

FOCUS



This section will help you understand

- a. the major terms of the Indian Act and their effects
- b. how the Act has been changed over its history.

A Controversial Act

In 1876, the Canadian government passed the Indian Act. Throughout its history, the Act has sparked controversy. Though meant as a temporary measure, it has been changed many times and still affects the lives of Aboriginal peoples today.

In 1876, the Indian Act defined who was an “Indian” under the law and outlined what “Indians” could and could not do. It was a clear statement of the federal government’s policy to act as guardians over Aboriginal peoples, giving them “protection” but with the ultimate goal of assimilating them. As Duncan Campbell Scott, Deputy Superintendent of Indian Affairs from 1913 to 1932 stated: “The happiest future for the Indian race is absorption into the general population, and this is the object of the policy of our government. The great forces of intermarriage and education will finally overcome the lingering traces of native custom and tradition.”

Agents of the Department of Indian Affairs enforced the Act for most of its history and had almost dictatorial control over many aspects of Aboriginal peoples’ lives.

This section focuses on Indian status and the right to vote. In the following sections you will see how the Indian Act was used in banning traditional practices of Aboriginal peoples, controlling their education, governing their reserve lands, and restricting their political actions.

Indian Status and Enfranchisement

Under the Indian Act, “Indians” did not have the full rights of Canadian citizens. For example, they did not have the right to vote. The federal government expected Aboriginal peoples to eventually give up their status and become full citizens. To this end, it introduced a policy of **enfranchisement**. In one sense, enfranchisement means gain-

referred to giving up or losing Indian status since the only way “Indians” could gain the right to vote was if they gave up their status.

Status Indians considered “of good character” who voluntarily gave up their Indian status were given individual ownership of a plot of land on a reserve, the right to buy and consume alcohol, and the right to vote. Very few Aboriginal people, however, wanted to give up their status (from 1876 to 1918, only 102 Indians were enfranchised). To many, it meant giving up their identity.

For a brief time in the 1920s, the federal government tried to enfranchise Indian veterans of World War I against their will. Any Indians who received university degrees also automatically had to give up their status, as did any woman who married a non-Aboriginal man. The over 3000 Aboriginal soldiers who fought with the Canadian forces during World War II were also expected to enfranchise. When they returned from the war, however, they did not receive the right to vote or own land, and they were not paid veteran’s pension. It was not until 1960 that Registered Indians received the right to vote in Canadian elections without having to give up their status.



Figure 15-1 Aboriginal veterans of World War I. The federal government tried to enfranchise the veterans against