

# User Guide: The Indian Act

## What

The Indian Act of 1876 is a legal document and a set of laws that gave the Government complete control over the lives of First Nations peoples.

## Why

The Indian Act has been described, justifiably, as archaic, outdated, colonial, racist, paternalist, and repressive. Shockingly, it is still in effect today!

The Indian Act was designed to address the Indian problem by singling out a segment of society, largely on the basis of race, removing much of their land and property from the commercial mainstream, and giving the Minister of Aboriginal Affairs and Northern Development Canada and other government officials a degree of discretion that is not only intrusive but frequently offensive.

The Indian Act has been highly criticized and many want it abolished. Others want First Nations to be able to make their own decisions as self-governing peoples and they see the Indian Act as inhibiting that freedom.

Almost everyone agrees the issues are complex. An argument could be made that the Indian Act should simply be abolished. However, for complex reasons, the sudden disappearance of the Indian Act could create even more problems.

## How

- In what ways do people describe their own ethnicity, culture, or who they are as a person or as part of a group of peoples?
- In the Indian Act, the word Indian is a legal term. In the Act, an Indian is deemed not to be a person.
- In your opinion, can a Government ever determine who is and who is not a person?
- Why were First Nations languages and cultures seen as inferior, or negative to the extent that they had to be banned?
- Should a Government ever have the right to control what people wear, how they wear their hair, or what they choose to dance and sing?
- Discuss how the effects of the Indian Act continue to impact generations of individuals, families and communities.

- Discuss how the history of colonization, institutional racism and social issues are enmeshed In the Indian Act.
- Was the Indian Act a bad idea or a good idea gone wrong?
- The critics of the Indian Act talk about forging a new relationship between First Nations peoples and other Canadians...with a renewed understanding that strong families, strong communities and vibrant cultures and traditions will contribute to a stronger Canada for all of us. What does this mean? How can it work? What can you do as an individual, a school, or a community to further these ideas?
- Invite Elders with something to say about the Indian Act to speak to students.
- Have students read and discuss, debate, attack and defend various sections of the Plain Language Indian Act.
- Do you agree that the Federal Government always has the best interest of First Nations at heart?
- Do you think that whatever the Federal Government decides is probably for the best?
- What changes have occurred around the issues of status? Have these changes been good?
- Since so many people on all sides of the issues are so antagonistic to the Indian Act, do you agree that abolishing it in a single gesture or changing it, without consulting First Nations people, is the answer?