

# Canada's Indian Act



## CHAPTER 43.

An Act respecting Indians.

A. D. 1886.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

### SHORT TITLE.

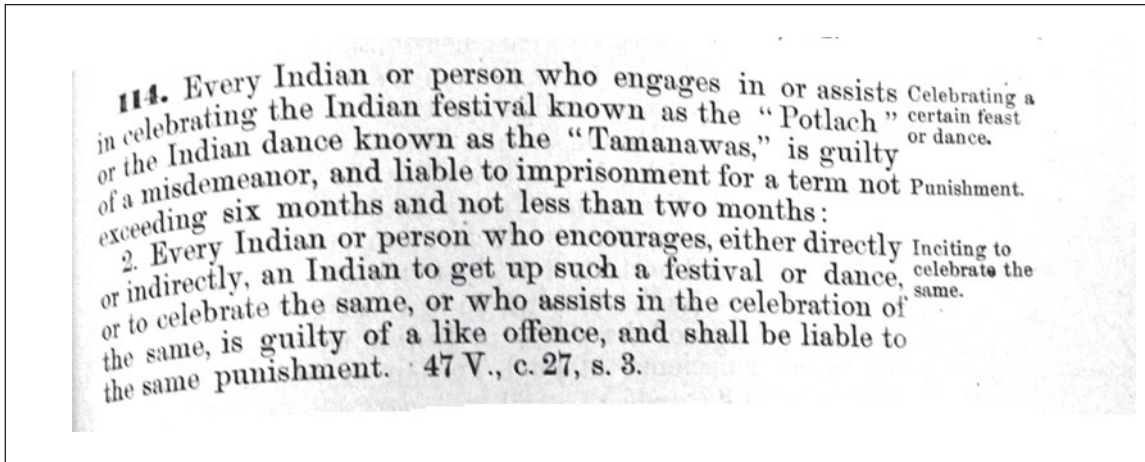
1. This Act may be cited as "*The Indian Act.*" 43 V., Short title. c. 28, s. 1.

### INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
- (a.) The expression "Superintendent General" means the Superintendent General of Indian Affairs, and the expression "Deputy Superintendent General" means the Deputy Superintendent General of Indian Affairs; Interpretation.  
'Superintendent General.'
- (b.) The expression "Agent," or "Indian Agent," means and includes a commissioner, assistant commissioner, superintendent, agent or other officer acting under the instructions of the Superintendent General; "Agent" or  
"Indian agent."
- (c.) The expression "person" means any individual other than an Indian; "Person."
- (d.) The expression "band" means any tribe, band or body of Indians who own or are interested in a reserve or in Indian lands in common, of which the legal title is vested in the Crown, or who share alike in the distribution of any annuities or interest moneys for which the Government of Canada is responsible; "Band."
- (e.) The expression "the band" means the band to which the context relates; "The band."
- (f.) The expression "band," when action is being taken by the band as such, means the band in council; "Band."
- (g.) The expression "irregular band" means any tribe, band or body of persons of Indian blood who own no interest in any reserve or lands of which the legal title is vested in the Crown, who possess no common fund managed by the Government of Canada, and who have not had any treaty relations with the Crown; "Irregular band."
- (h.) The expression "Indian" means— "Indian."
- First.* Any male person of Indian blood reputed to belong to a particular band;
- Secondly.* Any child of such person;
- Thirdly.* Any woman who is or was lawfully married to such person.

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## Indian Act, 1886



## Indian Act, 1894

**11.** *The Indian Act* is hereby amended by adding the following sections thereto:—

**"137.** The Governor in Council may make regulations, either general or affecting the Indians of any province or of any named band, to secure the compulsory attendance of children at school.

"2. Such regulations, in addition to any other provisions deemed expedient, may provide for the arrest and conveyance to school, and detention there, of truant children and of children who are prevented by their parents or guardians from attending: and such regulations may provide for the punishment, upon summary conviction, by fine or imprisonment, or both, of parents and guardians, or persons having the charge of children, who fail, refuse or neglect to cause such children to attend school."

**"138.** The Governor in Council may establish an industrial school or a boarding school for Indians, or may declare any existing Indian school to be such industrial school or boarding school for the purposes of this section.

"2. The Governor in Council may make regulations, which shall have the force of law, for the committal by justices or Indian agents of children of Indian blood under the age of sixteen years, to such industrial school or boarding school, there to be kept, cared for and educated for a period not extending beyond the time at which such children shall reach the age of eighteen years.

*New sections added.*

*Powers of Governor in Council as to regulations for attendance at school.*

*Powers as to establishment of industrial or boarding schools.*

*Regulations.*

## Colonial Clash

Why were First Nations parents forced to send their children to Residential School? To see why, we have to look into Canada's past.

First Nations people lived in Canada for thousands of years. About 300 years ago, people from Europe came to Canada. The new settlers believed they were superior to First Nations. They did not understand or respect the traditional ways of the many First Nations cultures or their beliefs. The settlers wanted First Nations to become just like them.

One thing the newcomers didn't understand was First Nations' beliefs about ownership of the land. In truth, all the land was part of the territory of one group or another. They respected it and lived on it for many many generations. But it was not owned by individuals. The land belonged to each group or nation collectively.

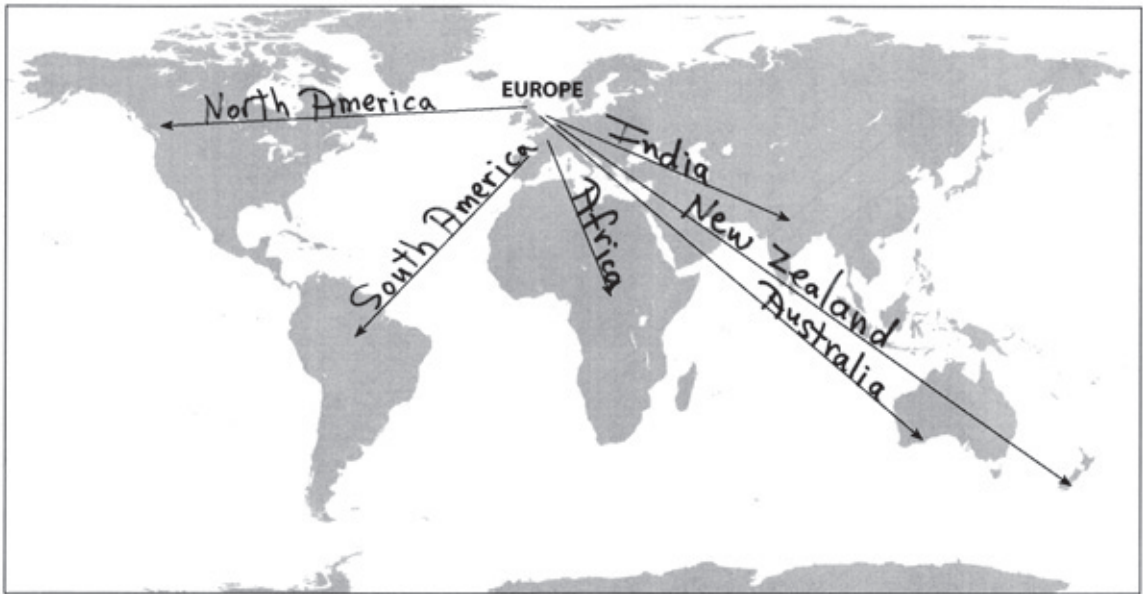
The settlers thought the land wasn't owned, so they built homes where they wanted to. The new settlements were called **colonies**. They were controlled by the government in England or France. Europeans also set up colonies in many other parts of the world.

At first First Nations people welcomed the settlers and helped them survive, but soon they saw that the newcomers did not respect the **rights** of the First Nations people. When Canada was made a country on its own in 1867, the new government made a law that was only for First Nations people. It is called the Indian Act. It took away all the power people had in their lives. The government was the only authority, and First Nations people were treated like children. This law is still in effect today.

The new settlers of Canada supported the government and its laws. One way they tried to control the First Nations people was to send the children away from their homes so their parents and grandparents could not teach them their traditions, culture and language. That is why the Residential Schools were started.

**COLONIALISM ACROSS THE WORLD**





Colonialism Map Key