

A Brief History of Effects of Colonialism on First Nations in Canada

First Nations 201-3: Canadian Aboriginal Peoples' Perspectives on History

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Figure 1: Covenant Agreement
(<http://www.canata.ca/images/1/1a/BROCKTECUMSEH.JPG>)

*The [Royal] Proclamation recognized aboriginal communities and groups as nations and indicated that they would continue to own the lands they had used and occupied. The claim to protect aboriginal people reveals the paternal relationship underlying, and giving rise to, the eventual dependency of aboriginal peoples upon the Crown. This imposed dependency would eventually personify the nature of the relationship between the two parties for the next two centuries.*¹

The account above reflects the plight of the First Nations peoples whose lands we now call home. This paper will utilize the text Canada's First Nations: A History of Founding Peoples from Earliest Times written by Olive Dickason to dispel the notion that our country is one of "much geography and little history."² Upon closer study of evidence, one finds that prior to the Europeans' arrival, First Nation civilizations were on par with those of the Old World.³ From the 17th century onward, natives resisted waves of colonization, fighting to maintain their customs and employing agency in dealing with competing European forces that sought advantage in North America's land and resources.⁴ Despite their differences, First Nations' communities have jointly sought sovereignty from a federal government that created the Indian Act in 1876 and in 2009, after devastating Aboriginal communities nearly to a point of no return, denied that colonialism occurred in our nation's history.⁵ This paper will contrast and analyze three periods of First Nations history in Canada: pre-contact, colonialism and recovery. It will contend that Canada's federal governmental must relinquish control over the people, land and resources and support the sovereignty of aboriginal nations as they recover from colonialism.

Prior to the Europeans' arrival, the Americas were the scene of a "richly diversified budding of cultures."⁶ First Nations were biologically diverse among geographic locations.⁷

¹ Marianne Ignace and Ron Ignace, *Canadian Aboriginal Peoples' Perspectives on History: Study Guide*. Burnaby: Simon Fraser University, 2006, 73

² Olive P. Dickason and David McNab, *Canada's First Nations: A History of Founding Peoples from Earliest Times*, 4th ed. (New York: Oxford University Press, 2009), viii.

³ *Ibid.*, 40.

⁴ *Ibid.*, 143.

⁵ Alain Garon, "Prime Minister Harper Denies Colonialism in Canada at G20," *Assembly of First Nations of Quebec and Labrador*, September 29 2009.

⁶ Dickason and McNab, *Canada's First Nations*, 29.

⁷ *Ibid.*

For example the Blackfoot, Blood and Peigan of the northwestern plains have the highest percentage of A-type blood while the Caraya of Brazil have the highest B.⁸ Dickason effectively dispels the misperception that First Nations are of the same race, and that ignores their ethnic diversity and cultural differences. Canada, at the time of contact, was home to more than 2,000,000 First Nations; British Columbia alone was home to more than 200,000 people, with 50 distinct languages.⁹

Julie Cruikshank argues that authentic historical evidence can be derived from oral traditions that show particular animals, trees and geographic features which can be utilized in court to establish ancestral territory prior to colonization. While many aspects of native life have changed, narratives persist with the same information recorded by Anglo-Canadians more than a century ago.¹⁰ Oral narratives may include historical events for comparison with archeological research in the validation of present day land claims.¹¹

Natives observed the law of hospitality; violation was considered a crime.¹² When they displayed this hospitality to the Europeans it was interpreted as subservience, confirming the Europeans' belief in their own superiority.¹³ They failed to recognize this virtue that should have instilled respect for the original inhabitants.

The dilemma of conquest is legitimacy according to Dr. Amy Ouden.¹⁴ The first wave of colonization required legal doctrine as a basis for identifying and controlling the Aboriginal populations and their lands. The endeavor elicited the systematic identification of First Nations as "savages", "idolaters...witches" and "cannibals"¹⁵ to justify Christendom's principle of discovery and the laws enacted in 1452 by Pope Nicholas V, issued to King

⁸ Dickason and McNab, *Canada's First Nations*, 12.

⁹ *Ibid.*, 40.

¹⁰ Julie Cruikshank, "Oral and Written Interpretation of the Past," In *Reading Voices: Oral and Written Interpretations of the Yukon's Past*, 11-21, Vancouver, BC: Couglas and McIntyre, 1991, 5.

¹¹ *Ibid.*

¹² Dickason and McNab, *Canada's First Nations*, 57.

¹³ *Ibid.*

¹⁴ Amy E. Ouden, "Beyond Conquest: Native Peoples and the Struggle for History in New England," *Native Studies Review* 17, no. 1 (2008), http://ili.nativeweb.org/sdrm_art.html, 83.

¹⁵ Dickason and McNab, *Canada's First Nations*, 67.

Alfonso V of Portugal.¹⁶ The papal bull *Romanus Pontifex* declared war against all non-Christians throughout the world, and specifically sanctioned and promoted the conquest, colonization, and exploitation of non-Christian nations and their territories.¹⁷ This is observed in the journal entries of Christopher Columbus, who recorded that he found the Indians as servants in a New World with an abundance of gold.¹⁸

Evidence shows that First Nations “devised strategies for coping with [Europeans’] demands, and even shaped the Europeans’ interests to suit their own.”¹⁹ In some cases “contact” relationships led to mutually beneficial alliances between First Nations and Europeans.²⁰ To illustrate, the Montagnais at Tadoussac found a lucrative opportunity in the early 17th century as they controlled the river mouth while “Frenchmen vied with Frenchmen...and...tried to outdo the Dutch.”²¹ The success and survival of Europeans in America rested on the guidance and assistance of the First Nations who at that time vastly outnumbered the visitors from the east. The term “lazy” is shown to have originated during the fur trade when traders applied it to Aboriginal peoples who did not hunt for furs.²² Traders did not deal with all native peoples; through competition, some native groups were left out of the lucrative venture. They undeservedly received the label that remains today, a negative stereotype.²³ Dickason demonstrates that natives held agency in fur trade relationships. Those that were not mutually beneficial lasted only a short time.²⁴

Dickason observes that following the Royal Proclamation Act of 1763, the administration of First Nations in Canada took on a different character, involving the

¹⁶ Steve Newcomb, “Five Hundred Years of Injustice: The Legacy of Fifteenth Century Religious Prejudice,” http://ili.nativeweb.org/sdrm_art.html.

¹⁷ Ibid.

¹⁸ Howard Zinn, “Columbus, the Indians, and Human Progress,” In *Open Fire: The Open Magazine Pamphlet Series Anthology*, ed. G. Ruggiero & S. Sahulka, 2 (New York: The New Press, 1993).

¹⁹ Robin Fisher, “Judging History: Reflections on the Reasons for Judgment in *Delgamuuk v. BC*,” *The British Columbian Quarterly* 95, (1992): 6.

²⁰ Dickason and McNab, *Canada's First Nations*, 62.

²¹ Ibid., 79.

²² Mary Black-Rogers, “Varieties of Starving: Semantics and Survival in the Subarctic Fur Trade, 1750-1850,” *Ethnohistory* 33, no. 4 (1986): 9.

²³ Ibid.

²⁴ Dickason and McNab, *Canada's First Nations*, 71.

systematic removal of natives from the land they occupied.²⁵ While the Proclamation reduced the victimization sustained by First Nations from the private sector, it initiated the use of legal doctrine by the Canadian federal government to remove natives from their land and place them on stamp-sized reserves with almost no compensation. For example in 1781, the Wabakinine agreed to give up “a strip six kilometres wide along the west bank of the Niagara river” in exchange for “three hundred suits of clothing.”²⁶ After the War of 1812, Britain no longer required the military assistance of the Aboriginal community.²⁷ This led to a backlash from those who had trusted the British to uphold their promises of sovereignty but had, instead, delivered small, infertile reserves and later, residential schools.²⁸

Oral tradition contradicts Eurocentric historical records, which erroneously described Canada’s First Nations as either a passive or aggressive, vanishing race.²⁹ The documented relationship between Carrier Chief Kwah and Hudson's Bay Company clerk James Douglas in 1823 reveals a feudal war between sovereign groups.³⁰ Anglo-Canadians’ history has portrayed the savagery of the two Fort George killings by Carrier men and the bravery of Douglas, who became governor of the colony of British Columbia.³¹ If oral tradition had not remained, the other side of the story – that of Douglas's savagery and "folly" would not have been known - nor the antecedents for the initial killings which place blame on the English.³²

The years between the late 17th and the early 19th century are generally known as the "era of peaceful co-existence" between natives and traders in the western interior.³³ During this period, alliances with native groups were vital and little action was taken by the colonial governments against First Nations. Therefore, the posturing that creation of the North West

²⁵ Dickason and McNab, *Canada's First Nations*, 157.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Frieda E. Klippenstein, “The Challenge of James Douglas and Carrier Chief Kwah,” In *Reading Beyond Words: Contexts for Native History*, ed. J.S.H. Brown & E. Vilbert, 11 (Peterborough, ON: Broadview Press, 1996).

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ The Aboriginal Justice Implementation Commission, “The Justice System and Aboriginal People,” AJIC, <http://www.ajic.mb.ca/volumel/chapter3.html>.

Mounted Police in 1873 was to protect all peoples, especially First Nations, is like saying that the Indian Act of 1876 was designed to implement treaties and protect Indian rights. These two federal creations in the late 19th century coincided with the desire of the Dominion to serve the expansionist needs of the Canadian Pacific railway and to a larger extent, Canada's metropolitan development in the east.³⁴ Native land was quickly procured by the government through a succession of federal treaties. Treaty One, the "Stone Fort Treaty", was with the Saulteaux, Swampy Cree, and others in southern Manitoba in 1871.³⁵ It appropriated a total of 16,700 square miles of land as the government "was preparing the way for white settlement."³⁶ The 1876 Treaty 6, as viewed by Plains Cree Elders, involved land and resources that were loaned but not sold.³⁷

In June 1881, Cree Chief Poundmaker made a claim to the Governor-General: "the white man made...Treaty [Seven]...I am not accustomed to work on a farm and am short of implements...a reaper, a mower...we cannot work in the winter. It is cold and we are naked. There is much sickness on my reserve and I would like a Doctor there."³⁸ In the early 1890s, the government restricted natives from farming for export, thereby ensuring that reserves would be "denied entry into the mainstream of the agricultural economy."³⁹ The treaties remain a signature of colonial policies that forced First Nations into the role of a "domestic dependant nation."

The Indian Act "revamped [the] pre-Confederation legislation of the Canadas into a nationwide framework that is still fundamentally in place today."⁴⁰ Dickason explains that a

³⁴ The Aboriginal Justice Implementation Commission, "The Justice System and Aboriginal People," AJIC, <http://www.ajic.mb.ca/volumel/chapter3.html>.

³⁵ Dickason and McNab, *Canada's First Nations*, 246.

³⁶ Ibid.

³⁷ Sharon Venne, "Understanding Treat 6: An Indigenous Perspective," in *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality and Respect for Difference*, ed. M. Asch, 23 (Vancouver, BC: University of British Columbia Press, 1997).

³⁸ Noel Dyck, "Now that the Buffalo are Gone: Tutelage and the Image of Aboriginal Incapacity," in *What is the Indian Problem: Tutelage and Resistance in Canadian Indian Administration*, 8 (St. John's: Memorial University of Newfoundland, 1991).

³⁹ Ibid.

⁴⁰ Dickason and McNab, *Canada's First Nations*, 252.

basic purpose of the Act was to assimilate the Aboriginals being forced off remaining ancestral lands.⁴¹ Dr. Steven Hick adds that “social control aspects of the Indian Act placed Indians in the position of a colonized people.”⁴² The Indian Act “was and still is a piece of social legislation of very broad scope which regulates and controls virtually every aspect of Native Life.”⁴³ Hick describes the Indian Agents who enforced the Act in Aboriginal committees as “white chiefs [who] displace[d] traditional Aboriginal leaders in order to bring in a new way of living which was in line with the government.”⁴⁴

First Nations bravely defied the racist laws of the Indian Act, seeking to maintain the traditions that gave them strength. One example, the potlatch, was the essence of Kwakwakaꞵwakw culture.⁴⁵ Section 114 in the 1895 amendment to the Indian Act represents a colonial judicial policy that ensured First Nations peoples in Canada would not rekindle their sovereign spirit.⁴⁶ It forbids any celebration of “an Indian festival, dance or other ceremony.”⁴⁷ The law was virtually ignored. In 1921, Dan Cranmer hosted a big potlatch at Village Island.⁴⁸ Forty-five people were arrested and charged with various crimes, such as giving speeches, dancing, and carrying and receiving gifts at the potlatch; this involved “suppression of legal rights, based on the view of Aboriginal peoples and communities as savage.”⁴⁹⁻⁵⁰ With exemplar leaders such as Cranmer, the “persistence of [the First Nations’] identity” in Canada has not vanished despite federal policy.⁵¹ This demonstrates how First Nations were active participants in their own history instead of victims of an imposed and

⁴¹ Dickason and McNab, *Canada's First Nations*, 253.

⁴² Steven Hick, “Social History: Indian Act 1876.” <http://www.socialpolicy.ca/cush/m8/m8-t7.stm>

⁴³ **Ibid.**

⁴⁴ **Ibid.**

⁴⁵ U’Mista Cultural Society, “The Potlatch Collection History U’Mista Cultural Society,” <http://www.umista.org/collections/index.php>.

⁴⁶ Katherine Pettipas, “The Indian Act and Indigenous Ceremonies: 1884 to 1895,” In *Severing the Ties that Bind: Government Repression of Indigenous Religious Ceremonies on the Prairies*, 7 (Winnipeg, MB: The University of Manitoba Press, 1994).

⁴⁷ **Ibid.**

⁴⁸ **Ibid.**

⁴⁹ Pettipas, “The Indian Act,” 1994.

⁵⁰ Darien Thira, “Beyond the Four Waves of Colonization,” <http://www.swaraj.org/fourwaves.htm>.

⁵¹ Dickason and McNab, *Canada's First Nations*, 458.

alien one."⁵² Marianne Ignace, Ron Ignace and Mona Jules contend that the Secwepemc peoples never accepted Catholicism on its terms but rather adapted oral traditions that made sense of the information they were subjected to by Europeans in Residential Schools.⁵³

The last of the treaties was finalized in 1956.⁵⁴ It was followed by the 1969 White Paper proposal designed to “abolish the existing framework of Amerindian administration”; with the “cancellation of the Indian Act and the treaties, First Nations would be treated as individuals instead of as communities.”⁵⁵⁻⁵⁶ Dickason refers to the aggregate rejection of the policy as the first collective action taken by all First Nations in Canada since the arrival of the Europeans.⁵⁷ Canada’s First Nations took the laws previously used to oppress their culture and applied them to defend their collective rights. In response, the government gradually relinquished overt assimilation policies.

Dickason discusses the 1973 *Calder v. British Columbia* ruling in which courts, for the first time, utilized Canadian law to acknowledge that aboriginal title to land existed prior to the colonization of the continent and was not merely derived from statutory law.⁵⁸ The door was now open for proliferation of land claims - a bureaucratic nightmare due to mismanagement; 400 to 500 specific claims, some spanning several decades, have not been addressed, resulting in confrontations with government and law enforcement.⁵⁹ During the Ipperwash standoff in 1993, Canada laid witness to the first Aboriginal casualty resulting from a land claim suit.⁶⁰ On the positive side, Dickason reports the unprecedented 1998 Nisga’a claim; the Nisga’a received 1900 square kilometers of land, \$190 million in

⁵² Laura Peers, “The Guardian of All: Jesuit Missionary and Salish Perceptions of the Virgin Mary,” In *Reading Beyond Words: Contexts for Native History*, ed. J.S.H. Brown & E. Vilbert, 9 (Peterborough, ON: Broadview Press, 1996).

⁵³ Marianne I. Ignace, Ron Ignace, and Mona Jules, “The Priest and the Alterboy Told by Ida William,” In *Coyote U: Stories and Teachings from the Secwepemc Education Institute*, ed. P.J. Murphy, G.P. Nicholas, & M. Ignace, 13 (Penticton, BC: Theytus Books, 1999).

⁵⁴ Dickason and McNab, *Canada’s First Nations*, 244.

⁵⁵ *Ibid.*, 371.

⁵⁶ *Ibid.*, 372.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, 325.

⁵⁹ *Ibid.*, 379.

⁶⁰ *Ibid.*, 415.

compensation, municipal style self-government and sovereignty over traditional resources.⁶¹

In pursuit of reclaiming ancestral homelands, ethnohistory connecting oral tradition to ethnography, archaeology, and written record has been used in First Nations legal trials. This was challenged in the 1991 finding in *Delgamuukw v. Queen*; Chief Justice Allen McEachern demonstrated that the colonial ideology whereby First Nations peoples in Canada had been controlled for over 200 years remained engrained in legal framework in British Columbia.⁶² He ruled that Wet'sewet'en and Gitksan oral testimony and scientific evidence forwarded by anthropologists maintain a "sentimental view of the past" with no historical value.⁶³ McEachern referred to the lives of natives pre-contact as "nasty, brutish, and short" based on historians' interpretations in the 1930s.⁶⁴ His decision is as faulty in logic as is its historical source. The *Delgamuukw v. R.* appeal to the Supreme Court of Canada led to a positive shift in views on Aboriginal rights toward recognition of oral testimony in court proceedings. Toby Morantz suggests that contemporary historians must guard against portraying natives in simplistic one-dimensional ways, that they must utilize ethnohistory to account for an immense diversity based on geographic and ethnic differentiation.⁶⁵

In 1998 Jane Stewart, Minister of Indian Affairs and Northern Development, expressed official regret for residential school abuse and promised a 350 million dollar "healing fund to help those who had suffered", however damages caused by the residential school system persist.⁶⁶ Impoverished conditions on reserves persist; present conditions of housing and sanitation on reserves have been described by the United Nations as "third world."⁶⁷

⁶¹ Dickason and McNab, *Canada's First Nations*, 416.

⁶² Robin Fisher, "Judging History: Reflections on the Reasons for Judgment in *Delgamuukw v. BC*," *The British Columbian Quarterly* 95, (1992): 1.

⁶³ *Ibid.*

⁶⁴ *Ibid.*, 6

⁶⁵ Toby Morantz, "Old Texts, Old Questions: Another Look at the Issue of Continuity and the Early Fur Trade Period," *Canadian Historical Review* 73, no. 2 (1992): 11.

⁶⁶ Dickason and McNab, *Canada's First Nations*, 423.

⁶⁷ *Ibid.*, 461.

The 1996 Report of the Royal Commission on Aboriginal Peoples acknowledges “that the inherent right of self-government is an existing aboriginal and treaty right.”⁶⁸ Self-government agreements include land, funding, economic development, wildlife, forestry and heritage resource management.⁶⁹ Dickason notes that while it appears currently popular to make verbal amends such as the June 11, 2008 formal apology for past injustices from Prime Minister Stephen Harper, the track record of the federal government – especially the Conservatives – is poor.⁷⁰ The 21st century will prove whether or not Harper’s words were sincere.

Dickason believes that to move forward, The Canadian Charter of Rights and Freedoms should be applied to override the Indian Act, which does not treat First Nations as “equals, [with] its goals of protection and assimilation [that] lead to control rather than development.”⁷¹ Further, recommendations made in the 1996 Royal Commission on Aboriginal Peoples, which includes abolition of the Department of Indian Affairs, and the right to self-determination must be enacted.⁷² Individual and community reconnection and empowerment and the development of a strong collective voice in policy and negotiation are vitally needed to deal with remaining colonial oppression. Such pursuit of transformation for Aboriginal people and others will leave no option for the Canadian government other than to respond appropriately. As Sharon Venne observes, “to discount the legitimate governments of Indigenous peoples is to discount Canada’s own legitimacy.”⁷³

⁶⁸ Dickason and McNab, *Canada’s First Nations*, 423.

⁶⁹ *Ibid.*, 437.

⁷⁰ *Ibid.*, 427.

⁷¹ *Ibid.*, 387.

⁷² *Ibid.*, 417-418.

⁷³ Venne, “Understanding Treat 6,” 23.

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