

21 things you may not know about the Indian Act

The Indian Act has been in place for 140 years

By Bob Joseph, [for CBC News](#) Posted: Apr 13, 2016 6:13 PM ET Last Updated: Apr 14, 2016 3:39 PM ET

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The Indian Act is the primary legislation used to govern First Nations people for the last 140 years.

The Indian Act has been a lightning rod for criticism and controversy over the years, widely attacked by First Nations people and communities for its regressive and paternalistic excesses.

For example, Status Indians living on reserves don't own the land they live on; assets on reserve are not subject to seizure under legal process making it extremely difficult to borrow money to purchase assets; and matrimonial property laws don't apply to assets on reserve.

The act has also been criticized by non-Aboriginal Peoples and politicians as being too paternalistic and creating an unjust system with excessive costs that are considered uneconomical.



The Indian Act gave Canada a coordinated approach to Indian policy rather than the pre-Confederation piece-meal approach.

"The great aim of our legislation has been to do away with the tribal system and assimilate the Indian people in all respects with the other inhabitants of the Dominion as speedily as they are fit to change," stated John A. Macdonald, in 1887.

The Act imposed great personal and cultural tragedy on First Nations, many of which continue to affect communities, families and individuals **today**.



A two week pass for Edward Yahyahkeekoot from the Saskatchewan Archives Board. This is one of the few remaining passes found in a Canadian archive, and is proof of the pass system, implemented in 1885. The policy controlled the movement of First Nation people off reserves. (Tamarack Productions)

Here are 21 restrictions imposed at some point by the Indian Act in its 140 years of existence.

The Indian Act:

1. Denied women status
2. Introduced residential schools
3. Created reserves
4. Renamed individuals with European names
5. Restricted First Nations from leaving reserve without permission from Indian agent
6. Enforced enfranchisement of any First Nation admitted to university (could only vote if in university)
7. Could expropriate portions of reserves for roads, railways and other public works, as well as move an entire reserve away from a municipality if it was deemed expedient
8. Could lease out uncultivated reserve lands to non-First Nations if the new leaseholder would use it for farming or pasture
9. Forbade First Nations from forming political organizations
10. Prohibited anyone, First Nation or non-First Nation, from soliciting funds for First Nation legal claims without special license from the Superintendent General. (this 1927 amendment granted the government control over the ability of First Nations to pursue land claims)
11. Prohibited the sale of alcohol to First Nations
12. Prohibited sale of ammunition to First Nations
13. Prohibited pool hall owners from allowing First Nations entrance
14. Imposed the "band council" system (have an elected chief and council)
15. Forbade First Nations from speaking their native language
16. Forbade First Nations from practicing their traditional religion
17. Forbade western First Nations from appearing in any public dance, show, exhibition, stampede or pageant wearing traditional regalia
18. Declared potlatch and other cultural ceremonies illegal
19. Denied First Nations the right to vote
20. Created permit system to control First Nations ability to sell products from farms
21. Created under the British rule for the purpose of subjugating one race — Aboriginal Peoples

Major amendments (changes) were made to the Act in 1951 and 1985.

- In the 1951 amendments, the banning of dances and ceremonies, and the pursuit of claims against the government were removed.
- In the 1985, Bill C-31 was introduced which gave more rights to Indigenous women.