

Unit 4

Pathways Back to Self-Governance

Grades 10-12

Overview

Governance, land title, social structures and political structures are all inextricably connected in First Nations societies. However, the laws, policies and practices of federal and provincial governments actively attempted to disrupt, destroy and dismantle them.

The longstanding and diverse systems of laws and governance which First Nations had lived by for millennia were forcefully undermined by an imposed colonial system which was ill-matched with First Nations' worldviews, values and ways of life. Colonial governments displaced most structures that First Nations used to govern their communities. However, the resilience of First Nations and societal changes in the 21st century have resulted in the ability of First Nations to rebuild self-governance in diverse ways.

In Social Studies 10 students have the opportunity to follow the story of changes to First Nations governance throughout the time period covered by the course. All of the topics presented here are also relevant to BC First Peoples 12 and Contemporary Indigenous Studies 12. This unit also provides background and activities that target specific content standards of other senior Social Studies Courses such as Law Studies 12, Political Studies 12 and Comparative Cultures 12.

Essential Understandings

- In the past First Nations were autonomous, with authority and jurisdiction over all aspects of their lives.
- Colonialism has impacted the lives of First Nations in many ways, including their rights to autonomy, self-government and control of lands and resources.
- Today, through persistence, First Nations are taking diverse paths to rebuild and resume self-governance in a modern context.

Guiding Questions

- What are the historical and present day impacts of colonization on First Nations governance?
- How do contemporary First Peoples government systems operate, and what services do they provide?
- What are the goals and challenges of self-government for First Nations communities?

Relevant BC Learning Standards for Secondary Social Studies

Social Studies 10

Content Standard	Sample Topics (from Curriculum)
Government, First Peoples governance, political institutions and ideologies	<p>Consensus-based governance (e.g., Nunavut) and First Peoples self-governance models (e.g., Sechelt, Nisga'a, Tsawwassen)</p> <p>Indian Act: Crown- and federal government-imposed governance structures on First Peoples communities (e.g., band councils)</p> <p>Title, treaties, and land claims (e.g., Nisga'a Treaty, Haida Gwaii Strategic Land Use Decision, Tsilhqot'in decision)</p> <p>Canadian Charter of Rights and Freedoms</p>
Environmental, political, and economic policies	<p>Stakeholders, including First Peoples</p> <p>Other considerations in policy development, including cultural, societal, spiritual, land use, environmental</p>
Canadian Autonomy	Canada (treaties with First Peoples)
Canadian Identities	<p>First Peoples Identities</p> <p>Place-based identities and sense of belonging (e.g., Haida Gwaii versus Queen Charlotte Islands; "up North" and "back East"; affinity for ocean air, wide-open spaces; spiritual ancestor</p>
Discriminatory policies and injustices in Canada and the world, including residential schools, the head tax, the Komagata Maru incident, and internments	Indian Act (e.g., residential schools, voting rights, reserves and pass system, Sixties Scoop, and the White Paper)
Advocacy for human rights, including findings and recommendations of the Truth and Reconciliation Commission	First Peoples protest and advocacy movements
Domestic conflicts and co-operation	<p>First Peoples actions</p> <p>National and Regional First Peoples organizations</p>

Relevant BC Learning Standards for Secondary Social Studies Courses

Course	Key Content Standards	Sample Topics (from BC Curriculum)
BC First Peoples 12	Traditional territories of the BC First Nations and relationships with the land	Traditional territories may overlap. Difference between political boundaries and traditional territories
	Role of oral tradition for BC First Peoples	Oral tradition as valid and legal evidence (e.g., Delgamuukw v. B.C., 1997; ownership of property, territory, and political agreements)
	Provincial and federal government policies and practices that have affected, and continue to affect, the responses of BC First Peoples to colonialism.	Treaties, including fishing and hunting rights
	Resistance of BC First Peoples to colonialism	Judicial cases (e.g. Calder 1973; Guerin 1984; Sparrow 1990; Van der Peet 1996)
	Commonalities and differences between traditional and contemporary BC First Peoples governance systems	Traditional governance Land claims and self-governance
	Contemporary challenges facing BC First Peoples, including legacies of colonialism	
Contemporary Indigenous Studies 12	Responses to inequities in the relationships of indigenous peoples with governments in Canada and around the world:	United Nations Declaration of the Rights of Indigenous Peoples National organizations Local and regional Indigenous organizations Modern treaties and self-government
	Resilience and survival of indigenous peoples in the face of colonialism	Practice of traditional systems, including protocols and ceremonies
Comparative Cultures 12	Interactions between cultures and the natural environment	Interdependence of cultural identity and the physical environment [connecting land, title and treaty]
	Systems of power, authority, and governance	Leadership roles within cultures Informal and formal leadership Institutions of authority Process for making and enforcing laws
Law Studies	The Constitution of Canada and the Canadian Charter of Rights and Freedoms	
	Canadian legislations concerning First Peoples	Treaty process 1763 Royal Proclamation Constitution Act, 1982
	Indigenous legal orders and traditional laws in Canada and other global jurisdictions	Historical relationships between peoples as a basis to negotiate treaty boundaries

Resources

For further information on these resources, see the annotations in the Bibliography, beginning on page 255.

Blackline Masters

1. First Nations Governance Profile
14. Contemporary Forms of First Nations Governance
22. The Indian Act and the Indian Agent
27. BC Tribal Councils and First Nations Alliances
28. Self-Government Agreements in BC
29. Powers and Jurisdictions of First Nations Governments
31. Building Strong First Nations Governments
34. Moving Forward to Self-Government

Backgrounders

All Backgrounders will prove useful. See the list of Backgrounders on page 235.

Recommended Resources

- Resource materials that describe traditional governance systems of the local First Nation communities. These could include published materials, relevant websites and conversations with Elders and knowledge-keepers.
- First Nations in British Columbia map. Indigenous Services Canada. <https://tinyurl.com/fnesc931>
- BC Assembly of First Nations. *Governance Toolkit: A Guide to Nation Building*. BC Assembly of First Nations. Centre for First Nations Governance. <http://fngovernance.org>
- Jeffries, Theresa M. "Sechelt Women and Self-Government." *BC Studies*, no. 89, Spring 1991. <https://tinyurl.com/fnesc900>
- Joseph, Bob. *Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality*. Indigenous Relations Press, 2019.
- *People of the Grizzly: Government by the People*. 21 min 47 sec. 2011. <https://vimeo.com/21621109>
- *Ktunaxa Nation: Building From Their Vision*. 2012. 13:55 min. <https://youtu.be/DTZhlZsZMpU>
- *Westbank: A Self-Governing First Nation* (video). GC Indigenous (Government of Canada) 2012. 3:23 min. <https://youtu.be/G6d5FMBcYik>
- *Working at Westbank First Nation*. 13.59 min. Westbank First Nation, 2017. https://youtu.be/O0R8kIDz_6c.

Additional Resources

- Joseph, Bob. *21 Things You May Not Know About The Indian Act*. Port Coquitlam BC: Indigenous Relations Press. 2018.
- Williams, Alex, writer and director. *The Pass System*. Documentary film, 2015. 50 min.
- Nuu-chah-nulth Governance, Grade 10. Ab Ed Team, SD 70 (Alberni). <https://bit.ly/2Oe32Q3>
- Ts'msyen Nation. *Persistence and Change: A History of the Ts'msyen Nation*. First Nations Education Services, SD 52, Prince Rupert. 2005.

Outline of Activities

1. The Path to Self-Government: A Holistic Inquiry
 - a. Engage with the Article
 - b. Discussing the article
 - c. Inquiry
2. Contemporary First Nations Governance
 - a. What Does BC First Nations Governance Look Like Today?
 - b. Focus on a Local First Nation
 - c. Authority and Jurisdiction in First Nations Communities Today
 - d. Traditional Governance Systems
 - e. Imposed Government through the Indian Act
3. Changes in Power and Jurisdiction
 - a. The Role of the Indian Agent
 - b. Traplines
 - c. The Pass System
 - d. First Nations Advocacy Groups
4. Rebuilding First Nations Governance
 - a. What is Self-Governance?
 - b. Pathways of Self-Governance
 - c. Powers and Jurisdictions
 - d. Jurisdiction at the Provincial Level
5. Topics for Exploration and Inquiry
 - a. Citizenship
 - b. Urban First Nations People
 - c. What Areas of Governance Impact First Peoples today?
 - d. Overlapping Governmental Jurisdictions
 - e. From Indian Agent to Self-Administration
 - f. United Nations Declaration on the Rights of Indigenous Rights
 - g. The Future of the Indian Act

Suggested Activities

Note: There are more activities here than most teachers will incorporate into their units. It is not expected that you will use all of the activities, or follow the sequence as it is described. These activities are intended to be adapted to fit the needs of your students and classroom, as well as inspire ways that you can respectfully include relevant First Nations knowledge and perspectives in your course.

1. The Path to Self-Government: A Holistic Inquiry

This study uses an article written by shíshálh Elder Sxixixay, Theresa Jeffries, in 1991, titled "Sechelt Women and Self-Government" (BC Studies 1991, linked online at <https://tinyurl.com/fnesc900>). Her discussion of the path taken by the shíshálh (Sechelt) First Nation to self-government incorporates all the important themes included in this unit.

Students could use the article as a basis for developing questions and learning about the historical context, motivation, and steps to achieve self-government by the Shíshálh First Nation, and extend their understanding to other First Nations. Alternatively, the article could be used as an introduction to some of the other activities in the unit.

Students will find the article engaging, as it is written in the first person and connects with the author's personal experiences as well as those of her community. It is of a reasonable length, six pages, and was published in *BC Studies*, a well-respected academic journal out of UBC. Using the article as a basis of study will provide opportunities for students to learn about using academic sources for their research.

a. Engage with the Article

Students read and annotate the article.

- Provide students with copies of the article. Depending on your situation, you may want to photocopy it, or have students read the PDF on line.
- Ask students to identify the date the article was published. Point out they will encounter terms used that are not normally used today. For example, the people now use the more accurate spelling of their name, Shíshálh as well as "Sechelt." The Department of Indian Affairs has gone through a number of name changes since 1991. (See **Department of Indian Affairs** in Glossary.)
- To give some context, explain to students that the shíshálh was the first in BC to reach a self-government agreement with Canada to exercise self-government outside of the Indian Act. Parliament passed the Sechelt Indian Band Self-Government Act "to enable the Sechelt Indian Band to exercise and maintain self-government on Sechelt lands and to obtain control over and the administration of the resources and services available to its members."

 "Sechelt Women and Self-Government."
Theresa M. Jeffries. *BC Studies*, no. 89, 1991.
<https://tinyurl.com/fnesc900>

Cross-Curricular Connections

English Language Arts:
At the end of the PDF of the article "Sechelt Women and Self-Government" there is a poem "Our Story Not History." Students can study the poem and suggest how it connects with the article.

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- Although it set out self-government powers for their community, it did not reconcile outstanding land title issues, and they are still in treaty negotiations today.
 - Students can find where the Sechelt community is located on a map. This could be on a printed map, or a digital map online.
- As students read the article, have them annotate it by marking things like big ideas, words or ideas they don't understand, questions they have, or information that surprises them. They can highlight, underline, circle, write in the margins and draw arrows.

b. Discussing the Article

Students reflect on the ideas and information in the article.

- Have students choose one or two sentences from the article that stood out for them. Students can share their sentence, and explain why it seemed important to them.
 - Students could also identify strong or powerful words and phrase that the author used in her writing. (For example, cultural genocide, shackles.)
- Have student point out some words or ideas that they did not understand. If possible, discuss as a class to clarify meanings, or suggest they can be explored later.
- Discuss some of the main topics described by Theresa Jeffries. Ask questions such as:
 - How did shíshálh government systems change?
 - Why did it take federal legislation to restore the shíshálh government?
 - How did the positions of women change?
 - What are some examples of discrimination towards First Nations by the state?
 - What was the relationship between the shíshálh government and the neighbouring communities?
- You may want to discuss Sxixixay's use of the term "cultural genocide" (p.83) long before it was used in relation to the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls. Ask students what her evidence was to use the term. (For example, women lost their status if they married a non-status man.)
- Students can write a personal reflection or a journal entry about the ideas contained in the article.



Formative Assessment Strategy

Use students' reflections to assess their understanding of the ideas in the article.

c. Inquiry

Students conduct an inquiry based on the ideas in the article.

- Explain that students are going to conduct an inquiry into one aspect of the many topics raised by the article.
- Decide if students will work individually or in groups.

 **Formative Assessment Strategy**

Work with the class to develop criteria for assessing this inquiry. Students then do a self-assessment at the end. Discuss assessments with students.

- Ask them to think about which parts of the journey described by Theresa Jeffries interest them the most – the ancestral government, the imposed government of the Indian Act, or self-government under the agreement.
- Discuss possible topics that go across the time periods, such as the changing role of women, or the importance of the shísháhlh language.
- Students develop a question that they would like to investigate, based on the ideas in the article "Sechelt Women and Self-Government." Ask students to suggest some possible questions.
- Have students investigate their questions through research.
- Students can decide on how they will present their findings and share them with the rest of the class.

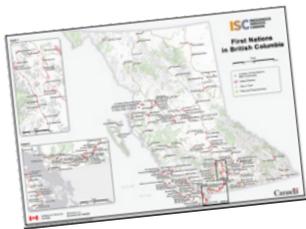
2. Contemporary First Nations Governance

Students explore different examples of modern day governance in First Nations communities, and their historical antecedents, with a focus on the powers and jurisdictions held by different bodies or institutions.

a. What Does BC First Nations Governance Look Like Today?

Students can investigate the diversity of ways that BC First Nations govern themselves by finding examples of different government models used today.

- Working individually or in groups, students can explore the contemporary governance systems of various First Nations in BC.
- Give students an opportunity to select a First Nations community government to learn about. If possible, include a local First Nation. If there are Indigenous students from other areas of the province or other parts of Canada, encourage them to investigate governments of their home territories.
 - To help locate First Nation communities, students can refer to a map of all the First Nations communities in BC. It is produced by Indigenous Services Canada and can be linked at <https://tinyurl.com/fnesc931>.
 - Students may want to select a community they have heard about, one that has been in the news, or that is in a part of the province that they are familiar with.
 - If possible have one student or group select a First Nation that has a Self-Government Agreement. See a list on Blackline Master 28, page 139, *Self-Government Agreements*.
- Most First Nations have a website that gives information about how their governments are organized and the services they provide. Students can locate the relevant site for the community they are studying.
- Students can identify the government structure of the community, how and when leaders are elected, and what services the government provides to the community.



 First Nations in British Columbia map (Indigenous Services Canada) <https://tinyurl.com/fnesc931>

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- Have students reflect on the goals and aspirations of the community. Ask questions such as:
 - What are the important goals of the First Nations government?
 - What roles do the members of the community play in the government?
 - How does the modern government connect with the past? Does it incorporate aspects of the First Nation's traditional government?
 - How does it connect with the future?
- Groups can share what they have learned with the rest of the class. They can decide on a format, such as an oral presentation, a multimedia presentation, or graphic display.
- After groups have shared, ask students to identify features that are widely shared by the communities they investigated, and features they found that are unique.

b. Focus on a Local First Nation

Students can explore more about the various levels of governance of a local First Nation.

- If a group has investigated a local First Nation in the last activity, their presentation can lead into this activity.
- Where possible, involve members of the local First Nation in classroom discussions and activities. This could include:
 - Visiting the local First Nations government, Band Council, Administration or Treaty office
 - Meeting with representatives of the government
 - Inviting government representatives into the classroom
 - Exploring the website of the local First Nation
 - Identifying the physical location of different aspects of the community on maps, including the Indian Reserves, the traditional territories, the urban distribution of First Nations members.
- Have students identify the forms of government that a local First Nation participates in. For example, many communities have a parallel system of traditional governance whose leaders or membership have particular roles, such as advising the Band Council or self-governing council. As well, many communities are involved in tribal councils or treaty associations.
- Students can use Blackline Master 1, page 103, *First Nations Governance Profile*, as a guide to finding out information about local governance systems.

For an example of a governance unit that incorporates local content, see the SS 10 unit, *Nuu-chah-nulth Governance* (Ab Ed Team, SD 70) <https://bit.ly/2Oe32Q3>

 Blackline Master 1, page 103, *First Nations Governance Profile*

c. Authority and Jurisdiction in First Nations Communities Today

Students will analyze how different First Nations communities are governed today.

- Have students review what they understand about different systems of governance in First Nations communities. They can use Blackline Master 14, page 118, *Contemporary Forms of First Nations Governance* to record what they already know based on the previous activities. The systems listed are:

 Blackline Master 14, page 118, *Contemporary Forms of First Nations Governance*

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1. Traditional systems; Consensus-based and Hereditary; 2. Band Councils; 3. Self-Government Agreements; 4. Treaty-based governments; 5. Tribal Councils or other regional First Nations governments
- Ask students to predict or suggest what powers these different forms of governments have. Discuss what types of decisions their leadership is able to make today.
 - Students can explore examples of each form to build an understanding of differences in powers. Ask what authority and jurisdiction each has.

d. Traditional Governance Systems

Students will be able to describe features of traditional First Nations governance systems.

- Discuss with students how they could identify a traditional or hereditary government. Ask what characteristics it might have. (For example, it may be made up of chiefs or other people who have inherited a position through traditional customs and practices.)
- Discuss with students how they think the traditional First Nations governance systems in your region worked. What kinds of laws, authority and jurisdiction do they think were practised before contact?
- Have students think of some questions they have about traditional governance in the past.
 - If there is no example of traditional governance in your area, students can investigate other examples in the province. Some examples include:
 - Gitanyow Hereditary Chiefs: <http://www.gitanyowchiefs.com>
 - Hereditary Chief definition and 5 FAQs, Indigenous Corporate Training website: <https://tinyurl.com/fnesc911>.
- Student can read a number of the Backgrounders that relate to Ancestral governance. You could use a station approach, with groups studying one of the backgrounders, and sharing their findings using the Jigsaw strategy and whole class discussions.
- Students can connect what they have learned to an investigation of the traditional governance systems of the local First Nation. Help them find suitable resources, which may include print or online sources, or knowledge-keepers from the local First Nations community may be able to share their insights.
- Have students investigate some key characteristics of traditional governance systems. Give students the following attributes and ask them what connections they have with traditional governance:
 - diversity
 - self-determination
 - connections with the land
 - autonomy
 - Discuss the words with students to clarify their meanings.
 - Students can write sentences or short paragraphs to discuss how each attribute applies to traditional laws and governance systems.



Backgrounders

2. Traditional First Nations Societies, page 237
3. Ancestral Laws and Governance, page 238
4. Language and Oral Traditions, page 239
5. Traditional Leadership, page 240
6. Public Witness: Feasts and Potlatches, page 241

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- For example, here are some possible responses:
 - Diversity: In the past there was a great diversity of cultures and therefore of laws and governments in BC; this diversity still exists today.
 - Self-determination: For thousands of years First Nations were able to direct their own affairs and make decisions about how to run their societies
 - Connections with the land: First Nations laws and governance had their foundations in people's relationships with the land.
 - Autonomy: Each First Nation was an autonomous body which interacted with neighbouring Nations.

e. Imposed Government Through the Indian Act

- Review with students the background to the imposition of the Indian Act on First Nations communities. They could study the text on Backgrounders 7. The Indian Act, 8. Indian Reserves, and 9. Citizenship.
- Have students suggest different ways that the colonization and the Indian Act have impacted the lives of First Nations in the past and today.
- Students can read the text on Backgrounder 10, Band Council, to build an understanding of the structure and practices of the Band Council system.
- Students may be interested to investigate the powers that Band Councils had when they were first created. Use the activity on Blackline Master 24, page 133, *Band Council Powers, 1886*.
- Have students compare traditional systems with the Band Council system. What powers, jurisdiction and authority did Band Councils have?
- Ask students to consider the four attributes discussed in part 2d: diversity; self-determination; connections with the land; autonomous. Ask students how they think these attributes changed after the imposition of Band Councils.
- Investigate Band Council powers today. How are they evolving?

 Blackline Master 24, page 133, *Band Council Powers, 1886*

3. Changes in Power and Jurisdiction

Students explore in more depth how First Nations governance has changed and continues to change over time. They can investigate one or more topics that illustrate the many ways that powers of governance and jurisdiction were limited or denied.

a. The Role of the Indian Agent

- Students can investigate the relationship that Band Councils had with the Department of Indian Affairs as mediated through the Indian Agent. See Blackline Master 22, page 131, *The Indian Act and the Indian Agent*.
- Students can find out about the role the Indian Agent played in the lives of First Nations communities.

 **Unit Links**
See Unit 3 Part 4, Impacts of Colonization, for introductory activities dealing with changes in power and jurisdiction.

 Blackline Master 22, page 131, *The Indian Act and the Indian Agent*



Unit Links

Further examples of the role of Indian Agents can be found in Unit 6, Hunting and Trapping Case Studies.

- For an example of the role of the Indian Agent, see *Persistence and Change* pages 165-170.
- Discuss the significance of the Indian Agent; how did he cause change? What did his role reveal about differences in worldviews between colonizers and First Nations?
- Students can find out which Agencies administered their region, and research the Indian Agents who operated in their region in the past to find some examples of their influences on the local community.

b. Traplines

- Traplines were part of the cultural fabric of many First Nations and were usually part of the traditional system of governing the land. The rights to use traplines was handed down from one generation to the next according to the laws of the specific First Nation. Students can investigate what happened when the province brought in laws to regulate traplines.
- Students can find out about how traplines were traditionally administered in your region.
- They can discover what laws were brought in by the province, and how that impacted First Nations trappers.
- Students can use the documents in Unit 6, Hunting and Trapping Case Studies, Document set 6, Hardship and Conflict in the 1920s, page 226.

c. The Pass System

- Students can investigate the pass system which was enforced in some parts of the country. Under this system, First Nations people were not allowed to leave their reserves without permission from the Indian Agent.
- Students may have the opportunity to view the movie, *The Pass System*. It may be available from an educational or community library. For some background information and suggestions for using the movie in the classroom, see the website thesceneyouthmedia.ca. Link at <https://tinyurl.com/fnesc912>.

d. First Nations Advocacy Organizations

- Students can investigate some important regional advocacy organizations that grew out of the resistance to the restrictions of governance brought about by the Indian Act.
- How and why did they develop? What were or are their powers? What were/are their achievements and influences?
- Tribal Councils: When did they begin? What is your local tribal council? See Blackline Master 27, page 138, *Tribal Councils and First Nations Alliances in British Columbia* which lists the Tribal Councils in BC.
- Students could research other organizations past and present, including the Allied Tribes, Native Brotherhood, Union of BC Indian Chiefs, Assembly of First Nations, First Nations Summit.



Blackline Master 27, page 138, *Tribal Councils and First Nations Alliances in British Columbia*

4. Rebuilding First Nations Governance

a. What is Self-Governance?

- Ask student to suggest what self-governance means for First Nations communities. Students could read Backgrounder 11, *Self-Government*, page 246 for more information.
- Students can view one or more videos in which First Nations explain the importance and the process of self-governance. For example:
 - Westbank First Nation's self-government came about through a self-government agreement with Canada in 2005, outside of the BC Treaty process. These videos help students understand the process and the outcomes:
 - *Working at Westbank First Nation*. 13.59 min. Produced by Westbank First Nation, this video gives background to the decision to seek self-government, and the successful results of negotiating it. https://youtu.be/OOR8kIDz_6c.
 - *Westbank: A Self-Governing First Nation*. 3.23 min. This video produced by the Government of Canada outlines the positive aspects of the government for Westbank First Nation's Indigenous and non-Indigenous residents. <https://youtu.be/G6d5FMBcYik>
 - *People of the Grizzly: Government by the People*. 21 min 47 sec. 2011. Produced by the Kitselas First Nations, but gives a general overview of the history and goals of self-governance. It highlights the differences between the Nisga'a Lisiims government and the Westbank First Nations self-government, and states the goals and hopes of the Kitselas people. <https://vimeo.com/21621109>
 - *Ktunaxa Nation: Building From Their Vision*. 2012. 13:55 min. Centre for First Nations Governance. This video documents the process that the Ktunaxa Nations is following to bring about self-government through the BC Treaty Process, emphasizing a citizen-based process. <https://youtu.be/DTZhZsZMpU>
- The book *Indigenous Relations* by Bob Joseph has a comprehensive discussion about self-government. See pages 50-57.
 - See also the article "Why do Aboriginal Peoples want self-government?" on the Indigenous Corporate Training website. <https://tinyurl.com/fnesc949>.
- Discuss the significance of self-government for a community. Ask how it can affect all spheres of life for First Nations, such as cultural, social, economic, political?
- Ask students to express in some way their understanding of what self-government means for First Nations. It could be a speech or an editorial, a poem or rap, a painting or drawing, or some other form of their choosing.

 Backgrounder 11, *Self-Government*, page 246

Formative Assessment Strategy

Use this project to assess students' understanding of the concept of self-government.

b. Pathways of Self-Governance

Students can explore different ways that self-governance is being applied in BC First Nations communities.

- Ask students what paths different First Nations have taken or are taking to bring about self-government, from what they know so far. (For example, some are in the BC Treaty process, some have agreements outside treaty.)
 - Blackline Master 28, page 139, *Self-Government Agreements* shows those First Nations that have achieved self-governance to the date of publication. Students can find out if there are any further names to be added to the list.
 - This article gives examples of different paths towards self-government: "Self-Government Arrangements 4 Examples." Indigenous Corporate Training website. <https://tinyurl.com/fnesc948>.
- Students can use one or more of these documents to find out more about the different pathways that First Nations are taking towards self-government.
 - Blackline Master 31, page 142, *Building Strong Governments*
 - Blackline Master 34, page 147, *Moving Forward to Self-Government*
 - Backgrounder 11, *Self-Government*, page 246.
- Ask students to identify the differences between sectoral governance agreements and comprehensive agreements.
 - You can begin by making sure students understand the meanings of **sectoral** and **comprehensive**.
- The pathways of self-governance align with the subject of treaties and their alternatives. See Unit 5, particularly Activity 2-6, Settling Indigenous Rights and Title for further explorations of the pathways to self-governance.
- Students can find out about the paths that local First Nations, and other First Nations in the province have taken or are taking to self-governance. What actions are the communities taking to achieve it?
- Discuss why students think there is such diversity in the pathways that different First Nations are taking to achieve self-government?
- Students can summarize their understanding of the diverse pathways BC First Nations are taking towards self-governance in a graphic or other visual form. They may choose to illustrate a specific First Nation they have studied, or a generalized representation of diverse pathways.



Unit Link

See Unit 5, Activity 2-6 for activities relating to treaties and their alternatives as pathways to self-governance.



Formative Assessment Strategy

Use the graphical summary to assess students understanding of the diverse pathways towards self-governance.



Blackline Master 29, page 140, *Powers and Jurisdiction of First Nations*

c. Powers and Jurisdictions

Students can explore in more depth different sectoral agreements and see how they are being put into practice, especially for the local First Nation.

- See Blackline Master 29, page 140, *Powers and Jurisdiction of First Nations* for a list of First Nations communities are engaged in self-governing. (Not every Nation will be managing all of these sectors.)
- Students can work individually or in groups to explore one of the jurisdictions in more depth. They can use the *Governance Toolkit*, BC Assembly of First Nations, to learn more about each sector.

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- Link to the Governance Toolkit online at <https://tinyurl.com/fnesc913>.
- Students will refer to Section 3, "Powers (Jurisdiction) of the First Nation" in the *Governance Toolkit*. It gives comprehensive information about the background to each sector, its administration under the Indian Act, and examples of how it is being administered in specific First Nations today. It begins at page 164 of the PDF file.
 - Note that the toolkit is organized in a complex fashion (each section is numbered separately), so it is easiest to refer to the sequential page numbers of the PDF file.
- Students can refer to page 178 of the PDF for an explanation of how the Powers of the First Nations section is structured.
- An easy way for students to locate the pages that refer to their sector is to search using the number and title given on Blackline Master 29. For example, to search for Wildlife, search "32 wildlife"

d. Jurisdiction at the Provincial level

Students can investigate First Nations organizations that have the authority and responsibility delegated by First Nations to deliver government services.

- The First Nations Health Authority took over responsibilities formerly handled by Health Canada's First Nations Inuit Health Branch for BC in 2013. Students can investigate their website to see the types of responsibilities and services they provide that the federal government used to take care of. <http://www.fnha.ca/>
- The First Nations Education Authority, at the time of publication, was in the process of being formally created. It will be comprised of a Board of Directors from First Nations who will have law-making authority for their own schools. Students can find out the progress in the Authority's development and the governance it provides.
- Students can find out about other provincial bodies that are providing leadership, governance and economic support province wide.
 - For example, at the time of publication, a new authority for housing was emerging, the First Nations Housing & Infrastructure Council of British Columbia. <https://www.fnhic-bc.ca>
- Discuss with students why it is important for First Nations to have jurisdiction over certain sectors of governance at the provincial level.

5. Topics for Exploration and Inquiry

Students can investigate a variety of questions that explore in more depth the issues around governance. These can be adapted to the specific focus of your course.

These are possible topics of inquiry which can be used in a variety of different Social Studies courses. The questions focus on inquiry and critical thinking skills and will support various Learning Standards.

a. Citizenship

Students can investigate issues around the autonomy of First Nations to determine who is a member of their community and why this is an important aspect of self-determination and self-government.

First Nations societies had criteria for citizenship prior to colonization. How did the discriminatory practices of the Indian Act definition of citizenship (status) affect governance in the past? How are self-governing First Nations dealing with citizenship today?

b. Urban First Nations People

In this context, Urban First Nations refer to people who live off-reserve, or outside their home communities. How do laws apply to First Nations people living outside of their First Nations communities?

- Before 1999, First Nations who did not live in their home communities, that is, living off the reserve where they were registered, were not permitted to vote on reserve. This was changed through a case taken to the Supreme Court of Canada in 1999, known as *Corbiere v. Canada*.
 - Students can investigate the *Corbiere* court case. Why was it brought to court? What were the impacts of the Supreme Court decision?
- Students can investigate ways that the Indian Act and other federal or provincial laws impact First Nations people living off reserve.

c. What Areas of Governance Impact First Nations Today?

These include federal ministries (Indigenous Affairs, Health Canada, Natural Resources) and provincial ministries such as Lands and Resources and wildlife management. What are the relationships between First Nations and these bodies? How have they changed over time?

d. Overlapping Governmental Jurisdictions

How have the overlapping jurisdictions of First Nations, Canada and British Columbia affected the governance of First Nations? What tensions, conflicts, confusion and opportunities might arise from the diversity of governance systems?

e. From Indian Agent to Self-Administration

Towards the end of the 20th century the Indian Agent system ended and the administration of many government policies and programs were passed on to Band Councils. Students can consider how gaining local control of federal programs changed the local powers and jurisdiction, and compare it with self-governance.

f. United Nations Declaration on the Rights of Indigenous Rights

Investigate the possible consequences of action on the United Nations Declaration on the Rights of Indigenous Rights and the Truth and Reconciliation Calls to Action.

- Explain that UNDRIP is a “human rights instrument” that affirms basic human rights, in an Indigenous context
- As stated by James Anaya (former Special Rapporteur), it “does not establish new or special human rights in a fundamental sense. Rather, it affirms basic human rights principles that are applicable to all and elaborates upon them in the specific historical, cultural, political and social context of indigenous peoples.”

g. The Future of the Indian Act

What do you think will happen to the Indian Act? Will it just fade away as First Nations engage in diverse forms of self-governance?

