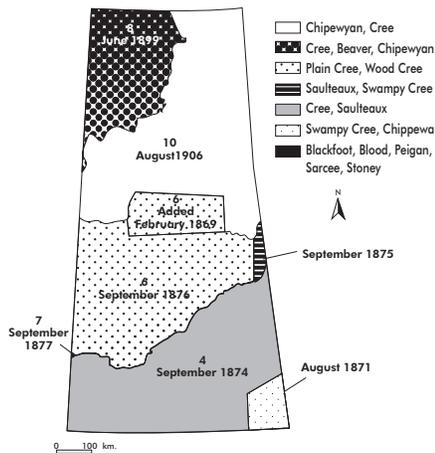


History of Aboriginal Self-Government

The following provides an overview of the history of Aboriginal self-government in Canada.



Map of First Nations historical treaties in Saskatchewan.

The First Treaties (1500s-1700s)

Before Europeans arrived in North America, Aboriginal peoples organized themselves as independent nations. Each had its own way of life, political organization, culture, economy, laws and control over the land and resources within their territories. During the early days of European contact, most relations between Aboriginal peoples and Europeans were based on trade agreements and were usually mutually beneficial. Aboriginal peoples continued to govern themselves independently and retained the same rights to the lands and resources they inhabited. As Europeans began to settle in North America, more formal agreements were initiated between Aboriginal peoples and the British and French settlers. These formal alliances and treaties recognized and respected the independence of each party.

British Colonization (1763)

After defeating the French in the Seven Years War, the British issued the *Royal Proclamation of 1763*, which outlined the process of transferring land from Aboriginal peoples to the Crown (the government acting on behalf of the king or queen). For the British, making Aboriginal people official

subjects would expand their legal authority across the continent. Not all Aboriginal nations signed treaties, but those that did were promised particular legal rights. Some treaties set up reserves and guaranteed traditional rights, such as hunting and fishing. The balance of power in these relationships favoured the British, and many of these treaties broke original alliances and others had legal guarantees left unfulfilled by future Canadian governments.

Assimilation and the Indian Act (1867-1876)

The *British North America Act* of 1867 (today known as the *Constitution Act*) established the exclusive power and control of the federal government of Canada over Aboriginal peoples and their lands. Legislation soon followed giving the Canadian government the legal authority to replace traditional Aboriginal forms of government with elected chiefs and band councils that had limited powers set out in the *Indian Act* of 1876. The *Indian Act* also introduced the residential school system, which encouraged assimilation (forced integration) and required all Aboriginal children to attend. Thousands of students were taken from their families and often subject to abuse. The majority of lands and resources that had once been controlled by Aboriginal peoples were under the authority of the Canadian government.



Plains Cree chief Mistahi-maskwa (also known as Big Bear) trading fur at Fort Pitt, Saskatchewan in 1884.

Negotiating Citizenship (1950s-1960s)

Aboriginal peoples fought for Canada in both World Wars, but it was not until 1951 that the restriction on pursuing land claims was removed from the *Indian Act* and 1960 that Aboriginal peoples could vote federally without losing their treaty rights or registered Indian status. In 1969, the White Paper put forth the federal government's Aboriginal policy and proposed eliminating the *Indian Act*, abolishing the federal department of Indian Affairs and transferring the responsibility of Aboriginal peoples to the provinces. Aboriginal peoples were opposed to these policies and argued for the respect of historical treaties and the protection of their distinct cultures. The *Indian Act* remained in force and both federal and provincial governments shared jurisdiction over Aboriginal affairs.

Comprehensive Land Claims and Self-Government Agreements (1973 onwards)

The Canadian government outlined its new Aboriginal land claims policies in 1973. These modern treaties showed a willingness to settle or renegotiate past treaty rights violations, such as the unlawful taking of reserve lands. The greatest recognition of Aboriginal peoples' rights by the federal government occurred under the *Constitution Act, 1982*. The Act recognizes existing Aboriginal and treaty rights and defines the Aboriginal peoples of Canada as including the First Nations, Inuit and Métis peoples. Land claims agreements are intended to respect self-government as an Aboriginal right under the Canadian Constitution and recognize Aboriginal people's right to make decisions on matters relating to their own communities, cultures, traditions and languages. Many land claims remain unsettled or are currently under the negotiation process.

Sources: "A Brief History of Our Right to Self-Governance: Pre-Contact to Present" (Centre for First Nations Governance, www.fngovernance.org), "Governance" (Indigenous and Northern Affairs Canada, www.aadnc.gc.ca)