 établissait les éléments essentiels de la relation entre les Premières Nations et la Couronne, la reconnaissance des droits ancestraux au Canada et le fondement du processus de conclusion de traités.

*« Par le roi, une Proclamation »
[TRADUCTION], George R. (Royal
Proclamation of 1763) FF 1763 G,
Clements Library, University of Michigan*

What are Treaties?

Treaties are legally binding agreements outlining the **rights**, **responsibilities**, and **relationships** of First Nations and the federal and provincial governments.



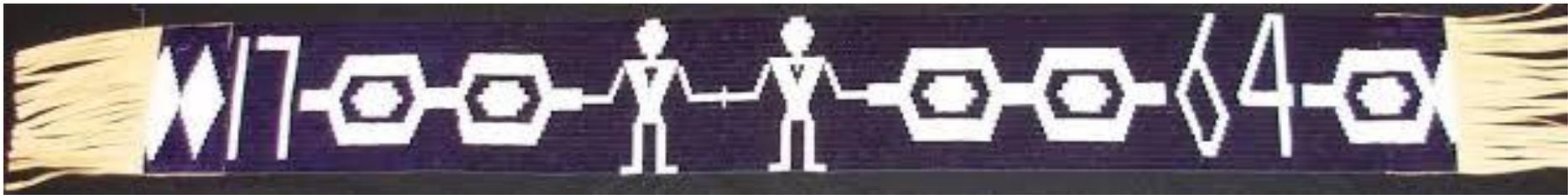
This original photograph shows the negotiation of Treaty 3, near Kenora, Ontario. (canadahistory.ca)

Treaties often include:

- ❖ payments of goods and cash
- ❖ cession of First Nations' title to certain lands
- ❖ creation of reserves
- ❖ protection of fishing, hunting and harvesting rights
- ❖ promises of schools, clothing and farming equipment and supplies



Medals, such as this 1873 example from Treaty 3 in Manitoba, were given to Indigenous signatories ([opentextBC](#))



[Assembly of First Nations](#)

The Treaty of Fort Niagara (1764)

- ❖ Signed on August 1, 1764, the Treaty of Fort Niagara reaffirmed the Covenant Chain allegiance between First Nations and the British Crown.
- ❖ The goal of this treaty was to support military and commercial relationships between the parties.

The Treaty of Fort Niagara



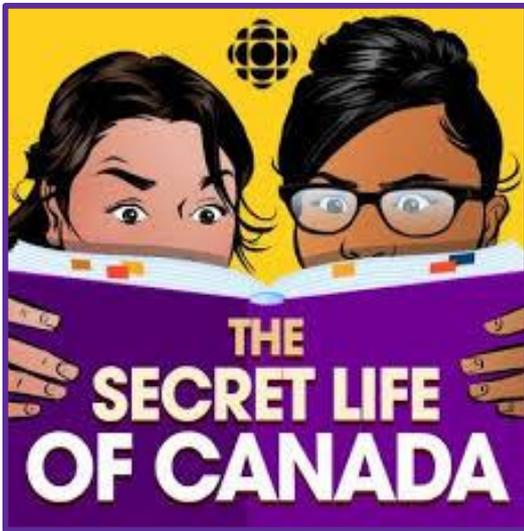
[Library and Archives Canada, Acc. No. 1954-163-1](#)

The Battle of Queenston Heights

Many First Nations sustained this alliance by pledging support to Britain in the **War of 1812**.

This treaty also granted the British access to land around Niagara River so they could travel between Lake Erie and Lake Ontario.

Want to learn more?



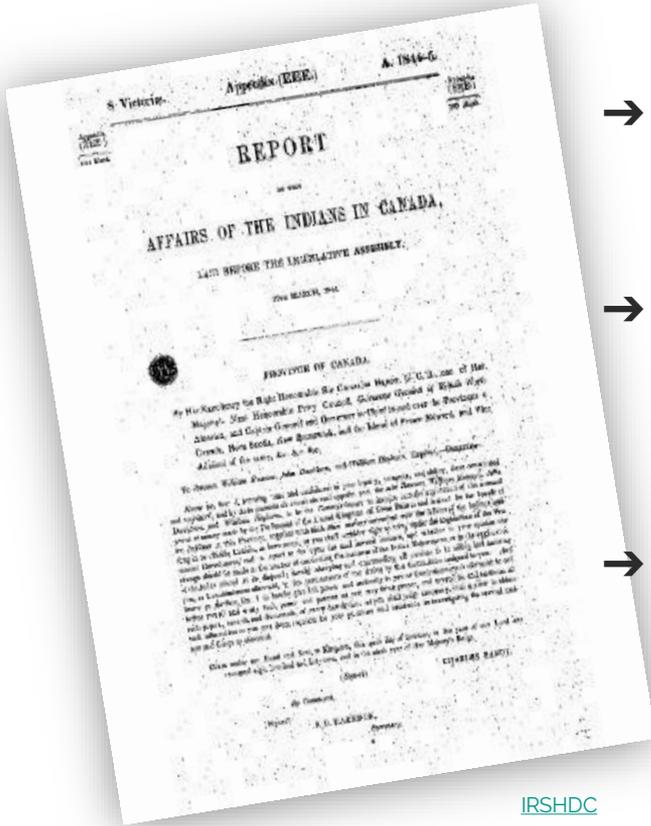
Watch “The Wampum Belt: A Nation to Nation Relationship”



with Maurice Switzer.

The Bagot Commission (1842-1844)

- Conducted by Governor-General of the Province of Canada, **Sir Robert Bagot**;
- Proposed the **separation of children from their parents** as the most expedient way to achieve **assimilation**;
- Reinforced by **Egerton Ryerson**, in his *Report on Native Education* (1847), recommending that education for First Nations children focus on **religious instruction** and **agricultural training**.



The Gradual Civilization Act (1857)

If an Indigenous man could answer YES to all these questions:

21 years
or older?

Debt free?

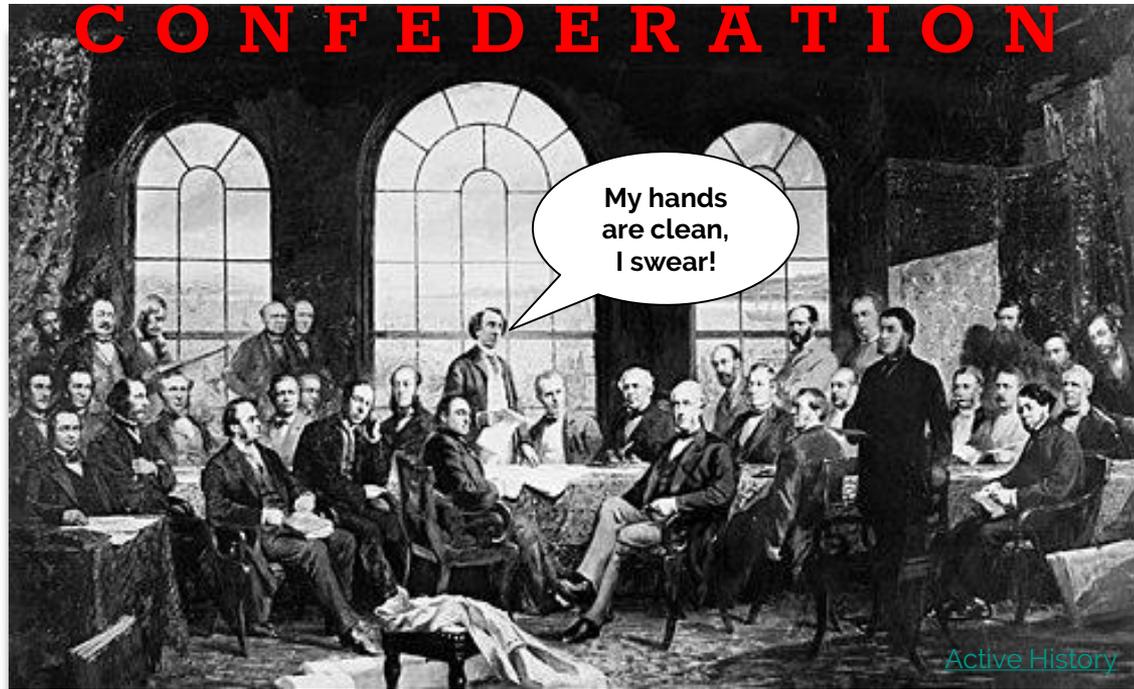
Living as a
white man
for over a
year?

Speak
English or
*parlez vous
français?*

Of good
moral
character?

he would be considered **civilized** and granted land and the right to vote.

How's this for a true crime podcast?

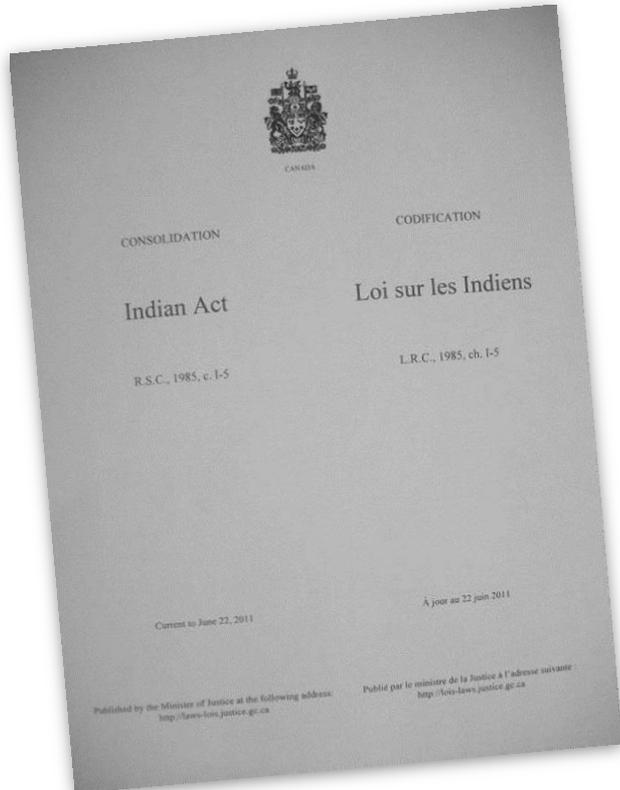


Investigating the Fathers of Confederation, hosted by Louis Riel.

Gradual Enfranchisement Act of 1869

- established elective band councils with restricted governing powers
- determined who would be eligible for band and treaty benefits
- allowed for gender-based restrictions to status
- regulated alcohol consumption

The Indian Act (1876)



Imposed government control over all aspects of First Nations Peoples, including:

- Band councils
- Reserves
- Status and membership

Primary purpose:

- to control and assimilate First Nations People into Canadian society.

How did the Indian Act affect families?

In 1951, the Indian Act was amended, giving provinces jurisdiction over Indigenous child welfare.

CBC's Connie Walker explains how this led to what is known as the Sixties Scoop.



Want to
learn more?



Listen to CBC's
Finding Cleo



with Connie
Walker.

Kanehitto Horn,
host of podcast,
Coffee with my Ma



21

THINGS

YOU MAY NOT KNOW

ABOUT

THE INDIAN ACT

Helping Canadians Make Reconciliation
with Indigenous Peoples a Reality

BOB JOSEPH



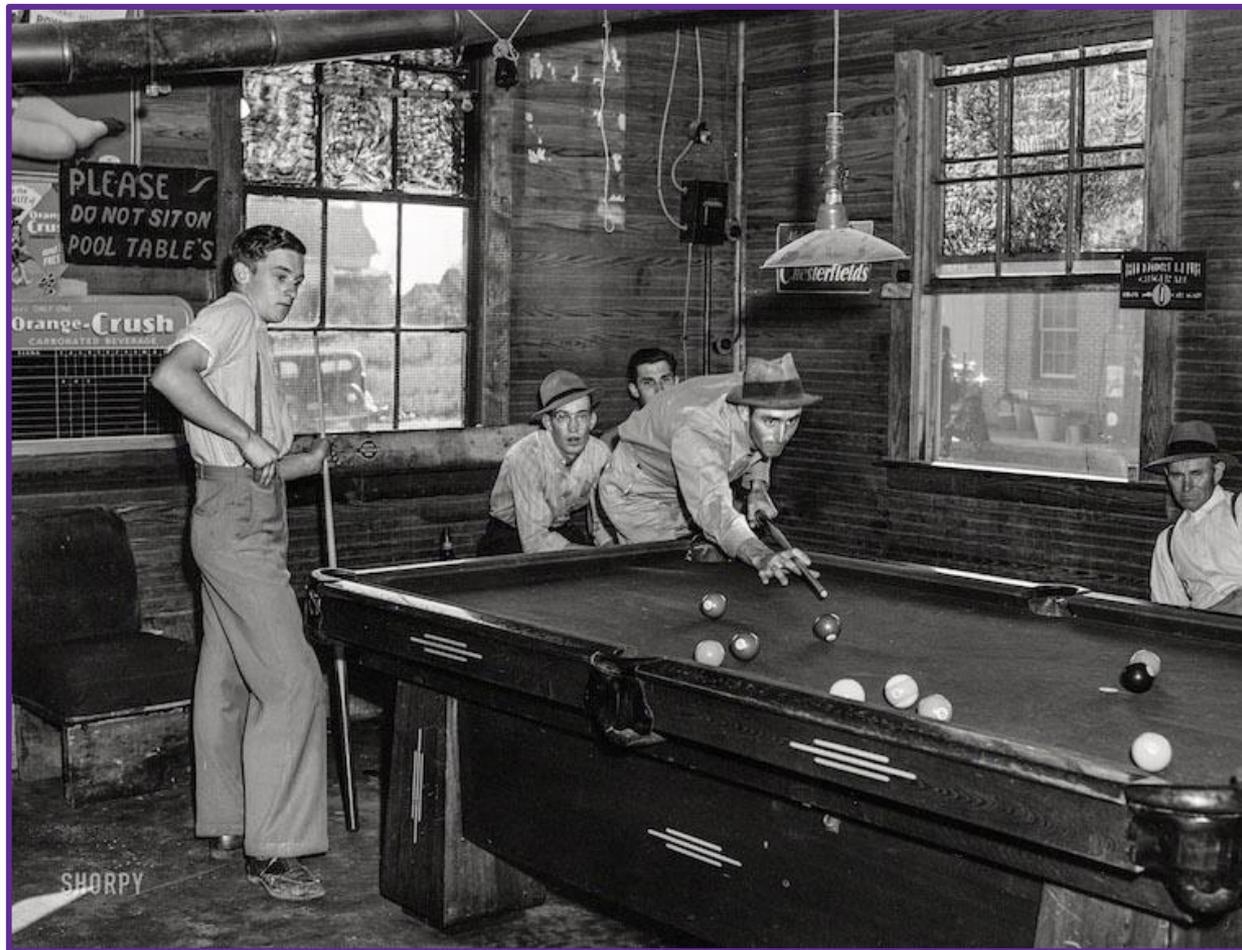
CBC

 **CBC** PODCASTS

**The Indian Act
prohibited Indigenous
Peoples from hiring
legal counsel.**

(1927 -1951)





The Indian Act prevented First Nations Peoples from entering a pool hall from 1927 onwards.

**From 1927-1951,
the Indian Act
forbade First
Nations Peoples
from forming
political
organizations.**



The Indian Act allowed the government to lease reserve lands to non-Indigenous people from 1918-1985.



**The Indian Act
installed an Indian
Agent on reserves to
implement
government policy,
such as ensuring
children attended
Residential School.**



CBC

The Indian Act
declared
ceremonies
like the
Potlatch and
Sundance
illegal until
1951.



The Indian Act
allowed Indian
Agents to rename
First Nations Peoples
with European
names.





How did the *Indian Act* deny women status?



Want to learn more?

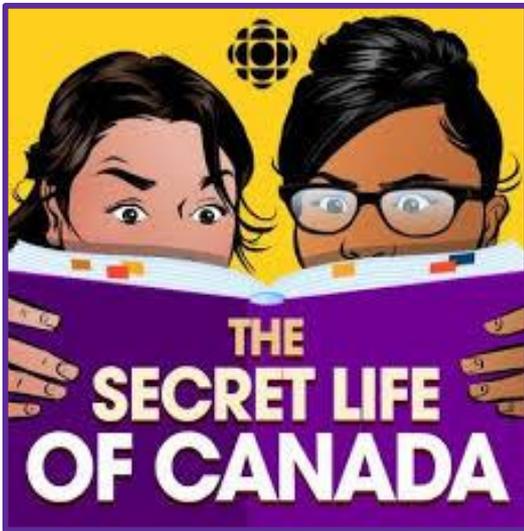


Read “Got Status? Indian Status in Canada, sort of explained”



By Chelsea Vowel.

**Want to
learn more?**



**Check out this
infographic on**

INDIAN STATUS IN CANADA

**from the Native
Women's Association
of Canada.**

Teresa Vander Meer-Chassé



Member of White River First Nation of Beaver Creek,
Yukon and Alaska

“I was taught to be a First Nations person . . . It didn’t matter if I was status or non-status.

My grandma had always said, “You’re an Indian.”

You know she’d be like, “Teresa, are you an Indian?”

And I’d say, “Yeah, yeah I am!”

Status Indians

are those registered under the Indian Act.

Non-Status Indians

are not registered under the Indian Act or have lost status under provisions of the Indian Act.

Treaty Indians

are those whose ancestors signed a **treaty** with the Crown and as a result are entitled to treaty benefits.

What is a white paper?

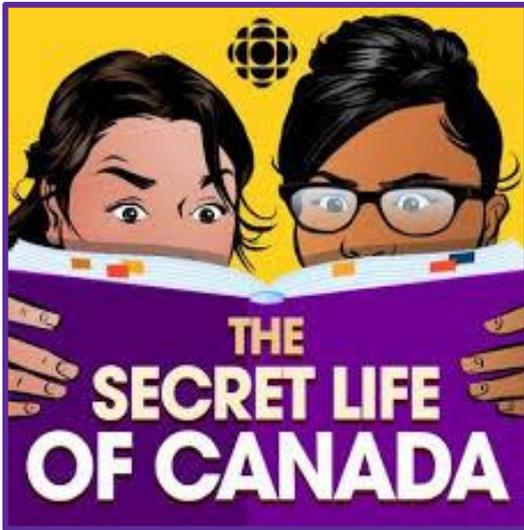


[Elvin Watson](#)

In the Canadian legislature, a policy paper is called a *white paper*.

The **1969** white paper proposing the abolition of the Indian Act was formally called the *Statement of the Government of Canada on Indian Policy*.

Want to
learn more?



Tune into TVO's
The Agenda



featuring Bob Joseph.



How does the Indian Act continue to impact the lives of First Nations Peoples and their relationship with the Canadian government?

Consolidation

Early Indigenous-settler relationships

Causes and consequences of treaties

The ongoing implications of the Indian Act



See you next
time for more
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Canada!**

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