

Activity 7: The Indian Act

The Indian Act is the principal statute through which the federal government administers Indian status, First Nations governments, and the management of reserve land and communal finances. It was introduced in 1876 as a consolidation of previous colonial ordinances that aimed to eradicate First Nations civilizations in favour of assimilation into Euro-Canadian society.

The Act has been amended several times. Many of the initial amendments forbade First Nations peoples and communities from expressing their cultural identities, particularly by making it illegal for First Nations peoples to practise cultural ceremonies such as the potlatch (1884) and requiring their children to attend industrial or Residential Schools (1894 and 1920). Since the 1950s, many changes have focused on the removal of particularly discriminatory sections. Although the Indian Act has changed in many ways since its inception, it is still in force.

The Indian Act applies only to First Nations peoples, and not the Inuit or Métis. It is an evolving, paradoxical document that has enabled trauma, human rights violations, and social and cultural disruption for generations. The Act also outlines governmental obligations to First Nations peoples, and determines “status” — a legal recognition of a person’s First Nations heritage, which affords certain rights such as the right to live on reserve land. “First Nations” is a euphemism for *Indian Act* bands. In 2016, the Supreme Court ruled in *Daniels et al. v. Canada* that Métis and non-status Indigenous peoples are “Indians” within the meaning of s. 91.24 of the Constitution Act, 1867. As with the Inuit, they have not been included under the Indian Act.

Essential Question: How did Canada’s relationship with First Nations change after Confederation?



Many traditional practices were banned under the Indian Act, including dancing. Cree dancing in Moosomin, Saskatchewan, c. 1880s (courtesy Glenbow Archives/NA-97-1).

Part 1 – Analyzing the Indian Act: Continuity and Change

Working in pairs, read the **Indian Act** article on The Canadian Encyclopedia, taking notes on key changes and amendments.

- What can you infer about the changes to the Indian Act over time? What patterns, if any, are revealed?
- **Create a timeline of the key dates and changes over time. Identify which changes indicate positive steps and which ones indicate negative steps toward recognizing First Nations' human rights.**
- Have a class discussion about change and continuity and address the various ways that the Indian Act affected the lives of First Nations peoples since 1876.

Part 2 – Amendment Analysis: Cause and Consequence

Working in pairs, choose one of the four excerpts from amendments to the *Indian Act* between 1880 and 1920, found in the **Indian Act Amendments Worksheet** on the **Education Portal**. These amendments created policies that restricted the status of women, religious and cultural practices, and enforced attendance at Residential Schools.

- The Act and its amendments are written using legal and technical language. Begin by identifying and defining any words you are unfamiliar with. Work together to summarize the quotes in your own words.
- Further analyze your chosen quotation by addressing causes and/or consequences. Answer the following questions:
 - » What does the amendment reveal about the goals of the Canadian government regarding Indigenous peoples?
 - » What worldviews underlie these goals?
 - » What were the short- and long-term consequences of this amendment?

Extension Activities:

1. Use the **Historical Significance Criteria** to assess the most significant change to the Act and make a case for why.
2. The Indian Act was created specifically to govern First Nations peoples and did not include Métis and Inuit. Why were they excluded, and why were First Nations included? What does this reveal about how colonial governments treated Indigenous peoples? What can this reveal about the experiences of different groups of Indigenous peoples?