

Course Notes: Units 5-10 – INDG 1220_D02

Battles for Control

The expansion of New France brought further conflict. The Haudenosaunee again unleashed their anger on the French settlers and, in 1689, destroyed the village of Lachine near Montreal. The Haudenosaunee also allied with the British, who had taken New York and the Hudson Valley from the Dutch.

Across North America, British and French interests were locked in a grim rivalry for the continent's future. 1668 French fur traders Médard Chouart des Groseilliers and Pierre-Esprit Radisson led the British to the interior fur trade using the sea route to Hudson Bay, which Henry Hudson had sailed almost 60 years earlier. By 1670, the British Hudson's Bay Company was established, and French fur traders began to feel the competition from this rival in the north. English and French fishermen clashed in the Newfoundland and Acadian fishing grounds, which the British claimed. To the south, British colonists were trading in the vast territories west of the Appalachian Mountains, which the French considered their territory.

Between 1689 and 1697, the rivalry between the British and French broke into open warfare in Europe, called the War of the Grand Alliance, and in North America, where it was called King William's War. In North America, the French and their First Nations allies and the British and their allies, the Haudenosaunee, made raids into each other's territory. The war extended from where these battles took place in the lands between New France and the British colonies of New England and New York right up to Hudson Bay, where the French and English fur traders fought for control.

In 1701, the War of the Spanish Succession erupted in Europe. It was called Queen Anne's War in the colonies and dragged on for a dozen years until France reached a compromise with Great Britain in 1713 and Austria in 1714. The French were allowed to place Philip d'Anjou, the grandson of King Louis XIV, on the Spanish throne in exchange for colonial territory. France gave up to Great Britain Acadia, renamed Nova Scotia, or "New Scotland," most of Newfoundland, and the Hudson Bay territory. The 1713 Treaty of Utrecht did not consider the land rights of the First Nations.

The following 30 years were relatively peaceful until North America was dragged into the War of the Austrian Succession in 1744. This war was called King George's War in North America. When it ended in 1748, Île Royale (Cape Breton), captured by the British, was returned to the French.

Despite all the bloodshed, France and Great Britain still had not settled their rivalry for supremacy in North America. With another war looming in 1755, the British deported the Acadians from Nova Scotia. The final struggle between the two countries occurred during the Seven Years' War from 1756 to 1763. In 1758, several French forts fell to the British. In 1759, the British, led by General James Wolfe, attacked the town of Quebec, the leading French stronghold. In September, the British won the battle on the Plains of Abraham and took Quebec; the remaining French forces surrendered at Montreal the following year. In 1763, New France was handed over to the British according to the terms of the Treaty of Paris.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888415/View>

Outcomes of Conflicts

The Iroquois War

The Iroquois War was brutal for both sides and hard to stop because of the belief that warriors could not enter the afterlife until their deaths had been avenged. A key point raised in the chapter relates to the fighting techniques of the Kanien'kehá:ka (Mohawk), who used what has been termed guerrilla tactics. It was a strategy based on speed and surprise. The strategy was successful against the field warfare strategy of the French and English, in which columns of men lined up and fought. The 1690s saw New France under siege as the Iroquois continued pressure on the colony. After nearly a century of war, the Haudenosaunee (Iroquois) replaced the Wendat (Huron) as the regional power and emerged with an expanded territory. However, the result of the Haudenosaunee's actions had even more profound ramifications; although they had expanded their territory, the Haudenosaunee suffered from severe population losses. By being a formidable enemy, they had unwittingly helped unite New France's colonists, facilitating the establishment of the English on Hudson Bay and forcing the French to expand West.

The Fox War

The Fox War resulted in more French success than they had experienced against the Iroquois. This resulted from two factors: the French adapted to forest-fighting techniques, and the nations of the pay d'en haut were less stable in their alliances than the Iroquois. Two conflicts occurred between the Meskwaki (Fox) and the French from 1712-1733. The Meskwaki controlled the river system vital to the fur trade, and the French wanted the rights to the river system for access to the Mississippi River and trading partners in the West. Thousands of lives were lost, and the French enslaved many Meskwaki.

The Mi'kmaq War

The Mi'kmaq War had several distinguishing characteristics. First, much of the war was fought at sea. Second, it is one of only a few examples of an indigenous group fighting on their land for their lands. As pointed out in the Dickason textbook, this war resembled the frontier wars in the United States.

With another war looming in 1755, the British deported the Acadians from Nova Scotia. The final struggle between the two countries occurred during the Seven Years' War from 1756 to 1763. In 1758, several French forts fell to the British. In 1759, the British, led by General James Wolfe, attacked the town of Quebec, the leading French stronghold. In September, the British won the battle on the Plains of Abraham and took Quebec; the remaining French forces surrendered at Montreal the following year. In 1763, New France was handed over to the British according to the terms of the Treaty of Paris.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888416/View>

UNIT 6:

British Policy:

This unit highlights the shift in approach and policy as, with the defeat of France, the British became the leading European influence in North America. The success of the British resulted in indigenous peoples losing their bargaining position between two rival powers. The new position of

the British resulted in the establishment of proclamations and acts that would have lasting impacts on the present day.

One of the most influential chiefs to challenge the British would be Pontiac, the Odawa war chief who had fought with the French when Montreal fell. Pontiac appears to have supported the spiritual vision of Neolin, who urged his people to abstain entirely from contact with whites. Neolin called for the indigenous peoples of the Great Lakes region to drive the British back to the sea, and Pontiac took up the challenge. The British General Amherst underestimated the strategic abilities of Pontiac and his followers and soon found most British forts under siege. At the same time that Pontiac was beating the British at their forts around the Great Lakes, several proclamations were passed by the British in hopes of correcting the unsuitable relations that had been established. Proclamations were passed in 1761, 1762, and 1763. The 1763 Royal Proclamation would significantly influence British and, eventually, Canadian Indian policy. Most importantly, the 1763 Proclamation provided that all surrendered Indian lands had to go to the British Crown, who would grant some form of recognition of Indian title to land.

An immediate result of the Proclamation was the British policy of formalizing agreements in writing. However, it needs to be clarified what the legal status of these early written treaties was, as they were not passed through the British Parliament, which was usually the case with international agreements. Further, although the Indian title was being admitted, it was unclear what this meant. The first treaties signed were often referred to as Peace and Friendship Treaties. They had little to do with land surrenders, as the numbered treaties on the prairies would, and were more concerned with rights to hunt, fish, trade, and establish friendly relationships.

The Royal Proclamation, 1763

During colonization, Europeans undertook several strategies in dealing with these populations. In some cases, this involved forced relocation and even genocide. In other cases, Europeans implemented cohabitation strategies to achieve peaceful relations between settlers and Indigenous populations.

One of the most essential cohabitation approaches can be found in the Royal Proclamation of 1763, which King George III of Britain issued. The Proclamation established a system of government for former French colonies in North America, which Britain had won following the Seven Years' War.

Also included was a basic framework for relations with North American Aboriginals. As such, the Royal Proclamation is often called an "**Indian Magna Carta**" or an "**Indian Bill of Rights**."

Reserved Lands for Aboriginal People

Central to the Royal Proclamation was the separation of Indigenous lands from those forming parts of the North American colonies, with the former being reserved for the exclusive use and possession of Indigenous peoples. Moreover, the Royal Proclamation implemented a process by which Indigenous lands could be purchased for British settlement and development. An Indigenous group could only transfer lands to the British Crown, not to European settlers or other colonial officials. This surrendering process was to occur on a formal nation-to-nation basis, from the Indian nation to the Crown. It was to be done in a public process with the consent of the Indigenous group involved.

By instituting an Indigenous right to land and a formal nation-to-nation land transfer process, the Royal Proclamation recognized Indigenous groups in North America as autonomous and self-governing actors (Report of the Royal Commission on Aboriginal Peoples, 1996). Indigenous people were not simply private individuals, akin to other British subjects. Instead, they were distinct peoples and political units within the British imperial system, with the right to negotiate with the Crown as autonomous nations.

This does not suggest a complete autonomy and equality relationship between Indigenous and the Crown. The Royal Proclamation recognized Indigenous people as groups living under Crown protection on lands within British dominions and territories. Nevertheless, the Crown could not simply appropriate Indigenous lands whenever and however it saw fit. Instead, engaging in a formal negotiation process and purchasing the lands from Indigenous nations was required.

Fiduciary Relationship

Also central to the Royal Proclamation was the concern that Indigenous were being exploited in their dealings with European settlers and colonial officials. In this context, the Royal Proclamation recognized a duty on the part of the Crown to act as a protector of Indigenous peoples in their relations with colonial society. Over time, this has been formally recognized in a fiduciary

relationship, in which the Crown is recognized as a "trustee" for Indigenous peoples, with the duty to act in their interests.

War of 1812:

By the early 1800s, the intentions of the Americans were clear. The Americans were expanding, and it would be in the West that they would seek lands. The War of 1812 can be viewed as a continuation of the American War of Independence, as this inconclusive war had left essential matters, such as those relating to Indigenous peoples and their lands, unresolved. Like Pontiac, Tecumseh, a part-Shawnee and part-Cree leader, rose to the forefront as an advocate for a pan-Indian movement. Like Pontiac, Tecumseh was linked to a prophet. Tenskwatawa was known as the Shawnee Prophet and happened to be Tecumseh's brother. Tenskwatawa argued that no particular tribe had the right to give up land. Tecumseh disliked Americans as his father and brother were killed in US frontier wars. He chose to side with the British not because he favored them but because he saw them as the lesser of two evils.

Tecumseh challenged the cessions of lands the Americans were obtaining, particularly those claimed in Indiana Territory. During 1812 and 1813, Tecumseh led indigenous forces to victory after victory over the Americans. Tecumseh eventually met his demise at Moraviantown, where he was killed in October 1813, unsupported by the promised British troops. The death of Tecumseh had an immediate impacts since no leader could fill his role as a catalyst for a pan-Indian movement. He had more than thirty Indigenous nations following him. Although many of these nations continued to support the British, they were not as practical after the loss of Tecumseh's leadership.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888419/View>

Aftermath of the War of 1812:

1814, the Treaty of Ghent was signed, bringing a close to the War of 1812. However, it did not stop the American appropriation of lands as expected by Amerindians. The war's conclusion put Indigenous peoples in what would become Canada at a disadvantage because as long as there had

been colonial wars, they could maintain their positions in return for an alliance. With that bargaining tool now gone, they were seriously disadvantaged.

No Longer Viewed as Allies

A change in philosophy developed after the conclusion of the War of 1812, and the Indigenous peoples ceased to be viewed as allies and became a 'problem' that needed to be administered during the 1830s–1850s; a piecemeal approach was taken toward Indian policy with no underlying guiding theme. The British believed that Indigenous peoples were vanishing, and debate ensued over which strategies might best be instituted in dealing with those populations that would remain. Two competing solutions came to the forefront: assimilation and isolation. These two themes became the driving force of policy development.

Model Villages

One of the earliest attempts at policy implementation—and a method that continued to be used occasionally—was the creation of model villages, typically controlled by missionaries. The idea behind these was to have Indigenous communities conform to a model European village lifestyle, resulting in assimilation. Others saw attempts at assimilation as futile. Sir Francis Bond Head, the Lieutenant-Governor of Upper Canada from 1834–1838, argued that isolation was crucial and that by fortifying Indigenous peoples from all contact with whites, the Indigenous way of life would eventually disappear.

Administration

Indian administration did not take a uniform model but changed as warranted. For example, since no one except the Inuit was interested in permanent residence in the Arctic, the British more or less ignored the area, and non-Native intrusions were few and scattered until the 1900s. The Mi'kmaq lost lands to squatters on the East Coast during the late 1700s and early 1800s. Still, by 1859, legislation stipulated that profits from any lands purchased by squatters be paid to Indigenous communities. The problem was that only some squatters paid or paid for their lands. On the prairies, as the mid-1800s approached, the fur trade was beginning to show signs of decline, and it was becoming apparent that the buffalo herds were declining as well, setting the stage for a period of distress for Indigenous populations.

Finally, on the West Coast, the administration of James Douglas saw the negotiation of fourteen treaties on Vancouver Island and the survey of reserves with the approval of most Amerindians. However, the retirement of Douglas would result in Joseph Trutch coming to administer Indian policy, especially regarding lands, and the reduction of reserve lands throughout the 1860s and 1870s.

Building to Confederation:

In a process that has become so common in Canada today, the 1840s saw several what would be termed Royal Commissions with the intent of coming up with solutions for the 'Indian problem.' The most influential of these was the **Bagot Commission of 1842–44**. Among other things, the Commission recommended the public announcement of the survey of reserves and the boundaries of such reserves, that all title deeds be registered, and that Amerindians be taught land management techniques and provided with such resources as livestock and agricultural implements. In 1850–51, the Canadian legislature approved two pieces of legislation, incorporating some of Bagot's recommendations.

The 1851 Act for Canada East was the most influential legislation because it formally defined who an Indian was under the law. This definition would be adapted and become the definition Canada would use until today. It introduced the concept of status versus non-status Indians. As a result of a formal definition, existing mechanisms were put in place to remove a person's status as they assimilated. This would be accomplished through enfranchisement, first introduced in the **1857 Act to Encourage the Gradual Civilization** of the Indian Tribes of Canada.

Aboriginal Legislation Before the Indian Act

At the time of the Royal Proclamation of 1763, responsibility for Indigenous affairs in Canada lay with British imperial authorities. By the mid-1800s, however, Britain began transferring this responsibility to the Canadian colonies. Between 1850 and 1876 (when the first Indian Act was passed), Canadian authorities enacted several critical pieces of legislation which strongly influenced the nature of the Indian Act itself.

The first was An Act for the Better Protection of the Lands and Property of Indians in Lower Canada and An Act for the Protection of Indians in Upper Canada from imposition. The property

was occupied or enjoyed by them from trespass and injury, passed by the Province of Canada (then a British colony) in 1850. These statutes are essential because they represented the first attempt to define “Indian” and who would receive the rights and duties of Indian status. Under the acts, the term “Indian” was defined broadly to include the following: 1) any person deemed to be Indian by birth or blood; 2) any person reputed to belong to a particular band or body of Indians; and 3) any person who married an Indian or was adopted by Indians (Indian and Northern Affairs Canada, 1991). While the definition was broadly construed, it is essential to note that it assumed for the government the responsibility for deciding who was Indigenous. In other words, Indigenous groups were not given the power to define their communities. This power, instead, lay in the hands of non-Indigenous authorities.

Another vital statute was An Act to Encourage the Gradual Civilization of Indian Tribes in this Province and to Amend the Laws Relating to Indians, passed by the Province of Canada in 1857. Commonly referred to as the Gradual Civilization Act, this statute was the first to introduce the concept of **enfranchisement** or the process by which people lost their Indian status and became complete British subjects. In introducing the Act, the colonial government viewed enfranchisement as a privilege by which they could gain their freedom from the protected Indian status and full colonial citizenship rights, such as the right to vote. At this point, the strategies of **civilization** and **assimilation** begin their legislative existence, with colonial authorities encouraging Indigenous peoples to forgo their Indian status and be drawn into the larger colonial society as regular citizens (hence, become “civilized”).

Under the Act, only Indian men could seek enfranchisement. To do so, they had to be over the age of 21, able to read and write in either English or French, be reasonably well educated, free of debt, and of good moral character as determined by a commission of non-Indigenous examiners (Report of the Royal Commission on Aboriginal Peoples, 1996). Once enfranchised, the person was entitled to receive up to 50 acres of land from the reserve on which they lived and a per capita share of treaty annuities and other band monies. Enfranchisement was to be entirely voluntary by the man seeking it. However, an enfranchised man’s wife and children automatically lost their Indian status, regardless of whether or not they so desired.

In 1860, the Province of Canada passed the Indian Lands Act. An essential element of this Act was centralizing control over Aboriginal affairs for the colony. The Act created the office of the Chief Superintendent of Indian Affairs. It transferred all authority for Indigenous peoples and their lands

in the Province of Canada to this single official. Moreover, the Chief Superintendent was given vast discretionary powers over Indians living on reserve. This centralization continued in 1867 when the Province of Canada was united with Nova Scotia and New Brunswick to create the new nation of the Dominion of Canada. Section 91(24) of the Constitution Act 1867 gave legislative authority over Indians and their lands to the federal Parliament, removing it from the provincial legislatures.

In 1869, the Government of Canada passed An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act 31st Victoria. This Act is significant because it was the first to introduce the notion of self-government for Indians on reserves. Under the Act, tribes or bands could elect chiefs and band councils for reserve general administration. These elected officials were granted limited bylaw powers and were elected to terms of three years. It is important to note many Indigenous groups did not engage in European-style democratic practices at the time. Consequently, the Act granted the government the power to impose democratic institutions on them, regardless of what Indigenous groups desired.

Furthermore, Indian women were excluded from voting for band chiefs and councils (women, in general, were excluded from voting at this time, as women's suffrage was not achieved in Canada until the early 1900s, but Indigenous women could not vote until much later).

In addition to a mechanism for Indigenous self-government, the 1869 Act included other vital provisions. It prohibited the sale of alcohol to Indigenous people on the paternalistic grounds of protecting Indigenous peoples from themselves. Furthermore, the Act instituted a **compulsory enfranchisement** provision. Under the Gradual Civilization Act (see above), enfranchisement was an entirely voluntary process by which Indian status could only be lost at an individual's choosing. Under the 1869 Act, however, Status Indian women who married non-status men automatically lost their Indian status, regardless of whether they desired it. Moreover, any children resulting from the marriage would also be denied Indian status. This provision continued with the assimilation strategy, as many women and their children forcefully lost their Indian status and were given Canadian citizenship.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888420/View>

The Indian Act

The Indian Act did not simply appear out of thin air but was heavily influenced by the legislative foundation established before its passage. Central here is the Royal Proclamation 1763, which recognized Indigenous people as a distinct political unit within the colonial system and legislation passed by Canadian authorities in the mid-1800s.

Civilization and Assimilation: The First Indian Act, passed in 1876

The Government of Canada, now an independent nation, introduced the first Indian Act in 1876 to consolidate all prior federal legislation regarding Indians into one single piece of legislation. The following provides an overview of the underlying philosophy and critical provisions of the Indian Act of 1876.

The first Indian Act adopted an explicit vision of assimilation, in which people would be encouraged to leave behind their Indian status and traditional cultures and become full members of the broader Canadian society. In this context, Indians were viewed as children or wards of the State, which the government had a paternalistic duty to protect and civilize. The Canadian Department of the Interior clearly expressed this underlying philosophy in its 1876 annual report:

“Our Indian legislation generally rests on the principle that the locals are to be kept in a condition of tutelage and treated as wards or children of the State. ...the true interests of the aborigines and the State alike require that every effort should be made to aid the Red man in lifting himself out of his condition of tutelage and dependence, and that is our wisdom and our duty, through education and every other means, to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship.” (Report of the Royal Commission on Aboriginal Peoples, 1996)

It is essential to note the change in Aboriginal policy from the Royal Proclamation of 1763 to the first Indian Act. The first Indian Act maintained the Crown's role as trustee of Indigenous interests but had a different view of that relationship. Indigenous groups were no longer viewed as autonomous quasi-nations within the broader Canadian political system, which the Crown was obligated to protect from abuse and encroachment from European colonial society.

Key Provisions of the Indian Act, 1876

The Indian Act of 1876 adopted much of the basic framework established in previous Indian legislation, with some minor alterations.

A Centralized Administration

First, the Act maintained the centralized administration of Indian affairs, with a Superintendent General of Indian Affairs, a cabinet position, who had broad discretionary powers in dealing with Indigenous peoples and their lands.

Indian Status

The Act also continued imposing a definition of **Indian status** on Indigenous groups, thus ensuring that the Canadian government, and not Indigenous groups themselves, had the power to decide who was and was not considered an Indian. However, the Act did place a stronger emphasis on male lineage in its definition of Indian status. Under the Act, the term “Indian” now referred to 1) any male of Indian blood reputed to belong to a particular band; 2) any child of such person; and 3) any woman who is or who was married to such a person. Moreover, the Act explicitly denied Indian status to the Métis of Manitoba, a community with Indigenous and European ancestors.

Enfranchisement

The Act also maintained and broadened the system of **enfranchisement**, by which Indians could lose their Indian status and be given full citizenship. Previously, Indians could voluntarily apply for enfranchisement if they met specific criteria. Moreover, compulsory enfranchisement occurred for Status Indian women when they married non-Indigenous men. In addition to maintaining these provisions, the Act allowed for the compulsory enfranchisement of any Aboriginal who received a university degree or became a doctor, lawyer, or clergyman, regardless of whether they desired to lose their Indian status and obtain full citizenship.

Self-government

Regarding **self-government**, the Act continued the system of elected chiefs and band councils, who served for three years and had limited bylaw powers. As before, the Act granted the

Superintendent General the power to impose European-style democratic systems on Indigenous groups, regardless of whether they were desired.

Other Provisions

Moreover, the Act allowed the Superintendent General to order a reserve to be surveyed and divided into lots. Then, it required band members to obtain tickets for individual plots of land. This allowed the government to promote **individualism** amongst Indigenous peoples by breaking up communal use of reserve lands and encouraging practices of individual ownership of property.

Finally, the Act also included many protective features. No other than an “Indian of the Band” could live on or use reserve lands without a license from the Superintendent General. Moreover, no federal or provincial taxation on real estate or personal property was permitted on a reserve; no liens under provincial law could be placed on reserve, and no reserve property could be seized for debt.

Assimilation Reinforced: The Indian Act from 1876 to 1951

Early amendments and revisions of the Indian Act

Since its introduction in 1876, the Indian Act has undergone several amendments and reforms. The following summarizes fundamental changes to the Indian Act from 1876 to 1951.

Amendments to the Indian Act 1876-1950

Between 1876 and 1950, the purpose of the amendments to the Indian Act was to strengthen the philosophy of civilization and assimilation underlying the first Act. Moreover, many of the changes to the Act granted the government more extraordinary powers to move Indigenous peoples and confiscate their lands for non-Indigenous use.

Key amendments to the Indian Act during this period include:

- 1885: Prohibition of traditional Indigenous ceremonies, such as potlaches.
- 1894: Removal of band control over non-Indigenous people living on reserves. This power was transferred to the Superintendent General of Indian Affairs.

- 1905: Power to remove Indigenous peoples from reserves near towns with more than 8,000 people.
- 1911: Power to expropriate portions of reserves for roads, railways, and other public works, as well as to move an entire reserve away from a municipality if deemed expedient.
- 1914: Must Western Indigenous peoples seek official permission before appearing in Indigenous “costume” in any public dance, show, exhibition, stampede, or pageant.
- 1918: Power to lease out uncultivated reserve lands to non-Indigenous people if the new leaseholder would use it for farming or pasture.
- 1927: Prohibition of anyone (Indigenous or otherwise) from soliciting funds for Indigenous legal claims without special license from the Superintendent General. This amendment granted the government control over the ability of Indigenous peoples to pursue land claims.
- 1930: Prohibition of pool hall owners from allowing the entrance of an Indigenous person who “by inordinate frequenting of a pool room either on or off an Indian reserve misspends or wastes his time or means to the detriment of himself, his family or household.”

1951 Revision of the Indian Act

In the late 1940s, the federal government established a **Joint Committee of the Senate and House of Commons** to examine Indian policy. While recommending broad changes to the Indian Act, the Joint Committee continued with the previous philosophy of transitioning Aboriginals from wardship to citizenship.

In response to the Joint Committee’s report, the federal government instituted some changes to the Indian Act in 1951 (although, overall, the new Act continued with many of the practices under the previous legislation).

Administrative Changes

Regarding general administration, the 1951 Act assigned responsibility for Indians to the minister of Indian Affairs, with broad discretionary powers over implementing the Act and the daily lives of Indigenous on reserves. The Act also maintained the government’s power to expropriate Indigenous lands, albeit in a significantly reduced manner.

Status Designation

Concerning the definition of **Indian status**, the 1951 Act instituted some limited reforms. The Act maintained the federal government's power to define Indian status and band membership instead of transferring this power to Indigenous peoples. However, the new Act abandoned the criterion of "Indian blood" in favor of a registration system with solid biases in favor of descent through the male line.

Political Reforms

With some minor alterations, the 1951 Act continued with the band council system. Band council authority was still limited. However, bands that reached "an advanced stage of development" under the new Act could acquire additional powers, such as authority to tax local reserve property. The new Act also allowed the full participation of Indigenous women in band democracy.

Enfranchisement Policy

The practice of **enfranchisement** was kept in the 1951 Indian Act. Voluntary enfranchisement was still permitted, as well as the continuation of compulsory enfranchisement of Status Indian women who married non-Indigenous men and Status Indians who received a university degree or became a doctor, lawyer, or clergyman. Moreover, the 1951 Act introduced the double-mother rule, which provided for the compulsory enfranchisement of persons whose mother and grandmother had obtained Indian status only through marriage to a man with status. However, under the new Act, the minister could only enfranchise an individual or band upon the advice of a special committee established for that purpose.

Removal of Certain Prohibitions

Ban on Ceremonies: The new Act removed many prohibitions on traditional Indigenous practices and ceremonies, such as potlaches and wearing traditional "costumes" at public dances, exhibitions, and stampedes. The Act, however, continued many of the paternalistic elements of earlier versions. For example, the Act made it an offense for Aboriginals to be in possession of intoxicants or to be intoxicated.

Provincial Law

One of the more critical reforms concerned the application of provincial law to Indigenous people. Previously, the federal government had asserted exclusive jurisdiction to legislate in the context of Indigenous people. Changes made in 1951, however, provided that whenever a provincial law dealt with a subject not covered under the Indian Act, such as child welfare matters, Parliament would allow that provincial law to apply to Indigenous people on reserves. This opened the door to provincial participation in Indigenous lawmaking.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888418/View>

UNIT 7:

The Métis Are Born

In the early days of the colony of **New France**, the French government encouraged unions between French colonists and First Nations women. This was a way of populating the colony. It was also a way to build military and trade alliances with First Nations peoples, allowing New France to survive and expand, mainly through the fur trade. "Our young men will marry your daughters, and we shall be one people," Samuel de Champlain, the founder of New France, said to the Ouendat people. This prophecy, in some ways, came true. By the mid-sixteenth hundreds, most families living in the French colonial settlement of Acadia were of mixed-blood heritage.

Unions with First Nations women also taught French fur traders how to survive deep in the colony's interior, in the Great Lakes Region, called the pays d'en haut. The French also gained access to the extensive kinship network among First Nations peoples.

Métis people tended to identify more with one side of their heritage. It would often depend on which gave a more significant advantage in a given situation. For example, Bernard-Anselme d'Abbadie de Saint-Castin (1689-1720) was the son of a French officer and a First Nations mother. He was able to use both sides of his heritage to his advantage. He became an Acadian commander by leading his Abenaki nation and the Acadian settlers against New England raiders.

The English established a fur trading venture in 1670 through the Hudson's Bay Company (HBC). The company operated in the Hudson's Bay basin called Rupert's Land. Official company policy

discouraged unions between HBC workers (primarily Scots) and First Nations women. But these marriages still occurred, and more Métis children were born.

Métis worked as trappers, traders, interpreters, and suppliers for the HBC and its competitor, the North West Company. The HBC was more discriminatory towards Métis. The HBC had control of Rupert's Land, where the Métis lived. Over time, this led to disagreements between Métis communities and the HBC. The North West Company, on the other hand, was more encouraging of the Métis and their communities.

Distinct Cultural Identity

The North West Company may have been more supportive of Métis, but by the 18th century, the French colonial government and the Catholic Church were not. They began to frown on marriages between European and First Nations peoples. They were concerned that French men were taking on too many ways of First Nations people. Still, many generations of Métis people had already been established. They began forming communities separate from Europeans and First Nations and a distinctive Métis cultural identity.

Early Métis settlements included Fort William (now Thunder Bay), Sault Ste. Marie, and the Red River region, where the Red and Assiniboine Rivers met (modern-day Winnipeg). Métis moved to these inland regions as the fur trade developed. Colonial authorities were far away, creating the isolation that enabled a distinct culture to grow.

One of the most outward demonstrations of culture was the Métis dress. Métis clothing combined Indigenous and European elements. The "capote" was a men's hooded jacket sewn from a Hudson's Bay Company blanket. The arrow sash, or L'Assomption Sash, is still in use today as a part of traditional Métis dress for men and women. It borrows from the French ceinture flechee, a colorful woven piece of cloth tied around the waist. It is named after the town of Assomption in Quebec, where it was first produced. Métis women were known for their exquisite flower beadwork. French and Scottish fiddle music and songs about Métis victories were popular. Métis dance combined jig steps with Aboriginal footwork.

The Métis also defined themselves through language. Métis French had their own language, Michif (although this was not used exclusively). Michif blended French, Ininew (Cree), and Saulteaux

(Ojibwa) languages. It is still spoken today by a small number of Métis. Another language, Bungi, was spoken by English-speaking Métis. It was a blend of Orkney Scottish and Ininew (Cree).

The Métis lifestyle was a mixture, too. It combined subsistence farming and small businesses with more nomadic pursuits such as trapping and hunting. Métis participation in the traditional buffalo hunt was necessary for producing pemmican, an important commodity and food source for the fur trade. Their involvement in the hunt helped them develop organizational skills, marksmanship, and community pride, which later aided the Métis in asserting themselves on rights issues. The Red River cart, a wagon-wheeled vehicle used to transport goods during the hunt, became a Métis symbol.

The Métis flag—a white infinity symbol on either a blue (French ancestry) or red (English ancestry) background—also appeared in the 19th century. It remains a Métis symbol today.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888424/View>

Resistance and the "New Nation"

By the 19th century, tension was escalating between the Métis and newer European settlers (the Selkirk settlers). The HBC was moving the settlers into the Red River area. In 1816, there was a violent and deadly confrontation—the Victory of Frog Plain (aka Battle of Seven Oaks)—between the Métis, led by Cuthbert Grant, and a group of HBC men and settlers, led by the colony's governor, Robert Semple. The dispute was over the sale of pemmican. Métis controlled the pemmican trade, but the HBC was attempting to restrict this trade.

The Victory of Frog Plain was a Métis victory, reinforcing Métis self-identity. Grant became known as "the father of the Métis nation." During this time, the Métis proclaimed they were "a new nation" and raised their flag. However, independent Métis traders continued to clash with the HBC, ignoring its claimed trade monopoly through the 1830s and 1840s.

In 1851, the Métis fought the Lakota (Sioux) over territory and buffalo, called the Battle of Grand Coteau, and emerged victorious. This further solidified Métis pride, identity, and organization.

By mid-century, the Métis found it increasingly difficult to maintain their traditional way of life as the fur and buffalo trades faced more restrictions due to overhunting. Métis rights to land were also becoming harder to assert for a few reasons. To begin, there was a continued flow of settlers into Métis regions. There was also an economic transition towards farming. Then, there was the impending transfer of Rupert's Land in 1869 to the new Dominion of Canada. The Métis resented their treatment by the Canadian government and feared they would lose their land.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888426/View>

Louis Riel

Under Louis Riel's leadership, Métis resisted Canadian control of their land in an uprising called the Red River Resistance. Riel was the most famous of the 19th century Métis leaders. As head of a provisional government, Riel negotiated better terms for Manitoba's entry into Canada in 1870. He also bargained for 500,000 hectares of land to be set aside for the children of Métis families.

Despite Riel's efforts, Métis continued to see a drop in their standard of living as a new economy took over. The new economy focused on more sedentary work, such as ranching and farming. Métis could no longer rely on the buffalo hunt for their living. Some Métis went north into the forests to return to hunting and trapping. Many families left the Red River region for Saskatchewan.

After 1870, many Métis families migrated west and north. They established themselves along the North and South Saskatchewan Rivers on river lots similar to those they left along the Red and Assiniboine Rivers. Unrest was brewing as these groups sought confirmation of title to lands, which was not guaranteed under the scrip process. Further, their demands for schools were being ignored. At the same time, the Cree, in particular, were becoming disgruntled at what they saw as the non-fulfillment of treaty promises and their attempts at farming.

With the buffalo all but extinct by 1880, the Canadian prairies were a powder keg waiting to erupt. The Métis and Cree faced starvation with no buffalo and failing agricultural pursuits, all exacerbated by the non-fulfillment of treaty promises. Perhaps most paramount for the Cree was the provision of rations during famine. Rather than provide rations, the Department of Indian Affairs implemented its 'Work for Rations' program, requiring that people work to receive food.

In 1884, Louis Riel returned to Canada and went to Batoche. He began lobbying Ottawa in writing to recognize Métis rights. By March 1885, Riel had announced his intention to establish a provisional government. The result was that the Canadian government sent the Canadian militia west to take control of the situation. Adding stress to the situation was the decision by some of Big Bear's followers to raid a storehouse holding food at Frog Lake, resulting in the deaths of nine white missionaries, settlers, and government officials.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888427/View>

Introduction

The Peace and Friendship Treaty and the Numbered Treaties signed between 1871-1921 are still crucial to Canadian politics today. Through this unit, you should better understand what these treaties mean, their intent, and the impact this has on Canada. The first seven numbered treaties sought surrenders of the southern portions of the Canadian prairies in exchange for several benefits. In exchange for access to land occupied by Indian nations, Canada provided guarantees of rights, including reserves, annuities, health care, education, rights to hunt, fish, and trap, amounts of seed, livestock, and implements, and exclusion from the Queen's wars. It is these treaties and the declaration of "Status" as outlined in the Indian Act that form the basis for many of today's conflicts and misunderstandings.

Conclusion

This unit discusses the reasoning behind the development of treaties and how this changed over time, resulting in the various treaty phases. The last set of treaties reviewed are the numbered treaties, which were signed between 1871–1921 and still play an essential role in the (mis)understandings between First Nations groups and local governments. In exchange for access to land occupied by Indian nations, Canada provided rights guarantees, including reserves, annuities, health care, education, rights to hunt, fish, and trap amounts of seed, livestock, and implements, and exclusion from the Queen's wars. Although the numbered treaties appear to be nation-to-nation agreements, in the middle of these negotiations, the Canadian government quietly passed the Indian Act in 1876, making all Status Indians wards of the government.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888370/View>

The Three Treaty Periods

A treaty is a formal agreement between two parties. Canada's history of treaty-making can be divided into three periods: the Pre-Confederation Treaties, The Early British Land Treaties, and the Post Confederation Land Treaties. Each of these periods is distinct, informed from the period before, and reflects different approaches to the policy as well as different assumptions about the Canadian Governments perceptions of Indigenous Peoples rights. In this discussion of treaties, we typically talk about Status Indians (not non-status, Métis or Inuit).

What is a Treaty Right?

A Treaty Right is a personal or collective entitlement derived from a Treaty only granted to Status Indians. (e.g., in Manitoba, Treaty First Nations have certain entitlements that flow from the Treaties, such as annuities, provisions for land, and the right to hunt for themselves and their families). Other Canadians also have rights from the Crown signing Treaties, such as the right to settle and make a living on the land agreed to in the Treaties. So, treaties affect all Canadians and are "our" treaties.

Pre-Confederation/Peace & Friendship Treaties (1600s & 1700s)

Summary:

The main concern of these treaties is the maintenance of alliances, peace & friendship (i.e., fur trade and military alliances). These include the early treaties with the Wendat & Haudenosaunee Nations, the Mi'kmaq Treaty, and the Royal Proclamation. They took place in what is now Newfoundland, New Brunswick, Nova Scotia, southern Quebec, and southern Ontario. The 1763

Royal Proclamation provided the land surrender template for later land treaties during the British and Canadian periods.

New France:

The Indigenous peoples of New France were used to keeping a certain distance between themselves and the French—they were allies, not subjects. Under the British regime, this was to change. At first, the British authorities used the Haudenosaunee to subjugate the nations formerly allied with the French. Thus, the Algonquian (Abenaki, Algonquin, Wendat, Nipissing, and others) of the St. Lawrence Valley were subordinated to the Haudenosaunee, who henceforth would serve as intermediaries for the British. Despite this, many Haudenosaunees in Canada were inclined to avoid conflicts between the settlers because they mistrusted them.

British Policy Following the French Defeat

(Royal Proclamation):

After the French's defeat, Indigenous peoples could no longer play the French against the English (or vice versa), as they had done when the two countries were fighting over territory. In fact, after Pontiac's aborted attempt at an uprising, Indigenous peoples did not have much choice other than to rally around the new "masters" of the country. In the beginning, the British still considered the Indigenous peoples helpful in putting the finishing touches on the conquest of the territory, especially in the Great Lakes region and the Ohio Country, as well as in pursuing trade and exploration. To keep the Indigenous peoples as allies (against a possible French or American uprising), the British authorities felt obligated to grant a near-sovereign "Indian Territory" which encompassed the north of the new "Province of Québec" and all of the Great Lakes region and the Ohio Country (between the Ohio and the Mississippi rivers). The Royal Proclamation of 1763 also recognized the existence of the rights of Indigenous peoples and designated the English Crown as the protector of these rights:

“And We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three new Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and

Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West as aforesaid.” (Royal Proclamation, 1763)

Gratitude is not what prompted the British to "give up" the more significant part of the conquered territory to the Indigenous peoples; instead, it was that they could not ensure its defense, so they might as well temporarily leave the ungovernable territories to the Indigenous peoples. The colonial authorities already knew the situation was only temporary and that eventual immigration by English colonists would make it easier to dislodge these allies once they had become too burdensome. Soon, the "Indian reserves" would be created.

Everything was about to change very quickly! The Royal Proclamation could not long withstand the appetite of speculators. In 1768, the "Indian Territory" south of the Ohio River was taken away from the land grant to oblige the English colonists advocating expansion of the colonies. Six years later, when the Québec Act (1774) pushed back the borders of the Québec colony to include the entire Great Lakes basin, the "Indian Territory" was wiped off the map.

The American War of Independence (1776-1783) between the British and the insurgent Thirteen Colonies deteriorated the situation for Indigenous peoples. Until then, the European population of British North America numbered not more than 100,000 inhabitants, mainly concentrated on the Atlantic coast (Nova Scotia, New Brunswick, and Prince Edward Island) and in the St. Lawrence Valley. The even more numerous First Nations (approximately 200,000) were dispersed throughout the rest of Canada today—the Eastern forests, the Great Lakes region, the Western plains, and the Pacific coast. After the American War of Independence (1783) ended, some 50,000 Loyalist refugees emigrated to the Canadian territory, raising the non-Indigenous population. This, along with massive immigration into British North America from Britain and other European countries, meant that by 1814, the non-Indigenous population in the east superseded that of the Indigenous population for the first time. This new province, New Brunswick, radically transformed British North America. The gradual colonization of the island of Newfoundland wiped out the Beothuk, who were expelled from their coastal villages and eventually exterminated by English settlers. Few in the Maritimes, the Mi'kmaq, and the Malecite succumbed to illness. In the Great Lakes region, the Indigenous population also fell victim to illness, alcohol, and guns, and their numbers were reduced by half over several decades. Only the Inuit in the Arctic, the Naskapi and the Montagnais in northern Québec, the Plains Indians, and the Pacific Coast Indians continued to live apart from the European populations for a while.

The War of 1812:

During the War of 1812, many First Nations groups fought on the British side, playing an essential role in defeating the Americans and keeping British North America out of American hands. The Americans were terrified of the Indians, and American volunteers often fled in terror when they learned that Indians were fighting on the British side. First Nations support often turned the tide of battle, as Indigenous leaders like John Norton and Tecumseh played a crucial role in keeping Canada British. At the Battle of Queenston Heights in 1813, the blood-curdling war whoops of Haudenosaunee working with John Norton from deep in the woods played a significant role in striking fear into the American invaders who fled in panic.

After the war, Americans tried to force Indigenous peoples on United States soil into Oklahoma, following a path dubbed 'the trail of tears.' However, many were unhappy with the move and instead relocated to reserves and settlements in Southern Ontario along the Northern shores of the Great Lakes.

Aftermath:

After the War of 1812, the colonial authorities decided that Indigenous people were useless to them as allies. Their most significant concern was access to the rich soil of Indigenous lands at the lowest cost possible and without bloodshed. Thus, the British government adopted a new policy for the Indigenous peoples of Canada. Officially sanctioned in 1830, the policy encouraged the "civilization" and conversion to Christianity of Indigenous peoples using the "Indian reserve lands," which would later become the Indian "reserves."

Early British Land Treaties (1850-1862)

The Williams Treaties First Nations and the Governments of Ontario and Canada reached a final agreement, settling litigation about land surrenders and harvesting rights.

The Robinson Treaties 1850:

The idea of reserves became firmly established with the Robinson-Huron and Robinson-Superior Treaties. These treaties were negotiated to clear the way for mining north of the Great Lakes, where geologists had found considerable mineral wealth. Crown Representative William Benjamin Robinson negotiated agreements that secured about 130,000 square km north of the Upper Great Lakes.

The treaties provided for 21 new Indian reserves, each held by the Crown "for the use and benefit" of the Indigenous groups whose leaders signed the documents. The deal included an initial payment of £4000 for each family covered by the treaties and an additional £1100 each subsequent year. The First Nations groups would have the right to hunt and fish in the ceded lands in perpetuity so that they would not be able to complain of being unable to sustain themselves and their families.

Douglas Treaties 1850-1854

Beginning in 1850, the Hudson's Bay Company was appointed authority by the colonial office in London to establish a colony on Vancouver Island. The significance of Indigenous people's relationship to their lands and resources was disregarded entirely, and all the newcomers could see was that it was an empty land that harbored boundless wealth for the taking. Not long before, the British Crown endeavored to exercise its sovereignty over Indigenous peoples and their lands, which was to become the driving force behind the Douglas Treaties. Douglas completed fourteen purchase agreements with Vancouver Island First Nations in the four years following. The Indigenous people of Vancouver Island gave up nearly 570 square kilometers of land in exchange for cash, clothing, and blankets.

The Saugeen Treaty of 1854

The last major pre-Confederation treaties covered the Saugeen Peninsula north of Owen Sound and part of Manitoulin Island. These involved some shady dealings. According to the Bond Head Treaty of 1836, the Saugeen Peninsula in Owen Sound was supposed to be reserved and protected as Indigenous territory. However, the 1854 treaty bought this land under the stipulation that the Indigenous Peoples receive regular payments on an annual basis. First Nations were to receive

regular interest payments on money from the sale of those lands ceded to the Crown, but the money disappeared. This is one of several cases that would become the basis of controversy in the late twentieth century.

The Manitoulin Treaty of 1862

The Manitoulin Treaty had the same terms as the Saugeen Treaty, except it referred to part of Manitoulin Island on Lake Huron. However, not all Odawas (Ottawas) were involved in the treaty signed, so the land in the area remains unceded.

Geographically, the Numbered treaties took place in what is now Northwestern Ontario, Manitoba, Saskatchewan, Alberta, small parts of British Columbia, the Yukon, and the North West Territories. The primary reason for creating these treaties was to extinguish Indigenous rights to land and resources to increase economic development by securing **natural resources**, land for **settlement**, provisions for **railway** construction (to bring to fruition the objectives of manifest destiny), and **assimilation** of the Indigenous peoples.

The Crown wanted to establish a relationship with First Nations because they wanted access to the land and resources of western and northern Canada. The western prairies were a large part of Prime Minister John A. Macdonald's **manifest destiny-oriented National Policy**, which envisioned the West as an agricultural production region full of European immigrants.

Macdonald's government also needed to complete a railway from Ontario to British Columbia to ensure that B.C. would remain in Confederation. The Crown was also afraid of the expansionist tendencies of the United States, who were looking northwards. If Canada did not settle the land in the west, it was conceivable that the Americans would. Canada and the First Nations also wanted to avoid the same type of Indian Wars occurring in the United States as the cost had been significant, both financially and in lives lost. First Nations had differing reasons for wanting a Treaty relationship with the Crown. They are:

During the 1870s, First Nations were going through a period of transition:

- Diseases like smallpox were wiping out large numbers of First Nations.
- The decline of the buffalo, the Plains First Nations' primary food source, created starvation conditions in First Nations communities.

- The decline of the fur trade was also affecting the livelihood of First Nations in northern areas.
- With their traditional way of life slowly disappearing, First Nations saw the Treaties as a bridge to the future and a way to provide for future generations.

In short, Canada wanted Aboriginal lands for resources, settlement, trans-continental railway, and further assimilation, while Status Indians saw the treaties as ensuring their future survival.

Legal Foundation:

The legal foundation for taking Indigenous lands was the Royal Proclamation, which set the rules for how to do this. What was the legal process for doing this? According to the Royal Proclamation, compensation & treaty consultation. Therefore, the government was legally required to get the legal consent of Status Indians before acquiring Indigenous lands. This is well illustrated in the Robinson Treaties, which were used as a template for the Numbered treaties.

Government Intent:

The Treaties would provide the legal consent of the Status Indians to extinguish Indigenous land and resource rights to make land and resources available to settlers. Canadian government believed the treaties were the framework for providing compensation for the displacement of Status Indians in the economy and were also how Status Indians were to learn how to be agriculturalists.

This is an essential point for understanding the problems to come. This is a contradictory policy. The Indian Act limited Status Indian agriculture through the Approved Farming System – yet treaties were designed to make Status people farmers. The Numbered treaties (like the Robinson treaties under the British) specified that the Canadian Government had the power and authority to settle claims and that no surrenders would be made without status Indian consent. Here lies the basis of many present-day difficulties:

- Some bands never signed treaties (Lubicon Cree, Dakota)
- Some treaties were signed by only part of the band (Dene)

Canada generally followed the British policy of going into a treaty and compensating for land surrenders. Each treaty had its unique terms, but they all promised cash annuities, schools, reserves, assistance in adapting to agriculture, and relief in times of need in exchange for land and peace. Government intentions are apparent and well-documented. Status Indian intentions and perspectives are unclear as they are not always documented.

Status Indians bargained from a weak position – why? By the 1870s, the Bison hunt was disappearing as animals were almost extinct. Also, employment with HBC was dwindling – The fur trade was winding down (Cree middleman status ended, and post-provisioning duties were almost at an end). Status Indians knew that settlers were about to descend on the land and were aware of the situation in the U.S. (where destructive wars, relocations, suppression of rights, and extinction of certain tribes followed the arrival of settlers from the U.S. Status Indians were worried about their future and viewed the treaties as a means of securing political peace economic & social security for themselves and future generations.

Their requests for schools, agricultural help, and food supplies were intended to make the transition to a new lifestyle. Despite their weak position, they did manage to get certain concessions from the Canadian government that had yet to be included in the earlier British treaties (Pre-Confederation, peace, and friendship, or Robinson treaties (e.g., medical care and famine relief). Canadian Government officials did not have a detailed plan for using the land – but knew they wanted to tap the agricultural resources of the land to feed industries of the east.

In short, The Federal Government acknowledges their solemnity, but they view the Treaties as land surrender agreements whereby First Nations ceded their territories to the Crown. First Nations also believe that the spirit of the agreement is most important, including oral commitments. In contrast, the Federal Government believes the written text is most important.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888423/View>

Government Approach to the Treaty Process

Although the numbered treaties appear to be nation-to-nation agreements, in the middle of these negotiations, the Canadian government passed the Indian Act (1876), making all Status Indians wards of the government, like the infirm or children. Additionally, in 1873, the Canadian government created and sent the Northwest Mounted Police west to rid the area of American whisky traders and to enforce British justice on the Canadian prairies. These initiatives worked together to ready the West for settlement. Additionally, there was the movement of the American Sioux under Sitting Bull into Canada, adding to an already tense situation with the buffalo continuing to disappear and Indigenous nations of the prairies fearing their very existence.

With Status Indian people being moved to small parcels of land promised under the treaties and the North West Mounted Police in place to enforce laws, the Indian Act would be used as a tool of assimilation. The Indian Act consolidated and revised earlier legislation, putting it into one piece of legislation and thus making it easier to administer. The Act would be used widely in attempts to assimilate Indian people by enacting sections that, to name. Still, a few banned the spiritual life of Indian people with what became known as the Potlatch Law, forced residential school attendance, created a permit system to control the economies of reserves, established the voluntary and involuntary enfranchisement of people, undermined tribal leadership, and attacked women through the marriage sections of the Act.

Treaty negotiators entered into the Treaty with several assumptions:

- European rights took precedence over Indigenous rights.
- Those who lived in the former HBC territory of Rupertsland, whether Indigenous or not, were subjects of the Crown (following the sale in 1870). But Status Indians were not treated as citizens (but instead treated like those living in a colony of Canada).
- It also assumed that the settlers were entitled to the resources of the land.
- Compensation would be based only on land used by Status Indians.
- Often, several bands were signed into a single treaty rather than negotiating with each band separately (in this way, Canada escaped paying annuities to two chiefs – lumping them all together).
- Treaties were temporary and that they would be renegotiated at a later date.

Sometimes, the treaties were drawn up in advance, and the expectation was that Indigenous people would agree and sign (the assumption was that they would sign due to starvation & coercion).

Status Indian Approach to Treaty Process

There needs to be more records of the Indigenous approach to the Treaty. Indirect evidence from the oral tradition gives some insight into Indigenous perspectives. According to many sources, the treaty process was amicable, emphasizing the partners' friendship, trust, and goodwill. Indigenous rituals (such as the pipe ceremony) indicate that the Indigenous groups took negotiations seriously and in a spirit of goodwill, intending to solemnize a pact of friendship and peace that would last forever. Some of the highlights of this approach include:

- An Indigenous belief that Treaties protected rights.
- The Indigenous emphasis on reciprocity (something gained for something given) was evident in negotiations.
- For Indigenous peoples, a fair treaty included peace and economic, social, and political security for the present and future generations (7 generations).
- Indigenous people anticipated nothing less than what was agreed.
- The concepts of land tenure and resource ownership, which Indigenous negotiators brought to the treaty-making process, need to be better understood by most historians.
- Most historical interpretations assumed that Indigenous groups shared all Indigenous land and resources.
- They questioned whether Indigenous peoples understood the treaty process or appreciated the terminology and implications of treaties (they did not understand European concepts of land ownership).
- Terms like acre, private property, crown land, etc., were not easily translated into most Indigenous languages (problems with interpretation of the treaties).
- Questions whether the Indigenous people knew what they were agreeing to.

As hunting and food supplies became scarce, Indigenous peoples became more dependent on food rations from the government, trade with the new immigrants, and agriculture.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888421/View>

Provisions of the Numbered Treaties

What was in the Treaties?

Between 1871 and 1906, seven treaties were negotiated and signed between Canada and the Status Indians in what is now Manitoba. Treaties promised reserve lands, hunting and fishing rights, money, annual payments, and assistance with education, medical care, and agricultural machinery. However, not all promises were kept (i.e., Some modern land claims are based on unfulfilled terms of the numbered treaties). There are ongoing dispute resolution issues about treaty rights, land use rights, fishing and hunting rights, natural resource use, respect for traditional territories, etc. Some treaty obligations were unfulfilled by the Government, and others were interpreted differently by the signatory parties. Each of the 11 treaties was different, but all shared some basic similarities (essential Crown obligations, Status Indian obligations & the treaty relationship between both parties).

Crown Obligations:

- Provide a reserve (reserve creation based on formula 160 acres, or 240 acres in later treaties, per family of 5).
- Maintain a school on reserve.
- Prohibit the sale of liquor on reserve.
- Provide Annuities (\$5/ year, though some treaties were \$3 – later raised to \$5).
- Agricultural implements (one-time ox, basic farm implements, shovel, hoe, etc.).

Status Indian Obligations:

- Observe the terms of the Treaty.
- Obey the laws of the country.
- Maintain peace between themselves and non-Status Indians.

- Conduct and behave themselves as good and loyal subjects of Her Majesty.
- Not molest the persons or property of any person in the territory ceded by Treaty and not molest the property of her Majesty.
- Chiefs to assist law officers of the Crown in apprehending any Indian breaking the Treaties or the laws in the territory ceded by the Treaty.

Status of Indian Rights in the Treaties:

- Right to use reserve land for hunting & fishing, but did not include ownership (not fee simple title). Instead – usufructuary rights to the land (land held in trust by the Government)
- Could also use unoccupied crown land for hunting and fishing (not commercial use), though this was hindered by the pass system until 1951

What is a Treaty Adhesion?

- The Treaty adhesion process was as significant as the Treaty negotiation process. Adhesions were signed with First Nations throughout the areas dealt with in the initial Treaty negotiations and often continued for several years, sometimes decades, following the negotiations. Treaty adhesions were signed because some bands were absent at the original Treaty negotiations. For example, Little Pine was absent at the Treaty 6 negotiations at Fort Pitt or Fort Carlton in 1876; however, Little Pine did adhere to Treaty 6 in 1879 at Fort Walsh. First Nations who adhered to existing Treaties are subject to the same conditions as the original signatories. Likewise, the Crown is also subject to the same conditions and obligations. However, the adhesion to Treaty Five in 1908 was due to the boundaries of Manitoba extending northward to their present limits.
- From the First Nations' perspective, Treaty adhesions are just as significant as the Treaties. Treaty adhesions are sacred agreements that created an ongoing relationship with the Crown, just as the original Treaties.

Who benefits from Treaties?

Treaties benefit all Canadians. Two parties are required to make a Treaty, with both parties having obligations and benefits that derive from the Treaty. Most Treaties contained benefits for both

settlers and First Nations. First Nations received annuities, education, reserves, and farming assistance. Settlers received access to farmland and resources, as well as the peace and goodwill of First Nations. However, it could also be argued that the benefits to both settler and Government far outweigh the benefits to the Status Indians, as they were effectively barred from enjoying the economic benefits from the land they surrendered. On the other hand, over the past 130-plus years, many non-Indigenous peoples have made huge fortunes off this land in terms of timber, mining, agriculture, or other interests. Status Indians have not made a cent from these former territories (one argument that helps to explain the sorry state of economic development in many reserve communities).

What do Treaties mean today?

Treaties are the basic building blocks of the relationship between First Nations and the rest of Canada. It is clear that in the past, First Nations and the Crown had differing interpretations of what the Treaties meant. In Manitoba, the Government of Canada and the Assembly of Manitoba Chiefs (the provincial organizations representing Status Indians in Manitoba) are attempting to develop a shared understanding about Treaties. They are now using that understanding to reinvigorate the Treaty relationship. By building on the relationship created by the Treaties, the parties involved hope to address the well-being of both parties, including entering into arrangements whereby Treaty First Nations exercise jurisdiction and governance over their lands and people. Treaties are the building blocks for the future relationship between First Nations and the rest of Canada.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888422/View>

(no citation to map of Crown-Aboriginal Treaties in Canada)

What is Métis scrip?

To say it is complicated is an understatement. Some argue it is an attempt to extinguish Métis right to the land; others say it was a corrupt system that stole land from future generations of Métis. However, if you had to define it, what is scrip?

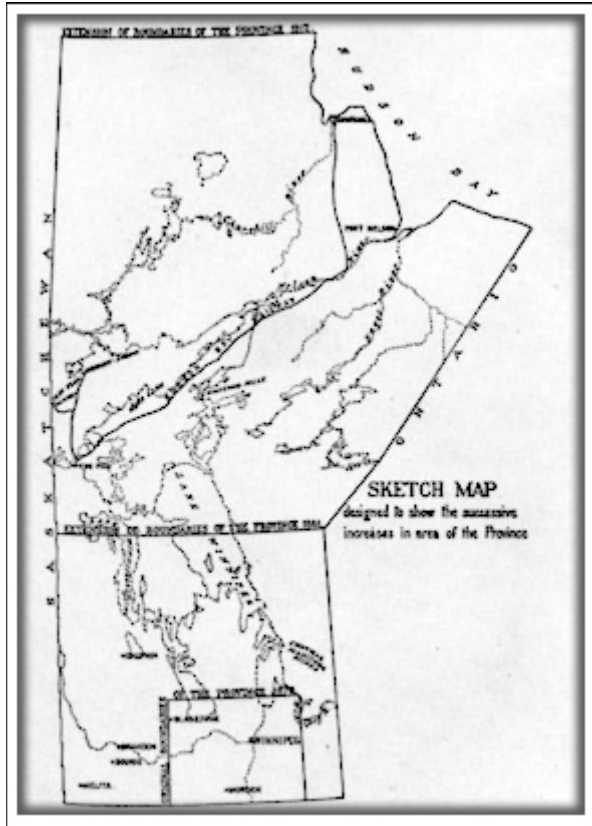
Definition

The Canadian government's federal Department of the Interior issued a certificate or warrant called scrip printed by the Canadian Note Company to the heads of Métis families. There were two forms of scrip a Métis could choose from: 1) land scrip, which issued a land allotment of 80, 160, or 240 acres to the individual, or 2) money scrip, given in increments ranging from \$20, \$80, \$160, or \$240. The certificate could be redeemed for land or cash, depending on the type of scrip chosen. However, it is essential to understand this exchange of land or monies provided the Canadian government with an inexpensive and convenient method to clear the land for settlers and development.



Timeline

After the Métis resistance in the Red River Settlement of 1869-1870, the Canadian government created the province of Manitoba. In developing the Manitoba Act, section 31 outlined that the government set aside 1.4 million acres of land for the children of Metis families.



The small square in the bottom right is the original size of the province of Manitoba. The surrounding area was known as the North West Territories, making history confusing at times, for we now consider the North West Territories to be above the 60th parallel.

To add to the complexity of trying to understand scrip, a few more acts address the Metis. 1879, the Dominion Lands Act was amended to acknowledge the outstanding Metis claims in the Northwest Territories (present-day Manitoba, Saskatchewan & Alberta).

Two critical amendments were made;

- Section 43: None of the provisions of this Act respecting the settlement of agricultural lands, lease of timber lands, or purchase and sale of mineral lands shall be held to apply to territory the Indian title to which shall not, at the time, have been extinguished. Consolidated.Dominion.Lands.Act?7435?and. amendments.to.it.of.7446.and.7447?09.Vic;?chap;82and.00.Vic

Section 43 stipulated the federal government's fiduciary responsibility to protect both local First Nations and Metis rights by limiting the settlement in the region until treaty and scrip (Aboriginal title) were determined and issued.

- Section 125(e) of the Act authorized the Governor in Council

to satisfy any claims existing in connection with the extinguishments of the Indian title, preferred by half-breeds resident in the Northwest Territories outside of the limits of Manitoba, on the fifteenth day of July, one thousand eight hundred and seventy, by granting land to such persons, to such extent and on such terms and conditions, as may be deemed expedient.

Canada, Statutes, Vic. 42, Cap. 31, Sec. 125(e). Dominion.Lands.Act (1979)

Section 125 allowed for the infamous scrip system by the federal government to be created.

From 1876 until 1902, scrip commissions following treaty negotiators traveled to Metis communities throughout Western Canada. To become more efficient at removing the Aboriginal title treaty, scrip commissions worked together in 1899 in Treaty 8 territory, 1906 in Treaty 10, and 1921 in Treaty 11 territory. Within communities, some family members qualified for treaties and others scrip depending on their classification and registration with the federal government.

Corruption

With no protection from fraud, numerous tactics were used to usurp the money and land meant for Métis families. Settlers went as far as forging Métis names on documents, claiming the land or monies of dead Métis children, and taking advantage of families in desperate need.

Money Scrip

Out of the 14 849 issued money scrip, settler land speculators obtained 12, 560 which is 84.5%. As a practice, settler land speculators bought scrip from Métis undervalued and then sold it at face value to charter banks in Canada.

Land Scrip

Métis could not select specific plots of land due to their need to be surveyed, which often took years, resulting in Métis opting out of land scrip to ensure they would stay within their kinship ties. It is documented that only 1% of the land scrip issued in northwest Saskatchewan remained in Metis hands, meaning 136,936 acres went to settler land speculators.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888441/View>

Residential Schools Period

Residential Schools Overview

The Indian Act was a powerful tool the Canadian government used to try to assimilate Indigenous peoples. Perhaps the most potent and effective assimilation tool was education. The most harmful policy initiative instituted by the Canadian government was the residential school policy, and it had impacts not only on individuals and families but also on entire communities and nations.

Indigenous children—First Nations, Inuit, and Métis—were forced to attend these boarding schools, which were set up in partnership with religious organizations to “civilize” the children. The government aimed to assimilate these children into Euro-Canadian, Christian society.

Indigenous leadership was not opposed to schools for their children, as many of them negotiated for its inclusion in their treaties; however, it is unlikely that any of these leaders envisioned the residential schools that would come to dominate the Canadian West. The early 1880s saw the opening of residential schools on the Prairies, which were run by religious denominations. The schools operated in one form or another for over 100 years and had devastating impacts. Stripping students of their language and culture and physically, sexually, and emotionally abusing them resulted in the breakdown of families and many communities.

Residential schools were located far from children's homes. The students were often severely punished if they spoke in their language. The school curriculum deliberately omitted references to Indigenous history, culture, or worldview.

Physical conditions in the schools were appalling. The children lacked adequate clothing, food, or basic comforts. High rates of **tuberculosis** developed among the children, many of whom died. Many students experienced physical abuse at the hands of teachers and school officials. And there were allegations of sexual abuse.

The last residential school closed in 1996. By that time, over 150,000 children had been forced to attend. In 2008, over 80,000 of these students were still living. Generations of young people were traumatized. The terrible effects of the residential schools still reverberate through Indigenous communities.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888428/View>

UNIT 10:

Introduction

We will end the course by looking at the conditions for Indigenous peoples after 1885. This includes examining the policies put in place and the other factors that contributed to making this one of the low points in Indigenous history. At this time, Indigenous groups were being culturally and economically repressed, and the events that took place here and the decisions made can still be reflected in current issues. Rather than give up or passively accept assimilation, you should see from this unit the strength and resilience of Indigenous peoples as they fought to retain their identity and culture.

Objectives

Upon successful completion of this unit, you should be able to:

- Explain Indigenous people's political, economic, social, and environmental situations following the Northwest Resistance 1885.

- Identify the significant historical milestones in Indigenous/government relations between 1885 to 1951.
- Outline ongoing Indigenous resistance

Exploring Aboriginal Situations After 1885

Activity 1: Aftermath of the 1885 Northwest Resistance

Many factors contributed to the conditions for Indigenous peoples after the North West resistance in 1885. Some were political, some environmental, and all had continued economic and social impacts. Dr. June Scudeler, a Métis scholar at Simon Fraser University, analyzes Métis poet Marilyn Dumont's poem about the aftermath of the Northwest Resistance and the resiliency of the Métis. As you read the textbook chapters for this unit and the synopsis, think about comparing this to conditions today. Can you see the roots of today's policies and issues stemming from events set in motion in 1885?

Activity 2: Economic Situation

Colonialism was driven by economics. European colonists wanted access to the land and resources of North America to feed European economies and ensure continued growth. Indigenous peoples, meanwhile, had established different forms of economy and value. The economic problems experienced by Indigenous people after 1885 were often determined by the type of economic activities in which they were engaged, traditional or European. Colonization activities reached a tipping point around 1885 caused by the loss of specific occupations in industries that failed (like the fur trade), the onslaught of European settlement, and climatic conditions and epidemics, which shifted the balance of power even further, allowing the government to implement more aggressive policy and gave them the upper hand in treaty negotiations.

Activity 3: Ongoing Resistance

Dr. Pamela Palmater is a Mi'kmaw citizen, an Eel River Bar First Nation member, and a Professor and the Chair in Indigenous Governance at Toronto Metropolitan University. Her work centers on governance and resistance to the colonial government. Christi Belcourt is a Métis visual artist, designer, community organizer, environmentalist, social justice advocate, and avid land-based

arts and language learner. Her poem turned into a short film following the Canada 150 celebrations, speaks to indigenous communities' resilience and resistance despite colonization efforts. This activity asks you to pause, reflect on your learning, and recognize the past's assimilation attempts and their legacies in our present with ongoing Indigenous resistance.

Activity 4

Non-Indigenous scholars Pratt and Sheffield have dedicated much of their careers to exploring Indigenous military service. Publishing on all aspects of service and the variety of ways colonial policies have impacted Indigenous Peoples's lives. In this activity, you will learn about the institutional racism in the Canadian Military and the colonial policies supporting its ongoing oppression.

Conclusion

This concludes our look at Canadian history from an Indigenous perspective from time immemorial to the end of World War II. The purpose of this Unit was to explain the fallout of the 1885 Resistance and its impacts on First Nations, Métis, and Inuit. This unit also discusses the economic and political situations the Indigenous groups in Canada found themselves following 1885 and how they resisted these situations and impositions.

From:

Northwest Resistance

Some First Nations received land through treaties with the Canadian government. This did not happen for the Métis because the government did not consider Métis to be Indigenous. Canada's first Prime Minister, Sir John A. Macdonald, stated in 1885, "If they are Indians, they go with the tribe; if they are half-breeds, they are whites."

Nevertheless, the government was already dealing with Métis land rights, starting in the mid-1870s, by issuing "scrip," also made available to white settlers. Scrip was a voucher that entitled the holder to a specific amount of land or cash that could be used to purchase land. It was a complicated system, and speculators abused it. They created a market for scrip and often bought the vouchers from Métis at a steep discount, leaving Métis people with very little for the future.

In 1884, the Métis asked Riel to return from the United States, where he had fled after the first resistance, to help them again petition the Canadian government for enforcement of their land rights. In March 1885, what was intended to be a peaceful movement developed into the North West Resistance in Batoche, Saskatchewan, primarily due to Riel's strategy. He was ably supported by another Métis leader, Gabriel Dumont. The Métis formed a provisional government and took up arms under Dumont's command. This time, Canada—now connected by railway—responded with an armed force, quickly crushing the rebellion. Riel was tried for high treason, convicted, and hanged in Regina, Saskatchewan, on November 16, 1885. Dumont fled to Montana, later returning under an amnesty.

Dispossession

In the end, few Métis received the land they longed for and to which they felt entitled. Coupled with the defeat of 1885, the Métis entered a long period of dispossession. They were landless and became known as "road allowance people" because they squatted on the government land that lay in narrow strips on either side of the roads or set up shantytowns. Métis culture and the Métis identity suffered a hard blow as the Métis people left their communities searching for work and a way to survive.

As a result of the events of 1885, the immediate consequences for Status Indian people and the Métis were the imprisonment of a number of their leaders. They accused participants—many of whom were never convicted—as well as the hanging of eight Indian people for murder and the well-publicized hanging of Louis Riel. The long-term consequences would be more dire, resulting in restrictive policies being implemented, often within—but sometimes outside of—Canada's laws.

This period of repression and dispossession, known as the Forgotten Years, would continue until after World War I. After that, the Métis Nation would undergo a period of re-birth (1920s-1960s).

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888425/View>

Repression & Resistance

Aftermath of the NW Resistance: Indigenous Life After 1885

The period following 1885 is often not well known. The situation for Indigenous people in the prairies grew very grave very quickly. The Métis were scattered following their defeat after the Northwest Resistance. They soon lost all sense of identity and ceased to be a nation. Eventually, they would become known as the forgotten people, a name that still applies today to Canadian policy recognition of Métis people. First Nations leaders Big Bear and Poundmaker were in prison for their role in the resistance, and the number of Indian Agents and Northwest Mounted Police (NWMP) forces was increased to ensure no more uprisings could occur. Legislation became more invasive through the Indian Act and the application of treaty agreements as the government attempted to make way for more and more settlers. Concurrently, climatic changes made it increasingly difficult for Indigenous peoples to survive in their traditional ways, paired with losing the fur trade. This made for the “perfect storm” that resulted in severe repression of Indigenous peoples and the emergence of new hope and strategies for resistance.

The repression of the North West Resistance reduced Ottawa's fear of Indigenous peoples. Still, confidence in the success of the assimilation-based policies grew for other reasons as well. The collapse of the buffalo economy, devastating losses of life to epidemic diseases (Tuberculosis, smallpox, and influenza), and a substantial increase in the non-Indigenous population through immigration and the construction of the Canadian Pacific Railway combined to weaken the Indigenous position further.

The failed Métis resistance also gave Ottawa a pretext to attack Plains communities through the courts, even though the First Nations had not supported Riel's Resistance. The result was the decapitation of Plains Cree's political leadership and intimidation of other communities.

Little Ice Age

In addition to the above difficulties endured by the Indigenous people of western Canada, another phenomenon made it difficult for Aboriginal people after 1885. During the middle of the 19th century, climatic cooling began to affect most of what is now Western Canada (particularly Manitoba), which some refer to as the Little Ice Age. We know about weather patterns from HBC

records, which were kept as early as 1768, followed by the Canadian Federal Government weather records beginning in 1870. These records show Canada experienced winters of extreme cold and snow and summers of little moisture (drought) after the 1870s. Many record cold readings from this time still stand today (particularly in the 1880s/90s)

The Little Ice Age resulted in agricultural failure that brought about the Great Depression and reduced animal populations to critically low levels, making it challenging for Indigenous peoples to catch or grow food needed to survive.

We will look at these concepts in more depth; however, to summarize the period directly after 1885, resistance is characterized by the following:

1. Animal populations reduced:
 - Overhunting resulted in the reduction of the bison & other animal populations
 - Weather fluctuations also take their toll on animal populations
2. Fur Trade reduced:
 - Fur trade lost its ability to be a sustainable activity due to bison numbers and a decline in the demand for furs.
 - Professions related to the fur trade disappeared (middlemen, home guard, provisioning, etc.).
3. Indian Act Restrictions
 - Imposed Legal restrictions (Pass System, ban on Ceremonies, etc.).
 - Power of force and intimidation as the government stationed troops at forts.
4. Treaties
 - Non-Aboriginal population (settlers & government) took control of former Indigenous territories.
 - Reserves needed to be more significant to sustain hunting, fishing, trapping & gathering traditions.
 - Indigenous peoples lost access to traditional lands and the economic possibilities inherent in that land, while the rest of Canada benefited economically from those lost lands.
5. Onslaught of settlers
 - Colonists settle land taken by treaties.
 - Settlers began to outnumber the Indigenous population.

- Indigenous people suffer from racism and discriminatory practices of colonists.
- European disease is introduced and propagated due to the overcrowded reserves and residential schools.

The impacts of disease are made worse due to a lack of medical provisions on reserves.

Economic Situation

Indigenous people were not as lazy as many of the stereotypes of the time portrayed. They were actively seeking a way forward and took advantage of every opportunity made available to them. However, opportunities were limited due to racism and discrimination. Despite this, First Nations people began to engage in other activities, such as wage labor in the forest, mining, and construction sectors. Still, Status Indians were restricted by the imposition of the pass system, which prevented them from working in these industries without permission to leave the reserve. They also tried to adapt to changing circumstances by harvesting resources like berries, Seneca root, wild fruit, and medicines or by continuing fur trade activities (though this market was significantly reduced from the earlier fur trade days).

The newly instituted 1966 Natural Resources Transfer Agreement, which granted provincial control to crown land and allowed Provincial laws respecting game to apply to Indians, was one of the few policies implemented that worked for Indigenous peoples. This agreement ensured that "Indians shall have the right ... of hunting, trapping and fishing game and fish for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access." This provision allowed those still living off the land to survive (to some degree).

The Great Depression:

The 1930s were also the time of the Great Depression, a period of hunger and poverty for all Canadians. The impacts of the Great Depression on Indigenous peoples were mainly determined by the type of economic activities in which they were engaged. Those who had retained a more traditional subsistence lifestyle generally managed to provide for themselves, though this too was

challenging, as you have read, due to climatic factors. Those who worked in various economies (fishing, forestry, agriculture, mining, etc.) suffered wage and price losses more deeply than other Canadians and generally recovered more slowly. This was partly caused by the governmental response to Aboriginal groups, which was slow in coming but eventually marks the beginning of a period of welfare assistance that you will see, should you continue into NATV 1240, has also been misunderstood.

The Political Situation

Indigenous people were confined through federal programs developed throughout the 1880s, collectively known as "the policy of the Bible and the plow." These measures aimed to weaken Aboriginal people's political power further and convert them culturally to make them conform to Euro-Canadian ways. In the prairie west, for example, ill-advised agricultural policies during the 1890s frustrated attempts by reserve farmers to adjust to an agricultural economy after the disappearance of the buffalo. The result was that western reserves became economically stagnant, a condition that the government would later use to justify taking reserve lands from bands for settlement by immigrants. Throughout the 20th century, federal economic policies toward Aboriginal communities could have been more effective.

Concurrently, Indian Affairs was cutting rations to reduce government costs, even though most of those Nations that agreed to treaties had negotiated to guarantee food and help to begin farming. Starvation began as the bison finally disappeared (the last Canadian hunt was in 1879). Between 1880 and 1890, over 3,000 Indigenous people starved to death in the Prairie Provinces.

Since 1881, those living in the Prairie Provinces required permits from Indian Agents to sell any of their produce. Status Indians were also restricted in their movements on and off reserves. A pass system introduced as a temporary measure to monitor the Indigenous people during and immediately after the North West Resistance in 1885 required Indigenous people to seek written permission from an Indian agent before leaving their reserves. It was not lifted after the resistance was defeated and continued to be used in many areas until it was explicitly removed from the Indian Act in 1951.

Ceremonies such as the Potlatch on the North West Coast and Plains ceremonies such as the Thirst Dance (Sun Dance) were outlawed by amending the Indian Act (1885) to forbid such practices. These astonishing attempts at cultural re-engineering remained part of the Indian Act until 1951. Compounding the cultural and economic damage were misguided social programs such as the residential school program. Further amendments to the Indian Act in 1905 and 1911 made it easier to expropriate reserve lands from First Nations when it was deemed needed by municipalities. (see the Sagkeeng, The Pas & Peguis in Manitoba for examples). Nearly half of the Blackfoot reserve in Alberta was sold. When the Kainai (Blood) Nation refused to accept the sale of their lands in 1916 and 1917, the Department of Indian Affairs held back funding necessary for farming until they relented.

The abovementioned laws were regularly defied as Indigenous people attempted to retain their freedom and culture. Indian policy remained stagnant through the early 1900s, with little change away from the assimilation policy-guided regulations, with few exceptions.

World War I led to legislative changes to the Indian Act, allowing the temporary use of Indian reserve land to produce wheat and other crops considered essential for the war effort. Following the war, an even more significant threat to Indian lands was contained in the Soldier Settlement Act of 1919 (which allowed for surrendered reserve lands to be purchased for Euro-Canadian veterans).

Soldier Settlement Act:

About 75,000 acres of this land passed from reserve land to veterans in this manner. Indigenous veterans did not qualify for this benefit despite serving alongside non-Indigenous veterans unless they agreed to give up status due to enfranchisement.

Thus far, we have yet to discuss the fate of the Inuit very much because, as we have alluded to in the past, the Inuit occupied land that was not of interest to the newly formed Canadian government. In 1924, the Indian Act was amended to include the Inuit, but eventually, the Inuit passed to the Department of the Interior in 1928. The colonization of the north is a part of Canada's more recent history and is discussed in more depth in NATV 1240.

Resistance

The Canadian government continued with an assimilation policy into the twentieth century. However, Indigenous people began questioning their treatment and worked together to pressure governments. Indigenous people were not passive under the assimilation policies found in the Indian Act or the administration of Indian Affairs.

For example:

- Despite the laws restricting them, traditional beliefs and spirituality continued, often surreptitiously.
- Despite the efforts of missionaries, educators, and government officials, many Indigenous children did not attend residential schools (some hidden from Indian agents).
- Indigenous people quickly reminded governments that the treaties were lasting relationships where governments were obligated to provide medical care, food, housing, etc., through the development of Indigenous organizations.

There were many early attempts by Indigenous people to organize into influential lobbies. For example, in 1870, the **Grand General Indian Council of Ontario** was established (but disappeared by 1938). Attempts by many of the Indigenous peoples of B.C. to address the province's rejection of Indigenous titles also date back to the 1890s (Allied Tribes of British Columbia). However, the period between 1919 and 1930s is characterized by growing self-awareness and the politicization of Indigenous peoples.

After WWI, many Status Indians (especially in western Canada) began to organize under the leadership of returning veterans who volunteered for duty in WWI (4000 status Indians volunteered for service along with many unrecorded numbers of Métis and Inuit). These veterans experienced their first freedom beyond the confines of the Indian Act during their service. However, this freedom was short-lived upon their return to Canada, as many fell under the Indian Act once more. The aftermath is that many of these returning vets became leaders of their communities. But many were also enfranchised.

This caused friction between the government and Status Indians. Enfranchisement allowed these veterans to get some land through the Soldier Settlement Act, which applied to all veterans. The fact that land allotted to soldiers was taken from reserves was seen as unacceptable to the returning Indigenous war veterans. Expropriation of reserve land occurred for many reasons, and

the reserve size was significantly reduced. The veterans recognized this and saw a need to organize politically to end the assault on reserve land and the idea of enfranchisement, essentially attempting to activate a pan-Indian movement.

Lt. Frederick O. Loft:

One of these veterans (Lt Loft, a Mohawk from Ontario) felt strongly enough about the injustices that he sought an audience with the British Privy Council and the King of England regarding the severe problems facing Indigenous people throughout Canada. The Council encouraged Lt. Loft to return to Canada and organize the Indigenous peoples to work together to speak out. Following the Council's advice, Lt. Loft began the first national Aboriginal organization – The League of Indians of Canada (though some would say that the Iroquois League predates this).

In 1919, Lt. Loft organized the League's first meeting at Sault Ste. Marie. The conference first opposed the enfranchisement of veterans because it would disintegrate Indian Bands. A second meeting was held in 1921 in Saskatchewan. For many who attended, it was their first experience with organized-status Indian politics on such a broad scale. Residential schools, land issues (halt to land surrenders), and economic assistance were identified as the primary concerns of the new organization. But by 1934, after Lt. Loft's death, the organization disintegrated and split into many regional organizations.

A significant split occurred between East and West with the creation of the **Indian League of Indians of Western Canada** & the **Indian League of Eastern Canada**. Resolutions from meetings in 1934 of the Western League included requests to end the pass system, end prohibitions on Indigenous ceremonies, allow reserves to use machinery in agriculture, and attend parliament when Status Indian matters were discussed.

However, the Western League could also not remain unified and eventually disbanded into two provincial Status Indian organizations: the Saskatchewan Treaty Protection Society and the Alberta Indian Association. These two smaller organizations disbanded by the late 1940s.

In part, maintaining an organization proved difficult during this period due to external political pressure from the Canadian government. Cultural revival increased alongside political resistance during the 1920s – 1950s, with traditional ceremonies important to political organization. Ceremonies and traditional gatherings were conducted despite the government bans during 1920-1940. This gave the government an excuse to disrupt organized gatherings and meeting places. As

early as 1921, Duncan Scott, the Deputy Superintendent of Indian Affairs, instructed all Indian Agents to quell the alarming activities (refer back to Week 10: The Indian Act Notes on Duncan Scott). One of the disruption strategies used by Indian Agents was to tear down or burn buildings constructed by Status Indians to facilitate ceremonies; however, rather than giving up practices, new buildings were erected out of the sight of the Indian Agent.

Even though deteriorating social services, housing, and education created frustration and despair, new insights and renewed hope for the first Aboriginal organizations were formed in those years. The younger people involved in these first organizations would be instrumental in forming new ones in the 1950s & 1960s, eventually becoming some of the existing organizations today.

World War II:

The Canadian government's assimilation policy was carried into the twentieth century. Indigenous people also continued resistance movements questioning their treatment and developing organizations rather than armed resistance to pressure local governments collectively. The disaster of Residential schools was becoming more apparent as more children and graduates stripped of their cultures and ways of life started to make their plight known to politicians and the Canadian populace. Between the 1950s and 1970s, the schools were slowly phased out, and the children 'integrated' into the public systems.

Following the end of the Second World War, laws concerning First Nations in Canada began to change, as you may have already noted in reading the revisions to the Indian Act of 1951 outlined in previous sections. By the war's end, the federal government began to pay more attention to the conditions under which Aboriginal people lived. Indigenous participation (predominantly voluntary) in WWII had been as high as in WWI. This changed Canada's attitude toward Canadian Indian policy. With the leadership of Indian war veterans, in 1946, the government of Canada established a Joint Senate and House of Commons Committee on the Indian Act. It resulted in significant amendments to the Indian Act 1951, such as...

- The ban on ceremonies was revoked.
- Pass system revoked
- Ban on alcohol revoked
- Enfranchisement reduced

- Increased band control over local matters

In addition:

- In 1951, section 9 of the Citizenship Act was amended to grant formal citizenship to Status Indians and Inuit retroactively as of January 1947. In 1960, all First Nations people were granted the right to vote in federal elections. It is interesting to note that Canada's policy on multiculturalism, which is often contrasted against the American melting pot as a cultural mosaic encouraging strength in the country by learning from all its inhabitants, gave voice to its original inhabitants 40 years after the United States.

From:

<https://universityofmanitoba.desire2learn.com/d2l/le/content/591097/viewContent/3888429/View>

