



BC First Nations Land, Title, and Governance

TEACHER RESOURCE GUIDE
ELEMENTARY | SECONDARY

BC First Nations Land, Title, and Governance Teacher Resource Guide
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BC First Nations Land, Title, and Governance Teacher Resource Guide

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INTRODUCTION

Overview

The BC First Nations Land, Title, and Governance Teacher Resource Guide is intended to provide support for teachers and students in all BC schools, including First Nations, public, and independent schools, to gain an understanding of traditional and contemporary forms of First Nations governance. It provides background information relevant to all teachers and students, and provides suggested activities and resources for Grades 2 to 12.

This guide is intended in part to address the Calls to Action of the Truth and Reconciliation Commission of Canada, particularly the call to “integrate Indigenous knowledge and teaching methods into classrooms” (clause 62) and “build student capacity for intercultural understanding, empathy and mutual respect” (clause 63).

This Teacher Resource Guide is divided into six different units as well as additional support material. While the first four units are organized by grade level, teachers will find activities in all of them that can be adapted to other grades as needed. Units 5 and 6 can be applied from Grades 4 to 12. The units are:

1. Governance in First Nations Communities, Grades 2-3
2. First Nations Governance Over Time, Grades 4-6
3. Shaping First Nations Governance, Grades 7-9
4. Pathways Back to Self-Governance, Grades 10-12
5. Reconciling Indigenous Rights and Title: Treaties and Alternatives
6. Hunting and Trapping Case Studies

The support materials following the units are:

- Blackline Masters – one set for the Governance units, Units 1 to 4, and one set for Unit 5, Settling Indigenous Rights and Title: Treaties and Alternatives.
- Backgrounders – one page articles about a variety of topics, for quick teacher and older student reference.
- Glossary
- Bibliography

Assessment

- Formative Assessment Strategies: The activities include suggestions for formative assessment, noted in the margins beside the relevant activity.
- Summative Assessments: It is expected that teachers will adapt the suggested activities to create their own units, and will thus develop their own summative assessments.

BC FIRST NATIONS LAND, TITLE, AND GOVERNANCE: INTRODUCTION

Why Learn about First Nations Land, Title and Governance?

- First Nations were here first and had their own forms of land stewardship, governance, cultures, languages and legal systems.
- Early relations between First Nations and European settlers, including treaties, form a part of the constitutional fabric of Canada.
- Reconciliation is ongoing between First Nations, the Crown governments and others to address and overcome the negative impacts of colonization. This requires increased public awareness of our shared history and understanding the relevance and importance of First Nations' continued connections to their territories and governance systems.
- All students deserve to have an understanding of the First Peoples' historical roots and their diverse systems by which they governed themselves in the past and that continue today
- All citizens of BC will benefit from a solid understanding of ways that different levels of First Nations' governance works in our contemporary society.
- Indigenous students may be motivated to participate in their local First Nations governments and perhaps recognize opportunities for future careers.

Goals of the BC First Nations Land, Title, and Governance Teacher Resource Guide

- Understand that First Peoples had strong, unique and diverse systems of governance and nation-to-nation relationships before contact, and these continue today
- Give examples of historical and present-day impacts of colonization on First Peoples governance
- Give examples of how some First Peoples' government systems operate in contemporary society
- Raise awareness of some of the benefits and challenges for First Peoples in exercising self-government
- Understand the people and operations involved in the local First Nations governance bodies
- Identify the reasons for the BC Treaty Process, and the diverse perspectives of First Nations individuals and communities about treaties and their alternatives.

First Peoples Principles of Learning

Learning ultimately supports the well-being of the self, the family, the community, the land, the spirits, and the ancestors.

Learning is holistic, reflexive, reflective, experiential, and relational (focused on connectedness, on reciprocal relationships, and a sense of place).

Learning involves recognizing the consequences of one's actions.

Learning involves generational roles and responsibilities.

Learning recognizes the role of indigenous knowledge.

Learning is embedded in memory, history, and story.

Learning involves patience and time.

Learning requires exploration of one's identity.

Learning involves recognizing that some knowledge is sacred and only shared with permission and/or in certain situations.

These principles were first articulated by a diverse team of Indigenous educators, scholars and knowledge-keepers during the development of English 12 First Peoples.

First Peoples Pedagogy

These learning resources are guided by the recognition of ways of learning inherent in First Nations' worldviews. While each First Nation has its own unique identity, values and practices, there are commonly held understandings of how we interact and learn about the world. In respect of these, this guide includes activities that:

- are learner centred
- are inquiry based
- are based on experiential learning
- emphasize an awareness of self and others in equal measure
- recognize the value of group processes
- support a variety of learning styles

The activities are based on the above principles which reflect a respectful and holistic approach to teaching and learning and are an example of Indigenous Knowledge.

What Is Important to Understand About Using This Guide

The guide is intended to help facilitate the respectful and meaningful inclusion of Indigenous knowledge and perspectives into the BC classrooms. As such, it often reflects an approach to Indigenous knowledge that values a holistic, integrated approach to teaching and learning.

As a part of a holistic approach, this guide does not attempt to create units for sole applicability to one course or a single grade, and does not attempt to match individual lessons with specific learning outcomes.

Teachers will need to explore and examine all parts of the guide to determine what to use that makes the most sense given the contexts of who the students are, where the learning is taking place, the course and grade level, and the background knowledge or comfort levels of the teacher.

It is acknowledged that exploration of the thematic units to determine the best units and activities to use for specific courses, grades, and student contexts may require thoughtful consideration and time of a teacher, but it is also more consistent with an Indigenous approach to learning.

It is expected that the additional time required to explore the guide will result in an increase of background knowledge and understanding for educators, and is an opportunity for teachers to collaborate with educators of other courses and grades.

While this guide is focussed on a specific curricular area of learning, teachers are encouraged to make explicit links to other curricular areas.

This guide also does not replace what educators are expected to already know about effective assessment practices. As such, the guide does not endeavour to include these in detail. While some formative assessment opportunities are suggested, educators may need to use their own expertise to more fully develop these. As well, they will need to develop their own summative assessments to match the activities that they use.

Making Connections with First Nations Communities

The key to using these resources is to focus on local First Nations communities as much as possible. While the resources suggest general ideas for your classroom, they need to be supported by authentic content that relates to local First Nations communities. This means making connections with members of the communities wherever possible, and learning about how First Nations governance works in practice.

How you approach these activities may depend on where your school is located:

First Nations Community

For schools in a First Nations community, students will likely focus on their community. Students may have direct experience with the local government and may have family members who are involved in traditional and band council governments. The First Nations language may be taught in the school.

Public Schools that serve one or more local First Nations communities

For public schools which serve one or more First Nations communities, there likely is a relationship built up between the school and community. They may have a large number of students from one or more local communities, with established formal relationships between school or school district and community. The First Nations language may be taught in schools.


Schools with a significant population of First Nations students from different communities

For town or city schools which have a significant number of First Nations students from different communities, build an understanding of the traditional territories on which the school is located. As well, build on the strengths of the knowledge of the students in the class, where appropriate. (Don't necessarily expect First Nations students to want to or be able to speak about governance related to their home communities.)

Schools with few First Nations students

Even though your school may have few or no First Nations students, it is still important to incorporate First Nations content. For schools with few First Nations students, build an understanding of the traditional territories on which the school is located. Identify ways to establish connections with other schools with significant numbers of First Nations students and First Nations communities. In their studies students could undertake comparative studies of governance systems in different parts of the province.

Wherever possible, it is important to build a relationship with local First Nations so that learning about local governance can be as authentic as possible.

 *Indigenous Relations* (Indigenous Relations Press 2019) by Bob Joseph is a useful book if you are unsure of appropriate protocols when meeting or communicating with First Nations.

Protocols for Connecting with the Community

It is important to understand and practice the local protocols in areas such as:

- Inviting Elders and other knowledgeable community members into the classroom to speak
- Respecting the natural world when going out on field trips
- Visiting First Nations lands and territories
- Interviewing people
- Holding special events such as a celebratory feast
- Developing units with local content

Most communities have protocols in place to be followed when engaging with Elders and knowledge-keepers. This may include showing respect by offering a gift to the person, or perhaps to the land when on a field trip.

Make contact with the local First Nations communities through workers in schools or through the local First Nations Government or Band Council. There may be a School District staff member such as an Aboriginal/Indigenous District Principal, Helping Teacher, Resource Worker or other liaison person to help with the initial contact. Guidance can be sought from local learning centres and community organizations such as Friendship Centres, First Nations government offices, Tribal Councils or cultural centres.

It is important to work with the appropriate agencies to make sure that certain Elders and knowledge-keepers do not get over-worked or called upon too often. Also, note that some smaller First Nations do not have the resources to work directly with school districts.

Some activities suggest that classes visit nearby First Nations communities to learn about governance. Ensure that before such visits take place, you ask permission from appropriate authorities.

All traditional knowledge shared by local First Nations is inherently their intellectual property.

Protocols: Welcome and Acknowledgment

It is important to understand the difference between a Welcome to a First Nations traditional territory and an Acknowledgment of traditional territory. Both are continuations of protocols that have been practiced by First Nations for millennia.

A **Welcome** is a public act made by members of the First Nation on whose territories an event is taking place. The form of the welcome depends on the particular protocols of the Nation. It may be a welcoming address, a prayer or in some gatherings, a traditional dance or song, and is decided upon by the First Nation.

An **Acknowledgment** is an act of respect for local First Nations and their traditional territories. It is a recognition of their ongoing presence on the land in the past, present and future. Respect and recognition are a key part of Reconciliation.

An acknowledgment is usually given at the beginning of an assembly, meeting, class, performance or other public gathering. It is the responsibility of the leader, host, or MC of the event to give the Acknowledgement. In some gatherings, individual speakers may also add their personal acknowledgments. In many schools, an acknowledgment is made at the beginning of the school day.

If you are not sure of the correct Acknowledgement to use, see your district Aboriginal or Indigenous Education Department.

First Nations Guest Speaker Considerations

It is important to follow protocols when inviting a member of a First Nations community or Aboriginal organization to a classroom or school. Below are some general considerations and processes. There are also often protocols specific to local communities. School district Aboriginal education departments or community education departments can also provide guidance regarding those specific protocols.

These considerations can also be adapted when taking students on field trips or into field learning experiences that will be led by, or facilitated by, a member of a First Nations community or Aboriginal organization.

Some of the topics included in this Teacher Resource Guide may be political in nature, with different opinions held within the same community. Be aware of remaining neutral, and where applicable invite speakers that represent different perspectives.

BC FIRST NATIONS LAND, TITLE, AND GOVERNANCE: INTRODUCTION

Before the Visit

- Determine the purpose of the visit (how it is connected to the curriculum or learning standards for the class or course). If it is not directly connected to the curriculum, be clear about the intended learning standards so that the guest visit is meaningful experience for all involved.
- It is a culturally appropriate protocol for guest speakers to be provided with a gift and/or honourarium for sharing their time and knowledge.
 - Consult with the school district's Aboriginal/Indigenous education department or First Nations community to determine the appropriate amount or gift (if the speaker has not already indicated an amount for an honourarium).
 - Determine where funds will come from in advance. Check to see if the school or PAC can contribute.
 - If the school and/or school district requires any paperwork to be completed before payment can be issued, ensure that this is done well in advance of the visit so that payment can be issued at the time of visit or as soon as possible afterward.
- Talk with the speaker about the details of the visit:
 - Date and time of the visit
 - The course and grade levels of the students
 - Approximate number of students
 - Let the speaker know what content/learning has led up to the visit.
- Ask the speaker about any specific needs:
 - Are there any hand-outs that need to be photocopied in advance, or any equipment or supplies needed?
 - Is there any specific information that students should know before the visit?
 - Are there any specific protocols that the students and adults need to be aware of and follow during the visit?
 - Is there anything else that will help make the visit more comfortable for the speaker (especially if it is an Elder)?
 - Would it help to have the classroom/space organized in a specific way?
 - Ask for permission to take photos or videotape (if desired).
- Ask the speaker for some background information that can be used to introduce the speaker to the students (for example, where the speaker is from, his or her role or occupation, noteworthy experiences or accomplishments).
- Arrange arrival details:
 - Ensure everyone knows where the speaker will be met. For example, arrange to have the speaker met in the parking lot, at the front door of the school, or in the main office.
 - In some situations, the speaker may need transportation from home.
 - If possible, include students in the greeting.

BC FIRST NATIONS LAND, TITLE, AND GOVERNANCE: INTRODUCTION

- Ensure the students are prepared prior to the visit:
 - Connect speaker's visit to students' previous learning
 - Review respectful behaviour with students, including non-verbal communication
 - Model for students how to introduce themselves
 - Brainstorm with students questions that they can ask
 - Prepare students to provide a thank-you to speaker
- Ensure office staff and administrators know that a guest is expected.

Day of Visit

- Prepare physical space of classroom. Set up any necessary equipment.
- Welcome guest, offering water/tea/coffee. Let them know where washrooms are located.
- Introduce speaker to students and if appropriate do acknowledgment of territory.
- If students will be introducing themselves to the speaker, consider a talking circle format, saying name and where they are from.
 - Ensure there is time for questions/discussion at the end of the session.
 - Have student(s) formally thank the speaker and present gift or honourarium.
 - If possible, debrief the session with speaker.
 - Walk the guest out.

*It is important that the teacher stay present for the session as this models for the students a valuing of the knowledge and time of the speaker. If any behavioural challenges occur, it is the teacher's responsibility to address them, not the speaker's.

After the Visit

- Debrief the session with the students.
- Do follow-up activity with students.
- Have students follow up with thank-you letter.
- Touch base with speaker to ensure that honourarium was received (if not presented on day of session).

The Story of First Nations Governance in BC

The history of First Nations governance in British Columbia has followed a unique path, similar to, but different from other Indigenous peoples in Canada. These resources are built on understanding three main chapters in the story:

1. *Traditional Governance.* Over millennia, BC First Nations developed very diverse laws and governance systems under which they lived together as distinct societies in their traditional territories. First Nations interacted with each other on a nation-to-nation basis, and negotiated agreements with each other.
2. *Colonialism.* A monolithic system of governance was imposed on First Nations which sought to remove people from their lands, assimilate them, destroy their cultures, and remove self-government. Indigenous Rights and Title were denied and in most of British Columbia no treaties were made.
3. *Rebuilding and Strengthening Governance.* Despite multiple attacks on laws and governance systems, First Nations today are engaged in diverse ways of rebuilding and strengthening their systems of self-government in contemporary society. Some are seeking redress of past injustices through the BC Treaty Process while others are following different paths.

Key Concepts

These resources are based on a set of key concepts that are summarized below:

What is Governance?

- Governance is the way groups of people organize themselves to make decisions.
- Governance depends on the membership; who are the citizens and how are they engaged in the governance process?
- Governance is based on a body of laws, values and acceptable behaviours by members of a society.
- Governance and identity - Values inherent in a government contribute to the identity of the citizens.
- Governance includes key features such as:
 - authority - who has a voice, who makes the decisions?
 - decision-making - how are the decisions made?
 - accountability - who is responsible for the consequences of decisions?
 - jurisdiction - what areas of life are governed?

First Nations Traditional Governance

- First Nations occupied their own territories in North America and lived in diverse self-governing and autonomous societies prior to the arrival of Europeans.
- First Nations were sovereign Nations with legal, political, economic and social systems, and a spiritual way of life prior to European contact.
- First Nations relationships with the land influenced how they governed themselves.

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Indigenous Law

- Indigenous societies, like all societies, have had legal traditions since time immemorial. The foundations and the structures of these systems are as diverse as the Peoples themselves.
- Indigenous systems of law are rooted in a peoples' relationship with the land. Out of this relationship grow standards of behaviour for relating to the land and the natural world around them, as well as to each other.
- The worldviews of many First Peoples includes the belief that they were placed on the Earth to take care of the land and its resources. This responsibility to the land forms the basis of much Indigenous legal practice.
- The unwritten laws and legal traditions of Indigenous peoples have traditionally been passed down orally. They are embedded in significant protocols, in narratives and in diverse other cultural practices and customs.
- While colonization in many cases forced Indigenous law underground, today many First Nations are reviewing and renewing the strength of their traditional laws, and applying them to meet contemporary needs.

Imposed Governance

- In an attempt to solidify control of lands, the Canadian Government imposed new forms of governance on First Nations
- First Nations and colonial systems of governance were very different.
- First Nations traditional beliefs value sharing and stewardship of the land and resources, while Europeans valued ownership of the land.
- Colonization through laws and policies such as the Indian Act forced First Nations onto small areas of land (a fraction of the size of their traditional territories) and imposed a colonial (or western) form of government to displace their traditional governments
- First Nations connections with their traditional territories were destroyed or diminished due to colonial and Canadian policies.

Contemporary First Nations Governance Structures

- Traditional governance systems are still in place, though many are now adapted to contemporary forms.
- Many First Nations in BC still operate through the elected Indian Act Band Council governance structure, with some adaptations (e.g. custom elections)
- Self-governance can take many forms.
- Some BC First Nations govern themselves by Self-Government Agreements or treaty-based governments.
- Some First Nations have settled, or are in the process of settling comprehensive land claims through treaty negotiations.
- Tribal Councils and provincial and national First Nations organizations provide additional levels of support and advocacy.

Building a Local First Nations Governance Profile

It is important for teachers and students to understand the cultural diversity that exists among First Nations around BC (and Canada) and that this gives rise to varying forms of governance. This diversity can exist even within a small geographic area. So, it cannot be assumed that neighbouring First Nations will have the same cultures or systems of governance.

In preparation to teach about First Nations governance, you may want to gather the information outlined on the following page. If your school serves more than one community, find information for all of them. A sample of the profile is provided on page 17. It is also available on Blackline Master 1, “First Nations Governance Profile” on page 103.

It may be appropriate to seek the assistance of Aboriginal/Indigenous support staff in your school or district to see if this information has already been gathered, and if not, to make an initial connection with the community.

Guide to Compiling a First Nations Governance Profile

First Nation

There may be many spellings of the First Nation. Some may go by their traditional names and spelling, while others may go by a post-contact English name. It is respectful to confirm the preferred name of the First Nation (e.g. through direct contact with the First Nation, signage in the territory, or reference to the First Nation’s website)

Community Names

Some communities have the proper name in the local language and also have an English name. Often the community name is the same as the First Nation name.

Acknowledgement

What is an appropriate acknowledgment of the First Nations territories where your school is situated? Your local First Nations community, school, or school district should have a preferred acknowledgment already.

Geographic Location of the Community

Is there a major geographic feature associated with the community? For example, WJOLELP (Tsartlip) is located at Brentwood Bay. Spakxomin, a community of the Upper Nicola Band, is on Douglas Lake. The location could also be described as relative to another town or city.

First Nations Governance Profile

First Nation: (There may be many spellings of the First Nation. It is respectful to use the preferred name as identified by the First Nation)

Community Name (Some communities have the proper name in the local language and also have an English name.)

Acknowledgement:

Location:

Nation or Tribal Council Affiliation

First Nations Language or Languages Spoken

Words About Governance in the First Nations language

Land or territories:

Laws:

Oral histories:

Chief and other leadership titles:

Other words:

Traditional Government

Names of people who hold positions of chiefs, matriarchs and other leaders

Current Form of Government

Is the local government a Band Council, a Treaty or Self-governing body, or another form of government?

Names of elected leaders and council members:

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Nation or Tribal Council Affiliation

What larger group is the community or local First Nation affiliated with? For example, Old Massett is a member of the Haida Nation.

Language or Languages Spoken

What is the proper name of the language or languages spoken in the local community? For example, nsyilxcən is the language of the Syilx (Okanagan) people. You may find references to a broader language group (such as Interior Salish for nsyilxcən) but wherever possible identify the most specific language name for the local community.

Words About governance in the First Nations Language

What is the vocabulary used when speaking of the land and governance? Each language has its own words or phrases that are similar to these English terms. How are these English terms translated into the First Nations language?

Forms of Government

Many communities have a distinction between traditional leadership, usually hereditary or selected through a form of consensus, and an elected government under the Indian Act or other contemporary governance systems.

Traditional government

Names of people who hold positions of leadership, such as chiefs, matriarchs, clan leaders and others.

Many communities have one person recognized as the hereditary or ancestral leader. However some communities may have a number of different heads of clans, houses or family groups.

Current form of government

Is the local government a Band Council, a First Nation Government operating under a Treaty or Self-Government Agreement, or another form of government?

Names of elected leaders and council members.

Identify the form of elected government, and the current members of that government. Many communities have a Chief Councillor, though some will have other titles for their leaders. The community's website should provide the names of the current people serving on the local elected government.

Planning For Instruction

Building A Local First Nations Library

To enhance students' knowledge about local First Nations communities, you can gather materials, or work with your school or district Aboriginal support teachers and your teacher-librarian to create such a collection of reference materials. Older students could also help to collect information.

Items in the collection can include books about the local First Nations, maps of the communities and traditional territories, tourism brochures, photographs (historical and contemporary), and copies of First Nations community newsletters.

These materials can be put on display for the duration of the unit, and kept available at other times of the year.

Monitoring Governance and Treaty in the News

Today many changes are happening in the realm of First Nations governance and treaty negotiations, including the devolution of the Indian Act. As well, some media have a growing awareness of Indigenous issues and often present special departments or features created by Indigenous people to discuss important topics.

Help students understand the relevancy of the topics they are studying by following developments in the news. Students and teachers can bring in articles or report on items that they have seen that relate to topics under study.

As well, many of the activities can be enhanced by having students find out the latest information regarding topics such as treaties, moves towards self-government, court cases or economic agreements.

Talking Circles

Circles are a traditional First Nations format for discussion and decision making. There are different types of discussion circles, such as Talking Circle, Sharing Circles, or Healing Circles, and the protocols for usage depend on the purpose. The term Talking Circle is sometimes used interchangeably with Sharing Circle. Definitions of these terms may differ depending on the context of the user.

It is important to understand that the type of discussion circles generally used in classrooms are not intended to be used for any therapeutic purpose. Classroom-based Talking or Sharing Circles are not Healing Circles (the latter needing to be facilitated by skilled leaders in specific contexts, and in First Nations contexts, often include additional cultural protocols).

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Talking Circles in classrooms are usually used to demonstrate that everyone is connected and that every person in the circle has an equal voice. They also ensure that everyone can see and hear the speaker.

In classrooms, they can be used for a variety of reasons and at different grade levels (i.e. be a part of consensus building for decision-making, as ways to help debrief students' experiences, or supporting learning from each other). It is appropriate to use Talking Circles to discuss some of the topics in these resources.

It is important to ensure that students understand and respect the Talking Circle process. This may require some teaching and modelling of expected behaviours in a Talking Circle. As well, students should understand the reasons for using a Talking Circle instead of other types of discussion.

In traditional settings, an object like a talking stick or feather may be used to denote who is the speaker of the moment. It is passed from person to person, and only the person holding it may speak. You can use any item that may be special or has meaning to the class. You could engage the class in choosing what that object is. For example, it could be a feather, shell, a unique stone, or a specially made stick. It should only be used during Talking Circles so it retains its significance.

Here are some basic guidelines for a Talking Circle:

- The group sits in a circle, so everyone can see each other.
- One person introduces the topic for discussion (often the leader of the group).
- Only the person holding the special object speaks; everyone else listens respectfully giving the speaker their full attention.
- Everyone is given a chance to speak, but someone may pass the object without speaking if they wish.
- Speakers use “I” statements, stating what they are thinking or feeling, rather than commenting on what other people have said.
- Once everyone has had a chance to speak, the object can be passed around again giving people a chance to continue the discussion.

When using a Talking Circle to discuss topics introduced in these resources, it is important to give students time to reflect following the discussion. They can consider how the discussion affected their opinions or ideas, and they can assess how they felt during the activity, what they learned, and what they might do differently next time.

More suggestions for learning more about using Talking Circles may be found at First Nations Pedagogy Online, <https://firstnationspedagogy.ca/circletalks.html>.

Dealing with Sensitive Topics

Some of the topics discussed in these activities may be sensitive for some students. How you deal with them depends on the age, maturity, and backgrounds of students, and teachers will be the best judge of how to approach the material.

In presenting sensitive issues, teachers are not expected to be experts on all topics. Rather their role is as guide and facilitator. As students work through material that might be sensitive, teachers should be aware of the students' potential reactions to the topics examined.

It is important to convey to students that the purpose for understanding the past is to be part of a more positive future.

For some students, the topics discussed may be sensitive if they have personal connections with the topic. For others, the topics may be controversial, particularly if students feel they have no connection with the issues. Also, in classrooms with new Canadians, teachers will need to be aware that some topics may echo feelings that resonate with some immigrant experiences.

Some considerations for dealing with topics with sensitivity include the following:

- Some sensitive topics are best taught through discussion rather than direct instruction.
- The teacher is responsible for ensuring exploration of sensitive issues so that discussion promotes understanding and is not merely an exchange of intolerance.
- Additional time may be needed to deal with students' concerns and questions.
- Issues may arise for students both in formal discussions and informal conversations in and around the classroom.
- Discussions will need to be closed appropriately. The teacher may need to play a role in ensuring potential conflict is contained in the context of the classroom.
- Students may need to be taught or provided with the tools and skills to discuss some of these topics rationally in the school and community.

Encouraging Inquiry-Based Learning

Inquiry-based learning fits well with a First Peoples' pedagogical approach and First Peoples Principles of Learning. Inquiry-based approaches range from teacher-directed to student-directed. Approaching a topic from different levels of inquiry can help with customizing activities to students' needs

Structured Inquiry: Students investigate a teacher-presented question through a prescribed process.

Guided Inquiry: Students investigate a teacher-presented question using student designed or chosen processes. Students develop processes for inquiry, synthesize, and communicate the learning independently. Teacher is a guide, providing ongoing feedback and posing further questions.

Open or Independent Inquiry: Students participate in an activity in which they generate the questions based on an area being studied, design the processes for inquiry, synthesize, and communicate the learning independently.

Generally, inquiry-based learning:

- involves some direct instruction: this occurs as needed—primarily when students require specific information or skills to move forward
- is student driven: students make decisions and take responsibility for their learning rooted in the Big Ideas set out in the curriculum; the teacher's role is to connect the ideas with the interests and ongoing questions of students
- is authentic: students are provided with opportunities to explore real-life experiences based on curricular expectations
- encourages reflection on learning: students discuss daily why, how, and what they are learning
- requires patience and time: students are given the time needed to explore their ideas and thinking
- needs modelling: teachers model curiosity, how to create questions, engage with texts, and reflect
- requires teacher support: teachers intervene at appropriate moments to make sure students understand the concepts and processes, and are engaged in learning

More information about inquiry based learning can be found at the website Edutopia.org. See the page, "What the Heck is Inquiry-Based Learning," online at <https://tinyurl.com/fnesc902>.

Tips for Implementation

This resource guide is meant as a starting point, a place to find background information and inspiration for developing appropriate learning activities in your class. But it can't be everything to every teacher. It is expected that teachers will bring their own teaching styles and their students' learning styles when developing lessons based on the suggested activities.

Here are a few suggestions for adapting the units for your students.

- Use all parts of the resource guide with your students.
 - For example, share the unit's Overview, Essential Understandings and Guiding Questions with the class as you introduce the unit.
 - For older students you may find parts of the Introduction useful, such as the First Peoples Principles of Learning (page 7) or The Story of First Nations Governance in BC (page 14).
 - Use the Backgrounders as a starting point when discussing a topic. These can be read aloud for younger students. For older students they can be used for group analysis in a station approach, with follow-up in class discussions.
 - The Glossary can be a valuable reference not only for teachers but also for students. One idea that has been used is to build vocabulary flash cards for the unit based on the glossary.
 - Use the Sample Response Keys for some of the Blackline Masters for students as self-assessment.
- Check out the activities at different grade levels and adapt them to your lessons.
- If your students find some of the textual materials (Blackline Masters and Backgrounders) too difficult to read independently, you can use a variety of strategies to ensure they engage with the new information. For example:
 - Some Blackline Masters have similar information written at an easier reading level.
 - Use a projector to show pages on the white board rather than making hard copies. As a class, read through the information and highlight key pieces of information. All students are able to see the information at the same time, and working together as a class helps overcome readability challenges.
- Use a variety of approaches to engage students, such as:
 - Station activities in small groups
 - Inside-Outside discussion format
- Springboard off ideas in the resource guide to create activities appropriate to your students. If the activity or Blackline Masters aren't a fit for your students, adapt and change them.
- Go outside! If the weather cooperates, take the class outside for activities such as discussion circles or four-corner activities. It may be possible to meet with guest speakers in an outdoor location.

Unit 1

Governance in First Nations Communities

Grades 2-3

Overview

Primary students can begin to learn about the decision makers in their lives and communities, and expand to learning about decision makers in regional, national and global communities. These activities begin by including First Nations content in general discussions, then focus on First Nations in the local community, wherever possible.

Essential Understandings

- Governments make decisions about how we live in our country and our communities.
- Traditional First Nations governance comes from a deep understanding and connection with the land and environment.
- First Nations forms of governance are as diverse as the people and their territories.
- First Nations were forced to change their traditional governments to an elected government similar to European governments.

Guiding Questions

- Who makes decisions that affect us?
- Who are First Nations leaders?
- What laws or rules do First Nations people follow to use and take care of the land?

BC Learning Standards: Relevant Content Standards for Social Studies 2-3

Grade	Content Standard	Sample Topics (from Curriculum)	Curricular Competencies
2 Regional and Global Communities	Relationships between people and the environment in different communities		Identify significant peoples and places in BC Canada and the world (Significance) What would happen if there was no one leading a community or country? (Causes and Consequences)
	Roles and responsibilities of regional governments	Leaders in your community and places where they meet	Who should make decisions about the future of the community or the country? (Perspective)
3 Global Indigenous People	Cultural characteristics and ways of life of local First Peoples and global indigenous peoples	Worldviews, protocols, spiritual beliefs, values, kinships, traditional teachings	How have First Peoples government and leadership changed over time? (Continuity and Change)
	Governance and social organization in local and global indigenous societies	Consensus, confederacies, Elders, reservations [sic], band council, traditional leadership	What values were significant for local First Peoples (Significance)
	Relationship between humans and their environment	Protocols around the world that acknowledge and respect the land	Identify features of Indigenous cultures that characterize their relationship to the land

The inclusion of the BC Ministry of Education Learning Standards for Social Studies in this Teacher Resource Guide does not indicate an endorsement of those Learning Standards as adequate or accurate in how the various concepts are represented.

Resources

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

Blackline Masters

1. First Nations Community Profile
2. Who Decides?
3. Leaders
4. What is a Government?
5. Government Word Sort
6. First Nations Community Pocket Chart Labels
7. Two Forms of First Nations Government
8. Band Council Place-mat Activity
9. The Land is Important Because...
10. First Nations Laws and the Land
11. Ancestral Governments
12. Elected Governments

Recommended Resources

- Maps of local First Nations communities
- Access to websites of local and other First Nations
- Abood, Debora. *I Know I am Precious and Sacred*. Peppermint Toast Publishing. 2016.
- Boreham, Brenda and Terri Mack. From the Mountains to the Sea series: *We Live Here* and *We are a Community*.
- Campbell, Nicola. *A Day With Yayah*. Tradewind Books 2018.
- McLeod, Elaine. *Lessons From Mother Earth*. Groundwood 2002.
- Morven, Amelia, Nisga'a Elder. "When the Volcano Erupted." Available in *First Nations Journey of Justice*, Grade 5, pages 143-146. Online at <https://bit.ly/2CQCO1H>
- Silvey, Dianne. *Little Bear's Vision Quest*. Greater Victoria School District, 1995
- Spalding, Andrea and Alfred Scow. *Secret of the Dance*. Orca Books, 2006.
- Vickers, Roy Henry and Robert Budd. *Orca Chief*. Harbour Publishing, 2015.
- Vickers, Roy Henry and Robert Budd. *Peace Dancer*. Harbour Publishing 2016.

Resources for Feasts and Potlatches

- Aboriginal Education SD 52. *P'te'ex dił Dzepk, Clans and Crests*.
- Aleck, Celestine. *Granny and I Get Traditional Names*. Strong Stories: Coast Salish Series.
- Klockars, Donna. *Planning the Feast*. Strong Readers series. Reading Level 17.
- Thompson, Sheila. *Cheryl Bibalhats: Cheryl's Potlatch*. Yinka Dene Language Institute, 1991.
- *Potlatch*. Queen Charlotte Island Readers. Dawn Adams, 1985.
- *Potlatch: A Tsimshian Celebration*. Dianne Hoyt Smith, 1997.

Additional Resources

- First Nations Education Steering Committee. “The Spirit of Celebration.” *In Our Own Words*, pages 99-106. FNEsc 2012. <https://tinyurl.com/fnesc929>.
- *Hartley Bay*. Hartley Bay School and Community student video. <https://youtu.be/URmy7JVpD2c>
- *Welcome to Tsay Keh Dene*, Tsay Keh Dene community brochure. Online at the Tsay Keh Dene website, or link at <https://tinyurl.com/fnesc901>

Outline of Activities

1. First Nations Communities
 - a. Local First Nations Communities
 - b. The Importance of Elders
2. Decision Makers
 - a. What is a Decision?
 - b. What is a Leader?
 - c. What is a Government?
3. First Nations Governments
 - a. Local First Nations Governments
 - b. Roles and Responsibilities of First Nations Governments
4. The Land and Government
 - a. Our Relationship with the Land
 - b. First Peoples Relationship with the Land
 - c. Making Sure the Land is Cared For
 - d. Laws For Taking Care Of Each Other
5. Governments Change Over Time
 - a. How Did First Nations Governments Work in the Past?
 - b. Public Witnesses: Feasts and Potlatches
 - c. The Indian Act Changes the Government
6. First Nations Community Project

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.


Most of these activities are geared for the Content Standards for SS 3. However, Grade 2 teachers will be able to adapt some ideas into their Social Studies discussion about leaders, decision makers and communities. This acknowledges the cyclical nature of learning where ideas are repeated with more depth.

1. First Nations Communities

Students will build an awareness of how First Nations communities are similar to and different from non-First Nations communities in BC. If your school is not located in a First Nations community, then wherever possible, focus on the closest local First Nations community.

How you approach this will very much depend on the location of your school and what relationship there exists or may be established between local communities, school and district Aboriginal Education staff and you. See *Making Connections with First Nations Communities* in the Introduction, page 9.


If you haven't already completed it, you may want to gather information about the local communities in *First Nations Governance Profile* on page 103. There is also a guide to completing the Profile on page 17.

 *First Nations Governance Profile* on page 103

a. Local First Nations Communities

Students will build an awareness of the local First Nation community or communities.

- Begin by determining what you and the students know about the local First Nations communities. Build on the students' prior knowledge. What do they already know about the community or communities? If not located in a First Nations community, in whose traditional territory is the school located? Students may be familiar with this through acknowledgments of territories that take place in the school and community.
- Respecting the community: For students in schools that are not situated in a First Nations community, discuss why it is important to show respect for the community when they are studying it, as well as the First Nations' broader traditional territories. For example, remember they are real people living in a real community; avoid stereotyping; recognize differences in perspectives and worldviews.

 Blackline Master 6, page
109, *First Nations
Community Pocket Chart
Labels*

- Gather the following data as a class, or present the information to students. You may want to use Blackline Master 6, page 109, *First Nations Community Pocket Chart Labels*, as labels for a pocket chart by copying and enlarging them, and create corresponding cards for the local information. Then you can display and work with the information as the class learns about it.
 - Traditional Territories: Whose territory do we acknowledge? Why do we acknowledge traditional territories? (See Introduction, page 11.)
 - Location: where is the First Nations community located in relation to your school?
 - Names: what name or names is the community known by? Some communities have the proper name in the local language and also have an English name.
 - What First Nation do we/they belong to?
 - What Tribal or National Council we/they belong to?
 - What Language do we/they speak?
 - What language group do we/they belong to?
- Gather pictures and make a display of different parts of the community, such as significant buildings (school, community hall, smoke houses, clinic, administrative buildings). Note that in some communities certain buildings and events in the community may need permission to be photographed.
- There may be a video online that features the community.
 - For example, see *Hartley Bay*, <https://youtu.be/URmy7JVpD2c>. This is a student-made video showing a variety of aspects of the Gitga'at community of Hartley Bay.
- Find or make a digital slide show or video of scenes around the community. Depending on your location, this could be part of the culminating project described in Activity 6.

b. Identify Unique Characteristics of First Nations Communities.

Students gain an appreciation for the characteristics that make First Nations communities unique.

- Approaches to this activity will depend on your location. Some possible approaches to gathering information include the following:
 - Visit the First Nations government or Band Council office
 - Find the community on a satellite map such as Google maps or Apple maps. Students could draw sketch maps of the community.
 - Look at the local community's web site.
 - Find out about community events and celebrations, such as National Indigenous Peoples Day Celebrations, pow wows, canoe races, Slahal tournaments.
 - If available, show students a map of the local First Nations community to see what types of buildings are found there. If your school is not in that community, students can compare the buildings with those in their own

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community. Alternately, students can look at a map of another First Nations community. One good map is found in the Tsay Keh Dene community brochure, *Welcome to Tsay Keh Dene*, found online at the Tsay Keh Dene website, or link at <https://tinyurl.com/fnesc901>

- Share books or stories that could illustrate some features of First Nations communities.
- Some characteristics that make First Nations communities unique are:
 - Most (but not all) people who live there belong to one First Nation and share ancestral ties.
 - Many people in the community are related.
 - The community is usually located in the traditional territories where their ancestors lived for hundreds or thousands of years.
 - Many communities are on First Nations (or Indian) Reserves, within the Nations' broader traditional territory.
 - First Nations communities have their own government.
 - Many communities have a First Nations government or Band Council office and other public buildings such as a school, community hall, a feast hall, a gym, a health clinic, and one or more churches.
 - First Nations have different kinds of leaders. For example, there are spiritual and cultural leaders as well as different kinds of political leaders.

c. The Importance of Elders

Students will build an awareness of the role of Elders in First Nations communities.

- Ask students if they know what the word “Elder” means. Students can share their ideas. You might ask, “How is Elder different from “elderly?”
 - Note that not all “Elders” like to be referred to as such. In some communities, knowledge-keepers is more appropriate. “Old People” is used just as respectfully in some communities as “Elders” is used in others. Some communities use a traditional word from their language, or the old people are referred to as Grandma or Grandpa, or Grandmothers and Grandfathers, regardless of familial relationship.
- If your school is in a First Nations community, or students have had the opportunity to work with Elders, students could discuss and record important teachings they may have learned. Alternatively, students could consider teachings from grandparents or other older people in their family.
- If possible, invite an Elder into the classroom, or visit them in an appropriate location. Before the visit, discuss why Elders are important. Talk about the need to be respectful and define the word respect. Have students prepare some questions for an Elder about what it means to be an Elder.

 **Cross-Curricular Connections**

- English Language Arts.
- Co-ordinate reading these books about Elders with your English Language Arts lessons.
 - Connect with the importance of oral communication

- Share one or more picture books or stories that are about Elders, or give an example of the roles Elders play. Suggestions include:
 - *I Know I am Precious and Sacred*. Debora Abood 2016.
 - *Lessons From Mother Earth*. Elaine McLeod, Groundwood 2002.
 - *A Day with Yayah*. Nicola Campbell, Tradewind Books 2018.
- Elders often share their knowledge orally, through stories, instructions or advice. In many communities they also are key to passing on the traditional First Nations language.
 - You could connect learning about Elders as leaders with the English Language Arts curriculum, and the topic of communicating orally.


2. Decision Makers

This activity introduces the idea of government and community leaders as important decision makers. It begins with a discussion of the concept of decision making, then leads into the roles that some people – leaders – have in making decisions about communities. It then asks students to think about what a government is.

a. What is a decision?

Students will explore the types of decisions we make in our lives, and how some decisions are more important than others. This could also be extended by discussing the potential positive and negative consequences of decisions.

- Ask students if they have ever made a decision. If they don't understand the word, ask if they have ever had to make a choice. For example, did they ever decide to play a game with other kids? Ask students to give other examples of decisions or choices they have made.
- Discuss with students who makes the decisions in their families. Ask questions such as, Who makes most of the decisions in your family? What decisions does your family make together? What decisions do you make on your own?
- Discuss who makes decisions around the home. Students can use Blackline Master 2, page 104, *Who Decides?* to identify who makes some decisions around home.
- Discuss who makes the decisions around the school. Ask questions such as:
 - What kind of decisions does the principal make?
 - What kind of decisions do teachers make?
 - What kind of decisions do students make?
 - Ask questions about other adults with roles at your school, such as playground supervisors or lunchroom monitors.
- Discuss what might happen when not everyone is going to like the decision that is made. Ask, How do you make decisions when you know some people are not going to like your decision?

 Blackline Master 2, page 104, *Who Decides?*

- Discuss the difference between big or important decisions and small or not so important decisions. Give students a number of examples of decisions, and ask them to decide if they are big or small decisions. Students could make a voting card with BIG on one side and SMALL on the other.
- As you read out the examples, they hold up the appropriate side of the card.
- Students could sit in a circle so everyone can see the cards.
- As students vote, discuss the different decisions. Who is making the decision? Who is affected by the decision? What could be the consequences of the decision?
- Here are some examples of different kinds of decisions:
 - What should I wear to school today?
 - My friend did something wrong. Should I tell the teacher?
 - Should the judge send the criminal to prison?
 - Who should my auntie vote for in the next election for Prime Minister?
 - What book should I pick from the library?
 - Should the city council allow people to build a 20 story building in my neighbourhood?
 - What should I have for a snack today?
 - Should the chief and council vote to build a new swimming pool for the community?
- Have students work in pairs or small groups to create their own examples of big and small decisions. They can share them with the class for further discussion.
- Have students think about what makes a big decision. Ask, how is a big decision different from a small decision?
 - Guide students to come to their own definition or list of characteristics of a big or significant decision. (For example, it impacts many people, the results are long lasting, usually made by people in position of power and leadership.)
- Students can work in groups to role play examples of a big decision and a small decision.
 - Depending on your class and time available, students could decide on one type of decision to act out, or develop a skit for each type.
 - Students can present one of their role plays to the rest of the class, and the class can tell if they are showing a small or big decision.

 **Formative Assessment Strategy**

Use the role play activity to assess students' understanding of different types of decisions

 **Cross-Curricular Connections**

Arts Education.
Focus on the Content Learning Standard:
• Personal and collective responsibility associated with creating, experiencing, or sharing in a safe learning environment

b. What is a Leader?

In this activity students will come to understand that there are many types of leaders. Some of these are political leaders, or leaders of governments.

- Ask students to tell you who they think makes the following decisions:
 - Who decides where to build a new road?
 - Who decides what to do if someone breaks the law?
 - Who decides who is going to be captain of the hockey team?
 - In a First Nations community, who decides when to hold a feast, potlatch, powwow, or other cultural event?


- Explain that we pick certain people to make important decisions for groups we belong to. People that have extra responsibilities to make decisions are usually called leaders.
 - Ask students to give some examples of leaders that they know about. Discuss some of the roles and responsibilities of the leaders that students suggest.
- Discuss the differences between formal leaders – people formally chosen for a leadership role – and informal leaders – people in a family or groups who lead by example.
- Create a list of types of leaders, or use the examples of leaders given on Blackline Master 3, page 105, *Leaders*. Older students can identify the groups that those leaders make decisions for.
- Students can classify the examples of leaders. You could work with the whole class, or have students work in small groups using the words on Blackline Master 3, *Leaders*. For example, some are of leaders of governments, some are leaders of community groups. Some are volunteers, some are paid.
- Ask questions such as:
 - Who are the most important decisions makers?
 - Are any leaders more important than others?
 - What makes a leader important?


 Blackline Master 3, page 105, *Leaders*


c. What is a Government?

Students build an awareness of the role governments play in societies.

- Ask students if they know what a government is. Students can suggest some words or ideas they know about governments.
 - Write the words and phrases on the board, or create a word wall.
- You could use Blackline Master 4, page 107, *What is a Government* to help guide students' thinking about the concept of government.
 - Provide students an opportunity to find or view books from the library that discuss various governments.
 - Students could work in pairs or small groups to answer the questions.
 - Students could take the Blackline Master home to get help from their families.
 - You could use the questions from the Blackline Master as discussion starters.
- Use the words listed on Blackline Master 5, page 108, *Government Word Sort* to consolidate students' learning about what a government is. Students can cut the words into cards and use them for a number of activities.
 - Work with a partner to identify words they know and words they don't know, then find out the meanings of words they aren't sure of.
 - Sort the words in one or more ways.
 - Pick two words and tell how they are connected.
 - Pick one word and act it out. Others can guess what word they are acting.
 - Make a crossword puzzle out of the words.

 Blackline Master 4, page 107, *What is a Government?*

 Blackline Master 5, page 108, *Government Word Sort*


 Formative Assessment Strategy
Use one of the word activities to assess students' understanding of the concept of government.


3. First Nations Governments


a. Local First Nations Governments

Students will become aware that First Nations communities have unique forms of government.

- Where possible, give students an opportunity to experience one or more aspects of local First Nations government in some way. For example:
 - Visit the local First Nations government office or treaty office if you are on or near a First Nations community.
 - Find a short video of a local hereditary leader or elected leader speaking about a topic, or a video of a feast or other public event where the leaders are introduced or speaking.
 - Arrange a classroom visit by a representative of a local band council, treaty government or ancestral government to visit the class.
 - View the website of the local First Nation. Depending on the design of the website and technological capabilities, students could do this independently or as a class.
- Discuss the two types of government systems many First Nations have. If you have already worked with Blackline Master 5, *Who are Our Leaders* (Activity 1c), you may already have discussed the two systems.
 - Read aloud or tell in your own words the text on Blackline Master 11, page 115, *Traditional Governments*, and Blackline Master 12, page 116, *Elected Governments*. Ask students to listen for the differences between the two types of government as you read.
 - After you read each section, have students recall the main points, and share verbally, write, or otherwise represent them.
 - Ask, why do you think there are two different types of governments?
- Students could use a Venn Diagram to record differences and similarities in the two types of government. They can use the graphic organizer on Blackline Master 7, page 110, *Two Forms of Government*.
- Explain or review what forms of government are found in local First Nations communities.
- Discuss the leaders in the two different governments. Traditional leaders are either hereditary (born into the position) or selected by consensus. Elected Chiefs and council are voted in by band members from their community.
 - Note that not all First Nation communities in BC may have traditional Chiefs now.
- Have students brainstorm questions they might ask a First Nations leader. Direct them to think about questions that relate to roles, responsibilities and how decisions are made.
 - If possible, arrange an interview with a leader. It may also be possible to select some questions and email a leader. (Make sure you arrange it with the leader first.)

 Blackline Master 11, page 115, *Traditional Governments*

 Blackline Master 12, page 116, *Elected Governments*

 Blackline Master 7, page 110, *Two Forms of First Nations Government*

b. Roles and Responsibilities of First Nations Governments

Students consolidate their understanding of local First Nations governments.

- If you have already discussed the governments in the local First Nations communities in earlier sections, you may want to review the information now.
- Have students research more about how the local First Nations government looks after the community. Ask them to find out what services the Band Council or other government provides to the people.
 - If your school is within a First Nations community, they may be able to tour the Band Council office to see the different departments.
 - Most First Nations have extensive websites that detail the various departments and services provided.
- Students can work in groups using a placemat activity to illustrate the roles and responsibilities of the Band Council. Students can create their own graphic organizer by folding a piece of paper into four, or they could use Blackline Master 8, page 112, *Band Council Placemat Activity*, as a template. Here are some sample responses:
 - Who are they? Chief Councillor, Councillors; they are members of the First Nations community.
 - Who do they serve? They serve the people who are members of the First Nations Band; they serve the citizens of the First Nations community; they serve the people who live in the reserve community and band members who live away from the community.
 - How do they get elected? They volunteer to run for council; eligible voters use a secret ballot to vote for the people they want; the people with the majority of votes are elected to the position.
- Students can work in groups to show the different services that the government provides. You may want each group to take one service, and find out as much as they can about it.
 - Students can create charts, pictures, diagrams or posters to illustrate the services and departments.
 - Services that Band Councils and other First Nations governments typically provide include the following:
 - Water and sewage systems
 - Housing
 - Education
 - Language and Culture support
 - Land and Resources management
 - Health
 - Social Assistance
 - Family Development
 - Economic Development (most communities run their own businesses)
 - Treaty negotiations
 - Police (some First Nations have their own police service)

 Blackline Master 8, page 112, *Band Council Placemat Activity*

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- Ask students to think about what types of services the local government does not provide. Discuss which governments do provide those services. (For example, the post office is a service run by the federal government. The provincial government is responsible for driver's licenses.)
- Students can find the similarities and differences between two types of local government, First Nations and municipal. They can investigate the services provided by the local town or city where you live, in the same way that they researched the First Nations community.
 - Students can see which services are similar to those in the First Nations community, and which are different.
 - Have students use a T-Chart to compare the services and responsibilities of First Nations and the local municipal governments.


4. The Land and Government

Students build on their understandings of the connections of First Peoples and the land, and see how traditional governance was in a large part concerned with managing the land and its resources. Then they learn about changes brought about by colonization through the Indian Act and other policies.

a. Our Relationship with the Land

Students will build an awareness of what is meant by “The Land” and explore at a personal level ways that the Land is important.

- Ask students to think about the question, Why is the Land important? If necessary, discuss what we mean by the Land. For example, it includes the ground, the air, the water, and all the plants and animals that live on the earth. You may want to explain that there are similar words we can use, such as the Earth, or nature.
 - If possible, find words in the local First Nations language that refer to the land.
 - Students can work in groups or as a whole class to think of as many answers as they can to the question. Students can record their ideas in words and pictures, or you can record the ideas on the board.
- Have students pick two or three of the most important reasons why the land is important. They can draw a picture to illustrate the important reasons.
- Students can use the sentence frames on Blackline Master 9, page 113, *The Land Is Important Because...*, to give reasons why the land is important. Students could illustrate one or more of their reasons.
- Students can go on a nature walk to experience some of the local aspects of the natural world. Ask them to reflect on how they feel when they are walking in nature.

 Blackline Master 9,
page 113, *The Land Is
Important Because...*

b. First Peoples Relationship with the Land

Build on students' responses from the previous activity to develop an awareness of the importance of the land for First Nations in the past, present and future.

- Share a story with students that illustrates the connections that First Peoples have with the land. Some suggested stories include:
 - *Lessons From Mother Earth* (Elaine McLeod, Groundwood 2002)
 - *A Day with Yayah* (Nicola Campbell, Tradewind Books 2018)
 - From the Mountains to the Sea series: *We Live Here* and *We are a Community* (Brenda Boreham and Terri Mack, Strong Nations 2015)
- Discuss or explain to students that in the past, First Nations communities depended on the land around them to for everything they needed to live. Ask, “How would your life be different if you couldn’t go to the store to buy your food or clothes?”
- Ask students to imagine that they had to get everything they needed from the land around them. Would they be able to survive? What types of things would they need to know? What would they need to do?


c. Making Sure the Land is Cared For


These activities lead students to understand the connection between caring for the land and how people govern themselves.

- Read or tell a story that teaches a lesson about the importance of taking care of the land. Here are some examples:
 - *Orca Chief* (Roy Henry Vickers and Robert Budd, Harbour Publishing, 2015) Four Kitkatla (Gitxaala) men go on a fishing trip, disturb the Orca or Killer Whale Chief whose village is under the sea, and mistreat one of the sea creatures. The Chief brings the men down to his undersea house and he is angry with them for not showing respect to the creatures of the sea. However, he teaches the humans about the many food resources to be found in the sea. The humans learn and take their knowledge back to their people. Key concepts for this topic conveyed in the narrative include:
 - Humans must show respect for the natural world, the land, or specifically in this case the animals of the sea. The men broke the laws of respecting the natural world.
 - The importance of the social organization with the chief as leader, mirrored in the animal world.
 - The qualities of the Orca Chief reflect the good qualities of a human chief: honest, gives advice, expects respect, is kind, teaches and passes on knowledge.
 - *Peace Dancer* (Roy Henry Vickers and Robert Budd. Harbour Publishing 2016.)
 - When children from the Tsimshian village of Kitkatla mistreat a crow, a great flood covers the Earth. The villagers tie themselves to the top of Anchor Mountain and promise to teach their children to value all

life. When the water recedes the villagers appoint a chief to perform the Peace Dance at every feast to pass on the story of the flood and the importance of respect.

- “When the Volcano Erupted,” told by Amelia Morven, Nisga’a Elder. This story tells of how children mistreated the salmon, which resulted in the eruption of a volcano and the destruction of many people and villages. Found in *First Nations Journey of Justice*, Grade 5, pages 143-146. Online at <https://bit.ly/2CQCO1H>.
- Students can use Blackline Master 10, page 114, *First Nations Laws and the Land*, to learn more about the connection between the land and ancestral governments. You may want to make individual copies for students to read independently, or project the text for the whole class to read.
 - Read with students, or have them read independently the text on Blackline Master 10. Ask, “What does the text say has stayed the same over time?” (First Nations have always had governments that look after the land.)
- Discuss the laws that are listed on Blackline Master 10. (Make sure students understand that these aren’t the only laws that First Nations had in the past. These are some general laws followed by most First Nations.)
- Ask students to suggest why these are important laws for looking after the land. Students can discuss each point as a class or in small groups to explain why they are important. Some suggested reasons why these laws are important are:
 - *Thank the plants and animals when you take them for food:* This shows respect for the plants and animals that give their lives so people can survive.
 - *Only take what you need:* This ensures sustainability of resources; it makes sure that people don’t take too much, so that there is enough for other people, and enough for the future.
 - *Share your food with others:* This makes sure everyone in the community has enough to eat, even if they aren’t able to hunt, fish or gather berries.
 - *Only take food from your own land:* makes sure that there are enough resources to go around, that all the resources of the land are used wisely, and that someone doesn’t take too much.
- To demonstrate their understandings of the laws, ask students to illustrate one or more of the four laws.
 - Students can choose one of the laws of the land to illustrate on their own.
 - Students can work in groups to illustrate all four.


 Blackline Master 10, page 114, *First Nations Laws and the Land*

 **Formative Assessment**
Use students’ illustrations to gauge the level of understanding of the relationships of First Nations with the land.

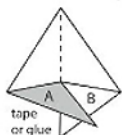
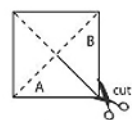
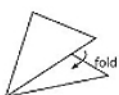
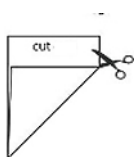
d. Laws For Taking Care Of Each Other

Students understand that some laws in the past were about how people treated each other.

- Explain that some rules and laws are about how people take care of each other. Discuss what written or unwritten rules there are in your school and class for people respecting each other. Ask what the consequences are for breaking the rules.

 *Little Bear's Vision Quest*
Dianne Silvey, Greater
Victoria School District, 1995

- Explain that in the past in First Nations communities, if a person didn't respect others they were usually dealt with in their family. Sometimes Elders would be called on to guide them. Sometimes, however, if a person did something seriously wrong, they were banished or sent away from the community.
- Read with students *Little Bear's Vision Quest* (Dianne Silvey, Greater Victoria School District, 1995) which illustrates a character who doesn't respect his friends and is banished until he learns to change his ways.
 - This book can be used for different purposes. It is used in an activity about ancestral laws, and it also can be used to discuss themes of community and decision making. In this story Little Bear is mean and selfish with all his friends. Grandfather Bear, as an Elder, banishes him to an island until he learns to behave differently.
 - Grandfather Bear represents the leader in the community. He's the Elder. He hears that his grandson, Little Bear is being mean to his animal friends so he banishes Little Bear to an island. He reminds him to practice some of the teachings such as brushing off in the morning by the ocean.
 - It takes Little Bear some time to learn that his words hurt people and how mean he has been. Only until the second visit from Sister Whale does Little Bear reflect on his bad ways.
 - The community welcomes him back and Little Bear gains the understanding of forgiveness and how being part of a community means you need to be kind to one another.
 - The story implies that there are unwritten laws of how we behave with each other. It also illustrates how Elders were, and still are, authorities about a community's laws.
 - The punishment Little Bear received was banishment, a common form of enforcement of laws in Indigenous societies, although in real situations it would have involved a more serious breach than being mean to your friends.
- After reading, discuss the book with questions such as:
 - How do you think Grandfather Bear made the decision to banish Little Bear?
 - How do you think Sister Whale knew it was time for Little Bear to return?
 - These decisions require thinking. What criteria do you think they used to make these important decisions?
 - Why is it important that people look out for each other?
 - How does being selfish affect other people?
- Students represent main sections of the story through a hands-on activity. One suggestion is to make a four-corner diorama (also known as pyramid diorama).
 - Students can work in groups to decide on four important parts of the story. They will represent them by creating backgrounds and cutting out figures.
 - Steps in making the four-corner diorama. For detailed construction directions see craft websites such as <https://tinyurl.com/fnesc921>



Making a triarma


- Make 4 triaramas. See diagram. Cut a piece of 8.5 x 11 paper into a square. Cut on one of the diagonal fold marks from the corner to the centre. Fold to make a pyramid by overlapping two sides next to the cut. Glue or tape them together.
- Glue four triaramas back to back.
- Demonstrate the steps to students and encourage them to plan ahead when making their dioramas. They may want to draw and colour the backgrounds before they glue the pieces together.

5. Governments Change Over Time

a. How Did First Nations Governments Work in the Past?

Students will be able to identify some features of traditional governance systems, and connect them with caring for the land and each other.


- Ask students if they think all First Nations in BC had the same kind of government in the past. Ask them to give reasons why or why not. (Guide students to an understanding of the diversity of BC First Nations whose traditional territories are in a many different parts of the province. The land is very different from one place to another. This diversity is reflected in the diversity of governing systems.)
- Review or read with students Blackline Master 11, page 115, *Ancestral Governments*. Ask students to listen for two different ways that First Nations choose their leaders. (Some are hereditary and the title is inherited. Some are chosen by the whole community by consensus.)
- Recall with students that First Nations leaders are often called Chiefs in English. However, every First Nation has its own words for chief and other leaders. Find the local words used for different leadership roles, such as chief, advisors, councilors, watchmen.
 - If possible, work with a local First Nations language teacher to develop a list of words related to governance in the local First Nations language.

 Blackline Master 11, page 115, *Ancestral Governments*

b. Public Witnesses: Feasts and Potlatches

Students will understand that the feast, potlatch or other public gathering was an important part of traditional governance. It was the place that important events took place that were witnessed by the whole community. Feasts and potlatches are still important today.

- Give students opportunities to read or listen to one or more books that describe a feast or potlatch. Some suggested resources are:
 - *Cheryl Bibalats: Cheryl's Potlatch*. Sheila Thompson. Yinka Dene Language Institute, 1991.
 - *Granny and I Get Traditional Names*. Celestine Aleck. Strong Stories: Coast Salish Series.


 **Cross-Curricular Connections**
See the Primary unit “The Spirit of Celebration” for ways to integrate feasts and potlatches into other curricular areas. See *In Our Own Words*, pages 99-106 (FNESC 2012) <https://tinyurl.com/fnesc929>


- *Planning the Feast*. Donna Klockars. Strong Readers series.
- *Potlatch*. Queen Charlotte Island Readers. Dawn Adams, 1985.
- *Potlatch: A Tsimshian Celebration*. Dianne Hoyt Smith, 1997.
- Students could work in groups to use one book to find out special features of a feast or potlatch that are described in the book. They could find out why the feast is held, how people prepare for it, and what happens at the event.
- Have students record what evidence they found that shows that the feast or potlatch is used as a system of government.

c. The Indian Act Changes the Government

Students can begin to understand how colonization impacted traditional governance systems of Indigenous people in Canada.

- Read with students Blackline Master 12, page 116, *Elected Governments*. Ask students to listen for two main types of elected governments First Nations communities have today (Band Council or Treaty).
- Explain that after Canada became a country, the government passed special laws that controlled the lives of First Peoples, called the Indian Act.
 - Depending on your students, you may want to discuss more about the reasons for the Indian Act, but it is probably best to follow the lead of the students and their questions about the Indian Act.
 - Explain that one of the big changes the Indian Act made was the change in the way the government worked in First Nations communities.
- Read the picture book *The Secret of the Dance* to help students understand how changes brought about by the Indian Act affected First Nations. It tells of the time when holding potlatches and wearing regalia were forbidden, from the point of view of a young boy.
- Explain that under the Indian Act, First Nations lost control of most of their territories. They were forced to live on small pieces of land called Indian Reserves. They lost control of most of their territories. You can ask students how they would feel about the idea of a group of people being forced off their lands.

 Blackline Master 12, page 116, *Elected Governments*

 *Secret of the Dance* by Andrea Spalding and Alfred Scow. Orca Books, 2006

6. First Nations Community Project

Students can work together to create a project about a local First Nations community. Decide if groups will each create their own project, or if they will each take one section of a whole-class project.

- Discuss how a project about the community will reflect what they have learned about governance. Ask, What questions do we have about the community's governance? What more do we need to find out about how the community works?
- Have students decide on what form the final product will take. For example, it could be a movie, book, blog, or gallery display.

Unit 2

First Nations Governance Over Time

Grades 4-6

Overview

In the Intermediate grades students begin to link the consequences of past actions with present day circumstances. Specifically, they build understandings of the impacts of colonialism. In this unit the focus is on understanding traditional laws and government systems, and the impacts on them by colonialism and Euro-Canadian settlement. The topics can be made part of a larger examination of colonization.

Essential Understandings

- First Nations communities have unique systems of governance.
- First Nations government systems have always been closely tied to land and resources.
- Colonial laws like the Indian Act impacted how First Nations were able to govern themselves, their lands and resources.
- Today First Nations are rebuilding their own systems of government and resuming management of lands and resources in their traditional territories.

Guiding Questions

- What forms did traditional laws and governance systems take?
- What are the impacts of colonialism on the ways that First Nations communities govern today?
- What different perspectives did First Nations and settlers have about land ownership?
- How does government operate in BC First Nations communities today?
- In what ways are BC First Nations achieving self-government and increasing control of their land and resources today?

Relevant BC Learning Standards for Social Studies 4-6

Grade	Content Standard	Sample Topics (from Curriculum)	Curricular Competencies
4 First Peoples and European Contact	The impact of colonization on First Peoples societies in British Columbia and Canada	More complex political systems, loss of territory, key events e.g. Indian Act, potlatch ban, reserve system, residential schools, treaties	Track the positive and negative effects of key events in BC's development on First Peoples (Cause and Consequence) Identify key events and issues in First Peoples rights and interactions with early governments in Canada (Ethical Judgement)
	The history of the local community and of local First Peoples communities		
5 Canadian Issues and Governance	Past discriminatory government policies and actions	Indian Act; ethnic minorities denied the vote	Identify and assess the significance of individuals who have contributed to the development of Canada's identity in various areas (Significance)
	Levels of government, their main functions, and sources of funding	Local First Nations leaders	Indian Act (Ethical Judgement)
	Participation and representation in Canada's system of government	First Peoples governance	
	First Peoples land ownership and use	Treaties, land claims disputes. How do First Peoples balance economic development with traditional uses of the land?	
6 Global Issues and Governance	Global poverty and inequality issues, including class structure and gender	Treatment of Indigenous people	Explain the historical basis of selected contemporary issues
	Different systems of government	Government decision-making structures and forms of rule Indigenous governance	
	Economic policies and resource management, including effects on Indigenous peoples	How should decisions about economic policy and resource management be made?	
	Media technologies and coverage of current events	How does the media influence public perceptions of major events?	

The inclusion of the BC Ministry of Education Learning Standards for Social Studies in this Teacher Resource Guide does not indicate an endorsement of those Learning Standards as adequate or accurate in how the various concepts are represented.

Resources

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

Blackline Masters

1. First Nations Governance Profile
9. The Land Is Important Because...
13. First Nations Governments
14. Contemporary Forms of First Nations Government
15. Ancestral Government Sentences
16. Land and Culture
17. Culture Tree
18. Stewardship Acrostic
19. Families, Clans and the Land
20. Language, Story and the Land
21. Traditional Laws and Governance
22. The Indian Act and the Indian Agent
23. Indian Act Word Sorter
25. Changes to Control of Lands and Resources
28. Self-Government Agreements
30. Consensus Activity
32. Core Institutions of Government
33. Goals of Self-Government

Recommended Resources

- Collection of resources about local First Nations communities, such as pictures, videos, maps of territories. Also connections with local Elders, knowledge-keepers and community members involved in local government.
- Bouchard, David and Roy Henry Vickers, R. *The Elders Are Watching*. Tofino, BC: Eagle Dancer Enterprises, 1993.
- *The Elders are Watching*. Roy Henry Vickers and David Bouchard. Big Raven, 2011. 9.32 min. <https://youtu.be/4VLBfOqS4j4>
- Silvey, Dianne. *Little Bear's Vision Quest*. Greater Victoria School District. 1995.
- *People of the Land : Legends of the Four Host First Nations*, Theytus Books, 2009.

Feasts and Potlatch resources

- Aleck, Celestine. *Granny and I Get Traditional Names* Strong Stories, Coast Salish Series. Strong Nations Publishing Inc. 2018.
- Carrier Sekani Family Services. *Culture and Diversity*. PDF booklet, 7 pages. <https://tinyurl.com/fnesc923>
- Collison, Pansy. *Haida Eagle Treasures*. Brush Education Inc. 2017. See "Traditions and Culture," pages 192-201.

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- Klockars, Donna. *Planning the Feast*. Strong Readers series, Strong Nations 2013.
- Nelson, Nella. *Welcome Family and Friends to Our Bighouse. Kwakwaka'wakw Potlatch*. Nella Nelson. Union Bay BC: Raven Publishing, 2017.

Websites

- Coast Salish Territory in the Post-Contact Era. Map on the *Sq'ewlets: A Coast Salish Community in the Fraser Valley* website, linked at <https://tinyurl.com/fnesc906>.
- *First Nations A-Z Listing*. British Columbia Government website, online at <https://tinyurl.com/fnesc944>.
- *Húyat Our Voices, Our Land*. <http://www.hauyat.ca>
- Union of BC Indian Chiefs digital collection, Our Homes Are Bleeding. Online at <https://tinyurl.com/fnesc946>. Map of Indian Agencies at <https://tinyurl.com/fnesc945>
- United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents. <https://tinyurl.com/fnesc908>.
- "What Does Traditional Consensus Decision Making Mean?" on the Indigenous Corporate Training website, at <https://tinyurl.com/fnesc903>.

Additional Resources

- Aboriginal Education SD 52. *Pt'saan: Totem Poles*.
- Aboriginal Education SD 52. *Suwilaayksm Dzepk: Learning About Crests*.
- Collison, Pansy. "The Haida Chief Who Built an Island." (Readers' Theatre). *Haida Eagle Treasures*. Brush Education Inc. 2017.
- Car and Gas Analogy Activity, in *The Indian Act of 1876 was not Part of Treaty* (Saskatchewan 2008), pages 119 to 122. <https://tinyurl.com/fnesc907>
- FNESC. *Indian Residential Schools and Reconciliation Teacher Resource Guide 5*. FNESC 2015. <https://tinyurl.com/fnesc924>.
- T'smsyen Nation. *Persistence and Change*. First Nations Education Services, SD 52, Prince Rupert. 2005

Outline of Activities

1. Inquiry into First Nations Governance
 - a. Building background knowledge: identifying First Nations Governments
 - b. Forging an inquiry question
 - c. Gathering information
 - d. Processing information
 - e. Creating and sharing a product
2. Local First Nations Governance Systems
 - a. What is Governance?
 - b. What are some examples of First Nations governments?
 - c. Local First Nations Government
3. Traditional Governance and the Land
 - a. What do you already know?
 - b. Why did people have government in the past?
 - c. Stewardship
 - d. Families, Clans and Stewardship of the Land
 - e. Language, story, and the land
 - f. Traditional Governments
 - g. Consensus decision-making
 - h. Laws of the Feast Hall
4. The Impacts of Colonization
 - a. Colonialism and the Indian Act
 - b. Changes to control of Lands and Resources
 - c. Reserves
 - d. Impacts of colonization and the Indian Act
5. First Nations Governments Today
 - A. What is self-governance?
 - b. Self-determination
 - c. What does self-government look like?

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. Inquiry into First Nations Governance


The topic of First Nations Governance can be studied as an inquiry project. This will probably work best in schools that are part of, or closely associated with, a First Nations community, where students have local knowledge and resources to draw from. Otherwise, ensure that students have a variety of resources available to them.

Here is one approach to engaging students in an inquiry into First Nations Governance. It can be adapted or you can develop your own inquiry model.

a. Building Background Knowledge: Identifying First Nations Governments

Explain to students that they are going to investigate how First Nations governance has changed over time, with a focus on the local First Nations community.

- Decide if students will work individually or in groups. This could be your decision, or it could be a class decision.
- Help students build a base of understanding about the systems of government that operate in the local First Nations community. They should be able to identify local governance organizations, such as traditional governments, Band Council or treaty-based governments, and Tribal Councils.
 - If it hasn't been done already, work with students to complete the local First Nations community profile on Blackline Master 1. If it has, present the information or have students review it.
 - Students can read the text on Blackline Master 13, page 117, *First Nations Governments*, which outlines the different types of governments. (Blackline Masters 11 and 12 provide similar information at an easier reading level.)
 - Emphasize the differences in how the leaders and members of governments are chosen. In Band Councils and treaty-based governments they are elected; in some forms of traditional governance, people inherit their positions; in others the community decides by consensus.
- As students work through their inquiry, you can bring in some aspects of Suggested Activities 2 to 5, as appropriate.

 Blackline Master 13,
page 117, *First Nations
Government*

b. Forging an Inquiry Question

Depending on the age and abilities of your students, you may want to suggest a question for inquiry, develop one as a class, or have students or groups develop their own questions.

- Decide on which model of Inquiry you want students to use: Structured, Guided or Open.
 - If you use the Structured model, you will provide students with the inquiry question.
- Remind students of the main topic: How First Nations governments have changed over time. Where possible, focus on the local First Nation.
- Have students use a learning strategy such as Know-Wonder-Learn to identify what they know about governments in the local First Nations community, and what areas they have questions about.
- Discuss with class some possible questions that they can investigate.
 - Talk about ways to create useful inquiry questions, and give some examples.
 - Suggest students consider some of the Social Studies Curricular Competencies to help create a question (such as cause and consequence, perspective, significance).
 - Some examples include:
 - How have the responsibilities of a First Nations leaders such as a Chief changed over time?
 - Why did the Canadian government want all First Nations to have the same elected form of government?
 - How has control over First Nations land changed?
 - How or why have traditional forms of government continued in many First Nations communities?
 - In what ways are First Nations achieving self-government today?
- Students work in groups or as a class then decide on their question for inquiry.

For more information about Inquiry-based learning and the different models of inquiry, see the Introduction, page 22.

Features of Good Inquiry Questions

- open-ended, do not have a simple or factual answer
- make us think about big ideas
- help us look at ideas in new ways
- require critical, creative and reflective thinking
- require research to find supporting evidence

c. Gathering Information

Students use a variety of sources to gather information to find answers to their question.

- Discuss with students the types of information that can be collected, for example:
 - traditional stories, historical events
 - stories and memories of recent events
 - words and sentences in the local First Nations language
 - primary source evidence such as interviews (conducted by students or written) or websites that contain original documents
 - data, such as statistics, graphs, charts
 - photographs

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- Discuss with students possible sources of information. Some sources include:
 - interviewing members of the local First Nations government
 - talking with family members or members of the community
 - the website of the local First Nation
 - cultural centres
 - textbooks and other published books
- Have students make a plan of how they will gather information. Ask questions such as, Where will you go first? How will you divide up the research tasks?
- Students should record where they found their information so someone else could find it again.
- As students gather information, have them stop and reflect on what they have learned, and what new questions they might have.

d. Processing Information

Students will organize their information and make connections and inferences.

- Discuss with students ways of organizing their information, such as note taking or graphic organizers. This could be an opportunity to teach skills such as note taking and summarizing.
- Students will identify the big ideas or the important points in each of the sources.
- Guide students in ways to extract information from statistical tables, graphs and charts.
- Students should analyse their sources for points of view, accuracy and reliability.
- Have students check over their information to see if there are any topics that have been missed, or need further research.

e. Creating and Sharing a Product

Students will revise and edit their information, then and plan and create a product to present their inquiry findings.

- Students should decide on an audience for their product, and design an appropriate way of communicating information to that audience. For example, it could be for an Elders or Seniors group, for a younger class in your school, or for the general public on a website or YouTube.
- Students should make sure the product communicates findings related to their inquiry question and also the broader topic of "Change in First Nations Governance over time."
- Students should create a first draft of their product, then after review by you and other class members, complete a final product.



Formative Assessment Strategy

Use peer and teacher assessments to provide feedback to students about their projects.


2. Local First Nations Governance Systems

Students will build an awareness of local First Nations communities and their governance systems. How you approach this will very much depend on the location of your school and what relationship there exists between local communities, school and district Aboriginal Education staff and you. (See Making Connections with First Nations Communities in the Introduction, page 9.) If you haven't already completed it, you may want to gather information about the local communities using Blackline Master 1, First Nations Governance Profile.

a. What is Governance?

Ensure that students have an understanding of the meaning of governance and the roles that governments play in our lives.


- Assess your students' understanding of what a government is, and what is meant by governance. Review or teach the basic concepts as necessary.
 - In Grade 4, you could use some of the ideas in Activity 2, Decision Makers, in Unit 1, page 32.
 - In Grade 5 and 6, these activities will probably dovetail with the general study of government outlined in the Content Standards.


 **Unit Links**
See Unit 1 Activity 2, Decision Makers, page 32

b. What are Some Examples of First Nations Governments?

Students will build on their prior knowledge to become familiar with the names and functions of various forms of First Nations governance systems.

- Students can use Blackline Master 13, page 117, *First Nations Governments*, to learn about the two main types of systems, the traditional systems and more recent elected systems.
- Identify local governance organizations, such as hereditary or other traditional forms of government, the elected Band Council, hereditary bodies, treaty-based governments, and Tribal Council organizations.
 - Students can use Blackline Master 14, page 118, *Contemporary First Nations Governments* to record information about the different bodies.


 Blackline Master 13, page 117, *First Nations Governments*

 Blackline Master 14, page 118, *Contemporary First Nations Governments*

c. Local First Nations Government

Determine what you and the students know about the local First Nations communities and their governance systems. Build on the students' prior knowledge to learn about how the local government operates. Use the Local First Nations Community profile, Blackline Master 1.

- Gather pictures and make a display of different parts of the community, such as significant buildings (school, community hall, smoke houses, clinic, administrative buildings.)
- There may be a video online that features the community or First Nation.

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

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- Find or make a digital slide show or video of scenes around the community. Depending on your location, this could be turned into a class project.
- Where possible, give students an opportunity to experience one or more aspects of local First Nations government. For example:
 - Visit the local band office or treaty office if you are on or near a First Nations community.
 - Find a short video of a local hereditary leader or elected leader speaking about a topic, or a video of a feast or other public ceremony where the leaders are presented or speaking.
 - Arrange a classroom visit by a representative of a local band council, treaty government or ancestral government to visit the class.
 - View the website of the local First Nation. Depending on the design of the website and technological capabilities, students could do this independently or as a class.
- Have students find out what kinds programs and services the community's government provides. For example, many local First Nations governments have departments of Education, Health, Housing, Economic Development, Lands and Resources and Treaty. Some have their own police force.
 - Students can refer to the Nation's website to see the types of services offered, and how these are delivered to the citizens.
- Have students find out the role of the traditional laws and government in the modern community. For example, are there hereditary leaders that advise the Band Council? What role do Elders and Matriarchs play?
- Have students work in groups to explain the many branches of a local First Nations government. Encourage them to use illustrations or photos where possible. Groups can decide on a format, such as a web, poster, flow chart, digital slide show or booklet.


3. Traditional Governance and the Land


Students will be able to understand the connections between traditional government systems and the land and territories of local First Nations communities.

a. What Do You Already Know?

Assess what understandings you and students have about traditional governance systems. Ask a question such as, What were First Nations governments like before colonization?

- Refer to the Local First Nations Governance profile, Blackline Master 1 to learn or review the information about local ancestral forms of government and relevant words from the First Nations language.
- Students could use Blackline Master 15, page 120, *Ancestral Government Sentences*, to help identify what they know. These cards can be used for a number of different activities:
 - Create sentences using one, two or three of the words from the grid.
 - Pick a column or a row and write a sentence that illustrates the connections between the three words.
 - Work in pairs or groups. Cut out the words into individual cards. One person turns over two words and explains the relationship between them.
 - In pairs, have students identify words they know and words they don't know. After they discuss possible meanings, discuss with the rest of the class to find out which words no one knows.
- Students can revisit this activity later in the unit to assess how much they have learned.

 Blackline Master 15, page 120, *Ancestral Government Sentences*


 **Formative Assessment**
Use student responses to the Ancestral Government Sentences activity to assess their understanding of important features of Ancestral government

b. Why Did People Have Government in the Past?


- Have students read the quote from Ray Warden, a Ktunaxa elder on Blackline Master 16, page 121, *Land and Culture*. Make sure students understand the ideas in the quote, especially the idea of culture. (See the next bullet point.) The quote comes from the video Ktunaxa Nation: Building from their vision, starting at the 5 min 25 sec. mark. <https://bit.ly/2CSjD7N>


What I was told from an Elder at one time,
First there needs to be land.
When there is land it allows people to be there.
When there is land and people then it becomes a culture;
A culture forms out of that.
When you have land, people and culture,
You'll need a way of governing yourself.

- What is culture? Students can review or build on their understanding of what "culture" is. You may want to explain that all people form societies which develop unique cultures, and the people can identify with different cultures.

 Blackline Master 16, page 121, *Land and Culture*

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 Blackline Master 17,
page 122, *Culture Tree*

 **Formative Assessment**
Use this illustrating activity to assess how well students understand the relationships between the land and government in First Nations societies, and guide your instruction in the following activities.

- Have students work in groups to brainstorm what culture means. They could write or draw ideas on a piece of chart paper.
 - Suggest they think about questions such as: What do people in the culture do? Why do they do it? How do they feel about what they do?
- Students can create a "culture tree" like that shown on Blackline Master 17, page 122, *Culture Tree*. They could use the graphic organizer or make their own tree. Discuss what some features of cultures are (the leaves), and what might be the source or roots of the culture.
 - Students can create a tree for a specific culture, such as your classroom culture, their family cultural, Canadian culture, or a sports culture such as hockey or basketball.
 - Some aspects of culture include: ceremonies, laws, beliefs, customs, traditions, ways of life, religion, languages, sports, foods, hobbies, rituals, transportation, holidays, dress, art, music, stories, clothing.
- Have students write a definition of culture in their own words. Then have them compare their definition with definitions found on the Internet or in a dictionary.
- Students could create a drawing or a collage to illustrate the connections between the four elements mentioned: land, people, culture and government.
- Ask students to suggest why First Nations in the past needed to have a government. Students will likely respond in a variety of ways, which the class can discuss.
 - One of the important understandings is for students to recognize that all human societies or cultures develop rules or laws that help their members live and work together.
 - If students mention land and resource management, guide the discussion to introduce the next activity, Stewardship.

c. Stewardship


Students build an understanding of the concept of stewardship of the land, and the First Nations worldviews that people have a responsibility to care for the land.


 *The Elders are Watching*
by David Bouchard and
Roy Henry Vickers
Video:
<https://youtu.be/4VLBfOqS4j4>

- Present *The Elders are Watching* by David Bouchard and Roy Henry Vickers to the students. It is available as a book and as a video. It expresses a message from First Nations Elders or Ancestors to people who have broken their promises of taking care of the land. You may want to read the book to the class, or show the video which combines the text, paintings and photographs.
 - The book has two introductory sections, Thoughts, by Vickers, and Whispers, by Bouchard. The main part of the book is the poem by Bouchard with paintings by Vickers.
 - Note that the word *Ya-A* or *ya-aa* is the Sm'algyax (Ts'msyen language) for Grandfather.
- Before students listen or view the story, ask them to listen for what the Elders see as they are watching.

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- Discuss the story using questions such as:
 - What is the main idea you got from this story?
 - In the repeated phrase, "They told me to tell you the time has come" who do you think is meant by "they," "me" and "you"? Possible responses could be, they: the First Nations ancestors (referred to as Elders); me: a representative or speaker for the Elders (note that the Speaker is an important role in most First Nations traditional governance systems; a person is appointed and trained to speak on behalf of the chief); you: people or humanity.
 - What does "the time has come" refer to? What type of action is needed?
- Students can consider their personal connections with the land.
 - Ask students to reflect on *The Elders are Watching*. Ask questions such as:
 - What was one thing that impressed you the most?
 - What ideas did it make you think of?
 - What feelings did you have as you listened to the story?
 - Students could respond in a variety of formats, such as an illustration, a poem, a collage, a letter to the Elders, or a review of the book/video.
 - Students can use the sentences frames on Blackline Master 9, page 113, *The Land Is Important Because...* to consider ways that the land is important to them.
- Introduce or review the word *stewardship*. Ask students if they have heard of the word, or if they know what it means.
 - Have students find the dictionary meaning of stewardship. In general terms, it means taking care of something that you have the responsibility for managing or looking after. It can be applied to other topics, but it is often used in relation to environmental stewardship.
 - Discuss what stewardship means in terms of general First Nations worldviews. Ask, what connections have First Nations always had with the land? For example, First Nations view all things as interconnected, all things in the universe are related. It is the responsibility of people to give back to the land in exchange for the gifts given by the land.
- Discuss why stewardship of the land was important for the lives of First Nations in the past and today.
 - Ask how First Nations depended on the land and its resources in the past. Ask what might happen if they did not look after the land and resources?
 - For example, people depended on the resources for their food. If they took too much or didn't take care of it properly, they would starve. So would their children and grandchildren.
 - People also depended on the land spiritually, as their cultures and oral traditions were built on their relationships with the land.
 - If possible, find a statement by a local First Nation related to the reasons or the importance of being stewards of the land.
- Students can use Blackline Master 18, page 124, *Stewardship Acrostic*, to think more about what stewardship means. They can work in pairs to create

 Blackline Master 9,
page 113, *The Land Is
Important Because...*

 Blackline Master 18,
page 124, *Stewardship
Acrostic*



Formative Assessment Strategy


Use student responses to the Stewardship Acrostic to assess their understanding of the concept of Stewardship from a First Nations perspective


phrases or sentences that begin with each letter of the word and relate to the idea of stewardship, or caring for the land for future generations. The pairs can share their acrostics with the rest of the class.

d. Families, Clans and Taking Care of the Land

Students will build an understanding of the significance of the family, House Group and Clan to First Nations concepts of land ownership.

- Students can use the text material provided on Blackline Master 19, page 126, *Families, Clans and the Land*, to build an understanding of the links between the family or clan and traditional land ownership practices.
 - Make copies of the text, or read it aloud to students.
- Discuss the role of Elders in a family. Ask how people of different ages living together could help each other. (For example, families have a range of ages, so the older people can teach younger people; younger adults can take care of the older family members.)
 - Explain that Elders have knowledge and wisdom; they give advice and pass on their knowledge to younger generations.
- If local First Nations have the Clan system, discuss what the Clans are. If possible, invite Elders or other knowledge-keepers to explain the role of Clans.
 - Gather pictures of Clan crests represented in items such as regalia, masks, poles and other forms.
- Students can research examples of how First Nations organize their lands and territories through the family, House Group or Clans. Here are a number of examples:
 - Gitxsan. The Gitxsan live in the Upper Skeena River region. Their social organization is highly organized and the territories are held by a large number of Wilp or House Groups.
 - Go to the About section of the Gitxsan Nation website, <http://www.gitxsan.com/about/our-way/>.
 - Students can go to the links for each of the three sections under the title "Our Way": The Wilp (House groups); Society; and Traditional System to learn about how House Groups form the organization of land ownership.
 - Students can view a map of Gitxsan territory that shows the lands for each of the Wilp or House Groups. Follow the links Our Land>Territory>Maps, or directly link here: <https://bit.ly/2PXhJpR>.
 - This map shows the entire territories of the Gitxsan, and the individual territories of the Wilp or House Group.
 - The names of the Wilp or House groups are shown in each of the regions on the map. The legend at the bottom lists each Wilp and the name of its head chief as they were in 2007.
 - Students should note that all land within the Nation's traditional territories are covered by House Groups who are responsible for taking care of them. There are no places that are not part of a House Group.

 **Backgrounder**
 For more information see Backgrounder 2, Traditional First Nations Societies, page 237.

 Blackline Master 19, page 126, *Families, Clans and the Land*

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- Heiltsuk. The Heiltsuk live on the Central Coast. Their territories include many islands as well as mainland sites.
 - The website Húyat (<http://www.hauyat.ca>) delves into one particular territory of the Heiltsuk First Nation. It is worthwhile taking the time to explore the entire site. For this activity students can go to the page "Taking Care," which discusses the rights and responsibilities that the Heiltsuk have towards their territories. Access this page at <https://bit.ly/2V7nVz9>.
 - One speaker talks about the differences between the traditional Heiltsuk concept of "taking care" and the more Western notion of Stewardship.
 - Another speaker describes the traditional land management systems in the context of rights and title.
 - An important point is made about groups sharing territories and their resources when necessary, following proper protocols.
- The local First Nations government, Band Council, or Treaty office may have maps that illustrate how traditional territories are used by family groups, Clans or other groupings. If they are available, share them with the class.
- Have students create a diagram that shows the connections between families and the stewardship of their territories. (Diagrams might show a map or a landscape with houses in different regions, or they could show a central village with arrows pointing outwards to from each house to different regions.)

e. Language, Story, and the Land

Students will become aware of the connections between the oral traditions of a First Nation and its land and resources.

- First Nations have words in their language that express important concepts such as laws and territories. They also have words for their oral histories that often form the foundations of their laws. Help students to find and learn the words in the language of the local First Nations.
 - You may have already collected this information of the Local First Nations Community Profile, Blackline Master 1. If so, share or review the words with the students.
 - It is important to understand that these words hold deeper meanings than their literal translations into English. For instance, "laws" are more than a list of rules decided on by a government. They are an unwritten body of practices, values and beliefs that govern how people behave towards the land and towards each other.
- If possible, invite a First Nations language teacher, Elder or other knowledge-keeper into the class to explain and discuss these terms.
- Students can read and discuss the text on Blackline Master 20, page 128, *Language, Story and the Land*, to learn about how First Nations oral traditions connect the people with their territories.
- If possible, find an example of an origin story from a local family group, Clan or First Nation that illustrates a connection with their lands and territories.



Formative Assessment Strategy

Use student diagrams to assess their understanding of the relationship family/clan and land ownership.



Backgrounder

For more information see Backgrounder 4, Language and Oral Traditions, page 239.



Blackline Master 20, page 128, *Language, Story and the Land*


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- Examples of origin stories can be found in the book *People of the Land: Legends of the Four Host First Nations*, Theytus Books, 2009. For a list of the stories, see the Bibliography, page 261

f. Traditional Governments

Students will recognize features of traditional First Nations laws and governance.


- Have students read the text on Blackline Master 21, page 129, *Traditional Laws and Governance*, to learn about some features of traditional First Nations laws.
 - Students can use highlighting strategies as they read to highlight important or surprising points, words they don't know, and questions they have. They can use different ways of marking, such as underlining, drawing arrows, and circling.
- Ask students to compare the type of laws that governed First Nations in the past, compared with the laws that govern us today. How are they the same and different? Students could work in groups to discuss their ideas. They could use a Venn diagram or other comparison graphic organizer to record their thoughts.
- Students could analyze a story to find how traditional laws are embedded in a story. One example is *Little Bear's Vision Quest*.
 - *Little Bear's Vision Quest* by Dianne Silvey. This book can be used to discuss ancestral laws, and forms of community and decision making. Grandfather Bear is an Elder. His grandson Little Bear is mean to his friends so he banishes Little Bear to an island. He reminds him to practice some of the teaching (brushing off in the morning by the ocean). Little Bear eventually learns how to be part of the community.
 - Discussion questions: How do you think Grandfather Bear made the decision to banish Little Bear?
 - How do you think Sister Whale knew it was time for Little Bear to return?
 - These decisions require thinking. What criteria do you think they used to make these important decisions?
- Students can participate in Reader's Theatre using the story "The Haida Chief Who Built an Island," by Pansy Collison. It is found in *Haida Eagle Treasures*, pages 175-183. The narrative embeds many ideas about governance, the land, potlatches and the relationships between two First Nations, Haida and Kitkatla.

 Blackline Master 21,
page 129, *Traditional
Laws and Governance*

g. Consensus Decision Making

Students will be aware of the process of consensus decision making, and its importance to traditional First Nations governance.

- Discuss with students what consensus decision making involves. If students have worked with Blackline Master 21, Traditional Laws and Governance, they can check back on the section about Community Consensus.
- Explain that consensus decision making was very important for traditional forms of First Nations governance.
- Discuss how reaching consensus is different from voting on an issue.
- Give students an opportunity to engage in a consensus decision-making activity. You can use Blackline Master 30, page 141, *Consensus Activity*, to guide the activity.
 - Consensus decision gives all members of the group a chance to speak. This often takes the form of a Talking Circle. For suggestions on using a Talking Circle, see Using Talking Circles in the Introduction, page 19.
- Ask students to reflect on their experiences during the consensus decision making activity. Ask questions such as:
 - What were your overall feelings during the activity?
 - How well do you think you participated in the discussion?
 - Did the decision go the way you wanted to at first?
 - Did anything make you change your mind during the process?
- For more about census decision making in First Nations communities, see the article "What does traditional consensus decision making mean?" on the Indigenous Corporate Training website, at <https://tinyurl.com/fnesc903>.
- Have students discuss the question, "What if you don't agree with the majority when you are using consensus decision making?" (See the discussion about unanimity in the above article.)
- Have students work individually or in small groups to create a "Users Guide to Consensus Decision Making." Discuss some of the parts that could make up the guide, such as:
 - How to organize it
 - The role of the leader
 - Skills needed for consensus decision making (such as communication skills, expressing yourself, patience, respecting different points of view, arguing your point).

 Blackline Master 30, page 141 *Consensus Activity*

Backgrounder
 For more information see Backgrounder 6, Public Witness: Feasts and Potlatches, page 241.

h. Laws of the Feast Hall

Students will come to understand the feast or potlatch in First Nations cultures as an important political and economic institution of many First Nations government systems in BC.


- For students who have had attended a First Nations feast or potlatch, ask them to share with the class some of their memories and experiences of the event.
- Give students opportunities to learn about the purposes and the parts of a feast or potlatch using a variety of resources.
 - If you live in an area where local First Nations have potlatches or feasts, students may be able to meet with an Elder or knowledge-keeper who could explain the importance of the feast or potlatch to the local First Nations community. Depending on your community, they may be able to make a field trip to a feast hall.
 - Students could read or listen to parts of books about potlatches, find online resources, or view videos.
- Some books about feasts and potlatches are:
 - Aleck, Celestine. *Granny and I Get Traditional Names* Strong Stories, Coast Salish Series. Strong Nations Publishing Inc. 2018.
 - Carrier Sekani Family Services. *Culture and Diversity*. PDF booklet, 7 pages. <https://tinyurl.com/fnesc923>
 - Collison, Pansy. *Haida Eagle Treasures*. Brush Education Inc. 2017. See "Traditions and Culture," pages 192-201.
 - Klockars, Donna. *Planning the Feast*. Strong Readers series.
 - Nelson, Nella. *Welcome Family and Friends to Our Bighouse. Kwakwaka'wakw Potlatch*. Nella Nelson. Union Bay BC: Raven Publishing, 2017.
- Have students work in groups to outline some of the major components of a feast or potlatch, using the resources they have researched. Ideally students will be able to focus on the local First Nations communities.
- Have students summarize how the feast or Potlatch serves as the important institution for governance in many First Nations communities.


4. The Impacts of Colonization

a. Colonialism and the Indian Act


Students build an understanding of the concept of colonialism, and determine how the Indian Act was a major agent of colonialism, and the major impacts on First Nations.

- Explain that the Indian Act controlled all aspects of the lives of First Nation people. It was a tool designed to compel Indians to want to give up their Indian status and become full Canadian citizens with the right to vote (part of assimilation). Explain that there were approximately 30 First Nations in BC before contact. Through the operation of the Indian Act, there are now roughly 203 First Nation communities (many of which are Indian Bands). Many Nations were forced from operating under a traditional government to becoming multiple Indian Bands.
- Review or teach an understanding of the meaning of colonialism appropriate to the level of your students. Have students work in pairs or small groups to decide on a definition of colonialism. Older students can begin by brainstorming what they already know about the term.
 - See FNESC's *Indian Residential Schools and Reconciliation Teacher Resource Guide 5*, Activity 2.3 Colonial Clash (pages 27-28).
<https://tinyurl.com/fnesc924>
- Students can read the text on Blackline Master 22, page 131, *The Indian Act and the Indian Agent*, to find out how the Act affected First Nations government systems.
- Students could play the Pass It On game to simulate the experiences faced by First Nations communities trying to cope with the Indian Act. See Unit 3, page 78.
- Discuss the original purposes of the Indian Act. Ask students to suggest reasons why the Canadian government decided there needed to be specific laws for First Nations.
 - Have students analyse the statement made by Prime Minister Macdonald. Ask them what they think or know "assimilate" means.
- Have students find out which Agency administered their local region. They can refer to a map which shows the agencies as they were about 1916. It is on the Union of BC Indian Chiefs digital collection, "Our Homes Are Bleeding." Online at <https://tinyurl.com/fnesc904>.
- Students can read about an example of the relationship between a First Nations community and the Indian Agent in "An Indian Agent's Letter Book," in *Persistence and Change*, pages 166-170.
- Discuss the connections between colonialism and the Indian Act.
 - Depending on the age of the students, they could discuss the question as a class or in small groups, or they could write a journal or paragraph response.
 - Students could also create a mind map or web to illustrate the connections.

 **Backgrounder**
For more information see Backgrounder 7, The Indian Act, page 242.


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



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 Blackline Master 23,
page 132, *Indian Act*
Word Sorter

 **Formative Assessment Strategy**

Use the Indian Act Word Sorter activity to assess students' understanding of the impacts of the Indian Act.

 Blackline Master 25,
page 135, *Changes to Control of Lands and Resources*

 **Backgrounder**
 For more information see Backgrounder 8, Indian Reserves, page 243.

- Students can use the activity on Blackline Master 23, page 132, *Indian Act Word Sorter*, to review and summarize what they have learned about the impacts of the Indian Act. Students should cut out the words and phrases, and sort them into categories of their choosing. They could use the Think-Pair-Share strategy to discuss and further develop their ideas.

b. Changes to Control of Lands and Resources

Students will have an understanding of how colonial actions brought about changes to the control of lands and resources in BC.

- Review with students the main ways that First Nations governed and controlled their lands before contact. (They were taken care of by families, house groups, clans and communities who held responsibilities for stewardship over their inherited territories.)
- Ask student how they think colonialism and the Indian Act impacted First Nations use and occupation of their lands.
- Students can read, Blackline Master 25, page 135, *Changes to Control of Lands and Resources*, to find out some ways that control over lands changed from the time of contact until today.
 - Students can use highlighting and annotation techniques to mark up the text to help deepen their understanding and develop questions.
- Students can create a timeline to illustrate the changes in control over lands and resources in BC.
- Students can explore a case study of how BC laws impacted a First Nations community's ability to hunt and provide food for themselves. See Unit 6, Kitsumkalum Beaver Trapping, 1912, page 201.

c. Reserves

Students will investigate the nature of Indian Reserves and their impact on the lives of First Nations.

- Explain that under the Indian Act the lands for each First Nations Band in BC was restricted to a small number of parcels of land that are reserved only for their use. The largest parcel is usually where their main community is located. The parcels of land are only tiny pieces of their original territories. Provincial laws do not apply on reserve lands.
- Use maps to compare the size of reserves with the traditional territories of a First Nations group.
 - The local First Nations offices may have maps of their territories that show the Indian Reserves and the extent of their traditional territories.
 - *First Nations in British Columbia* map. This contemporary map of all First Nations communities in the province also indicates Indian Reserves. Students will find they have to really zoom in to see the tiny parcels of land. Online at <https://tinyurl.com/fnesc931>

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- Topographical maps produced by the provincial government (1:50,000 scale) show Indian Reserves. If your library has these maps of the local regions, students could use them to identify reserve lands.
- Students can study historical maps for their region made at the time of the McKenna-McBride Commission in 1916. These maps show the reserves that were allocated at that time for all regions of the province. They indicate original reserves (made in the 1880s, 1890s), reserves added during the Royal Commission, and lands that were cut off from original reserves.
 - The maps are online at the Union of BC Indian Chiefs digital collection, *Our Homes Are Bleeding*. Find the map index at <https://tinyurl.com/fnesc904>
 - Select the Agency covering your region at the time.
 - This will link to a series of maps. You may find maps for the local area, but it is best to look first at the Final Report Images for the agency (at the bottom of the list.)
- Students can view online map that shows the reserves in the Coast Salish territories in the lower mainland. See the Digital Sq'ewlets website, online at <https://tinyurl.com/fnesc906>.
- If you have access to volume 2 of the *Indigenous Peoples Atlas of Canada* (Royal Canadian Geographical Society, 2018), students can view maps of BC which illustrate the location of reserves in relationship to the home communities.
- Ask students to think about how forcing First Nations onto reserves might have impacted their lives. Have students work in groups to suggest as many ways as they can. Possible responses include:
 - loss of access to traditional territories and resources
 - loss of control and benefit from resources
 - changes in life styles, such as not being able to travel throughout their territories
 - changes in living accommodations, from traditional structures to European-style houses.
 - emotional reactions to being treated unfairly, such as alienation, anger, confusion
- Ask students to reflect on their reactions to the idea of First Nations communities being forced onto reserves. Ask questions such as:
 - How does learning about Reserves make you feel?
 - What is one thing that surprised you about Reserves?
- Have students represent their understandings about Indian Reserves in a format of their choosing, such as a picture, poem, letter or poster.



Formative Assessment Strategy

Use students' representations to assess their understandings about the impacts of Indian Reserves

d. Impacts of Colonization and the Indian Act

Students investigate ways that the Indian Act and other policies of colonization have impacted the lives and governments of First Nations people.

- Have students suggest some of the ways they know or can predict that the Indian Act has affected the lives of First Nations. Students could work in groups to create a list of impacts.
- Car and gasoline analogy. You may want to adapt an activity found in the teaching resource *The Indian Act of 1876 was not Part of Treaty* (Saskatchewan 2008) that demonstrates the impact of the Indian Act through an analogy of a car and gasoline. See pages 119 to 122. The resource is online at <https://tinyurl.com/fnesc907>.
- Discuss the students' lists of impacts. You could create a class list on the board or chart paper. Have students suggest which two or three impacts they feel have had the most impact. Ask them to support their answer with reasons.
- Students can choose one of the Indian Act laws or other government policies to investigate further. Student can decide on a format to present their findings. It could be a short essay, a letter to the government, a graphic novel format, or a digital presentation. Students can include the following information:
 - A description of the law or policy
 - A comparison with the rights of non-First Nations Canadians
 - Examples and evidence to show the impacts
 - A summary of the impacts



Formative Assessment Strategy

Use students' investigations to assess their understanding of the impacts of the Indian Act on First Nations.

5. First Nations Governments Today

Students build an understanding of the significant moves towards rebuilding self-government in a variety of ways for BC First Nations. These activities apply most directly to the Learning Standards for Social Studies 6, though they can be adapted for other levels.

a. What is Self-Governance?

- Review with students how the systems that First Nations had for governing themselves were largely taken away by colonization and the Indian Act.
- Ask students what they think the term “self-government” means. Discuss what some characteristics of self-government might be for First Nations communities. (For example, First Nations will make their own decisions about important issues such as how to use the land and resources, and how to care for people in their communities)

b. Self-Determination


- Students can examine aspects of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This is a UN agreement signed by most countries of the world, including Canada.
 - UNDRIP explains how the rights of Indigenous peoples around the world, both as individuals and a groups are to be protected by governments.
 - Explain that the term “Indigenous” is being increasingly used as awareness and use of UNDRIP grows.
 - The publication *United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents* is a useful resource for students to use. It can be found online at <https://tinyurl.com/fnesc908>.
- Discuss the concept of self-determination and how it is linked with self-government. (Generally, self-determination refers to the right of group of people to make decisions about their own lives; self-government is the process for putting self-determination into practice through laws and institutions.)
- Students can read and discuss the important themes of the Declaration found on page 12 of *UNDRIP for Indigenous Adolescents*. The four themes are: the right to self-determination; the rights to cultural identity; the rights to free, prior and informed consent; and protection from discrimination.




c. What Does Self-Government Look Like?


Students build an understanding that self-government takes diverse forms among First Nations throughout BC. It generally involves the establishment of government structures and processes that build on traditional institutions, in a modern context

- Introduce students to four common aspects of self-government. These are: Constitution, Governing Structures, Law Making Authority and Citizenship.
 - Students can use Blackline Master 32, page 143, *Core Institutions of Governance* to identify the four core institutions. It gives the Government of Canada as an example of each of the institutions.
 - Have students work in groups to find out what each of the four terms means. Depending on your class, you could have each group find out about all the terms, or groups could research one and report back to the class.
 - Students can explore how these core institutions are applied in other governments, such as the local municipal government or an organization such as the Scouts or Guides.
- Students can use Blackline Master 33, page 145, *Goals of Self-Government*, to identify the core institutions for First Nations governments that are under the Indian Act, and those that have self-government outside of the Indian Act.
 - Have students use their knowledge of how Band Councils run under the Indian Act to complete the first column.
 - Then students can find out how governing institutions work under a First Nations government that has achieved self-governance. Students could

 Blackline Master 32, page 143, *Core Institutions of Governance*

 Blackline Master 33, page 145, *Goals of Self-Government*

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 Blackline Master 28,
page 139, *Self-
Government Agreements in
BC*.

- work in groups to research a specific First Nation government. The BC First Nations that have negotiated self-government are listed on Blackline Master 28, page 139, *Self-Government Agreements in BC*.
- Students can work individually or in groups to identify how each of the four core institutions are applied in one of the self-governing Nations. They can refer to the websites of the Nations to find the information.
 - They can record their information in the second column of the Blackline Master.
 - If possible, find out how self-government is being used, or is moving forward in a local First Nations community. If there are sufficient resources available students can explore these initiatives working in groups. Otherwise collect the information to share with students.
 - Determine if the local First Nation is engaged in the BC Treaty Process or other process designed to support self-government. Sources of information include:
 - The First Nation's website
 - The BC Government's A-Z listing of First Nations communities in BC, online at <https://tinyurl.com/fnesc944>.
 - To further investigate the BC Treaty Process, you may want to use some of the activities in Unit 4, Reconciling Indigenous Rights and Title: Treaty and Alternatives.

Unit 3

Shaping First Nations Governance

Grades 7-9

Overview

The study of the historical development of world civilizations taught in Grades 7, 8 and 9 provides an excellent opportunity for students to learn about the traditional or ancestral form of First Nations laws and governance, in Canada specifically, and to appreciate what has changed and what has stayed the same over this long time period.

In Grades 7 and 8, the Learning Standards specifically focus on understanding social, political and economic systems of an Indigenous society. Ideally students will be able to engage in activities that help them come to a deeper understanding of the local First Nations, and explore some historical roots of present day governance systems. In Grade 9 the Learning Standards focus on the contact and post-contact periods. These resources will add to other resources to help investigate and achieve a deeper understanding of the wide-ranging and profound impacts of colonization on First Nations.

Essential Understandings

- British Columbia's diverse physical features have helped to shaped diverse First Nations cultures and societies.
- From Time Immemorial, BC First Nations have been self-governing, with diverse systems of laws and government to take care of the land, resources and their citizens.
- The imposition of colonial laws and policies has disrupted First Nations societies in ways that have impacted their powers to govern and look after their traditional territories.
- Despite the impacts of colonialism, First Nations societies have persisted and are rebuilding governance systems in diverse ways in modern contexts.

Guiding Questions

- How has geography helped shape traditional First Nations societies?
- How were traditional systems of governance used to organize First Nations?
- What are the historical and present day impacts of colonization on First Peoples governance?
- How do contemporary First Nations government systems operate, and what services do they provide?

Relevant BC Learning Standards for Social Studies 7-9

Grade	Content Standard	Sample Topics (from Curriculum)	Curricular Competencies
7 Ancient World to 7th century	Features and characteristics of civilizations and factors that lead to their rise and fall	Components that are common to cultures around the world and throughout time, e.g. government	Characterize different time periods in history, including periods of progress and decline, and identify key turning points that marked periods of change (Continuity and Change)
	Social, political, legal, governmental and economic systems and structures, including at least one indigenous to the Americas	List and describe aspects of current laws and government structure that have evolved from ancient civilizations	Explain different perspectives on past or present people, places, issues, or events, and compare the values, worldviews, and beliefs of human cultures and societies in different times and places (Perspective)
8 7th Century to 1750	Social, political, and economic systems and structures, including at least one indigenous civilization	How were political decisions made during this period of history?	What would have been the impacts [on governance] if the Indigenous peoples of the Americas had been immune to smallpox and other diseases? (Cause and Consequence)
	Exploration, expansion and colonization	Contact and conflict	What lessons can we learn from the loss of languages due to Imperialism?
9 1750-1919	The continuing effects of imperialism and colonialism on indigenous peoples in Canada and around the world.	Impacts of the Indian Act	Compare and contrast the events considered by English-Canadian, French-Canadian, and First Peoples scholars to be the most significant during this period. (Significance)
	Discriminatory policies, attitudes and historical wrongs	Discriminatory policies towards First Peoples such as the Indian Act, potlatch ban, residential schools	In what ways has the colonization of Canada made life better or worse? And for whom? (Continuity and Change)
	Physiographic features of Canada and geological processes	Connections between Canada's natural resources and major economic activities	

The inclusion of the BC Ministry of Education Learning Standards for Social Studies in this Teacher Resource Guide does not indicate an endorsement of those Learning Standards as adequate or accurate in how the various concepts are represented.

Resources

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

Blackline Masters

1. First Nations Governance Profile
7. Two Forms of First Nations Government
13. First Nations Governments
19. Families, Clans and the Land
20. Language, Story and the Land
21. Traditional Laws and Governance
22. The Indian Act and the Indian Agent
24. Band Council Powers, 1886
25. Changes to Control of Lands and Resources
26. Geographical Features

Backgrounders

2. Traditional First Nations Societies
3. Traditional Laws and Governance
5. Traditional Leadership
6. Public Witness: Feasts and Potlatches
7. The Indian Act
8. Indian Reserves
9. Citizenship
10. Band Council

Recommended Resources

- *People of the Land: Legends of the Four Host First Nations*. Theytus Books 2009
- Joseph, Bob. *21 Things You May No Know About The Indian Act*. Port Coquitlam BC: Indigenous Relations Press 2018.
- *People of the Grizzly: Government by the People* (video). *People of the Grizzly: Government by the People*. 21 min 47 sec. 2011. Produced by the Kitselas First Nations. <https://vimeo.com/21621109>

Feast and Potlatch Resources

- Beynon, William. *Potlatch at Gitsegukla: William Beynon's 1945 Field Notebooks*. UBC Press 2000.
- Carrier Sekani Family Services. *Culture and Diversity*. PDF booklet, 7 pages. <https://tinyurl.com/fnesc923>
- Gray, Lynda. *First Nations 101*. Adaawx Publishing 2011.
- Nelson, Nella. *Welcome Family and Friends to Our Bighouse. Kwakwaka'wakw Potlatch*. Union Bay BC: Raven Publishing 2017.

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- *Living Tradition. The Kwakwaka'wakw Potlatch of the Northwest Coast.* Virtual Museum Website. <https://umistapotlatch.ca>
- Lutz, John. *Makúk*, John Sutton Lutz, UBC Press, 2008.
- Mann, Marlaena Mann and Warner Adam, *Nowh Guna' Our Way: Carrier Culture, Knowledge and Traditions*, pages 87-98.
- Indigenous Corporate Training Inc. "Potlatch: What I Learned as a Guest." <https://tinyurl.com/fnesc925>.
- Nuxalk Nation. "Potlatch." Nuxalk Nation website. <https://tinyurl.com/fnesc926>.
- Ts'msyen Nation. *Persistence and Change*, SD 52 Prince Rupert, pages 42-44.
- Ts'msyen Nation. *Luutigm Hoon, Honouring the Salmon*, SD 52 Prince Rupert, pages 89-90.
- U'mista Cultural Centre. *The History of the Potlatch Collection*. U'mista Centre, Alert Bay. <https://tinyurl.com/fnesc950>

Additional Resources

- Indian Act and Elected Chief and Band Council System. Indigenous Corporate Training Inc. 2015. <https://tinyurl.com/fnesc958>
- First Nations participating in the First Nations Elections Act. Government of Canada Justice Laws website. <https://tinyurl.com/fnesc960>

Outline of Activities

1. Geography and Governance Connections
 - a. Knowing the Land
 - b. People and the Land
 - c. Land and Society
2. Traditional Governance Systems
 - a. Local First Nations Governance
 - b. Comparing Types of Traditional Governance System
3. Understanding Feasts and Potlatches
 - a. What are Feasts and Potlatches?
 - b. Feasts and Potlatches in First Nations Societies
4. Impacts of Colonization
 - a. Pass It On Game
 - b. Indian Act
 - c. Band Councils
 - d. Citizenship and Status
 - e. Lands and Resources
5. Rebuilding Self-Government
 - a. Kitselas Case Study
 - b. Core Institutions of Governance
 - c. Rebuilding and Strengthening Self-Government
 - d. How Will Self-Governance Affect First Nations People?

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. Geography and Governance Connections

These activities relate to the SS 7 Big Idea: Geographic conditions shaped the emergence of civilizations and the SS 9 Big Idea: The physical environment influences the nature of political, social, and economic change.

Students investigate to find out if there are any connections between the geography and traditional First Nations governance systems, and if so, what they are. First they identify significant features in the geography of one or more regions of BC. Then they determine ways that geography helped shape BC First Nations societies. Using this knowledge, they infer ways that the land affected traditional laws and governance systems. Ideally students will investigate the connections between the geography of the local area and governance systems of the local First Nations, then compare it with a different region of the province.

a. Knowing the Land

Students will identify significant geographical features in the local region.

- Identify a region to focus the investigation on. It could be a small area such as the school district boundaries, the traditional territories of the local First Nations community, or broader territories of a larger First Nations language group.
 - Provide students with a map that shows the region under discussion.
- Have students generate a list of natural geographical features of the region where your school is located.
 - Review with students what a geographical feature is (e.g. physical features or landforms, latitude and altitude, bodies of water, climate, geology, ecosystems).
 - They could work in groups then share their ideas with the class to make a collective list of features.
- Students can work together to create a gallery of images that illustrate the local geography. They may be able to take digital pictures themselves, download image from the Internet or create their own illustrations.
- Find out the First Nations names of some significant physical features in the region. If possible find their English translations so students can see the


connections between the people and the land.

- Traditional names for features often describe the physical feature, or connect with an important oral history.
- Seek the assistance of First Nations language teachers or other resources to find names that the local community is comfortable with sharing.

b. People and the Land

Students will explore ways that the geographical features affected the lives of First Nations in the past, and consider how they still impact their lives today.

- Begin with a narrative that demonstrates a connection between people and the land. If possible, include local origin stories. One possible source is the book *People of the Land: Legends of the Four Host First Nations*. Theytus Books, 2009. It includes stories from the Lil'wat, Musqueam, Squamish and Tsleil-Waututh First Nations. See the annotations in the Bibliography, page 261, for an outline of the narratives included.
- Have students work in groups to suggest ways that the geographical features they have identified would impact the lives of First Nations people in the past. Depending on your school situation and the prior knowledge of students, this may begin as a hypothetical exploration, or students could make links between the features and local First Nations societies that they are familiar with.
 - Before they begin work in groups, ask the class for one or two suggestions. Ask questions such as, "How might the climate influence what types of houses people live in?" "How might living in a mountainous area be different from living in flat areas?"
 - As they work in the groups, guide students to consider different aspects of the geography that they have not thought of. Some important areas are how people travelled in the past, what resources they used, how they used the land to gather resources, where they lived at different times of the year, and how they travelled.
 - Provide students access to some published and online resources about the local region that can help them identify connections between the land and the people who lived on it.
 - If students need more structure, they could use Blackline Master 26, page 137, *Geographical Features*, to guide their research.
- Discuss how the geography of the region affects the lives of First Nations and others who live in the region today. What factors are similar, and which have changed? (For example, climate still affects the types of houses and transportation we use, but the technologies used today are different.)

 Blackline Master
26, page 137,
Geographical Features

c. Land and Society

Students will explore ways that the land can influence how people organize themselves in societies, focusing on the local region.

- Teach or review some of the main types of systems in a society, including social, political, legal and governmental. Ask students to suggest examples of those systems in British Columbia today.
- Discuss with students how these systems can be connected to the land in traditional First Nations societies. Students can use predicting skills to suggest general connections unless they have a firm understanding of aspects of the local First Nations society. Some possible ideas to discuss include:
 - Social: how do people organize themselves into groups to take care of the land? For example, what might the role of the family be? Could there be other ways of organizing?
 - Political: How do people choose their leaders to make sure everyone can share the resources of the land?
 - Legal: What kinds of laws would need to be followed to live healthy and happy lives on the land?
 - Governmental: How type of government systems might develop to see that the land is protected and the laws are followed?

2. Traditional Governance Systems


Students focus on the local First Nations community to understand what laws and governance systems they had in place before colonization.

As well as the activities below, you may want to use some of the ideas in the Social Studies 4-6 resources above, which include introductory activities about traditional governance and its connections with social organization and the land.

You can also bring in Oral Treaties between First Nations, discussed in Unit 5, Settling Land Claims: Treaty and Alternatives.

a. Local First Nations Governance

- Have students find out about the traditional governance systems of the local First Nations. Help students gather resources to learn about these systems of government. Some suggestions for resources are:
 - Gather and share information using page 103 *First Nations Governance Profile*.
 - View the websites of the local First Nations and other groups they may be members of, such as Tribal Councils.
 - Invite Elders or other knowledge-keepers to speak to the class about traditional government systems in the community.
 - Find publications, website and videos specific to the local First Nation(s).
- Have students create a way to illustrate the traditional governance with a poster, flow chart, or other graphic representation.

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

b. Comparing Types of Traditional Governance Systems

Students can explore the similarities and differences of two different systems of governance, such as one with a structured hierarchical society from the coast, and a more egalitarian society from the interior.

- Depending on reading abilities, students can read text on Blackline Masters or Backgrounders that discuss traditional First Nations societies, laws and governance.
 - Blackline Master 13, First Nations Governments, Blackline Master 13, page 117
 - Blackline Master 19, Families, Clans and the Land, Blackline Master 19, page 126
 - Blackline Master 20, Language, Story and the Land, Blackline Master 20, page 128
 - Blackline Master 21, Traditional Laws and Governance, Blackline Master 21, page 129
 - Backgrounder 2, Traditional First Nations Societies, page 237
 - Backgrounder 3, Traditional Laws and Governance, page 238
 - Backgrounder 5, Traditional Leadership, page 240.
- Discuss what differences in government systems these readings talk about.
- Ask students what might be some reasons for the differences. Ask them to think back to the geographical connections discussed in Activity 1.
- Students can explore two different First Nations to compare their governments. Help students select two First Nations.
 - For the most distinct comparisons, students could choose from two geographically distinctive areas. For example, students could pick one First Nation on the Coast, and one First Nation in the Interior or the North.
 - Ideally they will select the local First Nation as one of their choices.
 - Some students may want to choose two similar First Nations, such as Haisla on the north coast and Stó:lo on the south coast. If students have family connections or an interest in other First Nations in Canada, they could choose one BC First Nation, and one outside of BC.
- Students can research to find similarities and differences in various aspects of government, including:
 - The roles and responsibilities of the citizens and the leadership
 - How leaders are chosen
 - What different types of leaders there are
 - Words in the First Nations languages for important words and phrases such as leaders, laws, land
 - How decisions are made, such as councils, consensus decision making
 - The types of public ceremonies such as feasts and potlatches that were held.
 - Inter-tribal relationships between First Nations societies e.g. knowledge transfer, trading

- Students can create a table or poster to show the similarities and differences between the two Nations. They can present their findings to the rest of the class.
- Have students suggest reasons why there are so many differences in the types of governance among First Nations.

3. Understanding Feasts and Potlatches

Students can use a study of feasts and potlatches to examine the changes in First Nations governance over time.

A full study of feasts and potlatches is beyond the scope of this resource guide. Here the focus is on their roles in First Nations governance, and their suppression by colonial forces.

In the past, feasts, potlatches and other cultural institutions connected the social, political, legal and economic parts of First Nations societies in the past. The feast halls where they took place were like a combination of the courthouse, legislature, land registry, insurance office and bank of today.

After Confederation, the Canadian government made feasts and potlatches illegal. This had a severe impact on the governance in First Nations communities. However, feasts and potlatches have survived and today they are a significant part of social, cultural and political fabric of many First Nations.

Students can consider four major questions about feasts and potlatches:

1. What are feasts and potlatches?
2. How were they important to First Nations governments in the past?
3. How were feasts and potlatches attacked by outside forces?
4. How are feasts and potlatches practiced today?

Resources

There are many books and websites available that discuss feasts and potlatches.

Some suggested resources are:

- Backgrounder 6, *Public Witness: Feasts and Potlatches* page 241.
- Beynon, William. *Potlatch at Gitsegukla: William Beynon's 1945 Field Notebooks*. UBC Press, 2000.
- Carrier Sekani Family Services. *Culture and Diversity*. PDF booklet, 7 pages. <https://tinyurl.com/fnesc923>
- Gray, Lynda. *First Nations 101*. Adaawx Publishing 2011.
- Nelson, Nella. *Welcome Family and Friends to Our Bighouse. Kwakwaka'wakw Potlatch*. Union Bay BC: Raven Publishing 2017.
- *Living Tradition. The Kwakwaka'wakw Potlatch of the Northwest Coast*. Virtual Museum Website. <https://umistapotlatch.ca>
- Lutz, John. *Makúk*, John Sutton Lutz, UBC Press, 2008.

Backgrounders
See Backgrounder 6,
Public Witness: Feasts and Potlatches, page 241.

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- Mann, Marlaena Mann and Warner Adam, *Nowh Guna' Our Way: Carrier Culture, Knowledge and Traditions*, pages 87-98.
- "Potlatch: What I Learned as a Guest." Indigenous Corporate Training Inc. <https://tinyurl.com/fnesc925>.
- Nuxalk Nation. "Potlatch." Nuxalk Nation website. <https://tinyurl.com/fnesc926>.
- Ts'msyen Nation. *Persistence and Change*, SD 52 Prince Rupert, pages 42-44.
- Ts'msyen Nation. *Luutigim Hoon, Honouring the Salmon*, SD 52 Prince Rupert, pages 89-90.

a. What are Feasts and Potlatches?

Students build an understanding of some characteristics of feasts and potlatches.

- Determine if feasts or potlatches are practiced by First Nations communities in your region. If possible, find the traditional names for feasts or potlatches in the local First Nations language.
- If your school is in or near a First Nations community that holds feasts or potlatches, some students may be able to share their experiences or memories of attending a feast or potlatch.
 - If possible, students could meet with an Elder or knowledge-keeper who could explain the importance of the feast or potlatch to the local First Nations community. Depending on your community, they may be able to make a field trip to a feast hall.
- Provide students opportunities to learn about the purposes and the parts of a feast or potlatch using a variety of resources. See the list of Feasts and Potlatches resources above for suggested sources of information.
 - If students search online for websites and videos, use it as an opportunity for critical thinking and assessing the validity of sources. Some items that turn up are of questionable authenticity.
- Have students work in groups to outline some of the major components of a feast or potlatch, using the resources they have researched. Ideally students will be able to focus on the local First Nations communities.

b. Feasts and Potlatches in First Nations Societies

Students will examine how feasts and potlatches are connected with social, economic, political and governance aspects of First Nations societies.

- Teach or review the terms: social, economic, political, legal, governmental aspects of a society. Ask students to give examples of each from their own lives.
- Have students use a variety of resources to explore the history of feasts and potlatches: Government institutions in traditional societies; attacks by colonialism; revitalization of feasts and potlatches today.
 - Identify social, economic, political, legal, governmental features of a potlatch or feast.
 - Have students examine how the feast or potlatch serves as an important

institution of governance in many First Nations communities.

- Investigate why the Canadian government banned them, and how the banning impacted First Nations.
- Feasts and Potlatches Today. Students can find out how feasts and potlatches have survived and how they are interpreted today.

4. Impacts of Colonization

Students can examine different aspects of the impact of colonization on First Nations governance.

See also the activities about the impacts of colonization in Unit 2 for Grades 4-6, which can be adapted for grades 7 to 9.

a. Pass It On Game

Students engage in a game that may evoke emotions of being treated arbitrarily or unfairly. First Nations who faced the changing and arbitrary rules of colonization over many decades, rules over which they had little or no control.

- Play the Pass It On game to simulate an arbitrary and unfair experiences.
 - Have the class sit in a circle. Explain that they are going to play a game, but you are not going to explain the rules.
 - Choose an object to be passed from person to person, such as a pen, stapler, scissors or book.
 - Give the object to one person. Ask them to start the game by passing the selected object to the next person.
 - As soon as the object is passed, announce that the person has broken a rule. Explain what that rule is.
 - The broken rules should be simple and arbitrary. They can be about how the object was passed, who it was passed to, or passing without doing some arbitrary action or saying a code word. For example:
 - holding the object by the wrong end
 - passing with the right hand
 - giving it to someone wearing blue
 - not saying "gimme" when passing
 - Students continue to pass the object, following the rules that have been given.
 - Every so often, interrupt the flow and announce another arbitrary broken rule.
 - Continue the game until there are so many rules it breaks down.
- Have students reflect on their experiences playing the Pass It On game. Ask questions such as:
 - What are some words that describe your feelings during the game?
 - How does this game give insight to the experiences of First Nations?


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(For example, it is unfair and unjust; there is no consultation with the participants.)

b. Indian Act

Students suggest various ways that the Indian Act impacts First Nations and First Nations people.

- Ask students what they know about the Indian Act from their previous studies. Ask questions such as:
 - What is the Indian Act?
 - Who does it affect?
 - Why was it created in the first place?
 - Is it still in effect today?
- Students can read Blackline Master 22, page 131, *The Indian Act and the Indian Agent*, or for older students, Backgrounder 7, page 242, *The Indian Act*.
- Students can work in pairs or small groups to examine how the Indian Act has impacted the lives and the governments of First Nations people.
- Students can write a reflection or journal entry to record their thoughts and feelings about the fact that our country has a law like the Indian Act.


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


 Backgrounder 7, page 242, *The Indian Act*

c. Band Councils

Students can compare the Band Council system with traditional First Nations governance systems.

- Have students read Backgrounder 10, *Band Council*, page 245. They can annotate the text as they read.
- After reading, discuss using questions such as,
 - Why do you think the Canadian government imposed the Band Council system on First Nations?
 - How did the imposition of the Band Council system impact traditional governance systems?
 - In what ways did the Band Council system discriminate against First Nations?
- Students can find additional information in the article "Indian Act and Elected Chief and Band Council System," Indigenous Corporate Training, 2015. Online at <https://tinyurl.com/fnesc909>.
- Use Blackline Master 24, page 133, *Band Council Powers, 1886*, to discuss the few areas of governance that the Bands Council had control over when the Indian Act was first made law. Students can work on their own or in pairs to paraphrase or re-write the powers in their own words.
 - Have students discuss these powers in small groups. Ask questions such as:
 - Which of these powers do you think were most significant to First Nations communities?
 - Which powers do you think were most significant to the government of

 Backgrounder 10, *Band Council*, page 245


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

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Canada?


- Do any of the powers reflect the worldviews of First Nations?

- If possible, have students engage in some way with the local Band Council. For example, they could:
 - Visit the Band Council office.
 - Invite a council member or staff member to speak to the class.
 - View the First Nations website to see who the council members are and what services the Band Council provides.
- Students can find out what powers Band Councils have today. Compare them with the powers that the first Band Councils had in the 1886.
- Determine if your local First Nations community is still governed under the Indian Act, or if they exercise a form of self-government outside of the Act. Ask students to think of different ways they could find out the answer.
- Have students work individually or in small groups to compare traditional forms of governance with the Band Council. They could use Blackline Master 7, page 110, *Two Forms of First Nations Government*, as a graphic organizer.

 Blackline Master 7, page 110, *Two Forms of First Nations Government*

Formative Assessment Strategy

Use the activity on Blackline Master 7 to assess students' understanding of traditional and contemporary First Nations governance models.

 Backgrounder 9, *Citizenship*, page 244

d. Citizenship and Status

Students will examine how the Indian Act has impacted First Nation people's citizenship and the concept of "Indian status."

- Have students read Backgrounder 9, *Citizenship* to find out what is meant by "Indian Status."
 - Students can learn more about Indian Status at the Indigenous Foundations website, <https://tinyurl.com/fnesc910>.
- Discuss the impact that the Indian Act's membership rules had on families and communities.
- Point out that the Indian Act is based on paternalistic worldviews. Ask students how its rules have affected First Nations communities which are based on matrilineal inheritance, or which value the role of matriarchs in their governance system.
- Have students investigate the Membership Rules or Code of a local First Nations community. Many community websites post their membership codes.
- Students can investigate deeper into the impacts of the Indian Act on women, and the discrimination they faced around their citizenship and status.
 - Recent court cases have confirmed this discrimination and directed the Canadian government to change the Act to remove this discrimination.
 - For more information, see *21 Things You May Not Know About the Indian Act*, especially pages 19 to 23.
 - Another resource related to Bill C31 is the article at the Indigenous Corporate Training site, "Indian Act and Women's Status Discrimination via Bill C31 and Bill C3." Online at <https://bit.ly/2nASBtt>.
- Students can create a time line of changes to citizenship from a First Nations

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perspective.

- Have students reflect on the idea of citizenship. Ask them what citizenship means personally to them. How might other people living in Canada have different ideas about citizenship? Is citizenship important?
 - Ask students how they would describe their identity. Is this the same as governments might identify them?


e. Lands and Resources


Students will examine how colonization has affected First Nations governance of their lands and resources, and how this is changing today.

- Review with students how traditional First Nations government systems managed the lands and resources in their territories. Ask how groups such as families and clans were used to govern the land. If they haven't already read it, students can read Backgrounder 2, *Traditional First Nations Societies*, page 237.
- Review or teach how the Indian Reserve system impacted First Nations control of their traditional territories. Students can read Backgrounder 8, *Indian Reserves*, page 243.
 - For more activities about reserves, see Unit 2, Activity 4c, page 62.
- Students can read Blackline Master 25, page 135, *Changes to Control of Lands and Resources* to find out how First Nations lost access to their resources.
- Have students track the changes in who benefits from the resources over time.
 - Students could pick one resource, such as salmon, gold, forests or moose and create a diagram or illustration to show how the benefits have changed.
 - Students can compare the benefits for three groups: First Nations before contact; newcomers or settlers; contemporary First Nations communities.
- Have students research one or more landmark court cases that have clarified through Canadian law the relationship between First Nations and their lands and resources. In particular, students could examine the *Tsilhqot'in Nation v. British Columbia*, [2014] and the *Haida Nation v. British Columbia (Minister of Forests)*, [2004]
 - For a list of significant Supreme Court of Canada cases, see "Supreme Court Cases of Canada cases involving Indigenous peoples," Simon Fraser University Library website, at <https://bit.ly/2V5Gt1v>
- Students can study the website of local First Nations communities to find out how they are managing and governing their lands and resources today.

 Blackline Master 25, page 135, *Changes to Control of Lands and Resources*

5. Rebuilding Self-Government

 **Backgrounder**
 For information see
 Backgrounder 11, Self
 Government, page 246.

 **Video**
*People of the Grizzly:
 Government by the People*
<https://vimeo.com/21621109>


Students build an understanding of how and why First Nations are becoming increasingly self-governing again and resuming control over lands, resources and their own lives.

a. Kitselas Case Study

- Students can view the video *People of the Grizzly: Government by the People*. (21 min 47 sec. 2011.)
 - This video was produced by the Kitselas First Nations for its community, but it gives an overview of the history and goals of self-governance. It also highlights the differences between the Nisga'a Lisiims government and the Westbank First Nation self-government.
 - Ask students to watch the video to learn the Kitselas leadership's views on the importance of self-government for their community.
- Students can use the 4-2-1 strategy to reflect on the ideas in the video *People of the Grizzly: Government by the People*.
 - Ask students to think of 4 words or phrases that tell about the most important ideas in the video.
 - Students then share their words with a partner or a small group. They identify words or phrases that two or more people thought of.
 - From the list of words they have in common, students choose 2 words or phrases that they agree are the most important to explain the ideas in the video.
 - Then students decide on 1 word or phrase that best represents the most important idea or learning that they took away from the video.
 - Students can share their lists with the rest of the class. Discuss how the words and phrases connect with the ideas in the video.

b. Core Institutions of Governance

- Introduce or review four core institutions of governance.
- It should be noted that these are English terms. Generally speaking, First Nations have highly complex systems and language to describe those systems. Many of their Indigenous words cannot be translated directly into English.
- The four core institutions are:
 - Constitution
 - Governing Structures
 - Law Making Authority
 - Citizenship
- Students can use Blackline Master 32, page 143, *Core Institutions of Governance* to organize their understandings about the core institutions.
- Have students examine examples of constitutions of BC First Nations that are exercising self-government. Students can find the constitutions on the

 Blackline Master 32,
 page 143, *Core
 Institutions of Governance*

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websites of the First Nations:

- Nisga'a Nation
- shishálh Nation
- Westbank First Nation
- Tsawwassen First Nation
- Maa-nulth Treaty First Nations: each Nation in this treaty has its own constitution:
 - Huu-ay-aht First Nations
 - Ka:'yu:'k'í'h/Che:k:tes7et'h' First Nations
 - Toquaht Nation
 - Uchucklesaht Tribe
 - Ucluelet First Nation
- Tla'amin Nation
- Have students work in groups to examine one of the constitutions to see how the other core institutions (Governing Structures, Law Making Authority, and Citizenship) are described.
 - Ask them to create a graphic representation that outlines these core institutions.
- Students can identify parts of the constitution that relate to important topics to the First Nation, such as:
 - Lands and resources.
 - Traditional governance
 - Relationships with other governments
 - Statements of values and goals of the Nation
- Ask students to consider how a self-governing First Nation with their own constitution is different from a Band Council government under the Indian Act.

c. Rebuilding and Strengthening Self-Government

Students identify different ways that First Nations are working to rebuild and strengthen their systems of self-government.

- Ask students to study Blackline Master 31, page 142, *Building Strong First Nations Governments* and Blackline Master 34, page 147, *Moving Forward to Self-Government* to find out three ways that First Nations communities are taking steps to increasingly exercise self-government.
- Explore with students ways that self-government is used in BC First Nations communities. They can research examples of how self-government is being put into practice, including at the Nation level and at the community level. For example:
 - Identifying and entrenching traditional laws
 - Self-government under a treaty
 - Self-government under sectoral agreements
 - Working together in tribal associations

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- Provincial bodies, including health (First Nations Health Authority) and education (First Nations Education Authority).

d. How Will Self-Governance Affect First Nations People?

Students will explore ways that self-government impacts the lives of First Nations people now and in the future.

- Ask students to consider the question, Why is self-government important to First Nations?
 - Have them work in groups to find quotes or statements from a variety of First Nations people that give different answers to the question.
- The groups can present their quotes or statements to the class. Then students can summarize the main reasons they found.
- Have students compare traditional laws and governance with new forms of self-governance.
 - Find examples of ways that First Nations are adapting ancestral laws and governance to modern day self-government.
 - Discuss why Nations would not just use the old systems in today's world.

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>

The inclusion of the BC Ministry of Education Learning Standards for Social Studies in this Teacher Resource Guide does not indicate an endorsement of those Learning Standards as adequate or accurate in how the various concepts are represented.

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., <i>Delgamuukw v. B.C.</i> , 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. <i>Calder</i> 1973; <i>Guerin</i> 1984; <i>Sparrow</i> 1990; <i>Van der Peet</i> 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?

First Nations Governance Profile

First Nation: (There may be many spellings of the First Nation. It is respectful to use the preferred name as identified by the First Nation.)

Community Name (Some communities have the proper name in the local language and also have an English name.)

Acknowledgement

Location

Nation or Tribal Council affiliation

First Nations Language or Languages spoken

Words About Governance in the First Nations language

land or territories:

laws:

oral histories:

chief and other leadership titles:

Traditional Government

Names of people who hold positions of Chiefs, Matriarchs and other leaders

Current Form of Government

Is the local government a Band Council, a Treaty or Self-governing body, or another form of government?

Names of elected leaders and council members.

Blackline Master 2

Who Decides?

Who makes decisions in your life?

Write your ideas beside each decision.

Then think of two more decisions your family makes.

Decision	Adults	Kids
When to go to bed		
What to wear to school		
What to watch on TV		
What to eat for lunch		

Leaders

Here are some different types of leaders.
What group do these leaders make decisions for?

Band Council Chief

Brownie Leader

Coach

Hereditary Chief

Mayor

Premier

Prime Minister

School Principal

Ship Captain

Teacher

Team Captain

Leaders

Here are some different types of leaders.
What group do these leaders make decisions for?

Band Council Chief

First Nations community; local Band or Community

Brownie Leader

Brownies in the Brownie pack

Coach

A sports team

Hereditary Chief

A First Nations family, clan or community

Mayor

A town or city

Premier

A province such as British Columbia

Prime Minister

Some countries such as Canada and Australia.

School Principal

The teachers, staff and students in the school

Ship Captain

All the people who work on a ship

Teacher

Students

Team Captain

Sports team

What is a Government?

Have you heard of the word GOVERNMENT?
What is a government? Use these questions to help you find out.

What is an example of a government?

What kind of work does this government do?

Where does this government do its work?

Finish the sentence frames

A government makes _____

A government is not _____

A government is _____

On the back of this page, draw a picture to show something about what a government does.

Government Word Sort

vote	hospital	leader
laws	citizen	roads
decide	land	council

First Nations Community Pocket Chart Labels

Use these labels for pocket chart discussions

Traditional Territory

Community Location

Community Names

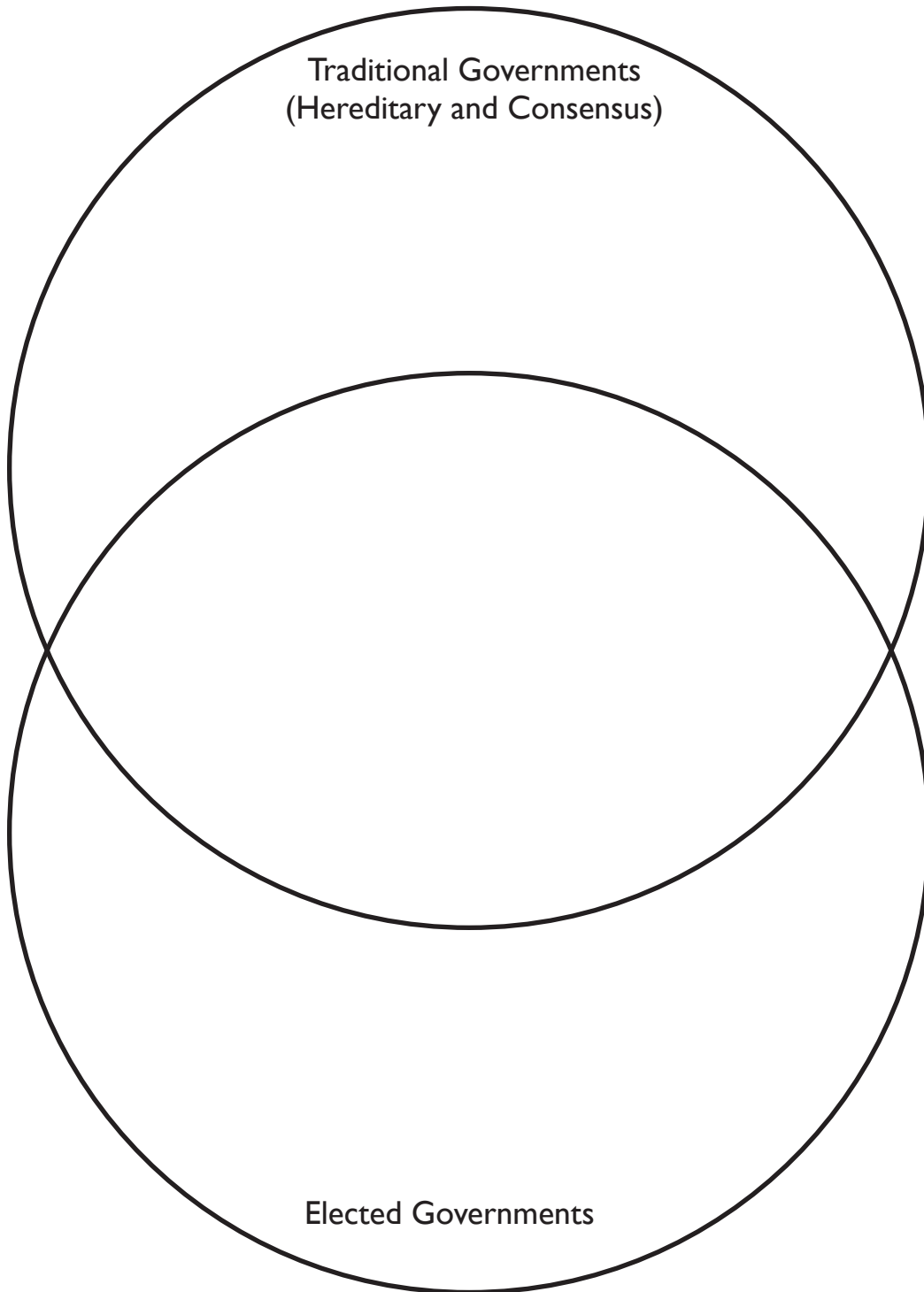
First Nations Name

Nation

First Nations Language

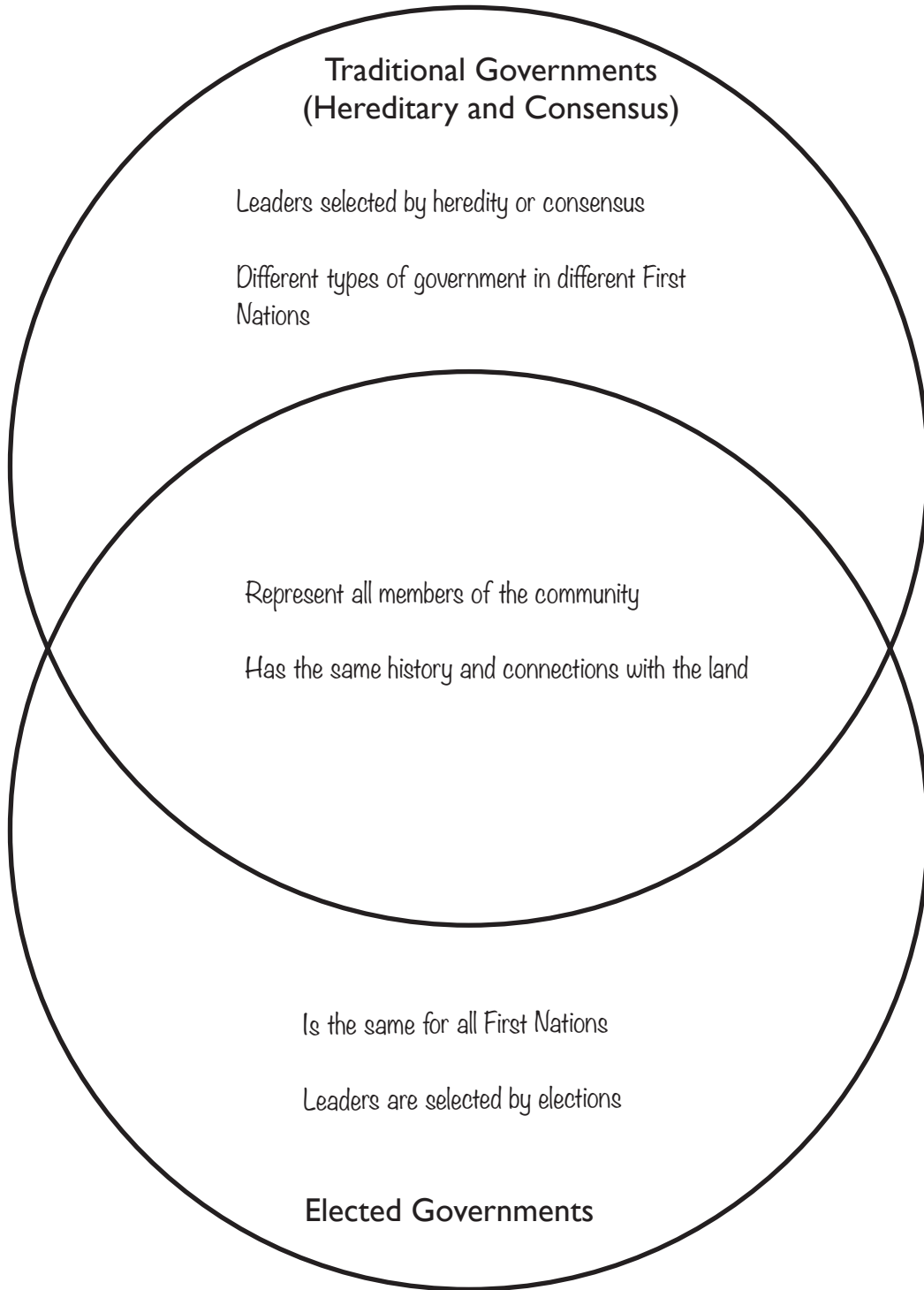
Two Forms of First Nations Government

Think about the two types of First Nations governments.
How are they the same and how are they different?
Record your ideas in the circles.

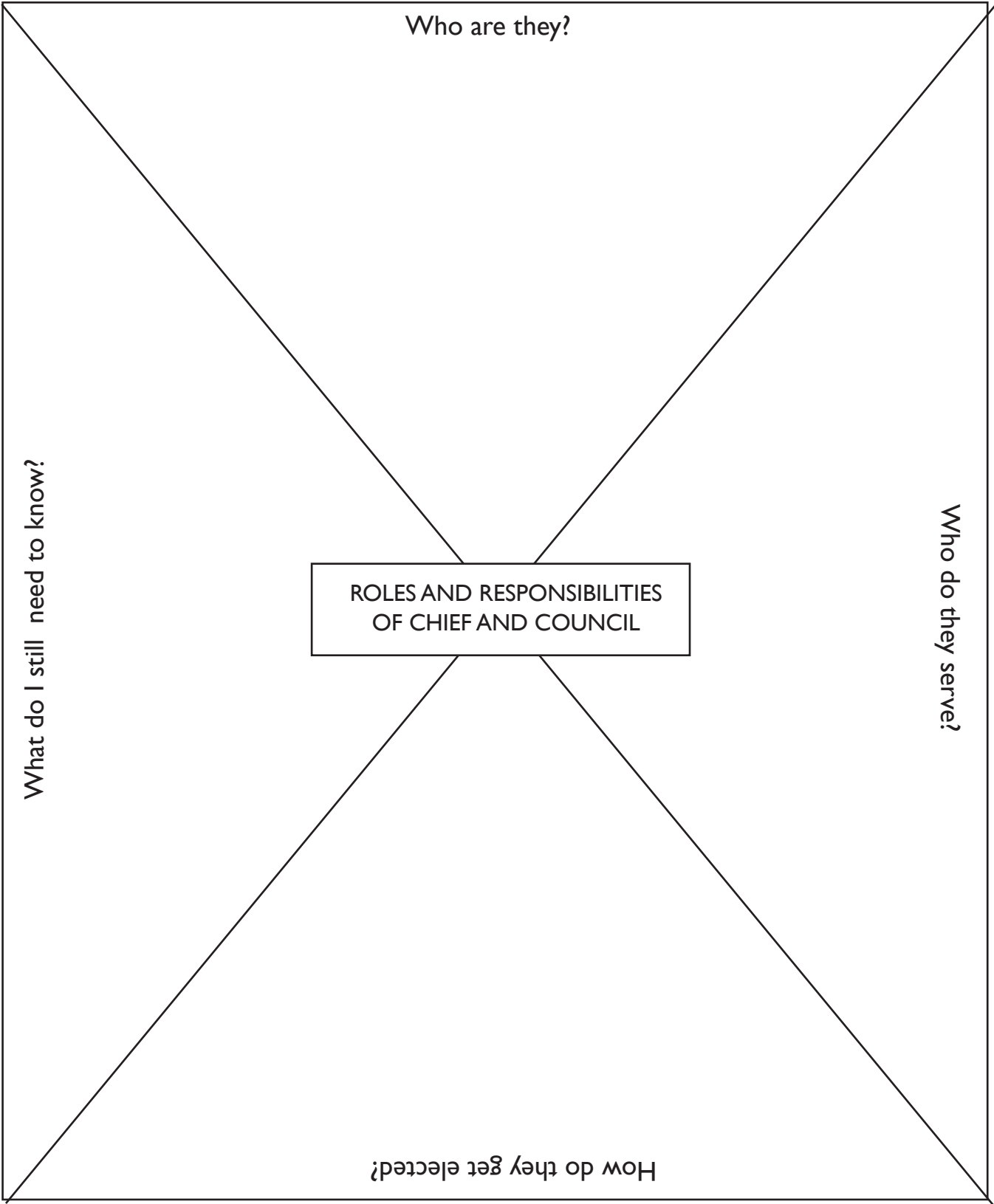


Two Forms of Government

Think about the two types of First Nations governments.
How are they the same and how are they different?
Record your ideas in the circles.



Band Council Placemat Activity



The Land is Important Because...

Think about why the land is important.
Finish these sentences.

The Land is important because it gives us

The Land is important because it helps us to

The Land is important because it makes me feel.....

The Land is important because it connects me with

The Land is important because it protects

First Nations Laws and the Land

First Nations had governments in the past.
They have governments today.
First Nations have always had governments.

They follow traditional laws.
The laws were followed in the past.
They are still followed today.
The laws are unwritten.
They are passed down orally.

The laws tell how to take care of the land.
They tell how to treat animals.
They tell how to treat each other.

Here are some laws about the land:

- Thank the plants and animals when you take them.
- Only take what you need.
- Share your food with others.
- Only take food from your own land.

Traditional Governments

First Nations people have always governed themselves. Each First Nation has its own way of organizing.

Leaders are often called Chiefs in English. There are special words for leaders in every First Nations language. What is the name for “Chief” or “leader” where you live?

How are leaders picked?

Sometimes the new Chief is born into the role. This is called a **hereditary** leader. Some First Nations follow the mother’s side of the family. Other First Nations follow the father’s side of the family.

Sometimes everyone in the community picks the new Chief. They all agree on who is best to be the leader. This is called **consensus**.

Chiefs have people who help them make decisions. These people make a council. The council has Elders, family leaders, and Clan leaders.

Often First Nations had feasts and potlatches. They were very important for First Nations government. Everyone could see, hear and remember the business that took place in the feast hall.

Elected Governments

About 150 years ago Canada made a new law. It was only for First Nations people. It was called the Indian Act.

First Nations people were treated differently than other people under the Indian Act. Feasts and potlatches were against the law.

First Nations people were forced to have a new kind of government. It was called the Band Council.

Band Council leaders are picked in a new way. They are not born into the job. They are not picked by consensus.

Now the leaders are elected. People vote for the leader they want. The one with the most votes wins.

The Chief Councillor is the leader of the Band Council. Other people are elected to be councillors.

Many First Nations still have a Band Council. But some First Nations have a newer kind of government. Some First Nations have signed a treaty.

This takes them out of the Indian Act. First Nations with a treaty have control of their own lands and people.

The leaders under a treaty government are usually elected.

First Nations Governments

Today many First Nations have more than one system of government. There are traditional governments and there are elected governments. They are two different ways of looking after the community.

Traditional Governments

Traditional governments are the governments of First Nations' ancestors. These governments took care of First Nations people for thousands of years.

The traditional leaders are often called Chiefs in English. Each community has a name for leaders in their own language.

In some First Nations leaders are hereditary. That means a new Chief is related to the old Chief's family. In the past, chiefs were often men.

Some First Nations hereditary systems follow the mother's side of the family. This is called matrilineal.

Other First Nations follow the father's side of the family. This is called patrilineal.

Some First Nations have other ways of choosing their traditional leaders. In these First Nations the people pick their leaders. They all agree on who is best to be the leader. This is called consensus.

Some traditional governments have councils who help make decisions. The council is made up of leaders and Elders from families and Clans in the community.

Important acts of First Nations government take place at public ceremonies where guests witness and approve the business that takes place. These are sometimes called feasts or potlatches. However, every First Nation has words in its language for these public ceremonies.

Elected Government

Elected First Nations governments started after Canada became a country. The Indian Act forced First Nations to make a new type of government. All First Nations had to have the same form of government, called a Band Council. Today many First Nations still operate under Band Councils.

Band members vote on who will be their Chief and Council. The Chief Councillor is the leader of the Band Council. Chief and Council make decisions for the community.

Some First Nations have a newer kind of government. These are Nations who have signed a treaty or a self-government agreement with Canada and British Columbia governments.

In treaty governments, the leaders are elected.

Working Together

The traditional leaders and the elected leaders often work together to govern their community. Together they look after the people. They look after the land in their traditional territory.

They keep their cultures and languages alive. They bring jobs to the community. They fix the roads. They look after the water that people drink.

They make sure their people stay healthy.

Contemporary Forms of First Nations Government

Explain these forms of governance in a First Nations community.
Find examples of communities where these forms operate.

1. Traditional Systems: Consensus-based or Hereditary

2. Band Councils

3. Self-Government Agreements

4. Treaty-Based Governments

5. Tribal Councils or Other Regional Governments

Blackline Master 14 SAMPLE RESPONSES

Contemporary Forms of First Nations Government

Explain the differences between these forms of governance in a First Nations community. Find examples of communities where these forms operate.

1. Ancestral Systems: Consensual or Hereditary

Consensual: The family, Clan or community agrees on the best person for the jobs of different types of leaders

Hereditary: The leadership is inherited from the mother's or father's side of the family.

e.g. most coastal First Nations are hereditary.

Secwepemc is mostly by consensus, but sometimes hereditary played a role in the selection of leaders.

2. Band Councils

Form of local government for First Nations under the Indian Act

Most BC First Nations have Band Councils

3. Self-Government Agreements

Negotiated agreements between a First Nations and federal and provincial governments that define powers and responsibilities for self-government. This includes treaties and other agreements.

In BC, Sechelt and Westbank First Nations have Self-Government Agreements that are not treaties.

4. Treaty-Based Governments

In BC the First Nations that have treaty governments are the Nisga'a (2000), Tsawwassen (2009), Maa-nulth (2011) and Tla'amin (2016). The Yale First Nations Final Agreement has been signed but has not been put into effect as of July 2019. [Note: these are dates when the treaties became effective, not signed.]

5. Tribal Councils or Other Regional Governments

Tribal Councils are formed of related First Nations who work together to govern their nation as a whole.

For example, the Council of the Haida Nation and the Carrier Sekani Tribal Council. There are other organizations at the provincial level that support all First Nations in BC, such as the First Nations Summit and the Union of BC Indian Chiefs.

Traditional Government Sentences

Chief	family	land
Hereditary	Elder	share
consensus	oral tradition	Matriarch

Blackline Master 16
Land and Culture

What I was told from an Elder at one time,
First there needs to be land.
When there is land it allows people to be there.
When there is land and people then it becomes a culture;
A culture forms out of that.
When you have land, people and culture,
You'll need a way of governing yourself.

Source: Ray Warden, Ktunaxa Nation
Ktunaxa Nation: Building From Their Vision.
Centre for First Nations Governance 2012.

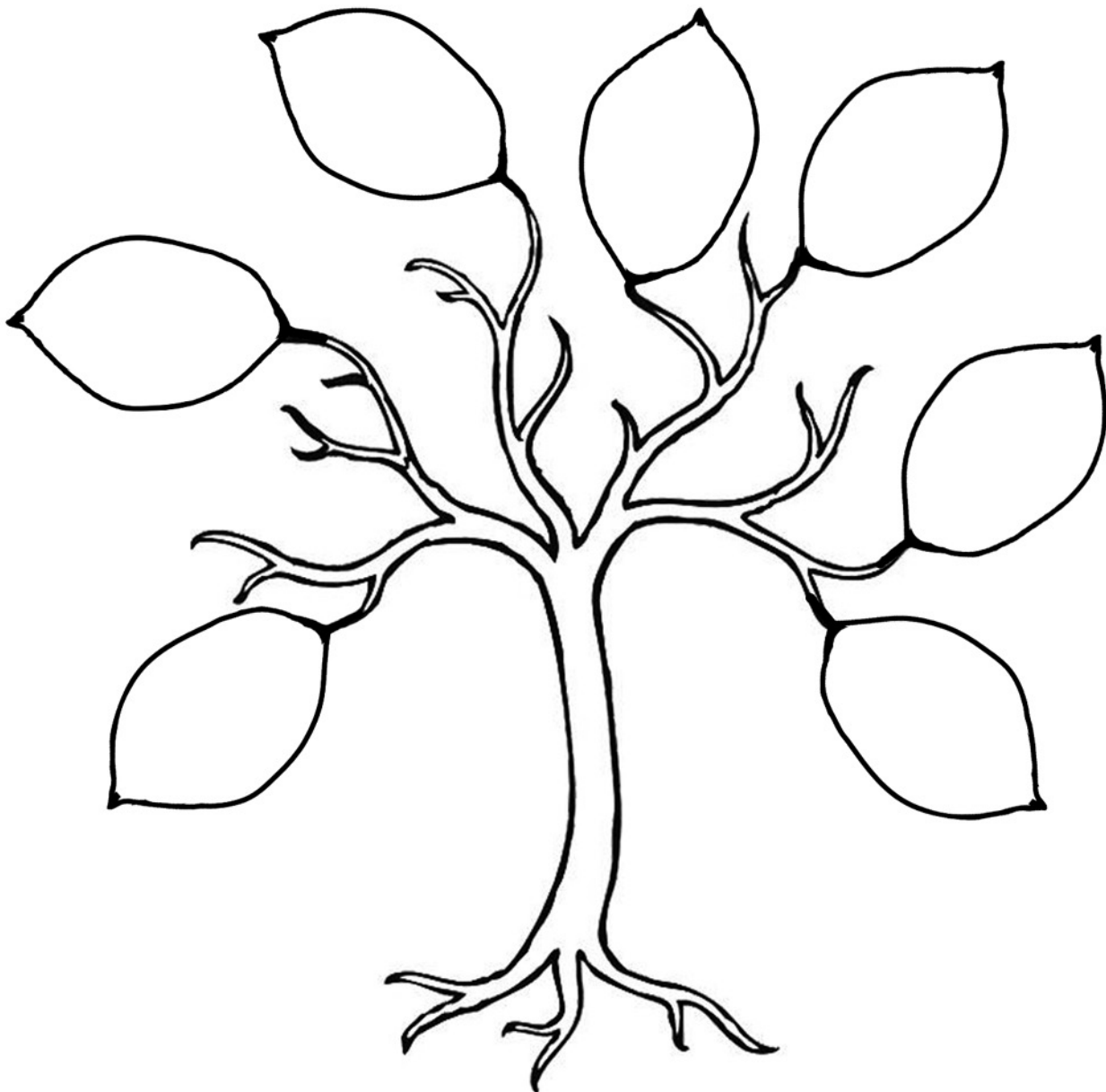
Culture Tree

What makes a culture? Create a culture tree. Put the name of the culture on the trunk of the tree.

Put words or pictures that show different features of the culture in the leaves.

Add more leaves if you need to.

Put words that show where the culture comes from around the roots.



Blackline Master 17: SAMPLE RESPONSES

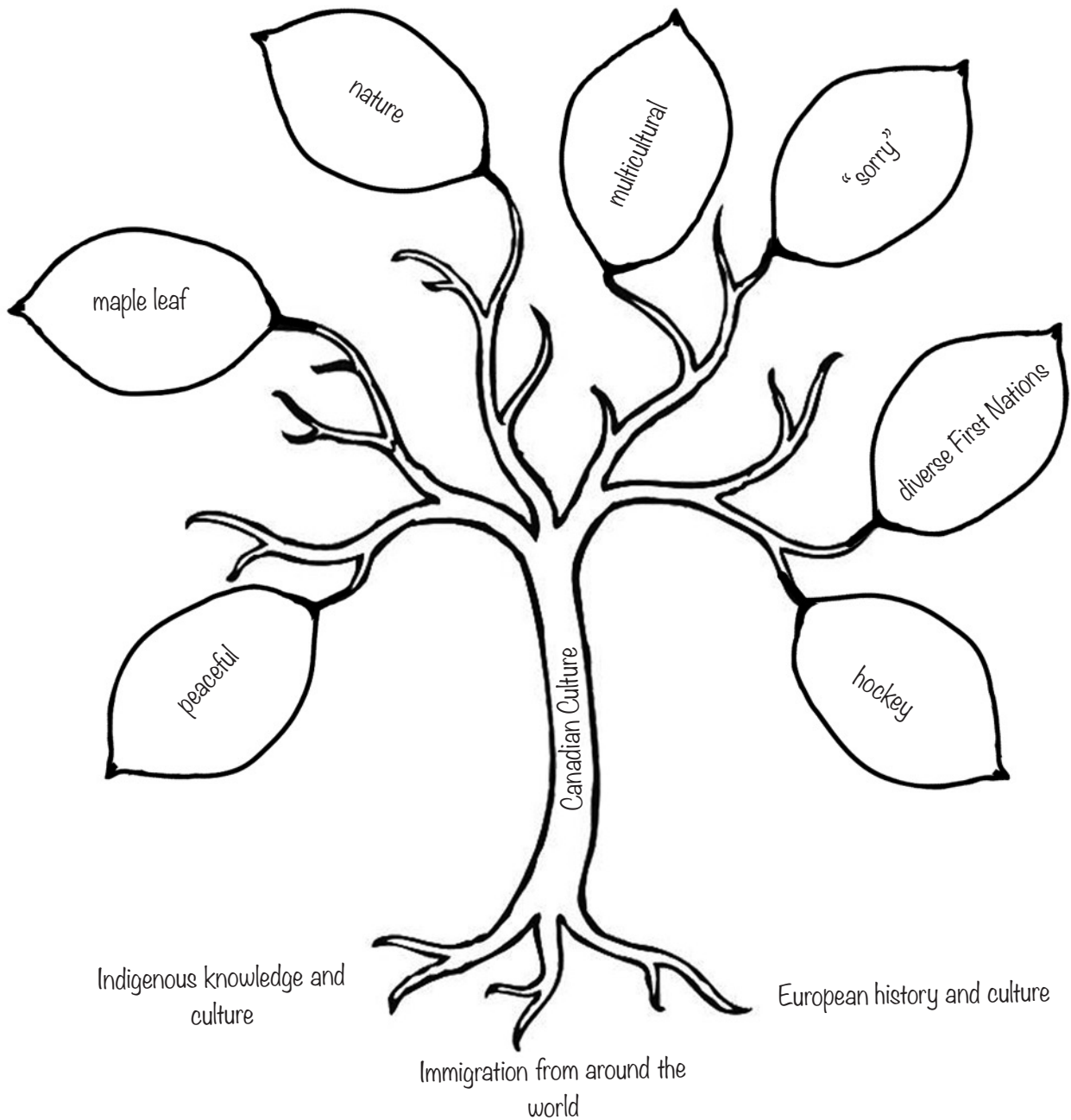
Culture Tree

What makes a culture? Create a culture tree. Put the name of the culture on the trunk of the tree.

Put words or pictures that show different features of the culture in the leaves.

Add more leaves if you need to.

Put words that show where the culture comes from around the roots.



Blackline Master 18

Stewardship Acrostic

Find words, phrases or sentences that start with each letter and tell something about stewardship.

S

T

E

W

A

R

D

S

H

I

P

Stewardship Acrostic

Find words, phrases or sentences that start with each letter and tell something about stewardship.

Sharing the land

Territories

Elders give advice about how to care for the land

Water

Action

Responsibility to care for the land

Diversity of nature must be sustained

Seven generations

Healthy and sustainable environment

I play a role in stewardship

Plants and animals are gifts to take care of

Families, Clans and the Land

There are many different First Nations in British Columbia, so there are many different perspectives on land use and stewardship. But they all share one big idea: The land belongs to a group of people, not to an individual.

Families

First Nations cultures are built on the family. They included many generations: parents and children, aunts and uncles, grandparents and great grandparents. In the past the family always stayed together. They lived together and they worked together. They moved from place to place to harvest, hunt and fish. They followed the patterns of the seasons.

Each family had its own land to get the food and resources it needed. Families depended on their lands to survive. They were stewards of their own lands, so they followed laws to take care of their land.

House Groups

A House Group is like a very large family. In some First Nations the House Group is the main way people organize themselves. In winter they often lived together in one house. That is why large families are called House Groups in some First Nations.

Clans

Some First Nations have a Clan system. Clans are like big extended families. All the people in a clan are related. Each Nation that has Clans has a special word in its language for Clan.

In some First Nations a Clan is related on the mother's side of the family. This is called Matrilineal.

Some Clans are related on the father's side of the family. This is called Patrilineal.

Clans take their name from nature. Most Clans are named for animals, like Raven, Bear or Wolf. A few are named for plants like Fireweed or names from the sky, like Sun.

Families, Clans and the Land

In some First Nations, the Clans have their own territories. It is the Clans who are stewards of the land.

Remember that there are many First Nations in BC. Some of them have Clans, and some do not. Are there Clans where you live?

Community Stewardship

In some First Nations, the territories were not divided by family, House Group or Clan stewardship. For some, all the families or groups in the community shared everything in their territories. Everyone shared in the responsibility of caring for the land.

Types of Land Use

Here are some types of sites that could be taken care of by different groups:

- Fishing sites
- Berry picking sites
- Plant harvesting sites
- Hunting grounds
- Traps

From a First Nations perspective, land ownership comes with a responsibility. The group that harvests the resources from the land must take care of the land.

The group that owns the territories are the stewards of the land. This responsibility makes sure the resources will last for future generations.

Language, Story and the Land

Every First Nation has stories that connect their people with the land. Sometimes the stories are held by an extended family. Sometimes the stories are held by a Clan. Sometimes the stories are held by the whole village. Usually, only the group who has rights to the stories can tell them.

These are origin stories that go back to the beginning of time. Often they tell about how animals or other beings helped humans find their place on the land.

The stories are part of the oral tradition that passed on First Nations history for thousands of years. The stories confirm a Nation's ownership of its territories.

In the past, each First Nations told its own stories in its own language. The language is important because it has its own way of putting ideas into words.

These important stories are passed on in many ways. They may be told to children by an Elder. They are often presented at public ceremonies. Performers from the family or clan present the story in song and dance.

Families or clans have special crests that are connected with their stories. Only the family or clan members are allowed to display the crests. The crests can be worn on special regalia used for dancing. They can be shown on special masks that show creatures from the story.

Ancestral Laws and Governance

For First Nations people in the past, governance was a part of everyday life. It connected with family life, with cultural, spiritual and economic life.

The laws and protocols that governed people were not written down. They were taught and passed on through everyday practice and the oral tradition.

In the past, First Nations laws fit into daily life in three main ways:

- Laws for the Land and Resources
- Laws for people in communities getting along together
- Laws for dealing with other First Nations

Laws for the Land and Resources

First Nations laws and protocols make sure people respect the resources when they harvest them.

- Thank the plants and animals when you take them for food or other uses. People may give gifts to the land, such as tobacco or a piece of food. People also may give blessings or say words of thanks before harvesting.
- Follow special protocols and practices. Most First Nations have their own ceremonies when they harvest different resources. Many people hold a First Salmon ceremony to honour the first salmon of the season. Others have First Plant ceremonies
- Be trained before you harvest resources. People should understand the most respectful ways to hunt, fish and harvest plants.
- Only take what you need. This law makes sure there is enough food for the future. It makes sure people use the land and resources sustainably.
- Only take food from your own territories. People are stewards of their own territories. They are responsible for looking after their lands. Sometimes people share their territories if they have plenty of resources.

Laws for Living Together

First Nations laws help people live together in communities. They can solve conflicts between people. They make sure the community works together.

- Community Consensus. Often in the past, important decisions were made by the whole community. Everyone got together to discuss the problem. They talked about it and came to a decision by consensus. Sometimes if it was a family problem, the whole family would make a decision.
- Responsibilities to the family, clan and community. Each person has a role they are expected to play to help make the community work.

Ancestral Laws and Governance

- Elders have a special role in the family and community. Elders give advice when families or communities make decisions.
- Leaders and authority. Each First Nations has its own laws about who will be their leaders. The laws confirm who has authority over different areas of daily life.

Laws for Dealing With Other First Nations

In the past First Nations respected each other's territories.

They recognized that other Nations had their own laws and their own territories. They recognized each other's independence.

People usually did not enter another Nation's territories without permission. Usually there were ceremonies held or gifts were given.

Like any society of people, the laws did not always work.

Some people did things that were against the laws of their family or community. Sometimes Elders would talk with them and give them advice. Sometimes if their actions were very serious, a person could be banished from the village.

Sometimes in the past conflict broke out between two First Nations. They could be at war with each other. Often after a period of war, the Nations made peace and created a Peace Treaty.

The Indian Act and the Indian Agent

The Indian Act is a group of laws that only apply to First Nations people in Canada. The Indian Act was written by the Government of Canada. First Nations did not take part in making the laws. The Indian Act became law in 1876.

The Indian Act controlled every part of life for First Nations. It told them where to live. It told them what kind of government to have. It told them where to go to school. It decided who could be an “Indian” and who could not be an “Indian.”

The Indian Act took away many things from First Nations people. They were not allowed to buy or sell land. They were forbidden to hold potlatches. They were forbidden to dance and wear masks in traditional ceremonies. Sometimes they were even forbidden to leave their community.

One thing the Indian Act does not do: it does not talk about Indigenous Rights and Title. It does nothing to settle land claims in British Columbia.

When it became law many people were hired to make sure the Indian Act was followed. The Canadian Government created the Department of Indian Affairs. It divided the province into regions called Agencies.

Each Agency had a man who was responsible for the First Nations who lived there. He was called the Indian Agent. He held a great deal of power over the lives of people in his Agency. He had to approve every decision the First Nations government made.

The Indian Act has been changed over the years. Some of the laws like the one banning the potlatch are gone. But the Indian Act is still in effect today.

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.

– John A Macdonald, 1887

Indian Act Word Sorter

These are all words and phrases that relate to the Indian Act and its impact on First Nations. Cut out the words and phrases and sort them in a way that makes sense to you. Explain your sorting to a partner. Are there other ways you can sort them?

Indigenous Rights and Title	loss
Potlatch banned	government
Indian Agent	Band Council
power	money
laws	land
Indian Residential School	identity
assimilation	illegal

Band Council Powers, 1886

Band Councils had very limited powers under the Indian Act. Below, on the left, are the specific areas of jurisdiction granted Band Councils in early versions of the Indian Act. In the right-hand column, paraphrase the Indian Act legal text.

Indian Act	Paraphrase
The care of the public health	
The observance of order and decorum at assemblies of the Indians in general council, or on other occasions;	
The repression of intemperance and profligacy	
The prevention of trespass by cattle	
The maintenance of roads, bridges, ditches and fences	
The construction and repair of school houses, council houses and other Indian public buildings	
The establishment of pounds and the appointment of pound-keepers	
The locating of the land in their reserves, and the establishment of a register of such locations	

Blackline Master 24 SAMPLE RESPONSES

Band Council Powers, 1886

Band Councils had very limited powers under the Indian Act. Below, on the left, are the specific areas of jurisdiction granted Band Councils in early versions of the Indian Act. In the right-hand column, paraphrase the Indian Act legal text.

Indian Act	Paraphrase
The care of the public health	Making rules to make sure people stay healthy
The observance of order and decorum at assemblies of the Indians in general council, or on other occasions	Policing community members at gatherings
The repression of intemperance and profligacy	Controlling drinking and wasteful or immoral behaviour
The prevention of trespass by cattle	Keeping cattle from going off reserve onto settler's land
The maintenance of roads, bridges, ditches and fences	Public works: roads, bridges and fences
The construction and repair of school houses, council houses and other Indian public buildings	Public works: public buildings
The establishment of pounds and the appointment of pound-keepers	Controlling dogs
The locating of the land in their reserves, and the establishment of a register of such locations	Make rules controlling lots on the reserve

Changes to Control of Lands and Resources

Before settlers came to what we now call British Columbia, First Nations governed their own lands. Nations, families, clans and villages looked after their territories for thousands of years.

The forests on the land, the fish in the waters, all the resources were under their control. The value and wealth of the resources belonged to each group.

But that all changed when the newcomers arrived.

Fur Trade

The fur traders were only interested furs. They had the power of money and guns. But they didn't have the power of government.

First Nations were the hunters and trappers. They had the power of controlling the fur supplies. Fur traders depended on First Nations for their business. At first, First Nations and fur traders were equal partners in the fur trade.

Colonial Government

Then Britain turned the land into a colony. British Columbia was governed from Britain. First Nations governments were mostly ignored.

At first it didn't seem so bad when settlers came. Some First Nations would work for money. First Nations still had their territories. They got value from their resources as they had always done. They still followed their traditional forms of governments.

When more colonists came, however, the two governments clashed. They looked at the land differently.

The colonists wanted land, and decided that the land they saw did not belong to anyone. They felt they could take what they wanted. They didn't understand that First Nations had always looked after the land.

The British government ordered that treaties be made with First Nations to gain access to their lands and resources. In BC, Governor Douglas made a few treaties.

Mostly, settlers took the land they wanted. The British government put the settlers before the First Nations. Over time, the control of lands and resources was taken from First Nations.

At the same time, diseases brought by settlers killed many, many First Nations people. Small pox and the flu broke up families, clans and villages. First Nations lost many of their members, including Chiefs Elders and young people.

Government of Canada

In 1867 Canada became a country. In 1871 what is now called British Columbia joined the country. Powers were split between Canada and British Columbia.

Canada took control of the lives of all First Nations. They government made the Indian Act. It had many laws that discriminated against First Nations.

Changes to Control of Lands and Resources

First Nations people were pushed off their lands. They had to live in small areas called Reserves. Their traditional governments were ignored. Important ceremonies became against the law. The Indian Act told them how to run their government.

Traditional ways were out. The new and unfamiliar “Indian Band” was in.

People did not make decisions by consensus or in the old ways anymore. Instead, they voted and the most votes won. The leaders were now called the “Band Council,” with a Chief and Councillors elected in.

But their votes didn’t count for much. The Indian Agent and the Canadian government made most of the decisions.

Government of British Columbia

When Canada became a country, the provinces took one big power. They took control of the land and its resources.

This led to a problem for First Nations. British Columbia assumed it owned all the land and resources. It didn’t want to give them away.

The provincial government denied that First Nations had any rights. They refused to make treaties with First Nations. They gave up only small pieces of land for Reserves.

The Province sold some of the land to settlers. It kept the rest of the land. It used and made money off the resources. The province took the value of the land away from First Nations and kept it.

First Nations Communities

First Nations communities watched as other people made money from their resources. They saw people cut down the trees from their lands and make a profit. They saw people catch fish from their waters and make a profit. They saw people dig minerals from their mountains and make a profit. First Nations received nothing.

First Nations had many losses: loss of government, loss of land, loss of people through disease, loss of control of their resources.

But one thing they did not lose was their connection to their lands, resources and territories.

For the last 150 years, BC First Nations communities have stood by their Indigenous Rights and Title. They have continued to call for the outstanding Land Question to be settled.

This means that federal and provincial governments need to recognize Indigenous Rights and Title as the inherent right as the First Peoples of the land (a part of reconciliation)

Today, changes are finally happening. First Nations are getting back some control of their lands and resources. Some reconciliation is taking place through treaties. First Nations are increasingly sharing in the value of their land and resources.

Blackline Master 26

Geographical Features

What connections can you find between the natural geographical features of your region and the local First Nations society?

1. Landforms

2. Bodies of water

3. Geology (What kinds of rocks and soil are we living on?)

3. Latitude (how far north are we?)

4. Altitude (how high above sea level are we?)

5. Climate

6. Ecosystems

BC Tribal Councils and First Nations Alliances

Carrier-Chilcotin Tribal Council
Carrier Sekani Tribal Council
Coastal First Nations
Deh Cho First Nations
Gitxsan; Office of the Hereditary Chiefs of the Gitxsan
Haida: Council of the Haida Nation
Kaska Dena Council
Ktunaxa Nation
Kwakiutl District Council
Laich-Kwil-Tach Treaty Society
Lillooet Tribal Council (a.k.a. St'at'imc Nation)
Lower St'atl'imx Tribal Council
Musgamagw Dzawada'enuxw Tribal Council
Nanwakolas Council
Naut'sa mawt Tribal Council (Coast Salish - around Georgia Strait)
Nicola Tribal Association (Nlaka'pamux and Okanagan)
Nlaka'pamux Nation Tribal Council
Northern Shuswap Tribal Council
Nuu-chah-nulth Tribal Council
Okanagan Nation Alliance
Shuswap Nation Tribal Council
Southern Dakelh Nations Alliance
St'at'imc Chiefs Council
Stó:lo Nation
Stó:lo Tribal Council
Sto:lo Xwexwilmexw Treaty Association
Tahltan Central Government
Treaty 8 Tribal Association (Peace Country-Fort Nelson)
Tsilhqot'in National Government
Tsimshian First Nations Treaty Society
Wet'suwet'en: Office of the Wet'suwet'en Society
Wuikinuxv Kitasoo Nuxalk Tribal Council

Self-Government Agreements in BC

In BC to date seven comprehensive governance arrangements have been negotiated:

- Sechelt (1986) – negotiated before the federal approach to implementing and negotiating the inherent right had been adopted
- Nisga'a (effective 2000) – negotiated as part of the Nisga'a Treaty with Canada and BC under the federal Comprehensive Claims Policy and Inherent Right of Self-Government Policy
- Westbank (2005) – negotiated bilaterally with Canada under the Inherent Right of Self-Government Policy
- Tsawwassen (effective 2009) – negotiated with Canada and BC as part of a modern treaty through the BC Treaty Process
- Maa-nulth (effective 2011) – negotiated with Canada and BC as part of a modern treaty through the BC Treaty Process
- Yale (signed 2013) – negotiated with Canada and BC as part of a modern treaty through the BC Treaty Process. As of July 2019 it is not yet in effect.
- Tla'amin (effective 2016) – negotiated with Canada and BC as part of a modern treaty through the BC Treaty Process.

This was accurate in 2019. Find out if there are other First Nations to add to the list.

Powers and Jurisdictions of First Nations Governments

1. Aboriginal Healers and Traditional Medicine
2. Administration of Justice
3. Adoption
4. Agriculture
5. Child and Family
6. Citizenship
7. Education
8. Elections
9. Emergency Preparedness
10. Environment
11. Financial Administration
12. Fish, Fisheries and Fish Habitat
13. Forests
14. Gaming
15. Health
16. Heritage and Culture
17. Intoxicants
18. Labour Relations
19. Land and Marine Use Planning
20. Lands and Land Management
21. Licensing, Regulation and Operation of Businesses
22. Matrimonial Property
23. Minerals and Precious Metals
24. Oil and Gas
25. Public Order, Safety and Security
26. Public Works
27. Social Services
28. Solemnization of Marriages
29. Taxation
30. Traffic and Transportation
31. Water
32. Wildlife
33. Wills and Estates

Source: BC AFN Governance Toolkit.

Blackline Master 30

Consensus Activity

In some traditional government systems, consensus was used to make decisions. That means everyone in the group had to agree on the decision.

In a meeting, Chiefs, Elders and other leaders would share their thinking. People didn't vote. They kept talking until the group could come up with a decision that everyone could agree upon.

You are going to try out the consensus model.

Your group is going to sit in a circle and one student will be asked to be the speaker. The speaker shares the decision that needs to be made and starts the conversation. Only one person speaks at a time. Once you have spoken, you cannot speak again until the circle returns to you. This means there are no rebuttals. There is no cross talk. You cannot speak until it is your turn, which means you have to be actively listening.

All thoughts and ideas that shared are to be respected. You do not name someone in the circle. For example, if a person liked an idea that someone shared, they might say, "An idea was shared that I think would help our community." If an idea is shared that you don't agree with, you could say "an idea was shared and I am wondering if we should think more about what the consequences might be."

Topic:

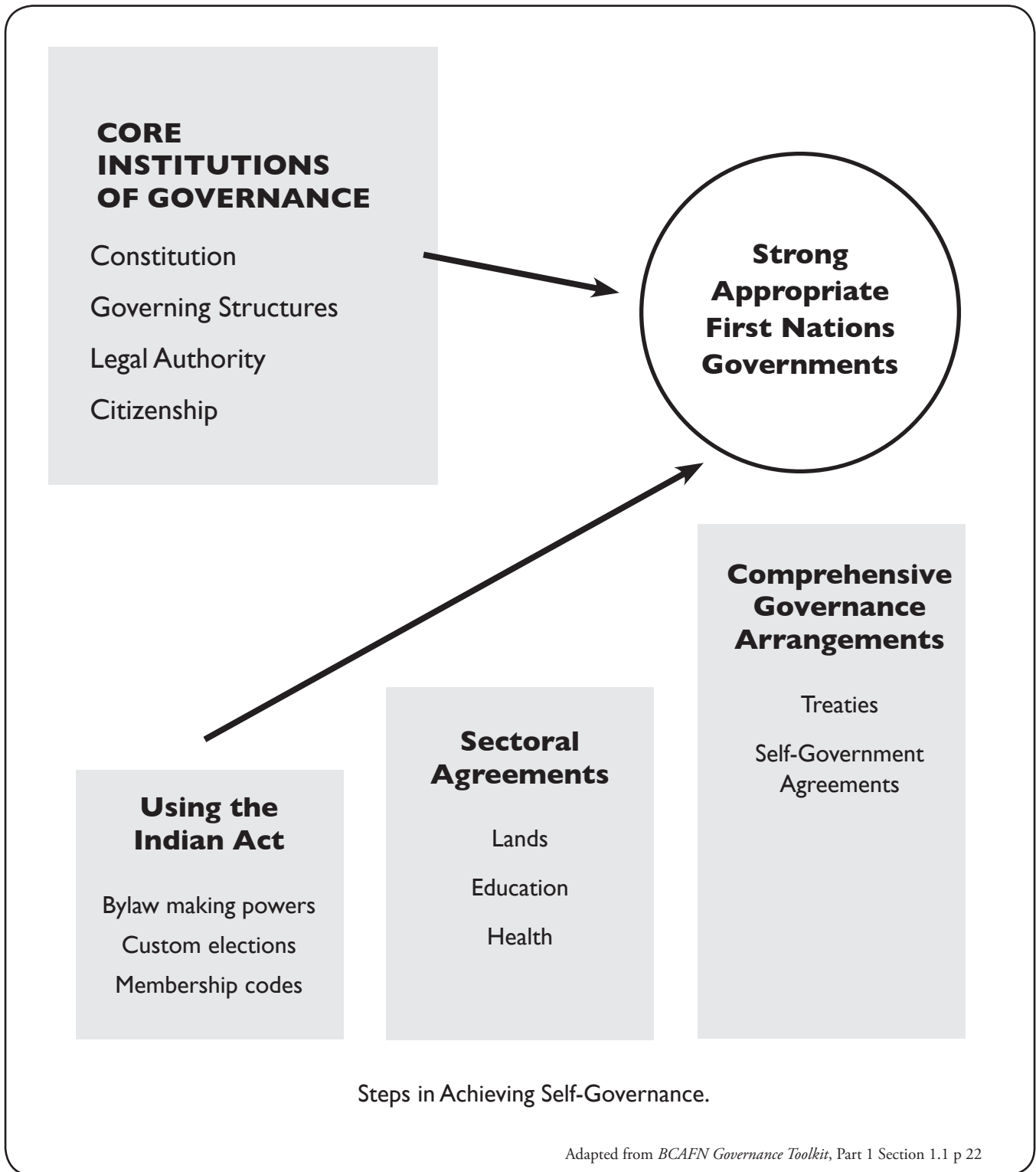
Your class is studying life cycles in science and your teacher wants the class to go on a field trip. He has a few ideas and wants the classroom to make a decision.

- The first idea is to go to the Salmon Fish Hatchery.
- The second idea is to go on a nature walk and invite an Elder to guide the class.
- The third idea is to go on a virtual field trip. For the virtual field trip, a scientist from Haida Gwaii would talk about sustainable fishing practices. The class would get to connect with her via Skype.

In your group, discuss which field trip would work best for everyone.

After you have all shared ideas, come to a consensus decision. That is, make a decision as a whole group that everyone agrees on.

Building Strong First Nations Governments



Core Institutions of Governance

What makes a government? There are many answers to that question. Here you are going to learn about four very important things that are needed to make a government.

Work with a partner or a group to find out what each of them means.

	Example: Government of Canada	What does it mean?
Constitution	<ul style="list-style-type: none"> • Constitution Act of 1867 • Constitution Act of 1982 • Canadian Charter of Rights and Freedoms 	
Governing Structures	<ul style="list-style-type: none"> • Prime Minister and Cabinet • Parliament—House of Commons and Senate 	
Law Making Authority	<ul style="list-style-type: none"> • House of Commons and Senate • Court System of Canada 	
Citizenship	<ul style="list-style-type: none"> • Government of Canada decides who is a citizen 	

Core Institutions of Governance

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Work with a partner or a group to find out what each of them means.

	Example: Government of Canada	What does it mean?
Constitution	<ul style="list-style-type: none"> • Constitution Act of 1867 • Constitution Act of 1982 • Canadian Charter of Rights and Freedoms 	<p>The set of rules that tells how a government or other organization must work. It lays out who will have powers, what those powers will be, and how they will work. It lays out the rights and responsibilities of citizens.</p> <p>Laws cannot go against the constitution.</p>
Governing Structures	<ul style="list-style-type: none"> • Prime Minister and Cabinet • Parliament—House of Commons and Senate 	<p>The bodies or groups that run the government. They are elected by the citizens to represent them, make laws and make sure the group or organization runs properly. Responsible for managing the money needed to run the government.</p>
Law Making Authority	<ul style="list-style-type: none"> • House of Commons and Senate • Court System of Canada 	<p>The people who are elected (or otherwise selected) to make decisions about what laws are needed, how to enforce the laws, and what to do if someone breaks the law.</p>
Citizenship	<ul style="list-style-type: none"> • Government of Canada decides who is a citizen 	<p>Citizenship is being a member of the group or nation, with all the rights and responsibilities laid out in the constitution.</p>

Goals of Self-Government

How are the Core Institutions different for First Nations under the Indian Act and First Nations with Self-Government?

Core Institutions	First Nations Government Under the Indian Act	First Nations Self-Government
Constitution		
Governing Structures		
Law Making Authority		
Citizenship		

Goals of Self-Government

Core Institutions	First Nations Government Under the Indian Act	First Nations Self Government
Constitution	<p>British North America Act 1867 (later Constitution Act)</p> <p>Indian Act</p>	<p>Constitution created and agreed on by citizens of the First Nation</p>
Governing Structures	<p>Department of Indian Affairs</p> <p>Band Council</p>	<p>Government structure decided on by the First Nation</p> <p>Example: Nisga'a have Wilp Si'ayuukh Nisga'a with 36 elected members, the Council of Elders, and four Village governments.</p>
Law Making Authority	<p>Government of Canada Department of Indian Affairs</p>	<p>The First Nation's legislative body makes and enforces laws as decided by the citizens</p>
Citizenship	<p>Government of Canada Department of Indian Affairs</p>	<p>Citizenship is decided on by the people of the First Nation and it is laid out in the Nation's Constitution.</p>

Moving Forward to Self-Government

Today First Nations are re-establishing their own governments. There are different paths that communities can follow to reach the goal of exercising full self-government.

Some First Nations have or are negotiating treaties which outline the organization of their renewed government. Others are keeping the Band Council framework for now but negotiating greater powers through sectoral agreements. Many communities enter into partnerships with other governments and the private sector.

There are three main ways that BC First Nations are working towards self-government.

Incremental *Indian Act* Governance

Some communities are able to use the Indian Act to begin moving towards self-government. Three ways this can be achieved are through membership codes, council elections and making bylaws.

First Nations can decide for themselves who are citizens of their Nation through membership codes. It allows First Nations to set their own election rules to elect their leaders. Also, First Nations can make bylaws in certain areas such as zoning, construction, or disorderly conduct.

The federal government retains the power to approve these bylaws, but rarely uses them today. These Indian Act powers are incremental steps for some First Nations towards autonomy.

Sectoral Governance

A sector is a specific part of a government's responsibility. For example, land management, health and education are all sectors. In the past, the Canadian and British Columbia governments have held the decision making power in these and other sectors. Today many First Nations are negotiating agreements to resume decision making powers in one or more sectors.

Sectoral agreements give communities powers outside of the *Indian Act* on matters that are important to them. However, they don't have full self-government. That comes through a Comprehensive Governance Arrangement.

Comprehensive Governance Arrangements

The goal for First Nations is to resume full control of all parts of their government.

However, there are questions to be answered for First Nations and the federal and provincial governments. Whose laws apply to First Nations? Where do these laws apply?

One way is to negotiate a treaty. Or, this can be done through self-government agreements that address jurisdiction and laws, but not the ownership of land.

A comprehensive governance arrangement is a formal agreement between the First Nation, Canada and sometimes the Province of BC. It sets out the areas of self-government to be used by the First Nation. It also sets out the how the laws of Canada and BC will apply to the First Nations territory.

The agreement usually confirms these core institutions of government:

- A constitution which sets down the rules the people will follow.
- Governing structures that will form the government
- Law making authority
- Citizenship.

Negotiating a comprehensive governance agreements can be a long and slow process. But such agreements bring reconciliation. They make governance powers between governments clear. Conflict between governments is minimized.

These agreements help First Nations' to have self-determination and control of their own lives.

Map of British Columbia



Unit 5

Reconciling Indigenous Rights and Title: Treaties and Alternatives

Overview

Indigenous peoples of Canada have endured more than 150 years of discriminatory legislation and policies. A fundamental issue that has been left largely unresolved is that of Indigenous Rights and Title (also known as Aboriginal Rights and Title). While in some parts of Canada, Indigenous Rights and Title were formally recognized through treaties, the same did not happen in British Columbia until very recently.



BC First Nations have always fought to have their Indigenous Rights and Title recognized and respected. Only in recent years have governments acknowledged the existence of Indigenous Rights and Title.

Today, First Nations communities and individuals hold diverse perspectives and opinions on how best to ensure Indigenous Rights and Title. One means for achieving this recognition is through the BC Treaty Process. A small number of First Nations have signed treaties with Canada and British Columbia. Some are participating in the process, but have made little progress. Some are finding ways to revitalize the treaty process. Other Nations choose not to participate.

The suggested activities in this unit deal with the history of treaty making in Canada and the lack of it in BC, the Modern Day Treaty Process, its goals and challenges, and also alternatives to treaty negotiations. They are intended to be adapted by teachers into Social Studies courses as part of the discussion of First Peoples relationships with the rest of Canada through colonialism to the present day.

Many of the concepts and activities in this unit can be correlated with the other Governance units. However, these suggestions give teachers an opportunity to develop specific lessons that focus on the issues of treaties and alternatives to treaties.

The Unit has two sections, one developed for Grades 4 to 8, and the other for Grades 9 to 12 Social Studies courses. However, it is suggested that teachers refer to both sections when developing their lessons as they may find other activities or topics that can be adapted to their classes.

 **Backgrounder**
 For more information see Backgrounder 12, *Reconciliation and Indigenous Rights and Title*, page 247

Essential Understandings

- Treaties are one way to settle outstanding First Nations land rights and achieve self-government.
- Treaties depend on a nation-to-nation relationship.
- The relationships between governments and First Nations has changed over time.

Guiding Questions

- How is treaty making in British Columbia different from the rest of Canada?
- What is the difference between historical and modern-day treaties under the BC Treaty Process?
- What are the processes involved in resolving Indigenous Rights and Title in British Columbia?
- How are Indigenous Rights and Title, Treaty and Self-Government connected?
- What responsibilities do all Canadians have to respect and uphold the treaties made between the Crown and First Peoples?

Key Concepts in Treaty Making

Traditional Foundations

- First Peoples were sovereign and self-governing before contact.
- First Nations are made up of diverse societies that are distinct from each other.
- First Nations made agreements and treaties with each other prior to European contact.

Oral History

- Oral traditions are accurate methods of recording information and involve a high level of skill.
- Oral traditions pass on important cultural perspectives and knowledge from one generation to the next.
- Oral records of treaties made between First Nations and Europeans often demonstrate a different perspective from that of the written record.
- Oral history is used as evidence in important court cases.

Views of Land and Treaty

- First Nations concepts of land include the idea of sharing the land and resources, while Euro-Canadian concepts are based on individual land “ownership.”
- Generally speaking, when treaties were made in the past, First Nations and Canadian governments had different interpretations of what the treaties entailed.
- Most First Nations signed treaties with the understanding that the land was to be shared; Euro-Canadians believed lands were being bought and ownership transferred to them.

Historical Background

- The early colonial relationship with First Nations was guided by the Royal Proclamation of 1763 and the Treaty of Niagara in 1764.
- Early treaties were made in Eastern Canada and the Maritimes.
- The British North America Act of 1867 established a new relationship between the Dominion of Canada and First Peoples.
- Confederation brought about the numbered treaties in many parts of Canada, but not in BC except for the Peace River region.
- These treaties were based on the extinguishment model.

Treaties in British Columbia

- James Douglas made early treaties with some First Nations on Vancouver Island which were purchases of land, but made no more treaties after the colony of British Columbia was formed.

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- The Peace River region was included in a large area made part of Treaty 8 in the 1890s. It includes large areas of Alberta, Northwest Territories as well as north-east BC.
- BC politicians and citizens ignored the Royal Proclamation and the existence of Indigenous Rights and Title.
- First Peoples persisted in pursuing land claims, treaties and litigation.
- The Nisga'a Final Agreement became the first Modern Day Treaty in BC in 2000.

BC Treaty Process

- In 1991, a joint task force between BC First Nations, British Columbia and Canada presented a vision and outline the process of how treaties could be negotiated.
- The BC Treaty Commission was established in 1993 by Canada, British Columbia and the First Nations Summit. A six-stage process was put in place to negotiate comprehensive agreements addressing land, resource and governance.
- The BC Treaty process is intended to settle comprehensive land claims and provide self-government outside of the Indian Act.
- To date, only a few First Nations have achieved the ratification of a final agreement in BC.

Changing the Model

- Models for reconciliation between First Nations and the federal and provincial governments are changing.
- Rather than a comprehensive agreement, some communities are negotiating sectoral agreements in specific areas of jurisdiction.
- The Tsilhqot'in Decision has caused some First Nations to reconsider what kind of relationship and agreement(s) they may seek to negotiate with the federal and provincial governments

National Responsibility

- Canadians have a responsibility to respect and uphold treaties between First Nations and the Crown.
- Canada would have no legitimacy without treaties (TRC statement).

RESOURCES

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

- *Aboriginal Rights, Treaty Rights, Original Aboriginal Title - Aboriginal Awareness Training*. Indigenous Awareness Canada 2010. 2.30 min.
<https://youtu.be/kRmJcuJ839A>.
- “Aboriginal Title.” Indigenous Foundations. <https://bit.ly/2MHlgds>.
- BC Assembly of First Nations. Community Profiles.
<http://bcafn.ca/community-profiles/>
- BC Government.
 - *First Nations A-Z Listing* <https://tinyurl.com/fnesc944>.
 - Incremental Treaty Agreements. <https://bit.ly/2FbflW1>
- BCTF. *Understanding the BC Treaty Process*. 1998.
<https://tinyurl.com/fnesc937>.
- BC Treaty Commission
 - Main website. <http://www.bctreaty.ca>
 - Interactive map. <http://www.bctreaty.ca/map>
 - *Treaties and Agreements in Principle*. <https://tinyurl.com/fnesc953>
 - *The Report of the British Columbia Claims Task Force*, 1991.
<https://bit.ly/2QrujxL>
- Blankinship, Jennie L. *Alternatives to the British Columbia Treaty Process: Community Perspectives on Aboriginal Title and Rights*. Masters Thesis, UVic, 2006. Available online at <https://tinyurl.com/fnesc936>
- Brown, F. and Y. K. Brown (compilers). *Staying the Course, Staying Alive – Coastal First Nations Fundamental Truths: Biodiversity, Stewardship and Sustainability*. Biodiversity BC, 2009. Download at www.biodiversitybc.org or link directly at <http://ow.ly/LV5X302mlHN>
- CBC. Tsilhqot’in First Nation granted BC title claim in Supreme Court ruling. 2014. 3:57 min. CBC. <https://youtu.be/z4D85H7lQxEE>
- Centre for First Nations Governance. *A Brief History of Our Right to Self-Governance, Pre-Contact to Present*. 2007. (Booklet, 36 pages.)
<https://tinyurl.com/fnesc930>
- Council of Haida Nation. “To lay the copper on the floor.”2017.
<http://www.haidanation.ca/?p=5835>
- Deerchild, Rosana. *Treaty Days*. CBC Unreserved. 2016. Video, 2:41 min.
<https://bit.ly/2SjZpsA>
- Gray, Lynda. *First Nations 101*. Adaawx Publishing, 2011.
- Historica Canada. *Treaties in Canada*. Education Guide.
<https://tinyurl.com/fnesc954>.
- Indigenous Corporate Training Inc. website. <https://www.ictinc.ca/>
 - What’s the Difference between Historic and Modern Treaties?
<https://tinyurl.com/fnesc955>

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- Joseph, Bob. *21 Things You May Not Know About The Indian Act*. Indigenous Relations Press, 2018.
- Joseph, Bob. *Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality*. Indigenous Relations Press, 2019.
- “Were the Douglas Treaties and the Numbered Treaties Fairly Negotiated?” *The Governor’s Letters*. Department of History, University of UVIC. <http://www.govlet.ca>.

Additional Resources

- Canadian Museum for Human Rights website. <https://humanrights.ca/human-rights-activities-classroom>.
- *The Charter of Rights and Freedoms*. Springtide, 2013. 6:34 min. An animated explanation of the Canadian Charter of Rights and Freedoms. https://youtu.be/YAIM1qzO9_w.
- The Learning Circle: Classroom Activities on First Nations in Canada - A Learning Resource for Ages 12 to 14. <https://bit.ly/2RaTtGd>
- Simplified Version of the Universal Declaration of Human Rights. SD 23 Central Okanagan website. <https://bit.ly/2QraGpu>
- Teaching Treaties in the Classroom. Grades 7-12. Office of the Treaty Commission, Saskatchewan. (510 pp.) <https://tinyurl.com/fnesc956>
- The Universal Declaration of Human Rights. An engaging poster highlighting the major human rights. <https://tinyurl.com/fnesc914>.
- *What are the universal human rights?* Ted-Ed, 2015. 4:46 min. An animated explanation of the basics of the UN Universal Declaration of Human Rights. <https://youtu.be/nDgIVseTkuE>.

Part One

Learning About Treaty and Alternatives: Grades 4 to 8

Both the Grade 4 and 5 Social Studies Learning Standards include treaties as a suggested topic. Elementary students can begin to understand what a treaty is and the reasons for the treaty process in BC. Grade 7 can make connections between the changes from traditional oral treaties to contemporary forms of treaties as part of the social, political, legal and economic features of First Nations. Grade 8 can focus on the colonial implications of treaties, and the differences in modern day treaties and their alternatives.

Outline of Activities

- 1-1. Indigenous Rights and Title
 - a. What Are Rights?
 - b. What Are Your Rights?
 - c. Evaluating the Importance of Rights
 - d. Indigenous Rights
- 1-2. Agreements and Treaties
 - a. What is an Agreement?
 - b. Formal and Informal Agreements
 - c. Investigating Treaties
- 1-3. The Story of First Nations Treaties in BC
 - a. What is the Story of Treaties?
 - b. Thinking About the Story of Treaties
 - c. Retelling the Story
- 1-4. Modern Day Treaties and Alternatives
 - a. Local First Nations
 - b. Treaty Timeline
 - c. Alternatives to Treaty

Relevant BC Learning Standards for Social Studies 4-8

Grade	Content Standard	Sample Topics (from Curriculum)
4 First Peoples and European Contact	The impact of colonization on First Peoples societies in British Columbia and Canada	More complex political systems, loss of territory, key events e.g. Indian Act, potlatch ban, reserve system, residential schools, treaties
5 Canadian Issues and Governance	Past discriminatory government policies and actions	Indian Act; ethnic minorities denied the vote
	Participation and representation in Canada's system of government	First Peoples governance
	First Peoples land ownership and use	Treaties, land claims disputes. How do First Peoples balance economic development with traditional uses of the land?
6 Global Issues and Governance	Different systems of government	Government decision-making structures and forms of rule Indigenous governance
	Economic policies and resource management, including effects on Indigenous peoples	How should decisions about economic policy and resource management be made?
	Media technologies and coverage of current events	How does the media influence public perceptions of major events?
7 Ancient World to 7th century	Social, political, legal, governmental and economic systems and structures, including at least one indigenous to the Americas	List and describe aspects of current laws and government structure that have evolved from ancient civilizations
8 7th Century to 1750	Exploration, expansion and colonization	Contact and conflict

The inclusion of the BC Ministry of Education Learning Standards for Social Studies in this Teacher Resource Guide does not indicate an endorsement of those Learning Standards as adequate or accurate in how the various concepts are represented.

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.

1-1. Indigenous Rights and Title

Students build their understanding of the concept of rights and consider different types of rights. Then they apply this knowledge to understanding inherent Indigenous Rights and Title.

a. What Are Rights?

Students build their understanding of the concept of rights.

- Write these two sentences on the board and ask students to think about how they are different. (For example, something that is right is correct, like an answer on a quiz, or the morally correct thing to do; something that is a **right** is something we are entitled to, such as the right to freedom of speech.)
 Tell me something that is right.
 Tell me something that is a right.
- Discuss what the concept of rights means. Ask questions such as:
 - What is an example of a right?
 - What different kinds of rights are there? (Such as human rights, animal rights, children's rights)
 - Can you use the word right or rights in a sentence?



Formative Assessment Strategy

Assess students' understanding of the concept of "rights" and provide more support if they are unclear.

b. What Are Your Rights?

- Students can explore examples of different types of rights that apply to them. You can use Blackline Master T-1, page 177, *What Are Your Rights?* as a source of some of their rights.
- Have students work in pairs or small groups. Ask them to read over the different rights listed on Blackline Master T-1 to make sure they understand what they all mean. Students can suggest words or phrases that they don't understand and you can help clarify their meanings.
- Have students secretly select one of the rights listed, and draw a picture to represent it. Their partner or members of their group guess what the right is.
 - Students can share their pictures with other groups or the whole class to figure out the right they illustrated.





Blackline Master T-1, page 177, *What Are Your Rights?*

c. Evaluating the Importance of Rights

Students conduct a poll to see which rights students think are the most important.

- Ask students to select what they think are the four most important rights. The data could be collected anonymously, with students writing their choices on slips of paper, or they could deliver their choices verbally.
- Tally the choices on the board. Discuss the results. Which rights seem most important to the class? Ask if there were any surprises.
- Discuss further the concept of rights. Ask questions such as:
 - Where do these rights come from? What values are they based on?
 - What rights should children have that they don't have?
- This activity is only meant to build a background to the concept of Indigenous Rights, but it could be expanded to be a broader inquiry into the topic of Canadian or Human Rights. Here are some possible resources for further study:
 - Classroom Activities: Canadian Museum for Human Rights website. <https://humanrights.ca/human-rights-activities-classroom>. Classroom activities K-12 that can be adapted to your classroom.
 - Poster: The Universal Declaration of Human Rights. An engaging poster highlighting the major human rights. <https://tinyurl.com/fnesc914>.
 - Text: Simplified Version of the Universal Declaration of Human Rights. SD 23 Central Okanagan website. <https://bit.ly/2QraGpu>
 - Video: *The Charter of Rights and Freedoms*. Springtide, 2013. 6:34 min. An animated explanation of the Canadian Charter of Rights and Freedoms. https://youtu.be/YAIM1qzO9_w.
 - Video: *What are the universal human rights?* Ted-Ed, 2015. 4:46 min. An animated explanation of the basics of the UN Universal Declaration of Human Rights. <https://youtu.be/nDgIVseTkuE>.

 **Cross-Curricular Link**
Mathematics: Have students create a graph of the results of the Rights Poll


 **Formative Assessment Strategy**
Use 3-2-1 Countdown to assess students' understanding of the concept of rights. Ask students to write or say

- 3 things they learned about rights
- 2 things that surprised them about rights
- 1 thing to they can do with what they learned about rights

d. Indigenous Rights and Title



Students apply their understanding of rights to learn about Indigenous or Aboriginal Rights and to identify the significance of one of those rights: Aboriginal Title.

- Explain that there are some special rights called Indigenous Rights. Ask students to suggest what some examples of Indigenous Rights might be. How might they be different from the rights that have already been discussed?
- Students can use Blackline Master T-2, page 178, *Indigenous Rights and Title*, to find out what some Indigenous Rights are.
- Students can watch a short video that summarizes Indigenous Rights, Title and Treaty Rights. See *Aboriginal Rights, Treaty Rights, Original Aboriginal Title - Aboriginal Awareness Training*, Online at <https://youtu.be/kRmJcuJ839A>.

 Blackline Master T-2, page 178, *Indigenous Rights and Title*

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- What is Indigenous Title? Ask students to explain the connection between Indigenous Rights and Indigenous Title. (Indigenous Title is one of the Indigenous Rights. It is the inherent right that Indigenous people have to occupy and use the lands they have occupied for millennia, and to economically benefit from those lands.)
 - For more about Indigenous Title, see the article “Aboriginal Title” at the Indigenous Foundations website, <https://bit.ly/2MHlgds>.

 **Backgrounder**
 For more information see Backgrounder 12, *Reconciliation and Indigenous Rights and Title*, page 247

1-2. Agreements and Treaties

Students will investigate characteristics of an agreement, and recognize different types of agreements, including treaties which are Nation-to-Nation agreements.

a. What is an Agreement?

- Ask students where they might hear someone say, “I agree.” Ask students to suggest other words that start with “agree.”
- Ask students to use the word “agreement” in a sentence. This could be written or spoken.
 - Use students’ responses to assess their understanding of the concept of an agreement.
- Have students consider how an agreement and a promise are the same and how they are different. Students could use the Think-Pair-Share strategy to clarify their thinking.

b. Formal and Informal Agreements

- Ask students to think of some examples of agreements they make in their daily life. For example, they may agree to help with chores around the house, or agree to play by the rules in basketball. Discuss how we make these types of agreements all the time. Explain that these can be called unspoken or informal agreements.
- Discuss the differences between informal and formal agreements. Explain that a formal agreement is made between two or more people or groups. Each group agrees to do something in the agreement, and each group gets something in return.
 - Students can search the current news sites to find examples of formal agreements between a variety of countries, governments, businesses, First Nations and other groups.
- Have students develop a list of different types of formal agreements. They can work in small groups to develop a list.
 - Students can begin by brainstorming agreements that they have heard of.
 - Students can use Internet searches to find other examples.
 - Students can ask their families at home about agreements they know about.

c. Investigating Treaties

Students become familiar with some of the features of a treaty.


- If you haven't discussed it earlier, ask students if they know what a treaty is. If they have, ask students to recall what they know about treaties.
- Have students examine an example of a treaty to try to determine what some of the features of a treaty are. They can find out who the parties were that made the treaty, why the treaty was signed, and what each side agreed to do.
 - You may want to provide students with a list of significant treaties to research, or you could have students select one from the Wikipedia article, List of treaties (https://en.wikipedia.org/wiki/List_of_treaties). Remind students that when using Wikipedia as a source, they need to do further verification of facts.
- Features of a treaty include:
 - agreement between two or more sides, often states or sovereign bodies
 - all parties assume obligations
 - all parties receive benefits
- Students can examine examples of historical treaties, such as
 - Great Peace of Montreal, Treaty of Waitangi (Maori)
 - Heiltsuk–Haida peace treaty (see Council of Haida Nation page; to lay the copper on the floor) <http://www.haidanation.ca/?p=5835>
 - For more about this treaty see Part 2 Activity 2-4, page 168.

1-3. The Story of First Nations Treaties in BC

Students explore different types of treaties that have impacted First Nations over time.


a. What is the Story of Treaties?

- Students can use Blackline Master T-3, page 179, *What's the Story of Treaties?* to learn about the relationship between First Nations and various treaties over time.
 - This 4-page article is written at a Grade 6 - 7 reading level, so younger students may need more support reading it than older students.
- Depending on the level of your students, you may want to break this article into sections. Sections are divided by headings.
- Students can use annotating techniques as they read the article, or the sections. They can circle words they don't know, underline important ideas, write questions or draw symbols in the margins.
- There are a number of ways this article can be used for students to read and understand the content.
 - Identify key words in the article. Have students list important words or phrases from each section. Discuss students' choices and ask them to explain why they chose them. Clarify the meanings of any unfamiliar words.

 Blackline Master T-3, page 179, *What's the Story of Treaties?*

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- Students can work on their own or in small groups to summarize the sections of the article. Later they can compare their summaries with other groups. Students can use Blackline Master T-4, page 183, *Summarizing the Treaty Story*, to record their summaries.

 Blackline Master T-4,
page 183, *Summarizing
the Treaty Story*

b. Thinking About the Story of Treaties

- Ask students to reflect on what they learned about First Nations and treaties in the article *What's the Story of Treaties*. Ask questions such as:
 - What are three new things you learned from this article?
 - How did the ideas in this article make you feel?
 - What questions do you have about the ideas in this article? Write down 2 or 3 questions that we could investigate further.
 - Suggest students use the 5 Ws + H to help them think of some questions.
- Have students share their responses in groups or with the class.
- Write some of their questions on the board. Have students try to find answers to some of them. You may want to work with the class to identify which questions to follow up on or groups of students could select a question on their own.
- Students can report back to the class after a set time (depending on the questions and resources available.)
 - If students found only partial answers, or were unable to find answers, discuss why that might have been the case. For example, was it the question? (too big a topic, or unclear or too difficult to understand), difficulty finding information in the available resources? not enough background knowledge? not enough time?

c. Retelling the Story

- Ask students if they think most Canadians know the story of treaties from the First Nations perspective. Discuss why or why not.
- Have students work in groups to design a way of retelling the story of treaties to make the general public more aware of the history.
- Ask student to think about why it might be important for Canadians to understand the story of treaties, and what the most significant parts of the story are that need to be understood.
- Groups can choose a format to create their awareness plan. For example, it could be a short play, a “Heritage Minute” video, a graphic novel, or timeline.



Formative Assessment Strategies

Use this activity to assess students' understanding of the history of treaties in BC.

This could include self or peer assessment. Students can develop criteria to evaluate the final products of the activity.

1-4. Modern Day Treaties and Alternatives

a. Local First Nations

- Determine the status of the local First Nations community in regards to the BC Treaty process. Most First Nations will fall under one of these categories.
 - Final Agreement (the treaty agreement) has been signed
 - Participating in the BC Treaty Process and currently negotiating
 - Participating in the BC Treaty Process but not currently negotiating
 - Not participating in the treaty process
- Here are some sources to determine this information:
 - Students may be able to find out the information from local sources, such as the First Nation's website.
 - BC Treaty Commission interactive map of participating First Nations. Students can locate the community. The information panel that comes up tells if the Nation is currently negotiating.

b. Treaties

- Ask students to investigate why some First Nations are engaged in the treaty process. Ask to work in groups to list some questions they have about treaties in BC.
- Have students find out answers to their questions.
- Students can find out about who the participants are. What roles do the federal, provincial, and First Nations governments play?
- Ask how the citizens of First Nations communities and tribal organizations are involved.
- For more activities about the BC Treaty Process, see Part 2-7.

c. Alternatives to Treaty

- Explain that not all First Nations chose to negotiate treaties. Ask students to suggest some reasons why some communities might not want to participate in treaties.
- Courts. Explain that one alternative to the BC Treaty Process is for First Nations to go to court to have their Indigenous Rights and Title legally affirmed.
 - Investigate with students the Tsilhqot'in Decision in 1914. Students can view the CBC video "Tsilhqot'in First Nation granted BC title claim in Supreme Court ruling." 3:57 min. <https://youtu.be/z4D85H7lQxEE>
- Non-treaty agreements. Explain that many First Nations make agreements with governments take part in the governance of certain sectors, especially in reasserting control over their lands and resources.
- Read with students Blackline Master T-10, page 193, *BC Agreements Outside Treaty*.

Part Two

Modern Day Treaties and Alternatives in British Columbia, Grades 9-12

Overview

These suggested activities focus on the Modern Day Treaty Process, its goals and challenges, and also alternatives to treaty negotiations. They are intended to be adapted by teachers into their Secondary Social Studies courses.

Outline of Activities

- 2-1. Introduction to Treaty
 - a. What Do You Know About Treaties?
 - b. Treaty Nations
 - c. Local First Nation
- 2-2. Indigenous Rights and Title
 - a. What is Title?
 - b. What are Indigenous Rights and Title?
- 2-3. What Are Treaties
 - a. Defining Treaties
 - b. Nation to Nation Relationships
- 2-4. Treaties Between First Nations - Oral Treaties
 - a. Oral Treaties
 - b. Analysing First Nations Perspectives
 - c. Features of Oral Treaties
- 2-5. Historical Treaties and Extinguishment of Title
 - a. Treaty Days
 - b. Historical Treaty Map
 - c. “Cede, Release, Surrender” of Title
 - d. Historical Treaties in British Columbia
- 2-6. Recognition of Indigenous Rights and Title
 - a. Role of Constitution and Courts
 - b. Why Treaties?
 - c. What are Alternatives to Treaties?
- 2-7. What is the BC Treaty Process?
 - a. The BC Treaty Process
 - b. Treaty Progress
 - c. What are the Challenges of the Treaty Process?
 - d. The Treaty Process in Action
- 2-8. Results of Modern-Day Treaties

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Relevant BC Learning Standards for Secondary Social Studies Courses

Course	Key Content Standards	Sample Topics (from BC Curriculum)
Social Studies 9	The continuing effects of imperialism and colonialism on Indigenous peoples in Canada and around the world	<ul style="list-style-type: none"> • Impact of treaties on First Peoples (e.g. numbered treaties, Vancouver Island Treaties)
	Discriminatory policies, attitudes and historical wrongs	<ul style="list-style-type: none"> • Discriminatory policies towards First Peoples
Social Studies 10	Government, First Peoples governance, political institutions and ideologies	<ul style="list-style-type: none"> • Title, treaties, and land claims (e.g., Nisga’a Treaty, Haida Gwaii Strategic Land Use Decision, Tsilhqot’in decision) • Canadian Charter of Rights and Freedoms
	Canadian Autonomy	<ul style="list-style-type: none"> • Canada (treaties with First Peoples)
BC First Peoples 12	Traditional territories of the BC First Nations and relationships with the land	<ul style="list-style-type: none"> • Traditional territories may overlap. • Difference between political boundaries and traditional territories
	Role of oral tradition for BC First Peoples	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • Treaties, including fishing and hunting rights
	Resistance of BC First Peoples to colonialism	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • traditional governance • land claims and self-governance
Contemporary Indigenous Studies 12	Responses to inequities in the relationships of indigenous peoples with governments in Canada and around the world:	<ul style="list-style-type: none"> • modern treaties and self-government
Comparative Cultures 12	Interactions between cultures and the natural environment	<ul style="list-style-type: none"> • Interdependence of cultural identity and the physical environment [connecting land, title and treaty]
Law Studies	The Constitution of Canada and the Canadian Charter of Rights and Freedoms	
	Canadian legislations concerning First Peoples	<ul style="list-style-type: none"> • Treaty process • 1763 Royal Proclamation • Constitution Act, 1982
	Indigenous legal orders and traditional laws in Canada and other global jurisdictions	<ul style="list-style-type: none"> • Historical relationships between peoples as a basis to negotiate treaty boundaries

2-1. Introduction to Treaty

a. What Do You Know About Treaties?

- Discuss what students know about First Nations treaties in BC. They could share their ideas in groups or in a whole class discussion.
 - You may want to begin with a quiz about treaties. See Blackline Master T-5, page 185, *Treaties Awareness Quiz*
 - Ask students to consider the question, Why are many BC First Nations negotiating treaties today?
- Students can develop questions they have about treaties in BC that they can investigate in this unit.
 - They could use a graphic organizer like K-W-L to record what they know and what questions they have. At the end of the unit they can fill in the Learned column.

 Blackline Master T-5, page 185, *Treaties Awareness Quiz*



Formative Assessment Strategy

Use responses to the Treaty Awareness Quiz to help assess the background knowledge students have about treaties, and provide some questions or ideas that you can build on.

b. Treaty Nations

- Ask students if they know of any First Nations in BC who have signed a treaty. A list of those First Nations who have signed treaties or have Agreements In Principle can be found at the BC Treaty Commission website, <http://www.bctreaty.ca/treaties-and-agreements-in-principle>
 - Find out if there are any an imminent or recent votes on a treaty in a BC First Nations community. If so, discuss the votes and outcomes with students.

c. Local First Nation

- Determine if the local First Nations is currently in treaty negotiations, has reached a treaty or self-governance agreement, or has decided not to participate in the treaty process.
 - Ask students to determine the status of treaty negotiations in your local region. One source of this information can be found at *First Nations A-Z Listing* on the British Columbia Government website, at <https://tinyurl.com/fnesc944>.

2-2. Indigenous Rights and Title

Students will be able to explain the concepts of Indigenous Rights and Title as they pertain to longstanding issues of land use and ownership. These include the outstanding reconciliation of title and jurisdiction between First Nations and the Crown governments.

Assess your students' understanding of what is meant by Indigenous Rights and Title. Depending on their level of knowledge, you may want to:

- review the terms
- have students research to be able to explain the meaning
- directly teach the use of the term.

Use some of these activities to guide students to come to an understanding of Indigenous Rights and Title.



a. What is Title?

Students build their understanding of the concept of “title” in relation to land and property.

- Explain that the word title has different meanings in different settings . Students can suggest meanings that they know about. Ask how title could be related to land or property.
- Students can look up the meaning of title, or you can give them a definition, such as the right or claim to ownership of a piece of land or property.
- Explain that in BC (and other provinces) the Land Title Act governs the ownership of buying, selling and owning property.

b. What are Indigenous Rights and Title?

- Discuss with the students the concept of Indigenous Rights and Title. Ask them to suggest what it means to them, and what role it may play in the lives of First Nations people and other Canadians.
 - Explain that Indigenous Title is one kind of Indigenous Rights. Indigenous Title arises from First Nations' prior occupation and use of their traditional territories, before the arrival of Europeans and the formation of Canada.
- If students have little background knowledge of the term, ask them to write one or two questions that they could use to find out more about its importance.
- Have students consult a variety of sources to find out more about Indigenous or Aboriginal Title. Students could work in groups to research different sources, and share their findings. Then the class can arrive at a group definition of Indigenous Title. Some sources are:
 - Backgrounder 12, *Reconciliation and Indigenous Rights and Title*, page 247.
 - Aboriginal Title, Indigenous Foundations website
<https://tinyurl.com/fnesc917>

 Backgrounder 12,
 *Reconciliation and
 Indigenous Rights and Title*,
 page 247

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- *21 Things You May Not Know About The Indian Act* by Bob Joseph. Indigenous Relations Press, 2018.
- *Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality* by Bob Joseph. Indigenous Relations Press, 2019.
- Aboriginal Rights, Title and the Duty to Consult - a Primer. Indigenous Corporate Training <https://tinyurl.com/fnesc919>
- Royal Proclamation of 1763. Review or discuss the Royal Proclamation of 1763. Have students find out why this colonial document is used as a foundation for discussing Indigenous Rights and Title in Canada.
- For further lesson ideas see The Royal Proclamation and Rights and Title, see “About Indigenous Rights and Title”, found at the Union of BC Indian Chiefs website, *Two World Views in Law*, <https://tinyurl.com/fnesc935>.

2-3. What are Treaties?

a. Defining Treaties

Students work together to build a general definition of treaty.

- Have students work together in small groups to arrive at an understanding of what a treaty is through research.
 - Ask the groups to find examples of treaties from the past, and treaties in the news today. Have them describe who the parties were who participated in the treaty and what the reason for the treaty was. (For example the Treaty of Versailles, Peace treaty after World War in 1919 between Germany and the Allied Powers.)
- Ask students to consider the question, How does a treaty happen?
- Have students make a list of characteristics of a treaty.
- Students can use Blackline Master T-6, page 187, *Exploring the Concept of Treaty*, to elaborate their understanding of the concept of treaty.

 Blackline Master T-6,
page 187, *Exploring
the Concept of Treaty*


b. Nation to Nation Relationships


- Discuss what a nation to nation relationship means. Ask how this relationship applies to treaties. (For example, the negotiating parties are deemed to be autonomous and sovereign.) Note that this is sometimes referred to as a government-to-government relationship.
- Note that First Nations have a nation-to-nation relationship with Canada (the state), whereas they have a government-to-government relationship with provinces.

2-4. Treaties Between First Nations – Oral Treaties

Students investigate examples of treaties made before contact, or early in the contact period.

a. Oral Treaties

 Blackline Master T-7, page 189, *Nation to Nation Relationships Before Contact*

 Blackline Master T-8, page 190, *Fish Lake Accord*

- Discuss with students why First Nations made treaties with each other before the arrival of Europeans. How might their treaties have been similar and different to other types of treaties discussed in activity 2-3?
- To find out more about oral treaties, students can read the article on Blackline Master T-7, page 189, *Nation to Nation Relationships Before Contact*.
- Students can find out about one oral treaty known as the Fish Lake Accord.
 - Have students read the article on Blackline Master T-8, page 190, *Fish Lake Accord*.
- Students can investigate a Peace Treaty between the Haida and the Heiltsuk First Nations that began over 125 years ago and is still honoured today.
 - Students can learn about the Haida and Heiltsuk peace treaty with these resources
 - “Heiltsuk/ Xaaydagaay (Haida) Peace Treaty” told by Barbara Wilson Kii’iljus. This is a short piece about the treaty, including the narrative about how it began. It is found in the document *Staying the Course, Staying Alive*, compiled by Frank Brown and Y. Kathy Brown. Go to pages 53-54 (PDF pages 75-76). Download at www.biodiversitybc.org or link directly at <http://ow.ly/LV5X302mlHN>
 - Council of the Haida Nation article, “To lay the copper on the floor,” online at <http://www.haidanation.ca/?p=5835>
 - Background of the Copper Shield: Students may not be familiar with the significance of what is referred to as a copper or copper shield, though First Nations have their own words for them. In the past these were symbols of great wealth as copper was rare. They have a unique shield-like design, divided into three sections by a T shape in the metal. For more information see this page at the Canadian Museum of History site, <https://bit.ly/2U1cLdO> or this Canadian Encyclopedia entry, <https://tinyurl.com/fnesc961>.

b. Analysing First Nations Perspectives

Challenge older students to analyse oral testimony about Nation to Nation treaties and agreements from some BC First Nations leaders. They are part of Jennie L. Blankinship’s 2006 thesis *Alternatives to the British Columbia Treaty Process Community Perspectives on Aboriginal Title and Right*. Online at <https://tinyurl.com/fnesc936>. See pages 15 to 20.

- In the process of writing her thesis, Blankinship interviewed a number of First Nations people from around the province to get Indigenous perspectives on treaty making.

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- She asked the question: “What were the political relationships between your nation and neighbouring Indigenous nations?”
- Students can read the responses and infer examples of traditional forms of treaty making. They could work in groups to study one or two of the passages, and share their findings with the rest of the class.

c. Features of Oral Treaties

- Discuss with the class the essential features of First Nations treaties and agreements between each other. Make sure students understand the concept of a nation-to-nation agreement.
 - Ask, does a treaty need to be written down on paper? Discuss how First Nations in the past were held accountable to agreements and treaties they made between nations. (For example, they were ratified by ceremonies and speeches; these events are retained in memory through oral traditions. In the east some First Nations utilized memory devices like the wampum belt.)
 - Students could use Blackline Master T-6, page 187 again for First Nations Oral Treaties and compare it with the chart they completed in Activity 2-3a.
 - Another useful activity is the 3-Level Summaries strategy. Ask students to write three different summaries about the topic Treaties between First Nations. Each one is to be a specific length:
 - 75 to 100 words
 - 30 to 50 words
 - 10 to 15 words



Formative Assessment Strategy

Use the 3-Level Summaries activity to assess students' comprehension of traditional treaty making.

Have students reflect on which level of summary they found the easiest or most difficult. Discuss how they had to think differently for each style.

2-5. Historical Treaties and Extinguishment of Title

a. Treaty Days

- Introduce Historical Treaties with a short video called Treaty Days by Rosanna Deerchild (CBC 2016), available online at <https://bit.ly/2SjZpsA>.
- Ask students to watch to explain why some First Nations have a yearly gathering called Treaty Days.
 - The video is a humorous summary of the history of treaties in Canada, focussing on those First Nations from the Numbered Treaties who have an annual event known as Treaty Days, when each member still receives \$5.

b. Historical Treaties Map

- Have students study a map of treaties in Canada before 1975. A version of the map from the Government of Canada is online at <https://bit.ly/2cfwflo>
- Ask students to think of two or three questions that come to mind when they study the map.
 - Students will likely wonder why there are almost no treaties in British Columbia. If not, point out the lack of treaties.



Historical Treaties of Canada
<https://bit.ly/2cfwflo>

- Ask, why is BC different from most of the rest of the country? Depending on students' prior knowledge and what course you are teaching, students may have learned about the unique situation of BC after Confederation. If not, students can research the historical context of the land policies in BC before and after Confederation.

c. “Cede, Release, Surrender” of Title

The colonial government sought to extinguish any Indigenous title that existed in the lands to make those lands available to settlers. They attempted this by including the phrase “cede, release, surrender” in treaties with First Nations.

- Ask students to find out what extinguishment of title means, and how it was accomplished.
 - Have students read the article Extinguishment of First Nation Title at the Indigenous Corporate Training website, <https://tinyurl.com/fnesc920>.
 - Ask them to find the example of a treaty that uses the language “cede, release, surrender.”
- Students can analyse the words cede, release, and surrender. Ask questions such as:
 - What do these words mean?
 - Why did the federal government put these words into treaties?
- Ask students to reflect on what these words meant to the First Nations people signing the treaties. Ask, Did they mean anything?
 - Discuss how these words differ from First Nations views of land use.
 - Students can view the Heritage Minute video Naskumituwin (Treaty) which emphasizes that the Cree people signing Treaty 9 understood it to mean the land was shared. Find the video at the Historica Canada website, linked at <https://tinyurl.com/fnesc959>.
- Ask students to explain what the Delgamuukw v. British Columbia case was important and what it confirmed about Aboriginal Title in BC and Canada. (The Government can't extinguish Aboriginal Title without consent from the First Nations.)

d. Historical Treaties in British Columbia


- Students can review the contexts of the two examples of historical treaties in BC, The Vancouver Island or Douglas Treaties, and Treaty 8.
- Use the Curriculum Challenge, “Were the Douglas Treaties and the Numbered Treaties Fairly Negotiated?” found on the website *The Governor's Letters*. <http://www.govlet.ca>.
 - The website includes primary and secondary documents about both the Douglas Treaties and the Numbered Treaties.


2-6. Recognition of Indigenous Rights and Title

a. Role of Constitution and Courts

Students review or learn about the importance of the Constitution Act (1982) and a series of landmark court cases that brought about the recognition of Indigenous Rights and Title.

- Students can investigate the meaning and purpose of Section 35 of the Constitution Act and landmark court cases interpreting that section.
 - Students can work in groups to research one of the cases, then share their findings with the class, using a group presentation or jigsaw strategy.
- Students can use Blackline Master T-9, page 191, *The Road to Recognizing Indigenous Rights and Title* to summarize the key findings of each case, and the law made in the Constitution Act
 - Along with the Act, the cases listed on the Blackline Master are:
 - Calder v BC [1973]
 - Constitution Act, 1982
 - Guerin v The Queen [1984]
 - R v Sparrow [1990]
 - Delgamuukw v BC [1997]
 - Tsilhqot'in Nation v BC [2014]
 - There are other important cases that could also be considered, including:
 - R v Van Der Peet [1996]
 - R v Gladstone [1996]
 - Haida Nation v BC [2004]
- Some sources about some of these significant court cases:
 - Indigenous Foundations. <https://indigenousfoundations.arts.ubc.ca>
 - Centre for First Nations Governance. *A Brief History of Our Right to Self-Governance, Pre-Contact to Present*. <https://tinyurl.com/fnesc930>
 - About Indigenous Rights and Title.” *Two World Views in Law*, Union of BC Indian Chiefs website, <https://tinyurl.com/fnesc935>
- Discuss why there were still court cases about Indigenous or Aboriginal Rights and Title after Section 35 of the Constitution Act was enacted.
 - Students can refer to Backgrounder 12, *Reconciliation and Indigenous Rights and Title*, page 247.
 - Responses could suggest that although Section 35 recognized and affirmed Aboriginal and treaty rights, it did not define them. The subsequent court cases helped to define them. The cases also clarified and supported the recognition of Aboriginal title. Through litigation courts could help resolve conflict and set out some implications of those rights in a Canadian legal context. Crown obligations to First Nations were clarified.

 Blackline Master T-9, page 191, *The Road to Recognizing Indigenous Rights and Title*

 Backgrounder 12, *Reconciliation and Indigenous Rights and Title*, page 247

b. Why Treaties?

- Ask students to consider how these court cases contributed to the federal and provincial governments working with the First Nations Summit to establish the BC Treaty Process, supported by the BC Treaty Commission.
- Have students work in groups to suggest why many First Nations decided to take part in the BC Treaty Process.
- Have them find examples of First Nations stating why they support the BC Treaty Process, or why the BC Treaty Process is the right path for them.

c. What are Alternatives to Treaties?

- Explain that a number of First Nation communities in BC are not participating in the BC Treaty Process.
- Ask students to think about the question, Why do some First Nations choose not to negotiate treaties? Ask them to predict some reasons why communities would not want to be involved.
- Display or read this statement by the Nuxalk Nation and ask students why the Nuxalk are not part of the treaty process.


The Nuxalk remain strongly against entering any treaty process as we know that our Ancestral lands have never been surrendered and remain legally ours, in both our tradition and under Canadian law. (Nuxalk Nation website, <https://nuxalknation.ca/about/>)

- Litigation. Explain that some First Nations choose to continue to use the courts to protect their Indigenous rights and title. Students can watch the news for current court cases involving Indigenous Rights and Title. Some recent examples include:
 - Tsilhqot'in. In 2014 the Supreme Court of Canada ruled that the Tsilhqot'in First Nation held Aboriginal title to most of what they claimed as their traditional territories. If you haven't already discussed it, students can find out about the implications of Tsilhqot'in Decision.
 - See this CBC News article. <https://tinyurl.com/fnesc940>.
 - Esquimalt First Nation. They were part of the Vancouver Island (Douglas) Treaties. They are going to court to get recognition of their claim to land promised by one of the treaties.
 - See this Times-Colonist report of 2016. <https://tinyurl.com/fnesc938>.
 - Kwikwetlem First Nation has filed claim for title to a part of their traditional territories.
 - This TriCity News article of 2016: <https://tinyurl.com/fnesc939>.
- Discuss the pros and cons for First Nations going to court to protect their Indigenous Rights and Title and to hold the federal and provincial governments accountable for their constitutional obligations.
- Non-Treaty Agreements and Sectoral Initiatives. Explain that many First Nations are involved in agreements with the federal and provincial

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governments that set out the First Nations' decision making over aspects of the use of their traditional territories.

- Students can find out more by reading Blackline Master T-10, page 193, *BC Agreements Outside Treaty*.
- Students can find out what types of agreements have been made by BC First Nations, including local Nations. They can use the *First Nations A-Z Listing* on the British Columbia Government website, <https://tinyurl.com/fnesc944>. It lists every First Nation and the agreements they have entered into.
- Follow current news sources to learn about new agreements that First Nations are negotiating or have entered into.

 Blackline Master
T-10, page 193, *BC
Agreements Outside Treaty*

2.7. What is the BC Treaty Process?

Students will identify the six stages of the BC Treaty Process and come to understand the challenges and roadblocks faced by the First Nations.

a. The BC Treaty Process

- Have students work individually or in small groups to find out how the BC Treaty Process works. Students can use the BC Treaty Commission website and other sources. If possible and appropriate, students can track the treaty process of the First Nation they belong to, or a local First Nation. Most First Nations involved in treaty negotiations will have a page dedicated to the process on their website.
 - As they begin students can record what they know about the treaty process, and questions they have about it.
 - Students should identify the six stages of the treaty process.
 - Students can decide on a format to communicate their findings about how the Treaty Process works.

b. Treaty Progress

Students will understand the length of time the BC treaty process is taking.

- Have students find out how many First Nations are currently at each stage of the BC treaty process. Ask students to decide on a way to represent the data graphically. What does this data show about the BC Treaty Process? They can find the most recent information at the BC Treaty Commission website page, Negotiations Update: <http://www.bctreaty.ca/negotiation-update>
- Students can create a timeline of the treaty process for the local First Nation if they are currently negotiating, or choose another First Nation to examine. Ask questions such as, What stage are we at? or What stage is the local First Nation at? When did the Nation start negotiations? How long did they spend in each stage?

c. What are the Challenges of the Treaty Process?

Have students investigate what the road blocks and challenges to completing the treaty process are. Discuss where students can find information they need.

- Some of the challenges of the treaty process include:
 - government mandates not flexible
 - differing perspectives on reconciliation
 - slow pace of progress and tangible benefits
 - not all First Nations are participating
 - financial cost of negotiations
- Students can research a variety of sources from different viewpoints. For example, what do these bodies say about the slow progress:
 - Community members involved in the process
 - Opponents to the process
 - BC Treaty Commission
 - Federal Government
 - Critics of the process
 - Writers and commentators

d. The Treaty Process in Action

- Students can conduct case studies of First Nations’ pursuit of protecting their Indigenous Rights and Title through treaty or other means.
 - Students can analyse several successful examples of the process in one or more regions of the province. This could include the Nisga’a Final Agreement which was done before the BC Treaty Process.
 - Students can investigate a treaty negotiation in which the members of the First Nations voted no to accept the treaty as agreed upon by the negotiators. See, for example, the Lheidli T’enneh
 - Students could examine a region that is not involved in the process, and find out what their goals and processes are.
- Examine the negotiation process. Ask questions such as:
 - Who are the participants?
 - What happens at the negotiation table?
 - What accountability do negotiators have? How do they report to constituents?
- You may want to adapt a negotiation simulation found at the Law Connection website, “Native Land Claims - Teaching Resource” found at SFU Centre for Education, Law & Society. <https://bit.ly/2TloVyz>
- What happens after the Agreement in Principle? Students can find out what happens after an Agreement-in-Principle has been signed. Ask questions such as:
 - What is the ratification process?
 - What happens if people reject it?
- Students can investigate how the implementation of an agreement works.

2.8 Results of Modern-Day Treaties

- a. Compare the results of successfully completed treaty nations, such as Tsawwassen, Tla'amin and Maa-nulth to determine some of the benefits of treaties.
- b. Examine key components included in treaties: Indigenous Rights; Self-Government; Management and control of Lands & Resources; Finances and Economics; Fishing; Forestry.
- c. New relationships between Treaty nations and different levels of government: local, regional, provincial and federal governments.
- d. National responsibilities and benefits. How will successful treaties affect the Canadian identity?
 - What are some misconceptions that people could have about treaties and the treaty process? (For example, they only benefit First Nations; they are something from the past; they are not relevant today. they only involve land. They will cost too much.)
 - Why is it important to learn about the treaty process?

Blackline Master T-1

What Are Your Rights?

Rights are things that a person is (or should be) allowed to do, have or get.

Most human rights are about treating all people fairly and with respect. There are different types of rights. Here are three of them: Children's rights, rights of Canadians, and universal rights of all humans. As long as you are a human Canadian child, you should have all these rights.

Did You Know?

Everyone under the age of 18 is considered by law to be a child.

Children's Rights

- The right to go to school
- The right to practice a religion
- The right to a decent home
- The right to eat
- The right to medical care
- The right to play
- The right to express your ideas
- The right to safety
- The right to rest
- The right to a clean environment
- The right to live with your parents
- The right to privacy

Canadian Charter of Rights and Freedoms

2. Fundamental Rights

- a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

(There are more specific rights listed in the charter.)

United Nations Charter of Human Rights

(Selected rights - There are more!)

- You have the right to own property
- You have the right to voice your opinions to others
- You have the right to privacy
- You are innocent until proven guilty
- You have the right to an education
- You have the right to a fair and public trial
- Every adult has a right to a job and a fair wage
- Every adult has the right to vote for their government

Indigenous Rights and Title

Indigenous Rights are inherent, collective rights rooted in the original occupation of the land we now call Canada,

Inherent means something that is built in, permanent or essential. Indigenous Rights have always existed. They have not been given to First Nations by anyone else.

Collective means belonging to a group. Indigenous Rights are held collectively by the members of a First Nation..

Indigenous Rights are protected in Canada's Constitution and Charter of Rights and Freedoms.

Indigenous Rights are also known as **Aboriginal Rights**. This is important because Section 35 of Canada's Constitution officially recognizes and affirms "aboriginal and treaty rights."

Therefore, Aboriginal Rights are protected in Canada's Constitution and Charter of Rights and Freedoms under Section 35.

Indigenous Title is a collective right to the exclusive use and occupation of land held by an Indigenous Nation. It is based on the traditional territories that have been occupied by their ancestors.

The Delgamuukw decision by the Supreme Court of Canada in 1997 ruled that Indigenous title is a property right to the land.

First Nations are diverse and distinct. As such, their respective Indigenous Rights may vary between groups.

Here are some common Indigenous Rights:

- The right to the land (Indigenous title)
- The rights to use the resources of their land (hunting, fishing, gathering)
- The right of self-determination and self-government
- The right to practice one's own culture and customs including language and religion
- The right to enter into treaties

The doctrine of Aboriginal rights exists, and is recognized and affirmed by s. 35 (1) [of the Canadian Charter of Rights and Freedom] because of one simple fact: when Europeans arrived in North America, Aboriginal peoples were already here, living in communities on the land, and participating in distinctive cultures, as they had done for centuries.

*Chief Justice Lamarr, Supreme Court of Canada
R. v. Van der Peet, paragraph 30*

What's the Story of Treaties?

The story of treaties in British Columbia is different from most of Canada. Most treaties in Canada were signed more than 100 years ago. Not in British Columbia.

A few small treaties were made on Vancouver Island by James Douglas. He was the governor of the Colony of Vancouver Island.

Douglas believed it was right to sign treaties with First Nations. Between 1850 and 1854 he negotiated a few treaties. Then, for some reason, he stopped making treaties.

In the 1890s a large treaty was made with First Nations in Alberta, Northwest Territories and part of BC. This was the Peace River region. It is now part of Treaty 8. In the rest of the province, the Aboriginal Rights of First Nations were ignored or denied by governments.

But the story of treaties starts long before those times.

The Times of Oral Treaties

For thousands of years First Nations lived in the land we now call British Columbia. Each Nation lived in its own territory. Each Nation had its own laws and governments.

The relationships that First Nations had with each other were very important. Each First Nation respected the rights of other Nations to have its own laws and governments.

First Nations often made agreements with each other. These agreements helped people get along with each other. Usually the people had feasts or potlatches to approve the agreement. The agreement became an oral treaty.

Sometimes the agreements were about sharing resources. Neighbours might share resource areas. This was always done with respect. Neighbours followed proper protocols.

For example, one family might ask if they could fish in a good fishing spot on another Nation's territory. If the chief agreed, the people could fish there. But the visitors had to make a promise. They promised to give some of the fish to the Chief and his people.

Sometimes agreements were about trading. People might agree to be trading partners for valuable goods.

What's the Story of Treaties?

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Some oral treaties were Peace treaties. Sometimes two Nations made peace after being at war. They made a peace treaty. They promised not to fight anymore.

People followed protocols when they travelled through the territories of other First Nations. They wouldn't cross other territories unless they had permission.

Some oral treaties are still in place today. For example, the Sylix people of the Upper Nicola Band and Tk'emlups people of the Secwépemc Nation still meet to reaffirm the promises made by their ancestors. Their oral treaty is known today as the Fish Lake Accord.

First Nations have always had important relationships with each other. They acknowledge the independence of each other. They have always made agreements and treaties between each other.

The Royal Proclamation of 1763.

The next part of the story of treaties begins when people from Europe began to settle what we now call North America.

In the 1700s European countries fought with each other for control of what they called the New World.

After years of war, Britain took control of most of North America in 1763. First Nations had played a role in the final battles. Some were allies and helped Britain win.

After 1763 the colonies were ruled by the government of Britain. The First Nations had no say in the matter, even though they had been allies.

Many settlers were moving onto First Nations lands. They didn't buy it or rent, but moved in without their consent.

The British government wanted to keep control of all the lands. So it made a law that said First Nations lands could only be bought by and given to the British government. This law was part of the Royal Proclamation of 1763.

Indigenous Rights and Title

The words of the Royal Proclamation say that the land belonged to First Nations when Europeans came. The land was theirs until they sold it or signed a treaty passing it to the British government.

What's the Story of Treaties?

page 3

Today we say that the Royal Proclamation proves that the British government recognized that First Nations had title to their lands. In Western law, when you have title to land, that means you own it. So, the Royal Proclamation recognized First Nations as owning their traditional territories. Based on this understanding, the British government needed to have treaties with First Nations so they could get ownership of lands from them.

Different Views of Land Ownership

First Nations people found themselves forced into new relationships with colonizers. They learned that the newcomers had different customs. They had different ways of dressing and speaking. They also had different ideas about land ownership.

Most First Nations believe that it is their responsibility to look after the lands of their ancestors. They are not owners of the land just for themselves, but have a relationship with the land. They are stewards. They use and take care of the resources to survive. They pass the care of the lands onto their children.

Most settlers had a European view of the land. One person can own a piece of land for themselves. They can give it to their children, or they can sell it for a profit. They can sell the resources taken from the land to make money.

Soon First Nations watched their traditional territories being taken over by settlers. From the beginning they did what they could to keep control of their lands, but were up against powerful forces of the colonizers..

Canada and Treaties

Canada became a country in 1867. Soon after, the Canadian government made the Indian Act to control the lives of First Nations people.

But as far as European settlers were concerned, something had to be done about the First Nations lands.

Canada seemed to follow the ideas of the Royal Proclamation of 1763. They seemed to agree that the land belonged to the First Nations until it had been sold or a treaty was made. So Canada and some provinces made treaties with many First Nations. But this was not the case in British Columbia.

What's the Story of Treaties?

page 4

Different Views of Treaty

Canada and the First Nations that made treaties had different understandings about what they were signing. They spoke different languages. They had different histories, worldviews and values.

They also had very different ideas of land ownership. First Nations believed they were agreeing to share the land. Canada believed First Nations were giving away or selling the land.

To Canada, treaties meant that Indigenous Title to the land ended. The word used for this is extinguishment.

The treaties gave First Nations a few benefits in return. Treaties gave them things such as small areas of reserve lands, farming equipment, and some hunting and fishing rights. But they did not give them any share in the value of the resources that they gave up.

Meanwhile, in British Columbia...

The settlers in BC had a different view of land issues. The Province outright denied that Indigenous Rights and Title existed.

For more than 100 years, government after government in BC denied Indigenous Rights and Title. They claimed that nobody owned the land before settlers came. They claimed that the land was *terra nullius*, which is Latin for “nobody’s land.”

For more than 100 years First Nations fought to have Indigenous Rights and Title recognized. Time after time they tried to have their rights recognized and respected.

Then a big change came to the country. Canada got a new Constitution in 1982. It says in Section 35, “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

These were powerful words. But what did they really mean? People weren’t sure.

Finally, First Nations took Canada and British Columbia to court. First Nations won many significant court cases confirming that they did, indeed, have Indigenous Rights and Title.

Finally, Canada and British Columbia agreed that there should be treaties for First Nations in BC.

The BC Treaty Process began in 1992 but it has made slow progress so far. As of 2019, only four modern day treaties are in effect.

Summarizing the Treaty Story

Use this organizer to record your summaries of the article *What's the story of Treaties?*

The Times of Oral Treaties

The Royal Proclamation of 1763

Indigenous Rights and Title

Different View of Land Ownership

Canada and Treaties

Different Views of Treaty

Meanwhile, in British Columbia...

Summarizing the Treaty Story

Use this organizer to record your summaries of the article *What's the story of Treaties?*

The Times of Oral Treaties

In the past First Nations made oral agreements and treaties with each other. These could be peace treaties or sharing resources. They followed protocols in public ceremonies such as feasts and potlaches.

The Royal Proclamation of 1763

The Royal Proclamation was made when Britain first took control of North America. It stated that the land belonged First Nations before settlers arrived.

Indigenous Rights and Title

This is the understanding that Indigenous people were the first ones here and they have rights to the land that cannot be taken away.

Different View of Land Ownership

Most First People believe they have the responsibility to look after the land and no one can own it for themselves. Europeans view land as something that can be bought and sold by individuals.

Canada and Treaties

When the country of Canada was formed the government made treaties with many First Nations, but not in most of British Columbia.

Different Views of Treaty

First Nations understood the treaties to be agreements to share the land a resources. Canada understood it to mean the extinguishment of Indigenous Rights and Title.

Meanwhile, in British Columbia...

Many politicians and BC citizens denied Indigenous Rights and Title for many years, and would not agree to make treaties. First Nations fought for nearly 150 years to have their rights recognized. Finally in 1992 the BC Treaty Process was begun.

Treaties Awareness Quiz

How much do you know about treaties in BC and Canada?

1. Whose traditional territories do you live on? Is it treaty land?
2. What are nation-to-nation agreements?
3. How did First Nations make nation-to-nation treaties before European contact?
4. Where and when were the first treaties signed in British Columbia?
5. About how many years passed between these treaties and the first modern day treaty in British Columbia?
6. What Canadian law recognizes and affirms Aboriginal and treaty rights?
7. How many stages are there in the BC Treaty Process?
8. The Nisga'a Treaty was the first treaty under the BC Treaty Process - true or false?

Blackline Master T-5 SAMPLE RESPONSE KEY

Treaties Awareness Quiz

How much do you know about treaties in BC?

1. Whose traditional territories do you live on? Is it treaty land?

Answer depends on your location.

2. What are nation-to-nation agreements?

Agreements like treaties between two or more sovereign groups; the nation to nation approach recognizes the sovereignty and autonomy of each nation.

3. How did First Nations make nation-to-nation treaties before European contact?

Usually through oral traditions and ceremony; although some used symbolic objects such as wampum belts.

4. Where and when were the first treaties signed in British Columbia?

On Vancouver Island between 1850 and 1854. These are the Vancouver Island Treaties, also known as the Douglas Treaties or the Fort Victoria Treaties.

5. About how many years passed between these treaties and the first modern day treaty in British Columbia?

About 150 years; 146 years between 1854 and 2000, when the Nisga'a treaty went into effect.

6. What Canadian law recognizes and affirms Aboriginal and treaty rights?

Constitution Act, 1982, Section 35.

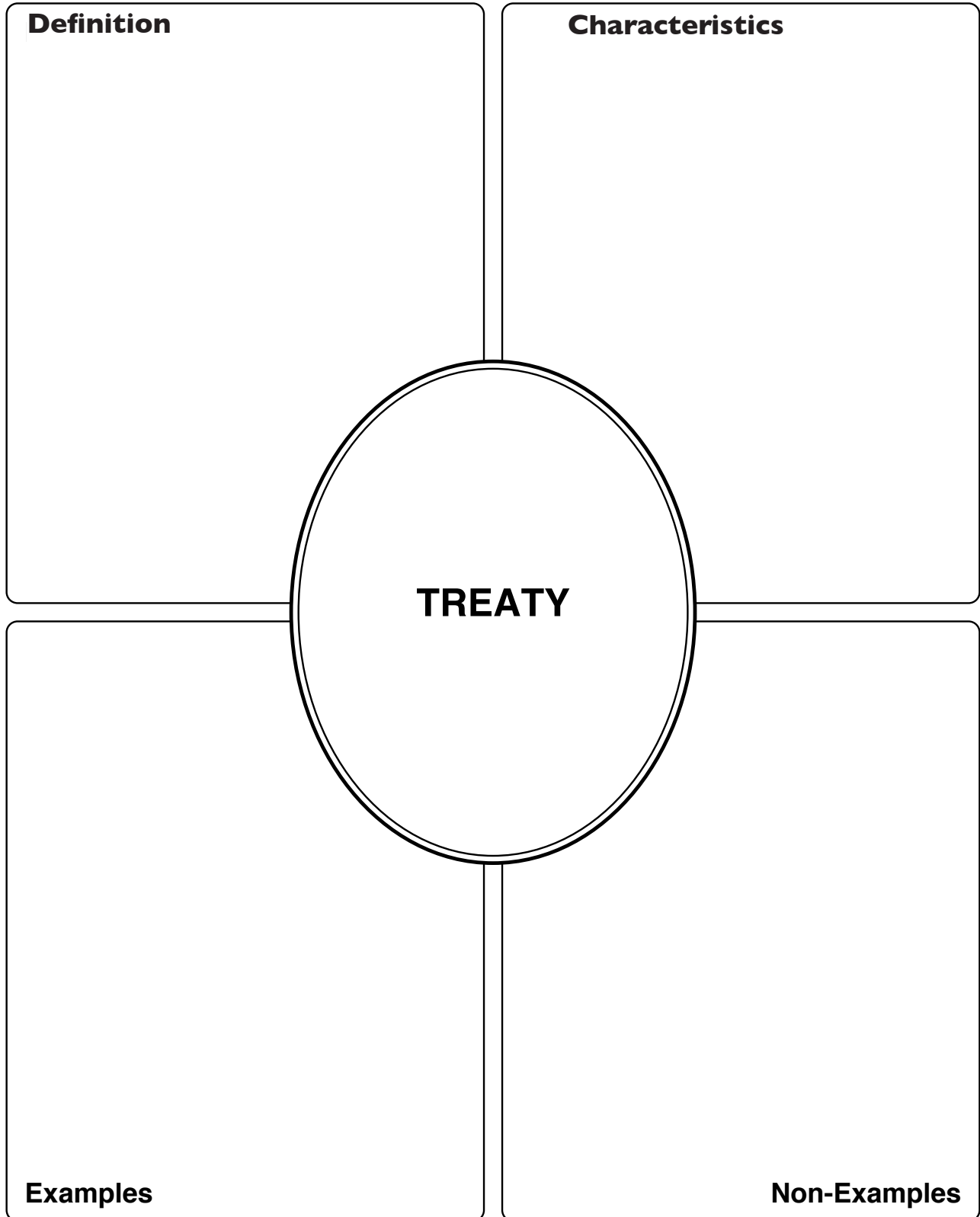
7. How many stages are there in the BC Treaty Process?

Six

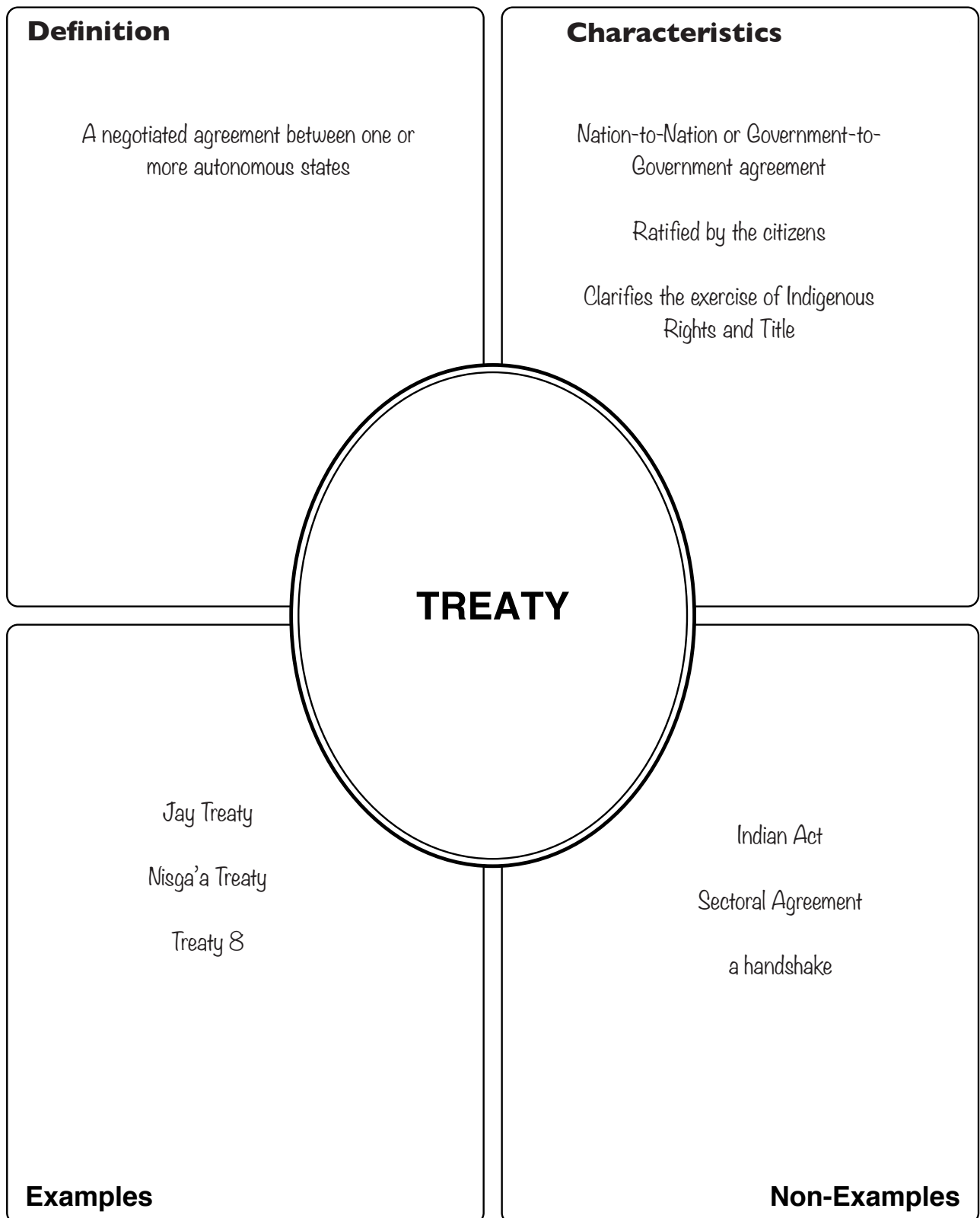
8. The Nisga'a Treaty was the first treaty under the BC Treaty Process - true or false?

False. It was the first modern day treaty, but it was negotiated before the BC Treaty Process began. Note that the Calder v. BC (1973) court decision, which confirmed that Aboriginal title land existed prior to the colonization of North America was impetus behind Canada and British Columbia entering into negotiations with the Nisga'a.

Exploring the Concept of Treaty



Exploring the Concept of Treaty



Nation to Nation Relationships Before Contact

For thousands of years First Nations lived in the land we now call British Columbia. Each Nation lived on its own part of the land, in its own territory. Each Nation was autonomous, with its own laws and governments, its own political and economic structures.

The relationships that First Nations had with each other were very important. These relationships were sometimes peaceful, sometimes not so peaceful. But they all involved some kind of agreement between the Nations. Both sides of the relationship understood its nature. Many times the agreement was formalized in a public ceremony between both Nations. It became an oral treaty.

Often people had trading relationships with each other. They exchanged goods that they had produced, or traded from another group. Neighbouring nations often made trading agreements with each other.

Peaceful relationships were also created through marriage. An alliance of two families through marriage could benefit both their nations through the sharing of knowledge and resources.

Sometimes relationships revolved around war and peace. If two Nations were at war with each other, they understood the state of hostilities. But often Nations that had been warring would make peace, and this frequently was formalized as a peace treaty.

Agreements also concerned the use of the land and resources. Sometimes

neighbouring Nations shared resource areas. But this was always done with respect and proper protocols.

For example, one family might ask if they could fish in a good fishing spot on another Nation's territory. If the chief agreed, the people would be allowed to fish, but they were required to give some of the fish to the chief and his people.

Sometimes these arrangements were influenced by marriage. Agreements could be made between families

When people travelled through the territories of other First Nations, there was – and still are – strict protocols to be followed. These reflect the relationships that the two Nations had with each other. Visitors request permission before entering the territories

So, before European contact, First Nations had valued relationships between each other that acknowledged their individual sovereignty to their territories, and diverse ways of making agreements and treaties between each other.

Today, these Nation to Nation relationships continue. For example, when people enter the territories of another Nation in a formal visit, they first ask permission and indicate their respect for the host Nation's territories. Some old oral treaties and agreements are still recognized.

Fish Lake Accord

In the late 1700s a peace treaty was made between the Chiefs of the Tkemlups Secwepemc (Kamloops) and the Syilx (Okanagan) to end wars between the two Nations.

The two chiefs were Kwolila of the Tkemlups division of the Secwepemc, and Pelkamulox, head Chief of the Douglas Lake Okanagan division. The two men were half-brothers, sons of another Chief Pelkamulox from different mothers.

There had been several generations of warfare between the groups. Pelkamulox built a stone fort in northern Okanagan territories as headquarters. Eventually, however, the two brothers agreed it was time for peace.

Because they were so closely related, the protocols of the day allowed them make a peace treaty. It was the blood relationship that solidified the political relationship between their Nations.

Each of the Chiefs had responsibilities and rights associated with the treaty. Kwolila agreed to give part of his territory to Pelkamulox and his Syilx people. This is the area around Douglas Lake in the Upper Nicola Valley.

Pelkamulox agreed to allow Kwolila to adopt his daughter Kokoimalks. She would marry into the Tkemlups Secwepemc community. This ensured that future generations of both Nations would be related.

Both Chiefs agreed on overlapping boundaries where their territories met. This meant they shared in the harvest and management of the resources. It also meant that they lived and worked close to each other during the harvesting seasons. This helped keep the peaceful relationship between the people.

Today this treaty is known as the Fish Lake Accord, and is still regularly respected and honoured today. Usually the Upper Nicola Band and Tkemlups communities alternate hosting the ceremonies.

For example, on October 15, 2014, 200 people gathered at Qumqnatkwu (Fish Lake) to witness the reaffirmation of the Accord. This included Secwepemc and Syilx leaders from throughout their territories as well as First Nations leaders from neighbouring Nations.

Gifts were exchanged, including two horses given by the Syilx people to Tk'emlups. Stories were told and the children performed. Later a feast was held in N'kwala School. Among the foods served were barbecued salmon and pit-cooked deer.

Source of Information:
Marianne Ignace and Ronald E. Ignace.
Secwépemc People, Land and Laws. McGill-Queen's University Press 2017.

The Road to Recognizing Indigenous Rights and Title

Before the BC Treaty Process began, some key Supreme Court cases were needed to force governments to recognize Indigenous Rights and Title. Find out about these key steps on the path to recognition.

Steps to Recognition	First Nations involved	Major findings
Calder v BC [1973]		
Constitution Act, 1982 s. 35(1)	Not a court case	
R v Guerin [1984]		
R v Sparrow [1990]		
Delgamuukw v BC [1997]		
Tsilhqot'in Nation v BC [2014]		

The Road to Recognizing Indigenous Rights and Title

Before the BC Treaty Process began, some key Supreme Court cases were needed to bring governments to recognize Indigenous Rights and Title. Find out about these key steps on the path to recognition.

Steps to Recognition	First Nations involved	Major findings
Calder v BC [1973]	Nisga'a	Aboriginal title to land is based on historic occupation and possession of traditional territories
Constitution Act, 1982	Not a court case	"35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." (But Aboriginal rights not defined.)
R v Guerin [1984]	Musqueam	The Crown has a fiduciary duty to First Nations Aboriginal title is a sui generis (unique) right
R v Sparrow [1990]	Musqueam	Fishing rights were inherent Aboriginal rights protected by Section 35(1) Established the "Sparrow Test" for Aboriginal Rights
Delgamuukw v BC [1997]	Gitksan and Wet'suwet'en	Affirmed the unique nature of Aboriginal title. Validated use of oral histories as testimony. Encouraged governments to negotiate settlements of Aboriginal Rights and Title.
Tsilhqot'in Nation v BC [2014]	Tsilhqot'in Nation	Established Aboriginal Title to a large area of Tsilhqot'in traditional territories. Consultation required on land and resource use, but set conditions for Crown to override title.

Blackline Master T-10

Agreements Outside of Treaty

Many First Nations are involved in negotiating agreements that set out who makes decisions about resources or projects in the First Nations traditional territory. Agreements with the provincial and/or federal governments make clear the respective decision-making powers.

In 2005 the BC government and First Nations leaders agreed on a vision called The New Relationship. It set the stage for a diversity of agreements outside treaty. They provide an alternative to the treaty process.

The New Relationship set the stage for new kinds of agreements. They involve varying levels of co-management and shared decision making between First Nations, government and businesses. There are three main types of agreements:

Project Agreements

When a project takes place in the traditional territories of a First Nation. The agreement ensures they are consulted and may also participate economically. For example:

- 2010 Olympic Legacy Agreements with Musqueam, Tsleil-Waututh First Nations, Lil'Wat and Squamish First Nations
- Tahltan Nation and BC Hydro construction of the Northwest Transmission Line (2011)

Sectoral Agreements

Broader agreements that apply to one resource sector, such as forestry. They may apply to some or all of the First Nations traditional territory (not just reserve lands). For example:

- Forest Consultation and Revenue Sharing Agreements. First Nations communities consult on use of forests in their territories and receive economic benefit. More than 130 BC First Nations communities have such agreements, including those involved in treaty and those who are not.

The New Relationship Vision Statement

We are all here to stay. We agree to a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights. Our shared vision includes respect for our respective laws and responsibilities. Through this new relationship, we commit to reconciliation of Aboriginal and Crown titles and jurisdictions.

We agree to establish processes and institutions for shared decision-making about the land and resources and for revenue and benefit sharing, recognizing, as has been determined in court decisions, that the right to aboriginal title "in its full form", including the inherent right for the community to make decisions as to the use of the land and therefore the right to have a political structure for making those decisions, is constitutionally guaranteed by Section 35. These inherent rights flow from First Nations' historical and sacred relationship with their territories.

- Tsilhqot'in Moose Co-Management Agreement

Comprehensive Agreements

These broad agreements establish government-to-government relationships in a number of sectors. They are often called Reconciliation Agreements. They include land use planning and management but also other areas significant to a First Nation, such as heritage and archaeology, economic benefits, culture and wellness. These include First Nations negotiating treaties, and those who are not participating. Some examples are:

- Stó:lo First Nations Strategic Engagement Agreement (SEA)
- Secwepemc Reconciliation Framework Agreement
- Kunst'aa Guu – Kunst'aaya Reconciliation Protocol (Haida and BC)
- Shíshálh Nation/British Columbia Foundation Agreement

Unit 6

Hunting and Trapping Case Studies

Overview

In this unit students use primary source documents to investigate First Nations governance and treaties through case studies taken from the early twentieth century. It can be used as a unit of study on its own, or the documents include here can be woven into the other units in this Resource Guide.

There are numerous topics that could be used as case studies in tracking the relationships between First Nations and governments, such as fisheries and forestry resources, Indian Reserves, health and education.

Hunting and Trapping have been chosen here because they were central to both food security and economic security in the twentieth century. They highlight the critical and confusing divisions between federal and provincial jurisdictions governing First Nations. As well, there has not been as much academic study of hunting and trapping as there has been of other topics.

For most First Nations in BC, hunting and trapping were important activities in the 19th and much of the 20th century, and they continue to play a part in many communities today. In the past they provided a significant source of food and other resources, and also, since the days of the fur trade, a key part of First Nations' economic structures.

Hunting has always provided food and material resources, and a wide variety of technologies were used in the past, designed specifically for local geographies and habitats. Before contact, trapping was one type of technology used when necessary to provide resources. These include dead-falls for bears or snares for small animals like rabbits. However, to meet the demands of the fur trade, trapping became more significant and First Nations invested much more time and energy to trapping for furs to be sold.

For millennia hunting and the management of animal resources had been controlled according to the governance systems of each First Nation. Some assigned hunting rights to the territories of specific families, clans or house groups. Some had a special hunting chief who was in charge of directing the hunt. In all cases, the people were autonomous and utilized their traditional knowledge to decide when and how many animals to hunt to maintain the sustainability of the resources.

However, after BC joined Confederation, First Nations hunters and trappers became increasingly caught up in a maze of laws and policies that took away their autonomy and restricted their access to their resources. More than that, they were caught in the bureaucratic muddle between the federal Department of Indian Affairs and the provincial game and wildlife laws. These laws were always changing, and often arbitrary in their enforcement. Hunters often found themselves being fined or imprisoned for breaking a law they didn't know about or understand.

This unit provides original documents that students can investigate to see how First Nations communities navigated this maze of federal and provincial laws that governed hunting and trapping in the past.

Essential Understandings

- For thousands of years, First Nations have controlled their lands and resources with their own laws and governance systems.
- Colonialism impacted the lives of First Nations, including their autonomy, self-government and control of lands and resources.
- The provincial laws and policies governing hunting and trapping were confusing, conflicting, arbitrary and discriminatory toward First Nations.

Guiding Questions

- In what ways did the BC wildlife and game laws impact First Nations communities?
- How did First Nations leaders and communities persist in fighting for their traditional hunting rights?

Using the Primary Source Documents

Background to the Documents

Most of the documents come from the voluminous archives of the Department of Indian Affairs. The letters have been microfilmed and stored in the National Archives in Ottawa. Copies of materials relating to BC are available in the BC Archives in Victoria.

The letters in these document sets come from the DIA file RG 10, Volume 6735, British Columbia Game Laws. They include correspondence from First Nations individuals and communities, and between bureaucrats including various levels of the Department of Indian Affairs officials, Indian Agents, and BC officials such as Game Wardens and others involved in wildlife management.

Learning Standards

All the Content Learning Standards that are identified in the Governance and Treaty units are applicable to the learning opportunities provided by the documents.

Using these documents provides many opportunities to apply the Curricular Competencies in depths appropriate to a variety of grade levels. For example, students can analyse the various perspectives of the key players in each document set. They will be able to evaluate the evidence given in the documents to reach their own conclusions.

UNIT 6 • HUNTING AND TRAPPING CASE STUDIES

Using the Documents for Inquiry

These historical documents can be used as learning resources in many different ways. They can be used in open-ended, inquiry based activities, or selected documents can be studied closely as a class to focus on one concept.

One way to use the primary source documents is for an inquiry into one aspect of First Nations governance and treaties. Possible topics include:

- Traditional Governance and Land Management Systems. What evidence is there that demonstrates the acknowledgment and ongoing use of traditional systems?
- The Role of the Indian Agent. By finding out how Indian Agents worked in the different scenarios students can build up a picture of the role of the Indian Agent in the lives of First Nations communities.
- Federal and Provincial Legal Confusion and Conflict. Students can analyse the conflicts over the laws and bureaucracy of the federal and provincial governments, and how First Nations were caught in the middle.
- Discriminatory Laws. Students can analyse the documents to find the extent of discrimination found in some of the laws and policies affecting First Nations' ability to hunt and trap.
- Persistent Pursuit for Recognition of Rights. Students can use the documents to find evidence that First Nations continually protested and resisted the imposition of colonial laws.

The unit is organized in four sections:

1. General Activities. Suggestions for activities that introduce the unit topics and consider current hunting and trapping regulations and practices.
2. Document Suggested Activities. These provide suggestions for introducing the unit topics and unpacking each of the document sets.
2. Document Notes. These provide historical information that will help teachers and students gain a fuller understanding of the context of the documents.
3. Document Sets. A number of documents are organized in sets around a certain event, policy or topic. They are meant to be photocopied for students, or read digitally as PDFs. The document sets are:
 1. Protesting the New BC Game Laws, 1905
 2. Kitsumkalum Beaver Trapping, 1912
 3. Organized and Unorganized Districts, 1914
 4. Spuzzum Band and Hunting Permits, 1916
 5. Douglas Treaty in Court, 1916
 6. Hardship and Conflict in the 1920s
 7. Treaty 8, Peace River Region, 1932

General Activities

1. Governing Wildlife Resources From Time Immemorial

Students build their understanding of traditional ways that First Nations have stewarded the use of their resources through management and governance.

- a. Have students summarize how First Nations governed the management of wildlife resources before contact. They may have prior knowledge they can build on, or do some research to find out more.
- b. Students can find information about traditional governance of lands and resources in the following Backgrounders:
 2. Traditional First Nations Societies
 3. Ancestral Laws and Governance
 5. Traditional Leadership
 6. Public Witness: Feasts and Potlatches

2. How is BC Wildlife Governed Today?

Students can investigate how wildlife is managed by the provincial government today. (Note: Explain that the provincial government assumes it owns the resources, but First Nations do not agree. This is one of many matters to be reconciled.)

- a. How are hunting and trapping governed?
 - Ask students if they know the provincial department that is responsible for managing hunting and trapping today, and the name of the Act that the department enforces. Have them search to find the information on the BC Government website.
 - It is the Fish and Wildlife Branch within the department currently known as the Ministry of Forests, Lands, Natural Resource Operations and Rural Development. The Act is now called the Wildlife Act.
 - Ask students to define the following terms. They can begin by identifying any they know. Then they can predict what they mean before verifying their definitions.
 - Management Unit
 - hunting season
 - bag limit
 - Game warden
- b. Current hunting and trapping regulations

Students can work in groups to analyse the current *Hunting & Trapping Regulations Synopsis* published by the Fish and Wildlife Branch. It is available to download on the Fish and Wildlife website, at <https://bit.ly/2MHPPxZ> or you can get printed versions at various locations such as the local ServiceBC office.

 - Ask students to find out if they would be able to get a hunting license and if so, what they would have to do to get it. Have them find out how much it would cost for the license. (Everyone aged 10 and over can get a hunting license. There are Youth Hunting Licenses.)
 - Have students find the Species License Fees which are special licenses applying to

UNIT 6 • HUNTING AND TRAPPING CASE STUDIES

certain species. Ask questions such as:

- Are you surprised at any animals on the list?
- How are the fees for BC residents different from those of non-residents?
- Judging by the fees charged, which are the two or three most valuable animals? Why do you think they have the highest fees?
- How does the Ministry regulate First Nations hunters under the Wildlife Act?
 - Have students search the publication for “Aboriginal Hunting.”
 - Students may note that under the Wildlife Act, First Nations are still referred to as Indians. How would this interfere with the application of a First Nation’s own citizenship governance? (For instance a First Nations community may grant citizenship to a person who is not recognized as having “Status.” Under the Wildlife Act they would need to get a hunting license, but others with Status would not have to.)

3. Local Hunting and Trapping Connections

Students investigate how significant hunting and trapping are in your local area.

a. Awareness

- Discuss with students if they are aware of hunting or trapping activities in your region. Some may have families that engage in hunting.
- Students can refer to the Hunting and Trapping Regulations Synopsis to find out what areas are permitted hunting areas in your region, and what animals are allowed to be hunted or trapped there.

b. Local First Nations

- If possible, students can learn about traditional and current hunting and trapping practices of local First Nations.
- Invite an Elder or Knowledgekeeper to talk about their traplines in the area, if they have any.
- Students can view a National Film Board movie called *Skeena River Trapline* to learn about what life was like on the trapline in the 1940s.
 - The documentary, made in 1949, is 16 minutes long. Find it at the NFB website at <https://tinyurl.com/fnesc947>.
 - Consistent with the time it was made, the term Indian is used throughout.

4. Document Themes

The documents can be used with a number of different topics that apply to Governance, Treaty and other issues. Some are listed below, with relevant documents.

- Traditional Management Practices: Documents 1b, 1c, 2c, 2d, 4b, 6b
- Indigenous Rights: Documents 1b, 4b, 6d, 6e
- Farming/ Agriculture: Documents 1b, 1c, 4b
- Treaty: Documents 1c, 5 a-c, 7a-g
- Food Security: Documents 1b, 1c, 3a, 3b, 6a-c
- Settler/Industrial Impact: Documents 1c, 4b, 6b
- Injustice and Discrimination: Almost all documents contain evidence
- Role of the Indian Agent: Almost all document sets

1. Protesting New BC Game Laws, 1905

The documents begin on page 212.

Suggested Activities

- Students can read Document 1a to identify reasons why the BC Government wanted to change the game laws. Ask what seem to be the government's priorities?
- Students can find similarities in the positions taken by the Lillooet and Dakelh First Nations.
- Have students create a graphic organizer that illustrates the arguments that each First Nation makes, and what their requests are.
- Ask the question, how do the two First Nations describe their traditional harvesting and management practices?
- Students can write a letter that expresses a reaction to these documents. For example, they could write a letter to the editor of the newspaper, a letter to the government, or to one of the First Nations communities

Documents Notes

1a. Amendment to Game Act, Daily Province, March 10, 1905.

- This newspaper article describes the proceedings in the BC Legislature as the politicians were discussing the new Game Protection Act. Fred J. Fulton was the Provincial Secretary.
- Note that the Game Laws were made by the politicians, not by knowledgeable people in the field.
- The article highlights the desire to encourage big game hunters and sports fishers to spend money in BC.
- The article mentions one of the most significant features of the Act, the prohibition of hunting beaver for six years.
- The impact this would have on First Nations trappers is acknowledged. This article suggests that all First Nations would be exempt from the ban. However, when the Act was passed in April, only regions in the far north were exempt.
- The government understood that First Nations had their own management practices in place. "The Indians took means to preserve this game."

1b. Lillooet Chiefs to Indian Agent Bell, Clinton, Sept 19, 1905.

- This letter was written soon after the new Game Act was made law. It shows there was an immediate reaction by First Nations against the laws.
- Note that Lillooet was spelled slightly differently than it is today (Lilloet).
- The Lillooet Chiefs quickly realized the impacts that the game laws would have on their communities.
- The Chiefs address the Government of Canada's desire to have them turn to

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agriculture to point out the importance of hunting.

- They emphasize that when they hunt deer, they make use of all parts of the animals.
- The letter was likely written by the priest, Father Victor Rohr, who has signed it and witnessed the X marks made by the Chiefs. While missionaries were frequently paternalistic in their relationships with First Nations communities, some of them did assist the communities in their land claims and other social and political pursuits.

1c. Chiefs of Stuart Lake, Stony Creek and Fraser Lake to Superintendent of Indian Affairs, 30 October 1905.

- The Chiefs of three Dakelh First Nations worked together to bring their concerns to the Department of Indian Affairs. Today they are the Saik'uz First Nation (Stoney Creek), Tl'azt'en First Nation (Stuart Lake) and Stelat'en First Nation (Fraser Lake).
- The Chiefs speak of the injustice of the laws, especially the ban on hunting beaver for six years.
- They speak of the natural laws that they follow to manage the beaver populations. This includes not hunting two years in a row in the same place.
- They explain how they depend on the beaver for many parts of their lives.
- The Chiefs refer to the fact that they are not “treaty Indians.” The letter shows an interesting perspective the Chiefs have on the benefits Treaty Nations received.
- The Chiefs refer to the governments in metaphorical ways: the province is the cruel step-mother, while they hope that the Indian department will be a good father.

2. Kitsumkalum Beaver Trapping 1912

The documents begin on page 215.

Suggested Activities

These documents involve an incident on the Skeena River in 1912 when some trappers were arrested and taken to court for trapping beaver. They tell the story from different perspectives. The documents follow a narrative line so need to be read in sequence.

- Students can begin by reading the background and documents to find out who the main players were in this event.
- Students can analyze the perspectives of the people involved in the case. They could list each of the players and describe their perspectives on the events using the evidence from the documents.
- Ask students to summarize the different perspectives held by the federal and provincial officials.
- Have students rephrase the last item in the Kitsumkalum petition (Document 2d) in contemporary language. Ask, how does this statement refer to traditional governance systems of the Kitsumkalum people?

- e. Students can consider what message that non-Indigenous readers in Victoria might have taken from the newspaper articles in Documents 2e and 2f.
 - Students can discuss why they think this case was reported in the Victoria news, and also written up for children.
- f. For further investigation, students can refer to another newspaper article in the *Daily Colonist* that covers this story. See Beaver Trapping Case, November 20, 1912, p. 23. Online at <https://bit.ly/2FtRTYY>.

Documents Notes

2a. Telegram from Dominion Constable Parsons, Kitselas, to BC Police Chief Constable W. Owens, Prince Rupert. October 25 1912.

- Students may be interested to know more about the technology of the telegram, the email of its day.
- Dominion Constable Parsons represents the Dominion, that is, the federal government. His jurisdiction only applies on Indian Reserves, which are considered federal lands.
- The constable reports the evidence of hunting beaver out of season, but does not take legal action, showing an understanding of the trappers' situation.
- Parsons calls on the Indian Agent to rectify the situation.
- The “Simpson Indian” referred to would have been a Ts'msyen (Tsimshian) trapper from Lax Kwalaams (Port Simpson) who had his trapline along the Skeena River. Mile sixty refers to the distance along the newly constructed railway between Prince Rupert and Terrace. This was probably the Kasiks River watershed.

2b. Letter from Chief Constable Owen, Prince Rupert, to Indian Agent Perry, Metlakatla. October 26 1912.

- Chief Constable Owen of the BC Provincial Police represented the British Columbia government, and had jurisdiction everywhere in the Prince Rupert region except for Indian reserves. This included trapping grounds outside reserve lands, but still within Kitsumkalum traditional territories.
- Owen's short memo to the Indian Agent explains that he has started proceedings to prosecute the Kitsumkalum trappers.
- Note the use of the word “killing” rather than trapping or harvesting.

2c. Charles Perry, Indian Agent, to Duncan Campbell Scott, DIA, Ottawa. November 4 1912.

- Perry reports the unusual actions taken by the BC police to prosecute the Kitsumkalum men to DIA headquarters in Ottawa. He points out they have previously always been allowed to hunt beaver for food.
- Perry asks the bureaucrats of the Department of Indian Affairs to work with the provincial authorities to work out an exemption for First Nations.
- The Indian Agent acknowledges and highlights what we would call today the traditional management practices of harvesting the beaver for food.

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2d. Petition from Kitsumkalum members, November 4, 1912.

- This is the original document that the Kitsumkalum submitted to the Department of Indian Affairs to express their concerns about the changing trapping regulations. The number stamped on it is a bureaucratic file number.
- At the same time, the Kitselas people, neighbours of the Kitsumkalum, submitted a similar petition.
- The people state their claim to be allowed to hunt not only beaver but all their traditional resources.
- They point out that they rely on trapping for survival. Like most First Nations, their ability to survive in a traditional manner had been taken over by the need to enter into the wage economy.
- The Kitsumkalum point out their traditional management systems to conserve the beaver, and make a connection with their ancestors.
- They point out that within their territories there are no places for outsiders to trap “because every man have their own hunting ground.” This is a significant point that is rooted in traditional governance systems, when all the territories of the Kitsumkalum were associated with different House Groups.

2e. “Indian’s Beaver Prayer” Colonist November 15, 1912.

- This article in the Victoria newspaper reports on the court case of the Kitsumkalum trappers.
- Students may need an explanation of the term “*prima facie*,” a legal term which means at first appearance, or, until proven otherwise.
- The information about an earlier petition (earlier than that given in document 1d) is unclear. The Department of Indian Affairs file that these documents come from do not mention it. The article reports that the petition was submitted to the Provincial Police, which may suggest that Chief Constable Owen was already aware of the intent of the Kitsumkalum people.
- Attorney-General William Bowser was a member of Richard McBride’s Conservative government, and became Premier of the province for a short time between 1915-1916.
- The article ends with two paragraphs that are not included here. They discuss a similar case of a Chinese man who had also been charged under the game laws. It concludes with the sentence, “Any officer who would initiate a prosecution under such circumstances would serve to lose his position forthwith.” The full article can be found online at <https://tinyurl.com/y2m5f472>.

2f. Daily Colonist Young Folks Paper, November 24, 1912.

- This is a clipping from the Children’s section of the *Daily Colonist*. It is in a section which today we might call current events. The item appears to be based on the article found at 2e.
- The term “leave to kill” may need to be explained and rephrased as “permission to kill.”
- It is interesting to note that the item focussed on the issue of the petition.

3. Organized and Unorganized Districts, 1914

The documents begin on page 219.

Suggested Activities

- a. Have students read the documents to find out what was so confusing about the administration of the Game Act for the shíshálh (Sechelt) people.
- b. Students can locate shíshálh (Sechelt) and Tla'amin (Sliammon) communities on a map of BC and measure the distance between them.
- c. Ask students to write a statement to the court in defense of the First Nations men. It could be by the Indian Agent or one of the men charged. What might they tell the court in their defense?

Document Notes

These letters highlight the variable and arbitrary ways that First Nations were governed in the early part of the 20th century.

3a. Indian Agent Byrne to Department of Indian Affairs, Ottawa, April 28, 1914.

- Peter Byron was the Indian Agent for the New Westminster Agency, which covered a large territory from the US border north to Bute Inlet, and east to the Fraser River. He is reporting the situation to the Department of Indian Affairs officials in Ottawa.
- Deputy Game Warden Dunn represented the BC government, which regulated the hunting laws.
- The Sechelt people held a community meeting to discuss the arrest of the men and seizure of the food. This is a good example of a traditional governance system continuing to be practised.

3b. Chief George, Sechelt First Nations to Department of Indian Affairs, July 17, 1914.

- Chief George writes to Indian Affairs in Ottawa questioning the difference in the ways that the BC hunting laws treat the Sechelt and Sliammon people.
- He notes that his people suffer from consumption. Today this disease is usually called tuberculosis or TB. At the time, it was one of the serious diseases that disproportionately affected Indigenous people.
- The Sechelt and Sliammon communities are on the region north of Greater Vancouver, called the Sunshine Coast. However their traditional territories take in remote extend farther north on the mainland coast, taking in a number of major inlets.
- Note that Chief George is not acting on his own, but on behalf of the whole community. He specifically mentions other leaders of the community, who no doubt advised him.

3c. Indian Agent Byron to Department of Indian Affairs, Ottawa, September 4, 1914.

- Indian Agent Byron advises his superiors in Ottawa that Chief George is correct and there are different hunting regulations depending on whether the territories are within organized or unorganized territories.
- He is unable to explain the differences when the hunting territories of both the Sliammon and Sechelt were just as remote.

4. Spuzzum Band and Permits, 1916

The documents begin on page 221.

Suggested Activities

- a. Have students examine Document 4a. Ask questions such as how does this document play a role in governing the hunting practices of the Spuzzum people? How is this different from their traditional practices?
 - Ask, How do you think the people reacted when they learned they had to have a permit? Students can record some words or phrases that could describe their reactions.
- b. Students can then read the Spuzzum people's reactions in Document 4b. Students can use annotating strategies to highlight key points, surprising, interesting or controversial statements, words they don't understand or questions that arise.
- c. Students can discuss the Spuzzum people's letter. Ask questions such as:
 - How do they express their position on what we call Indigenous Rights and Title?
 - What is their perspective on the government making them take out permits?
 - What arguments do they use to convince the governments to see their point of view?

Document Notes

4a. Permit allowing Louis James to hunt deer

- This is the permit that Louis James and other First Nations hunters were required to get. It was a temporary permit, allowing him to kill only one deer in a one month period.

4b. Letter from the Spuzzum Band to the Indian Agent in Lytton, Feb 29, 1916.

- This letter was written after a community meeting. It expresses the people's dissatisfaction with the idea of a permit, and also other grievances.
- The community meeting is an example of the persistence of traditional governance systems.
- The Spuzzum people assert their Indigenous Rights and Title, in language of the day. For example, "We claim that we are the original inhabitants of the country from time immemorial."

- They also highlight their traditional management systems to sustain their resources.
- They illustrate how some newcomers do not respect the land and resources.
- The people call for a settlement of their issues (the “Indian question”) on a basis of equality and justice.
- They point out that their reserve lands are useless for agricultural purposes.
- The letter seems to be written with a degree of optimism, as they sign it “Yours in anticipation.”

5. Douglas Treaty in Court 1916

The documents begin on page 224.

Suggested Activities

- a. If they have not already studied the Vancouver Island treaties (Douglas Treaties), provide students with an opportunity to learn some background.
 - See the map of the Victoria area treaties found at <https://bit.ly/2G1puuc>.
 - See the website The Governor’s Letters: Uncovering Colonial British Columbia for teaching resources and primary source documents. <http://govlet.ca/en/index.php>
- b. Have students discuss the differences between the published newspaper report and the report by Ditchburn. Ask, Are the differences significant? If so, why?
- c. Ask, How did the newspaper report confirm the public’s expectations of how the case would be settled?
- d. Ask students to summarize what this case says about the importance of the treaties to the governments of BC and Canada.

Documents Notes

5a Excerpt from “Saanich Tribe - North Saanich” Treaty, 1852

- This paragraph is the same in all of the individual Douglas Treaties. It simply states the fact of extinguishment of title to specific lands (outlined in the rest of the treaty) but importantly includes an acknowledgment of the inherent right to hunt and fish as had been practiced previously, or in the words of the treaty, “as formerly.”
- W. E. Ditchburn, head of Indian Affairs in BC, sent a copy of the treaty along with the letter in document 4c to Duncan Campbell Scott in Ottawa.
- The source Ditchburn used for the treaty wording was the 1875 government publication *Papers Connected with the Indian Land Question 1850-1875*. This collection of early documents is available online at <https://tinyurl.com/fnesc922>.
- The emphasis in this excerpt has been added.

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5b News article from the *Victoria Daily Colonist*, May 5, 1916

- Newspapers in this period regularly reported on most court cases held in their home city. This article reports on the trial held in the Victoria police court.
- Mackenzie Bay is now known as Mackenzie Bight. It is on the east side of Saanich Inlet, south of Brentwood Bay.
- As was common in early news items about First Nations people, the arrested man is referred to only by his first name.
- The fact that the case was remanded four times shows there was uncertainty about the status of the treaty in the courts.
- The article summarizes the judge's decision in a simplistic way which could have led the public to incorrect conclusions about the case.

5c. W. E. Ditchburn to Duncan Campbell Scott, DIA, May 4, 1916.

- Ditchburn wrote this letter about the same times as the previous news article. It provides more detail about the case.
- He provides the full name of the man accused as Gus Morris.
- Ditchburn represented Mr. Morris in the court after Morris asked him for assistance.
- One reason for the number of adjournments was to consult with the BC Supreme Court judge who had made a landmark decision the year before. This case, known as *R v Jim*, tried a case where Edward Jim of the Saanich people was charged with having deer in his possession. However, he had hunted it on reserve land. Judge Hunter decided under the British North America Act and the Indian Act, he had rights to hunt on reserve without regard to the BC Game Laws. That decision made it clear that hunting on reserve in BC was not regulated by the BC game law. A summary of this case can be found at “*R v Jim*” on Wikipedia.
- Morris, however was not on a reserve when he shot the grouse, though he was within his traditional territories. Ditchburn argued that he should be found innocent because the treaty implied he should be able to hunt in his traditional territories.
- Judge Jay seems to have thought the case should be decided at a higher court so found Morris guilty but imposed a small fine.
- Evidence shows that the Department of Indian Affairs was keen to have the case pursued, but it was the Department of Justice that had to carry it forward. It seems to have become lost in the bureaucracies in Ottawa. In addition, Canada was in the middle of World War I.

6. Hardship and Conflict in the 1920s

The documents begin on page 226.

Suggested Activities

- Have students work in groups (of 5 if possible, one student for each document) to find out about how the laws regulating hunting and trapping affected First Nations communities.
 - First have groups read the introduction to the Document set 6 and discuss some injustices that First Nations experienced.
 - Then have each student study one of the documents. Ask them to find out who wrote it, who the audience was, and what the main points were.
 - Students then summarize their document for the rest of the group.
- Students can write some questions to some of the people represented in these documents. Ask them to consider what thoughts, questions and feelings arise from these documents.
 - In groups or as a class students can share their questions and predict what answers might be.
- Have students look again at Documents 6d and 6e. Ask, What are the main concerns of the Nisga'a people? How does the Nisga'a reaction fit with their long struggle for recognition of Indigenous Rights and Title?

Documents Notes

6a. Indian Agent J. F. Smith, Indian Agent, Kamloops, Special Report excerpt, 1921.

- John F. Smith was Indian Agent for the Kamloops agency between 1912 and 1923. He was one of the few – if not the only – Black person to have been appointed Indian Agent.
- This is another report talking about First Nations people being arrested for violations of the BC Game Laws. Smith reports that they could be tried without an opportunity to defend themselves.
- In some cases, such as the case described here, hunters had their guns confiscated. This left them with no means of providing food for their families.
- This is another example of a federal employee of the Department of Indian Affairs trying to negotiate with the BC government – in this case the Game Commissioner Bryan Williams – to no avail.
- Indian Agent Smith is seeking some positive action to protect the First Nations in his community from being unfairly treated by the game wardens and the BC Game Commission.

6b. Stoney Creek Chiefs to Department of Indian Affairs, August 12, 1922.

- This is the whole page from the archival record. No signatures were included.
- The Chiefs are seeking assistance as their people are in dire straits.
- They compare their beaver trapping methods with those of non-Indigenous trappers.
- Their comments illustrate the changing relationships with settlers in their region. In this case the settlers seem to be broke as well, showing that First Nations could be linked economically with the local settlers.
- As well as losing their traplines, the salmon runs had been bad. This was a result of the landslides on the Fraser River during the construction of the Canadian Northern Railway, particularly the Hell's Gate landslides in 1913 and 1914. This is considered to be one of the greatest environmental disasters in BC history, affecting the salmon runs in almost the whole Fraser River watershed.

6c. W. E. Ditchburn to Duncan Campbell Scott, Department of Indian Affairs

- This is an excerpt from a longer letter Indian Commissioner for BC Ditchburn wrote to Duncan Campbell Scott in Ottawa. He was responding to a letter from Scott. It referred to the effects of hunting and trapping closures in much of the province, from south of the Canadian National Railway line between Prince Rupert and Prince George, and east of the Cascade Range.
- Ditchburn judges that First Nations hunters and trappers would ignore the closures, and the BC government would not be able to control the situation.
- By his comments, Ditchburn makes it clear that both he and the chair of the Game Conservation Board believe the best way to conserve the fur bearing animals would be to let only First Nations trap them. However, he also explains why pragmatically that would never happen.

6d. Nishga Land Committee, Kincolith BC, December 29, 1925 to Duncan Campbell Scott, Ottawa

- The Nishga (Nisga'a) Land Committee, first established in 1890, was one of the most active First Nations groups in the province who untiringly fought to have Indigenous Rights and Title recognized. This, of course, resulted in the Nisga'a achieving the first Modern Day Treaty in 2000.
- They are protesting against the new requirement of having to register traplines.
- Anyox was a large copper mine and smelter on Observatory Inlet, northwest of the Nass River. It operated from 1912 to 1935. The fumes and effluent from the smelter devastated the ecosystems in the nearby areas. This has impacted the fur bearing animals in Nisga'a traditional territories.
- The Nisga'a link their acceptance of the trapping laws with the settlement of Rights and Title. Optimistically, they hope this will come soon.

6e. Dominion Constable E. G. Newnham to W. E. Collison, Indian Agent, Prince Rupert, 16 December 1925.

- This is part of a series of letters about an event that took place in Kincolith, at the mouth of the Nass River. A number of issues had come to a head for the Nisga'a, including the requirement to register trap lines and the actions of the Dominion Constable who lived in Kincolith.
- Dominion Constable Newnham, like Dominion Constable Parsons in Document set 2, was responsible for policing Indian Reserves. He lived in Kincolith and was responsible for the Nisga'a reserves. His superior was the Indian Agent.
- When he went to the public meeting in Kincolith, he found that most of the villagers had left. Only a few representatives remained to tell him they wanted him to leave.
- They asked him to leave because he had “brought in too many laws since he came to the Nass.”
- The constable blamed some organizers for the event. “There is no doubt that this agitation has been engineered mainly by Walter Haldane and C.B. Bathie and plans are being made towards calling a conference of representatives of all the Indian villages on the Nass.

7. Treaty 8, Peace River Region, 1932.

The documents begin on page 229.

Suggested Activities

- Have students read through all the documents in order to discover the events as they occurred. When they have read them all, ask students to record their thoughts and feelings.
- Students can create a timeline of events.
- Students can make a list of the people involved and their perspectives on the events. What caused some perspectives to change?
- Ask students to identify examples of bias and discrimination in these documents.
- Discuss how the conflicting laws impacted First Nations treaty rights. Ask how the artificial border between BC and Alberta conflicts with the territories recognized under Treaty 8.

Documents Notes

7a. Telegram, Indian Agent N.P. L'Heureux to Department of Indian Affairs, Ottawa, March 1932.

- N.P. L'Heureux was the Indian Agent based in Driftpile, Alberta. Hay Lakes was a great distance away, but still in his district.
- His telegram alerts the Canadian authorities to the actions of the BC officials.

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- The main body of the telegram is from Chief Tallay of the Slave Band at Hay Lake. Today they are known as the Dene Thá First Nation. It seems that his telegram was sent from Fort Vermillion.
- In later correspondence it was noted that it was a game warden, not the BC Police, who had ordered the Hay Lakes people out of BC.

7b. Response of Bryan Williams, BC Game Commissioner, March 1932

- This response is quoted in a letter from the BC Attorney General's office to W. E. Ditchburn of the Department of Indian Affairs.
- Williams appears to attribute motives to the Alberta First Nations for which he has no evidence. His predictions of the consequences show he was ignorant of the established practices in the Treaty 8 region.

7c. Department of Indian Affairs to L'Heureux, Indian Agent, April 21 1932.

- The Department of Indian Affairs appears to be willing to let the BC laws take precedence over treaty rights.

7d. Report of Game Warden Clark, April, 1932

- The objective of the Game Warden was to stop the First Nations from Hay Lakes in Alberta from crossing over the BC border to trap, even though they had rights to do so under Treaty 8.
- Clark is shocked to see the destitution of the Hay Lakes people. He exceeds his authority and gives them temporary permission to continue trapping in BC.
- It is clear that the people know nothing about the border between the provinces.
- This region is so remote, Clark reports, that they have never seen the Indian Agent, L'Heureux who was based in Driftpile. (See map in document 7e.)

7e. Map of Treaty 8 territory, 1900.

- This map indicates how close Hays Lakes is to the BC border, and the distance the Indian Agent at Driftpile was from the community.

7f. Williams to Ditchburn, June 28 1932.

7g. Department of Indian Affairs to Williams, July 7, 1932.

7h. Williams to Department of Indian Affairs, July 30, 1932.

- These letters back and forth between Bryan Williams, the BC Game Commissioner, and the Department of Indian Affairs officials, demonstrates how the affairs of the First Nation were conducted without any consultation with the people.
- The word "appropriation" in Document 7g refers to the Department of Indian Affairs' budget allocated to them by the federal government.
- From this correspondence, the issues around treaty don't seem to even be considered.

DOCUMENTS

1. Protesting the New BC Game Laws, 1905

The BC Games Protection Act had regulated hunting, trapping and fishing in the late 1800s, but it was weak. By 1905 people felt there had to be more protection for the wildlife. At the same time sports hunting had become a popular recreation for tourists. This increased the pressures on the resources.

In 1905 a new government position, the Provincial Game and Forest Warden, was created. He was to conduct prosecutions and enforce all laws regarding game, fish and forestry. Arthur Bryan Williams was the first Provincial Warden and later BC Game Commissioner.

The game laws were intended to conserve the wildlife resources in the province. However, right from the start they conflicted with traditional practices of diverse First Nations who had relied on and stewarded the resources in their own lands for millennia. First Nations communities had an immediate reaction to the restrictions it imposed on them and made their views known to the authorities.

1a **THE DAILY PROVINCE, VANCOUVER, BRITISH COLUMBIA, FRIDAY, MARCH 10, 1905.**
Amendment to Game Act.

Hon. F. J. Fulton, in moving the second reading of the amendment to the Game Act, pointed out how important it was to preserve the game of the province. Other parts of Canada and the United States did this with rich results. The State of Maine had shown especial attention in this direction, and it was estimated that \$6,000,000 a year was expended by hunters and fishermen who came to the state.

California also has a good record in this respect, and it was estimated that \$20,000,000 was spent in that state by visitors attracted by the fishing and shooting. British Columbia might, by paying attention to this subject, become very attractive to sportsmen. Already a good number came here, but the number might be very largely increased. The object of this bill, he said, was to adequately protect the fishing and hunting of the province. The great feature of the amendment was that which provided for the appointment of a game warden. This had become a necessity if game was to be properly protected.

He went fully into all the amendments proposed in the bill. Reference was made to the prohibiting of the killing of beaver for six years as a necessity, in order to preserve this animal. It had been arranged to fix upon August 1, 1905, as the date for commencing this, in order that no hardship should be worked upon those who were out hunting and might not know of the passing of the act.

It was possible, he said, that Indians might be excluded from this prohibition as to killing beaver, because it had been represented to him that some Indians in the North derived their living largely from the hunting of beaver. It had further been represented that the Indians took means to preserve this game also.

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1b

Lilloet, Sept 19th, 1905.

Mr Bell, Indian Agent
Clinton BC
Dear Sir,

... Today we the Indian Chiefs of Lilloet we met together to discus the matter. This new game act as a whole is hurting us altogetther. Should it be put in execution it would mean our entire destruction. Hunting & fishing is our living. It is our daily bread for which we have a right and which no law can take away from us. We have a right to live. Outside of this we hardly have anything. ...

Quite a few of us have no farms at all, we have no means to raise and keep cattle to sell or to kill them we do not care for goats and nobody likes to eat this meat. As for the ducks we have not many to kill.

The only thing we depend on is deer. It gives us the meat which we never throw away, we use its grease instead of lard or butter, we use its skins for our vestments and for our shoes. Had we to buy all these things we would not be able to afford it.

We would ask the Government to make a compensation of \$500.00 for each family. Should it not change its decision as long as no compensation is made, we shall hunt in the future the same as we did in the past.

So, dear Sir, we would kindly beg of you to inform the Government to change its decision toward us. We are poor Indians despised by everybody, nobody seems to care for us, especially by those who live in plenty. Hoping that you will do the best you can for us, we remain, yours truly

Signed

Father Victor Rohr O.M.I in the name
Tyhee Jimmy, Chief of Lilloet x his mark
Denis Kilspwtkin of Farmtain (Fountain?) x his mark
Charlie Lash of Cayoosh No. 1 x his mark
Johnny Kiostkus of Cayoosh No. 2 x his mark
Tyuaz A of Ahare x his mark
Dave of Brucqekion x his mark

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1c

Fort St James, 30 October 1905

The Superintendent of Indian Affairs
Indian Department, Ottawa Canada

Dear Sir

We the Indian Chiefs of Stuart Lake, Stony Creek and Fraser Lake tribes beg to bring the attention of the Indian Department to a law of this Province, this year promulgated, depriving us of the principal, and we would say, the only means of subsistence, threatening us of complete starvation and annihilating rights of enourmous date transmitted to us by our ancestors, giving us nothing in return or as a compensation for the loss.

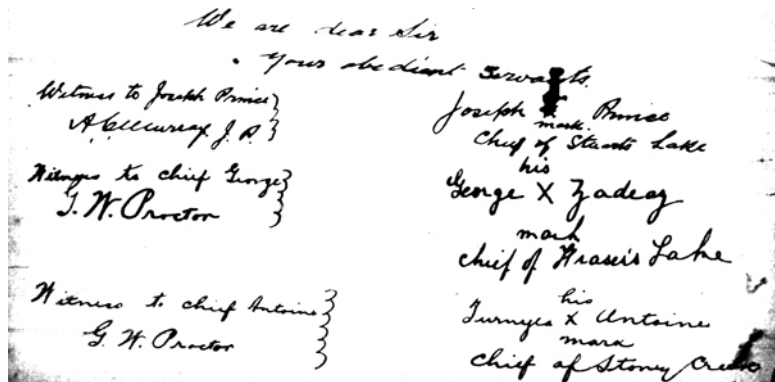
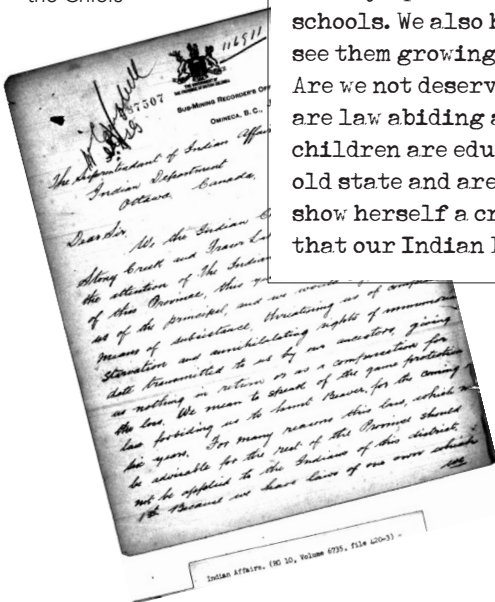
We mean to speak of the game protection law forbidding us to hunt Beaver for the coming six years. For many reasons this law, which may be advisable for the rest of the province should not be applied to the Indians of this district.

1st Because we have laws of our own which we may call natural laws by which Beaver is protected; for instance, every group of families have a certain special circuit where they do their harvesting and they understand that it is their interest to see that the game is not destroyed, to that effect we never hunt two years in succession in the same streams.

2ndly That Beaver is our only means of livelihood, deer and other large game having probably been destroyed by forest fires of past years, and the little hunting we may do in that line requires ammunition and weapons which are very costly in this far off district. Now the Beaver provides us with money to buy these articles. And besides its meat helps us with food and the skin, which we can sell at any time brings us cash enough for ammunition and clothing.

We beg you to consider that we are not treaty Indians, and with rare exceptions the Government has done nothing for us. We look with an eye of envy upon those tribes that the Government provides with stock and schools. We also have bright and numerous children but we are sorry to see them growing up in ignorance in an age of education and progress. Are we not deserving just as much attention and care as they? We are law abiding and loyal to our leaders and times may come, if our children are educated to give proof of loyalty. Now we remain in our old state and are forced to descend lower by laws of the Province that show herself a cruel step-mother to us. We cry for justice and we hope that our Indian Department will be a good father to us.

Below: original document; Below right, signatures of the Chiefs



2. Kitsumkalum Beaver Trapping, 1912

Kitsumkalum is a First Nations community on the Skeena River, about 100 km from the ocean. Their territories include a number of valleys in the Coast Mountain Range that flow into the Skeena watershed. As with most other First Nations in Northern BC, trapping was an important source of income for Kitsumkalum people in the new settler-dominated world they were trying to cope with.

In 1912 the British Columbia government changed the laws governing the hunting of beaver. Again beaver trapping was closed to all trappers, including First Nations. The only exception was for First Nations trappers in the far north of the province, in the Stikine and Peace River watersheds. It was up to the Indian Agent to explain the changes to the people in his agency. For the Kitsumkalum, the Indian Agent was Charles Perry, based in Metlakatla, BC.

Of course, the change came as a complete surprise to First Nations trappers. Many of them were hard at work on their trap lines or harvesting other resources away from town. What was more of a surprise, perhaps, was that if they unknowingly trapped outside of the government's regulated hunting times, they could be arrested, imprisoned and sent to court.

The Kitsumkalum were regulated not only by the Indian Agent but also by Dominion Constable Parsons, who lived on the nearby Kitselas reserve, and by BC Police Chief Constable W. Owens, based in Prince Rupert.

These documents explain what happened when some Kitsumkalum men inadvertently trapped beaver for food and furs outside the provincial government's regulations.

2a

TELEGRAM

Kitsumkalum, B.C.
October 25th, 1912

W. Owen, Provincial Police, Prince Rupert.
Information received to-night fresh Beaver pelts, Kitsumkalum reserve. Searched found 3 bodies in smoke house, took off two tails, Indian Benjamin B. and Phillip R. stated returned thursday from Semakwoitz River with twelve beaver each. Showed me pelts. Indians under impression beaver open not having been notified to contrary. Under circumstances have made no arrests or seized skins as Indians were acting in good faith. Please ask Indian Agent to send representative at once. It is also reported Simpson Indian Dunowits at Mile sixty has nine beaver. The camp is an old one and unnotified regarding change in regulations, Kitsumkalum Indians state traps still out but they will remain on reserve pending arrival of Dominion official. Returning Kitselas tonight.
Parsons

HUNTING AND TRAPPING DOCUMENTS

2b

Chief Constable's Office
Prince Rupert BC
October 26th 1912

C.C. Perry, Esq.
Indian Agent,
Metlakatla, B.C.

Sir: Re: Infraction of the Game Act
I beg to hand you herewith copy of telegram just received from Constable Parsons, Kitselas, re. infractions of the Game Act, by Indians at Kitsumkalum, who have been killing Beaver out of season. I have instructed Constable Parsons to seize all Beaver Skins, and gather the necessary evidence for the purpose of prosecuting the above Indians.
Yours Obediently,
W. Owens,
Chief Constable

2c

INDIAN AGENT'S OFFICE
NASS AGENCY
METLAKATLA, BC
November 4th, 1912

The Secretary,
Department of Indian Affairs
Ottawa

... The action of the Chief Constable in having the skins seized and proceedings taken against the Indians is of serious import to the Indians, as they have had unobstructed access to beaver for food purposes, and to my knowledge have never been proceeded against for contravention of the Provincial Game Laws. This is the first case of the kind that has come to my notice.

The Department is urgently requested to take this matter up with the Provincial authorities, to see if any arrangement can be entered to to exempt the Indians from the application of the statutes in this regard. The Indians, knowing how to protect the beaver from being over-exploited, are usually very careful to do so, and never take them in large quantities for food purposes.

If anything can be done in the Indians' behalf, it will be a source of such satisfaction to the Indians, and remove from their minds much of the disposition to believe that they are being taken advantage of by the Governments. The matter is vitally important to them, and they are most anxious to be at liberty to have access to their natural food resources.

I have the honor to be, Sir,
Your obedient servant,
Charles C. Perry, Indian Agent

The two Kitsumkalum men were taken to court on November 8, 1912 in Terrace, the nearby railway town. Magistrate Little gave them a suspended sentence on the charge of trapping beaver out of season.

HUNTING AND TRAPPING DOCUMENTS


2d

Petition 423369

We humble lay our petition before thee,
 Chief and Honour. We the underign of the
 Band of Kitsumkalium, B.C.

- (1) To allowed us, to killed and trapped some
 Beavers, for our livings.
- (2) Not only the beavers, but all of the other games.
- (3) Because we have no work to do. But hunt and
 trapping, is the only work that we have,
 for our livings.
- (4) Because we know how to keep them.
 We did not kill them ^{all} at one place, But leave
 some, to raise some more. The same as our
 fore-fathers use to do.
- (5) Theres no place to spare, for the white men
 to hunt for some beavers.
 Because every man have their own Hunting
 ground.

S. P. Kennedy.	Gorden Nelson.
E. Hales Nelson X	E. Roberts.
Thomas Wesley X	E. Nelson.
James Peirce.	W. Nelson.
Benjamin Bennett	D. Nelson.
Philip Roberts X	Stevon Wood.
Christopher Kennedy	C. Johnston.



E. Bennett.	J. Nelson.
Job Kennedy.	Annie Starr.
Simon Peirce.	Jane Bennett
Willie Peirce.	Dorcas Bennett.
Ether Roberts. X	G. Bennett
Dorcen Roberts. X	Gerthe Bennett.
Herbert Roberts. X	Victor Bennett
M. Kennedy.	Ellen Kennedy.
Y. Kennedy.	Mable Kennedy.
Emma Johnston.	Angelina Kennedy.
A. Kennedy.	Eva. Kennedy.
G. Wright	Lora Kennedy.
S. Wright	Selas Campbell.
S. Johnston.	M. Wright.
E. Johnston	Maggie Johnston. X
J. Johnston.	Ray Richmond
Emma Nelson.	
M. Nelson.	

Chief Solomon Johnston. X

2e

INDIANS' BEAVER PRAYER

**Inhabitants at Terrace on Skeena River
Anxious to Have Closed Season
Waived to Provide Food**

One of the matters of urgency to obtain the immediate consideration of Attorney-general Bowser upon his return to the capital Monday is in connection with what, prima facie, appears to be a case requiring administrative clemency, which comes from Terrace, on the Skeena river.

The Indians of that district, through their agent, Mr. C. C. Perry, several months ago presented a petition to the provincial police, in which it was set forth that the staple supply of salmon food would this year not be available; that in the past the Indians, when denied the salmon, were accustomed to kill the beaver for food and that in consequence of the season's conditions, the prohibition against the killing of beaver should be suspended in order that they might fortify themselves against starvation.

What has become of this petition is not at present known, but acting upon the assumption that their prayer had been or would be granted, certain of the Indians have killed the beaver for food, and police prosecutions have followed. Upon the intervention of Indian Agent Perry, the case has been adjourned and it will be dealt with presumably by Mr. Bowser direct.

"Any of these laws is intended to be interpreted with discretion," it is said at the department. "And where the beaver is needed as the only available food supply of the natives it is nonsense to strain the provisions of the game law and take proceedings against the Indians who kill them for food. The game act is not intended as a weapon of wanton persecution and irritation."

The Daily Colonist, November 15, 1912.

2f

Monday, November 14, 1912

VICTORIA DAILY COLONIST

11



CURRENT TOPICS

Young Folks Paper

It is against the game laws to kill beaver for food. Some of the Indians on the Skeena river, who could not get salmon this year, will be forgiven for having broken the law. They petitioned the government for leave to kill the beaver, but did not wait for an answer before they began to make provision for winter. The attorney-general does not believe that any law should compel people to go hungry.



press me, and I play on little piece best here in the wood. Then the two fell forward, and each went in a different direction. So in the middle sat a woman.

HUNTING AND TRAPPING DOCUMENTS

3. Organized and Unorganized Districts, 1914

As settlements grew in the early 20th century, municipal and provincial governments brought more and more Crown land under some type of political organization. Some areas were organized, while others remained unorganized. This meant that the traditional territories of some First Nations were more regulated by governments than other territories of other First Nations. These documents illustrate the confusion that arose out of the situation.

3a

Indian Agent's Office
New Westminster, BC
April 28th 1914.

The Assistant Deputy & Secretary
Department of Indian Affairs
Ottawa

For the information of the Department I beg to report in regard to a serious trouble which existed between one of the Deputy Game Wardens and the Sechelt Band of Indians. ... Mr Dunn alleges that he warned them that they must not shoot deer for their food or have any in their possession, without first receiving a permit from the Chief Game Warden to do so. This the Indians deny.

I am informed by the Indians that at the same time Deputy Game Warden Dunn took some fish ducks that they had shot out of their canoe, and again returned them with a warning that it was against the law to shoot them.

On the 7th instant Mr. Dunn saw a portion of a deer hanging under the veranda of the house belonging to Captain George on the Indian Reserve, and another portion hanging in a shack or small house belonging to a widow named Mary Ann Big August, he seized and took with him both pieces of deer meat, and when Captain George and Mary Ann informed the rest of the band that he had done so they became very much enraged at him. ...

I visited the Indian village and sent for the Chief, who called a meeting of his Indians and discussed fully the whole subject of the seizure of the venison, and the punishment of the Indians on the charges aforesaid. After about three hours discussion the accused Indians with their chief consented to accompany me to Vancouver and stand their trial for the alleged offences. ...

The Indians were present at the trial and the judge let one of the accused off with a caution. The other was fined \$5.00 which was refunded to him by the Attorney-General's Dept.

I might say in conclusion that the Indians were not aware at the time that they killed the deer that it was necessary for them to have a permit before doing so, this amendment being added to the Game Law only last session.

Your obedient servant
Peter Byrne, Indian Agent

7th instant means the 7th of the current month; in this case, April 7th.

HUNTING AND TRAPPING DOCUMENTS

3b Sechelt BC July 17/14

Indian Dept, Ottawa

Dear Sirs,

My people suffer much from consumption, and their condition is now worse than ever, because they have nothing but fish to eat. Last month one of the boys was taken before the judge for killing a deer. He was let off with a fine of \$5, but we had to promise not to kill any more deer. Since then none of my people have killed any deer. They have lived on fish. But now they are anxious to have some meat, because eating only fish is not healthy.

Please give my people the same permission as the Sliammon people have. The Sliammon have permission for each family to kill two deer a week.

The chiefs under me, William, John and Johnstone and all the boys of the tribe are very anxious to have the permission. They are very discontented now, and it is hard for me to keep them quiet, because it is a question of the lives of their families.

I thank you for all you have done for my tribe in the past. The Government has always been a good father to us.

Yours gratefully, Chief George.

3c Indian Agent Byrne to DIA Ottawa in response to Chief George's letter, September 4, 1914.

What the Indian stated seems to be quite correct, as the Game Law of this Province does not apply to the Sliammon Indians, while does apply to those of the Sechelt tribe, for the reason that the reserves of the latter band are located within what is known as organized territory or districts; while the reserves of the former are not in organized territory, and therefore the Game Act does not apply to them.

Chief George referred particularly to the case of an Indian taken to court for having deer meat in his possession. ... As the Game Act does not give any reason why Sechelt should be included within the prohibited territory, while Sliammon is left out, I do not wonder at all at the Indians not being able to understand why it should be so, as from my observations it would appear that the land lying south of Jarvis Inlet and adjacent thereto, being the hunting ground of the Sechelt Indians, is just as wild and natural as that lying further north, over which the Sliammon people hunt and take all the deer they require for food.

HUNTING AND TRAPPING DOCUMENTS

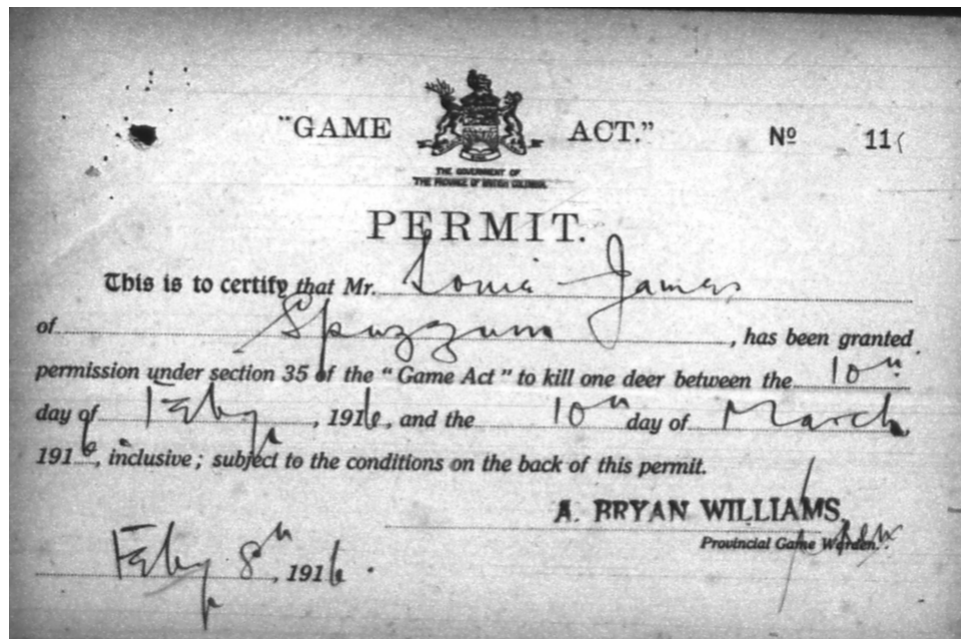
4. Spuzzum Band and Permits, 1916

For thousands of years, First Nations hunted and trapped in their traditional territories, following their own laws and protocols. Then suddenly in the early twentieth century, they were forced to follow the BC Provincial Game Act, and get a license or a permit to harvest resources that they needed to live.

The Spuzzum First Nation is part of the Nlaka'pamux Nation. The name comes from *spozem*, meaning "little flat (lands)." Their territories are in the Fraser Canyon and the surrounding mountains, north of Yale. They hunted many animals such as bear, deer, elk, marmot, and moose, and fished for trout and all species of salmon.

In 1916, when they were required to get temporary hunting permits, the community as a whole refused. One of their leaders, Louis James, expressed the community's feelings in a long letter to the Indian Agent.

4a



Example of a hunting permit submitted by the Spuzzum people to the Indian Agent.

HUNTING AND TRAPPING DOCUMENTS

4b

Spuzzum BC
Feb 29th 1916

H. Graham, Indian Agent, Lytton BC

I beg to inform you that we received your letter also the Permit Papers for hunting, the said Permit being good for one month only. We find it is not the same way as you had told us at the time you visited us in the past, therefore we find it unsatisfactory to our people. It is quite impossible so we cannot accept it for it is of no advantage to our helpless people during these hard time.

We held a meeting here on the 21st of Feb and discussed the matter and after a long discussion we came to the conclusion that we do not agree to the said Permit for they are only made temporary and not built permanent. Therefore we all agree to return back to you these permit papers and advise you to hand them to the Government, or to whoever made them out, and again we wish to request you to make another step because it is your duty to help the aborigines and still also our desire. Read following our proposals regarding the wild animals and birds in the country also the fish in the water.

1st) We claim that we are the original inhabitants of the country from time immemorial, and as such should be given every consideration.

2nd) We claim we are the owners of the wild animals in the country, also the different species of birds and the many kinds of fish to be found in the rivers and waters of the country. Therefore our rights in the country are sacred, and we cannot be prevented from our hunting and fishing for the simple reason our rights are aboriginal. Therefore we must be absolutely free to hunt and fish without restriction of any kind.

But on the other had if the Government wishes to rule us Indians, in the way it does the strangers in our hunting and fishing grounds, as it has been the practice for the last number of years back, then it would be better for them to supply us Indians with some permanent and secure permit, and it must be integrity guaranteed by means of a warrant, when it may be acceptable amongst our people. But as long as the permits are made temporary we will never accept them.

In our discussion we consider and find the Government mistakes, they must think that we are foolish and might slaughter the deer and the birds. No sir! We have never done such a thing, and will not do so at any time in the future. Each Indian hunter shoots one deer at a time, seldom more, and they prove very beneficial to the helpless people among our band. We use all the meat as food, and the hide we make into moccassins. We do not waste any part of the carcass.

And we inform you which is truth, that the white men that live in the cities in their thousands, a great number of them get tired of city life so during the summer months go shooting and camping, killing bears, birds, deer or any game they might happen to meet and being great sport to carry home the antlers or horns of the deer as a trophy, leaving behind them the meat & hides to rot in the sun and be wasted, a thing the Indians never do, and have never done in their lives, but make use of everything because we know too well the animals belong to us and so appreciate their true value... we appreciate the true value. So when we need any at any time must go out and get them.

Transcript of
original letter

HUNTING AND TRAPPING DOCUMENTS

But do not tangle us in your laws with strangers. We have had enough of that and it is a great shame, on the side of the Government of the country, that they grab the whole proceeds of the games taxes and why should we not get our interest from the same proceeds, because we are the original possessors of the said game on the country. And while this local government is overloaded with money from the game and fish taxes then they come and try to prevent us from our shooting.

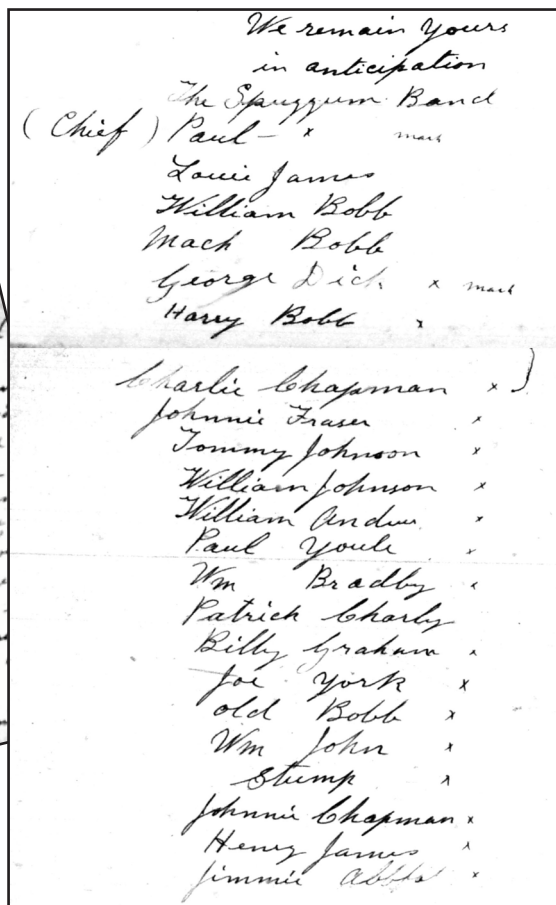
The Government and others also claim to be civilized. We believe that to be a fact, so why does not the civilized protect our original rights and treat us as men or people like themselves without trying to disturb us and make us wait in vain. Why not immediately settle the Indian question by integrity, and fairly by the laws of God before it can be done perfect.

And another thing our reserve is almost all rocks and barren land so that we are unable to raise enough products to keep us all the year.

Therefore wishing you will immediately submit our complaints to the Government, and if there is any further information that you desire we shall be glad to furnish it if possible. But in the meantime we must ask for consideration of this grave matter at your earliest possible convenience.



First page of original letter, and signatories to the letter.



5. Douglas Treaty in Court, 1916

The Douglas Treaties were made in 1852, during the colonial days under Governor James Douglas, to secure lands near Hudson's Bay Company settlements from the First Nations. They all included a significant statement about hunting rights of the First Nations who signed them. These documents involve an early court case in which a WSÁNEĆ (Saanich) hunter was charged for pursuing those hunting rights.

5a

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

Excerpt from the Saanich Tribe Treaty (Douglas Treaty) 1852

5b

Indian Fined— Gus, a West Saanich Indian; was fined \$10 by Magistrate Jay yesterday in the Provincial police court on a charge, laid by Deputy Game Warden Arthur Carter, of shooting game out of season. The Indian was arrested at Mackenzie Bay, Saanich Inlet, on Wednesday, April 12, and the case has been remanded four times. The plea was advanced by Indian Agent Ditchburn that the Indian was legally entitled to shoot by virtue of certain rights the Indians possessed under the old Hudson's Bay Company treaty. The magistrate, however, found otherwise, and a conviction was entered.

Victoria Daily Colonist, May 5 1916

HUNTING AND TRAPPING DOCUMENTS

5c

Office of The Inspector of Indian Agencies,
Southwest Inspectorate,
Victoria BC
4th May, 1916

The Secretary, Department of Indian Affairs, Ottawa

Sir, I beg to inform you that on the 14th April Gus Morris, an Indian of the Saanich tribe, was brought before Provincial Police Magistrate Jay on the charge of a violation of the British Columbia Game Act in having shot two grouse out of season on lands other than an Indian Reserve.

The Indian, coming to me for assistance, I went to the Court and entered a plea that he was innocent as, according to the terms of the treaty made between the Saanich tribe of Indians and the Hudson's Bay Company in 1852, these Indians were allowed to hunt over unoccupied lands as they had done prior to the time of the treaty.

The case was adjourned three times to allow of the prosecuting attorney getting further information on the subject. ...

At today's hearing of the case I again asked that the Indian should be dismissed as I considered that he was innocent, in view of the terms of the treaty before referred to, and that if the Government of British Columbia wished to appeal the case it was their duty to do so.

His Honour Magistrate Jay said he would not care to go as far as this, but imposed a small fine of \$10 on Morris and suggested that the case should go to a higher court, and the he should be requested to give a stated case.

[Ditchburn recommends hiring a firm of lawyers to take the case to appeal]

I am making this recommendation in view of the fact that the Indians themselves fully believe that the rights given them under the treaty of 1852 are in force to-day, and a final decision one way or the other will have the effect of settling this important matter for all time to come. ...

Your obedient servant, W. E. Ditchburn
Inspector of Indian Agencies

Further letters in the file show that the Government of Canada, through the Justice Department, was planning to appeal the case. However no evidence has been found that an appeal was ever held.

HUNTING AND TRAPPING DOCUMENTS

6. Hardship and Conflict in the 1920s

The 1920s saw increasing hardships for First Nations. Changes to the Indian Act became even more discriminatory, such as the laws stopping people going to court to pursue land claims. The BC Game Act also continued to impose further restrictions.

One change to the game laws was the requirement that all trappers had to register their traplines. This created a huge bureaucracy to record, map and monitor traplines. Further, the laws required that a trapper had to work their trapline every year or they would lose the rights to use it. This went against the way that First Nations had always managed their traplines, making sure to leave an area for a year or two so it doesn't become over-trapped.

The overwhelming laws, and often arbitrary enforcement of them, as well as the economic conditions of the time, left many First Nations families struggling.

6a Excerpt from a special report filed September 16, 1921.

There have been a number of cases reported to me where Indians have been arrested by Game Wardens charged with their violations before Justices of the Peace, tried, convicted fined and suffer the confiscation of their possessions without a chance of defence.

In the matter of shooting game, recently a very distressing case was brought to my attention. Two Indians of the Little Shuswap Band were found with deer meat in their possession which they claim was shot on their Scotch Creek Reserve, for the truthfulness of which statement I am not prepared to vouch. They were not given an opportunity of proving their statement. They were taken before a J. P. and convicted, fined and had their guns confiscated.

As it is not easy to over estimate what an Indian's gun means to him, being practically a part of his being, the extreme hardship inflicted in the loss of this main food getter can hardly be over estimated. Especially in the case in point, to replace them, and I have made repeated appeal to the Chairman of the Game Conservation Board for clemency on behalf of these Indians with no result.

I am therefore bringing these matters which are seriously affecting the Indians to the attention of the Department with a view to having some steps taken to afford the Indians some reasonable protection against the procedure which is now being practiced by the officials mentioned above.

Your obedient servant,

J. F. Smith,
Indian Agent.

The handwritten line reads: "the two Indians whose guns have been confiscated are today unable"

HUNTING AND TRAPPING DOCUMENTS

6b

Stoney Creek, B.C.
August 12th 1922.

DEPT. OF INDIAN AFFAIRS
AUG 18 1922
RECORDS

Department of Indian Affairs,
Ottawa

570824

Dear Sirs:-

Referring to the enclosed note from our Chiefs we the Indians on the Stoney Creek Reserve, come to you for assistance in the most serious situation facing us for the coming winter.

Any white man can get a trapping license, and our hunting grounds are being taken away from us. We Indians do not kill all the beaver we find in a house, we always leave some to allow young ones to be born. The white man kills all he can find, leaving nothing at all if he can help it. He also destroys the beaver dams, lets the water run off, and when winter comes all the beaver left in the houses freeze to death.

Things are very bad. We are trying to sell our hay and our cattle, but the white man have no money and cannot pay us any cash. With no cash money in the country we are also unable to get any jobs, and we really do not know what to do to live during the coming winter.

Now we ask you to do this much for us. Establish a line east and west and north and south of Stoney Creek and stop white man from hunting there. If you will do this we have a chance for our lives. We also cannot depend on any salmon as the run is very poor.

Please help us in our serious condition, do what you possibly can for us.

6c

W.E. Ditchburn to Duncan C. Scott, DIA, June 24, 1925

... The closing of hunting and trapping will work a considerable hardship on a large number of the Indians of this Province. ... It would be very difficult for the British Columbia authorities to control the game situation in view of the fact that the Indians are very liable to refuse to recognize the closed season.

The argument put forth by the Chairman of the Board is that unless this area is closed the fur supply in that district will be absolutely depleted. I also pointed out to Mr. Jacks that it would, to my mind, be more in the interest of the conservation of fur if the trapping were placed entirely in the hands of the Indians, and while the Chairman was inclined to agree with me, he pointed out that such a procedure would be impossible, and while he did not say so in so many words, the general understanding is that the Indians have no vote and the white trappers have.

HUNTING AND TRAPPING DOCUMENTS

6d

Nishga Tribe
Land Committee
Kincolith, Nass River, BC. Dec 29 1925

to Duncan C. Scott, DIA.

Dear Sir:

We the undersigned members of the Nishga Tribe, petition you on the advise of our Indian Agent, Mr. Collison, against the new Provincial Law compelling Indians to take out Trapping Licenses. In obtaining these licenses a certain area is allotted each individual in which to operate. According to this law there is nothing to prevent an outsider from applying for a district within the Nishga Territory, and as the acreage harbouring fur bearing animals in this territory is very limited, more so since the fumes from the smelter situated at Anyox has laid waste such a vast areas, we make our humble proposal that this law will not go into affect within our territory, at least until a judgment has been given on Indian Rights in general, which we hope will be soon.

Up to date no trouble has been reported among trappers within this district, and to prevent any we are very much against this new enactment.

We remain, Your humble servants
signed by thirteen men

6e

SPECIAL REPORT

From E. G. Newnham, Dominion Constable
To W. E. Collison, Indian Agent, Prince Rupert
16th December, 1925

Re: -Registration of Trap-lines by Indians

...The constable put up a notice in Kincolith saying people could fill out a trap line registration form at his office.

This evidently gave great offence to the Indians as a result of which a public meeting was held on Saturday, during the course of which, I was sent for. ... They informed me, after a lengthy tirade concerning the Land Question, that it had been resolved at that meeting to reject this law regarding trap-lines. ... It had also been resolved that the people did not wish me to live in the village any longer and I was therefore requested to remove elsewhere. ...

The people were also dissatisfied with the Indian Agent and that he did not count with them. It had been decided that in future the chiefs would run everything and that it was the order of the chiefs that I get out. To this I replied that the chiefs did not count with me and that I was under the orders of the Dominion Government. I then walked out of the building.

HUNTING AND TRAPPING DOCUMENTS

7. Treaty 8, Peace River Region

Treaty 8 crosses several provincial and territorial boundaries, reflecting the ways land was used before Canada was formed. The treaty recognizes the ancestral overlapping boundaries, but the provincial map makers ignored them.

This case involved a First Nation whose traditional territory was in Alberta, but their traditional hunting and trapping grounds extended into what is now British Columbia. The Canadian and provincial laws were confusing. The BC Game Act stated that “No Indian who is not a resident shall hunt or kill game in the Province at any time.”

7a

CANADIAN PACIFIC RAILWAY COMPANY'S TELEGRAPH
TELEGRAM
CABLE CONNECTIONS TO ALL PARTS OF THE WORLD
FORM 1, P. 1
OTTAWA OFFICE
J. McMILLAN, General Manager of Telegraphs, Montreal.
STANDARD TIME
RNA77 76 NL VIA EDMONTON BACKDATE CNT QNS
DRIFTPILE ALTA 3-4
DEPARTMENT OF INDIAN AFFAIRS
OTTAWA ONT
RECEIVED FOLLOWING TELEGRAM FROM CHIEF TALLAY SLAVE BAND HAY LAKES
"BC POLICE AT HAY LAKES HAS ORDERED IMMEDIATE VACATION OF HAY LAKE
INDIANS FROM BRITISHCOLUMBIA WHO HAVE TRAPPED DISTRICT FOR GENERATIONS
THIS MEANS ADDED PRIVATION PLEASE ENDEAVOUR TO HAVE THIS ORDER CANCELLED
AND WIRE REPLY" STOP THESE INDIANS HAVE NO RESERVE IF CHASED
FROM HUNTING GROUNDS THIS WINTER MEANS HARDSHIP FOR THEM STOP
GEORGE CLARKE WAITING REPLY AT FORTVERMILION HUDSONS BAY POST
PLEASE WIRE INSTRUCTIONS
N P L'HEUREUX

HUNTING AND TRAPPING DOCUMENTS

7b

Response of Bryan Williams, BC Game Commissioner

Re:- Treaty No. 8.

(extract)

I want to impress upon you the fact that this question is a very serious one. The greater part of the area referred to is held by Indian trappers. ... These Indians have taken very kindly to the registration of the trap lines and they are conserving their fur better than any other Indian in the Province, with the result that they have now a fine stock of fur bearing animals.

Unquestionably the Alberta Indians know this, and having depleted their own country, would now like to take advantage of the good work the Fort Nelson Indians have done. To allow them to come in would simply mean the complete destruction of all the fur in that country and the Fort Nelson Indians would be deprived of their living. The white trappers in that area would also most bitterly resent these Indians coming in and it might lead to very serious trouble up there.

7c

CC Parker, DIA to N P. L'Heureux, Indian Agent,
Driftpile Alberta

April 21 1932

(extract)

It would appear that in view of the attitude taken by the Provincial authorities, it is doubtful if the department can insist upon the treaty rights of the Indians. The department, however, will investigate the legal status of the matter further.

HUNTING AND TRAPPING DOCUMENTS

7d

REPORT OF GAME WARDEN J.S. CLARK OF FORT NELSON, B.C.

I beg to submit a report re the m/n patrol made by myself and accompanied by Special Game Warden Villeneuve with two train of Sleigh-dogs, one team of 5 and one team of 4, and two toboggans. Left Fort Nelson Detachment at 7 A.M January 21st 1932 and returned at 10 P.M. April 19th, 1932. Total number of days - 90. Total mileage for the trip -1430 miles.

... [One] object of the patrol was to see that there were no infractions of the BC Game Laws by the Alberta trappers...

At Hay Lakes, Alberta, there is an Indian settlement with 29 hunters and 3 fur-trading posts. 20 of these Indians have trap lines running into B.C. Some come within a short distance of Hay River, others West of the Shikilie River.

While I was on my way to Hay Lakes from the Fontas, I passed over Indian trap lines running in every direction. They had just been to their traps and had returned to the Lakes ahead of us. As soon as I had arrived at the Hay Lakes word was soon passed around and before I knew anything the Indians trapping on the Shikilis were told to get back.

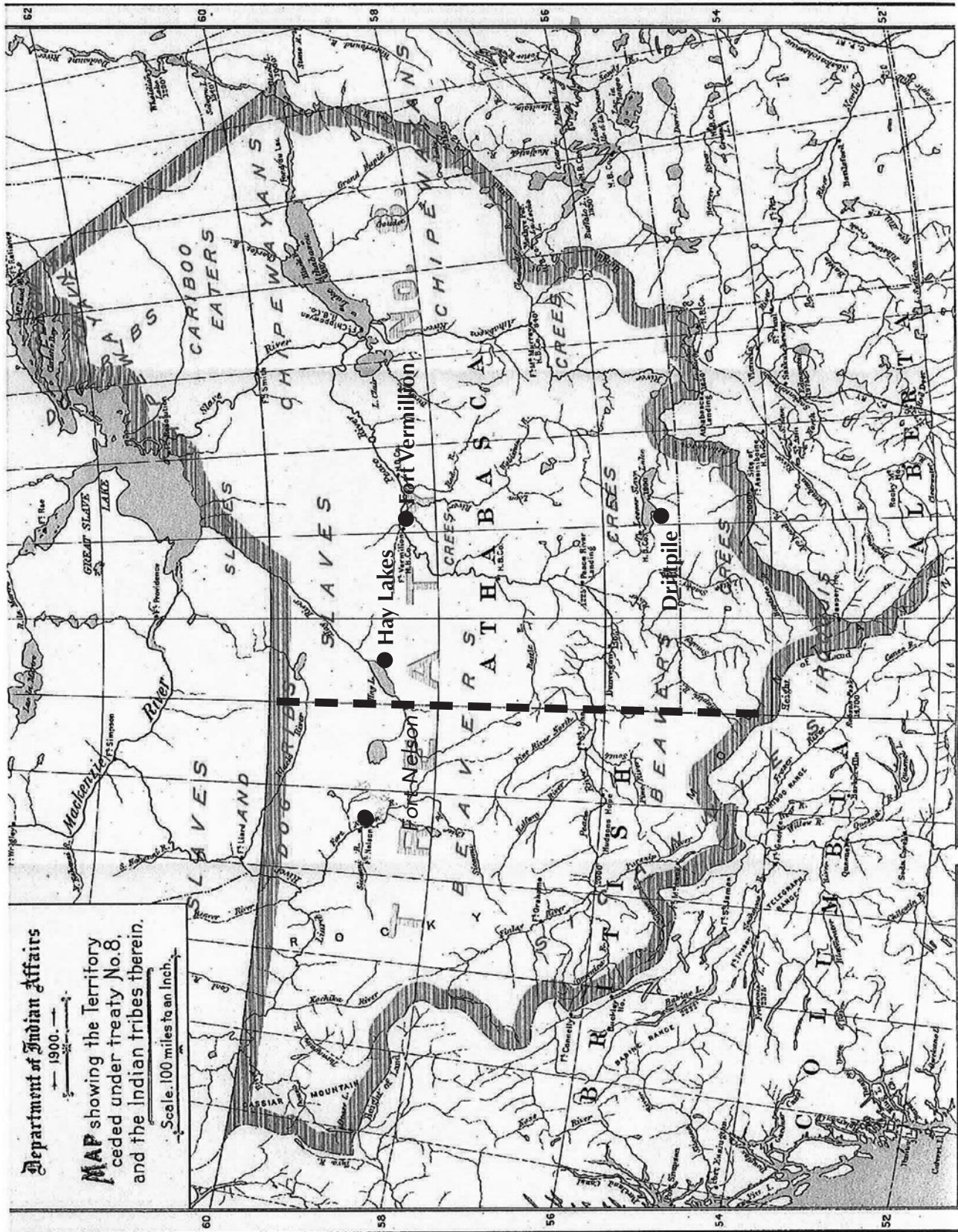
There was nothing I could do with these Indians even if I had caught them on their lines, because these Indians are absolutely destitute and starving. They are issued with a very small ration from the Indian Department. Some of the children are like skeletons. Some have nothing for clothing, only old flour sacks. During the war I saw lots of poor people in Germany and France, but I never have seen anything like we have on the Boundary at Hay Lakes.

I never had such a pitiful job in my life when I advised thsse Indians that only B.C. Indians are given trapping privileges in B.C. The old people sat there and cried. They told me that I could not find enough food in any one of their camps to feed one of my dogs for one night, which I am sure was the truth. They told me they have trapped towards Hay River and the Shikilie River for generations.

...

These Indians never see their Agent. The agent has never been to Hay Lakes, nor has any Game Warden or Policeman been to see them. They are absolutely ignorant of any laws and what is meant by the boundary line. These Indians informed me that their Agent told the Chiefs at the Upper Hay River last summer at Treaty time that the Indians could trap anywhere, meaning Alberta, British Columbia and the Northwest Territories as provided by their Treaty.

In order to prevent starvation, I gave these Indians permission to leave their traps set until the 20th February. I know I had no authority to do this, but under the above circumstances I was compelled to do something.



HUNTING AND TRAPPING DOCUMENTS

7f

A. Bryan William, BC Game Commissioner to W. E. Ditchburn, Indian Commissioner for BC, June 28th 1932.

... This Game Warden's report has put the matter in an entirely different light. If you will refer to my letter of March 29th you will note that I was very averse to allowing these Indians to trap in British Columbia. I think I pointed out to you that their doing so would be very detrimental to our own Indians who have been conserving their fur for a number of years.

From Game Warden Clark's report you will see that there was no cause for my fears on this account. Apparently these Indians have been trapping in British Columbia for some time past and will in no way interfere with our Indians. ...

I presume that you will be communicating with the Department at Ottawa in regard to this matter, and I want to particularly call your attention to the condition of these unfortunate Indians. I think you will agree that Game Warden Clark showed very good judgment in handling them and that he took a very human view of the situation.

7g

A.S. Williams, Department of Indian Affairs, Ottawa to A. Bryan Williams, Game Commissioner. July 7 1932.

... The departments is aware that these Indians are in a very impoverished condition. Their case is difficult to meet as they are not easily reached. Furthermore, our appropriations for relief purposes, unfortunately, are very limited this year. Undoubtedly unless permission to hunt in their accustomed hunting grounds in British Columbia is granted, the plight of these Indians will be most serious. I trust, therefore, that as suggested in your letter, action will be taken to permit the Indians in question to register their trap lines in the same manner as other Indians in the Province.

7h

A. Bryan Williams, BC Game Commissioner, to A. S. Williams, DIA. July 30 1932.

My dear Mr. Williams:

With reference to previous correspondence in regard to Hay Lake Indians, I now beg to inform you that I am sending instructions to Game Warden Clark to register the trap lines of these Indians.

In future we will treat them in the same fair way we endeavor to treat all our Indians. I may say that up to the present we have found the Indians in that particular district to be some of our best for conserving fur.... I believe they are not only conserving their fur, but are living in harmony with the few white trappers in that neighborhood. I have no doubt that we shall be able to bring these Hay Lake Indians into the same happy frame of mind.

BC First Nations Governance Backgrounders

These backgrounders provide introductory background information about a number of important topics that relate to First Nations laws, governance and history. They are intended to be a starting place for beginning to understand these significant topics.

They can be used by teachers and by students as appropriate.

1. First Nations in British Columbia
2. Traditional First Nations Societies
3. Traditional Laws and Governance
4. Language and Oral Traditions
5. Traditional Leadership
6. Public Witness: Feasts and Potlatches
7. The Indian Act
8. Indian Reserves
9. Citizenship
10. Band Council
11. Self-Government
12. Reconciliation and Indigenous Rights and Title

BACKGROUND**1. First Nations in British Columbia**

The original inhabitants of what is now British Columbia are incredibly diverse.

This is apparent in the number of different Indigenous languages spoken around the province. There are more than 30 different languages, in 61 dialects, all rooted in a dozen unique language families.

Today there are about 203 First Nations communities in BC, making up a third of all First Nations communities in Canada.

Many First Nations hold similar values and worldviews, but each is distinct and unique. Each First Nation has its own language, culture, laws and social orders – its own history.

First Nations' distinctiveness arises from their particular relationships with the land in the specific places where they live. Their relationship with the land gives rise to of their societies, and to their diverse systems of government.

Nearly 200,000 people in the province identify themselves as First Nations. First Nations communities, generally located on an Indian Reserve, have a local government which runs the affairs of the community, similar to a municipal government. However, some members of the community may live away, often in urban centres.

Most individual First Nations identify with a larger group based on family and language connections. These are usually referred to as Nations. For example, the Gitga'at First Nation is a member of the Ts'msyen (or Tsimshian) Nation.

The relationship First Nations have with the federal and provincial governments is in many ways different from First Nations in the rest of

Canada. BC's peculiar history has meant that historically very few treaties were signed. At the same time, they were cleared from their lands and lost access and economic benefits of their natural resources. Many First Nations describe their lands as "unceded."

For the last 150 years, First Nations have protested and resisted government policies. They relentlessly fought to have Indigenous Rights and Title recognized, and have the Land Question reconciled.

Only in recent years has progress been made. This has largely been as a result of landmark court cases which have pressed federal and provincial governments to make changes.

Today First Nations are actively pursuing self-government on a number of different fronts. Some are patiently negotiating comprehensive treaties that will remove them from the jurisdiction of the Indian Act.

Some First Nations are working to exert control over various sectors of programming in their communities, such as education, health care, and resource management by signing sectoral governance agreements with the provincial and federal governments.

"Aboriginal" and "Indigenous" are terms for three distinct peoples in Canada: First Nations, original people of most of the country. Inuit, the original people of the Arctic, and Métis, peoples who identify with a particular mix of both Indigenous and European heritage.

Indigenous and First Peoples are the preferred terms when speaking of all three. However, some people and organizations still use Indian and Native to describe themselves.

BACKGROUND**2. Traditional First Nations Societies**

In First Nations societies, spiritual, social, legal, political and economic systems are not separate. They are all interconnected with the ways that people use and take care of their land and resources.

Family

In many First Nations, the family is the foundation of the society. It includes multiple generations of relatives, including parents and children, aunts and uncles, grandparents and great grandparents.

In the past, a family had a leader who may have inherited the position or may have been chosen through consensus by the rest of the family.

Usually the family lived together, often in one large house. On the Northwest Coast, as many as 100 related people may have lived in one longhouse or bighouse during the winter. In the Interior Plateau, smaller groups of families lived together in the winter in pit houses. Families in some Nations are called House Groups in English, though each First Nation has proper words in their own language.

In these societies, stewardship of the land and its resources was often the responsibility of families which had their own particular territories for harvesting different resources throughout the wider territories of their people. Families moved from site to site over the seasons to harvest and process resources as they became available.

Families depended on their lands to provide food and other necessities, and also as sources of economic wealth. Families could build wealth and power through hard work and the benefits of resource-rich lands.

Clan

Many First Nations also have a Clan system which organizes people into larger groups based on certain family lines or kinship. Each Nation has its own words to describe their Clans, and its own understanding of the role of the Clan in their society.

Clans are almost always given names from the natural world; commonly they are named for animals, but a few are named for plants or features of the sky.

Each family, clan and village has a history passed down through the oral tradition of the Nation. Most trace the origins of the group to the time of transformations, when animals could take human form, or when the land as we know it was created. Dances, regalia and ceremonial items usually connect back to the Clan's origin stories.

Village

In the past, several related family groups gathered at certain times of the year, especially during the winter. They worked together to create a community or village. Often there was one leader of the village. This could have been the most powerful or most respected family leader, or it could have been an inherited position. This leader was supported by a council of advisors made up of family leaders and elders.

Today in many First Nations, governance of the land and its resources is still the responsibility of the family, House Group or Clan.

Each family, Clan and village has a history passed down through the oral tradition of the Nation. Dances, regalia and ceremonial items usually connect back to the Clan's origin stories.

BACKGROUND**3. Traditional Laws and Governance**

Since time immemorial, First Nations occupied what we now call British Columbia as sovereign, autonomous Nations. They lived by their own laws and systems of government.

These laws and governments reflected the diversity of cultures and the lands where they lived. They met the needs of the people to flourish in their traditional territories. Many of these systems still exist and are practiced today.

Legal Traditions

As in any society, First Nations societies developed standards of behaviour for relating to the land and to each other. These became legal traditions – unwritten laws and protocols that everyone in the society would have understood and generally abided by.

Some of these laws have spiritual dimensions, sometimes called “natural law.” They are embedded in the worldview held by many Indigenous Peoples that they were placed on the Earth to take care of the land and its resources. This responsibility to the land forms the basis of many values and practices.

Other important values inherent in customary Indigenous laws are reciprocity and respect, both in relation to nature, and in relations with each other.

The unwritten laws and legal traditions of First Nations societies have always been passed down orally. They are embedded in oral traditions and other cultural practices.

Governance

In most First Nations cultures, political life was inseparable from their spiritual, economic, and cultural lives.

Traditional governance valued both the collective and the individual. People had a strong sense of their responsibility to the community, and when taking action, they act as one.

They may also have had an equally strong sense of personal autonomy and individual responsibility, depending on their role in the society.

Each Peoples’ values influenced its form of governance. In some Nations, consensus decision making was key, where everyone had a chance to speak and discuss the issues. In other Nations, there was a hierarchical order of individuals who had decision-making authority on behalf of the people.

Values also influenced how justice was enacted. People generally had the right to act independently, unless it threatened the balance or harmony of the community. Justice was at first dealt with individually, often by Elders. If the person continued to ignore their responsibilities, then the community would come together to impose a punishment.

There was day-to-day governance within a Nation, but there were also important public ceremonies like feasts and potlatches where important matters were conducted, protocols were displayed, and the proceedings approved by important witnesses.

Colonialism had a profound impact on these governance systems and legal traditions. They were undermined by the imposition of Band Councils and the Indian Act. Today First Nations are actively rebuilding their traditional laws and incorporating them into new forms of governance.

BACKGROUND**4. Language and Oral Traditions**

BC First Nations have one of the highest number of distinct languages in the Americas, and this reflects the diversity of cultures, traditional governance systems, and the distinctiveness of each Nation.

Oral tradition is the recording and transmitting of cultural and other knowledge and information through the spoken word, from one generation to the next.

Oral traditions include every aspect of First Nations societies, including laws, protocols, beliefs, customs, histories and all other forms of cultural knowledge. The languages that carry the Oral tradition each has its own ways of expressing ideas, values and worldviews that are typically not easily translated into English.

Some people mistakenly believe oral societies lack a history. For example, the word “prehistory” is defined as “before there were written records.” However, oral societies have well-developed mechanisms for accurately recording and recalling their origins, histories and connections with the land.

Story

One of the main vehicles for Oral Traditions is Story. The narrative form successfully binds ideas and details of knowledge that make them easier to remember. Each First Nations language has words for different types of stories.

Stories can teach and entertain. In the past they were regularly told in family gatherings in the evenings. They passed on cultural values, family histories, and respect for the land. Some stories are considered special or sacred, and can only be told by certain people or at certain times.

Story and the Land

Stories often connect families with their territories; they validate connections to the land. Most First Nations families, clans or communities have origin stories that trace the founding of the group on their territories to the beginning of time.

The oral tradition also includes important rights, privileges, responsibilities and names that are connected to the land, and to the origin stories.

These origin stories and names are acknowledged and passed on at public ceremonies such as potlaches or feasts. They are often represented in performances that include dance and song, using masks and regalia which all connect with the origin story.

Colonialism resulted in a devastating loss of First Nations languages, through Indian Residential Schools and other forces. Many languages in BC are endangered, with few fluent speakers.

The loss of language has had a domino effect. The expressions and nuances of language, unique to a culture, are lost. Identity and knowledge of the past are weakened. Traditional governance may have additional challenges when language foundations are lost.

Today First Nations people use both oral and written forms as they rebuild their traditional languages. But the oral tradition is still the most important way of communicating people’s histories and connections with the land, and is the preferred mode in ceremonies and traditional governance practices.

BACKGROUND**5. Traditional Leadership**

Each First Nation has words in its own language to describe the leadership positions and roles in their Nation. In English, the word “Chief” is commonly used. However, this word conceals the diversity of different types of leadership roles that were held in a community, and the cultural nuances carried by the words in their own language.

Hereditary Leadership

In some First Nations, a hereditary system is used to select leaders. The position is usually inherited from either the mother’s side of the family (matrilineal descent) or the father’s side (patrilineal descent).

With the inherited position, the leader usually takes the name of the previous leader, along with the rights and responsibilities associated with managing the group’s lands and resources.

First Nations with hereditary leadership were typically highly structured. People were ranked on a social scale, and those with higher ranks generally formed the leadership.

These ranked societies developed on the coast where the wealth of resources including salmon and cedar brought about highly ordered societies. They have a complex system of clans and subclans, all oriented to managing the resources of their individual territories.

Consensual Leadership

Other societies select leaders by consensus. They were usually more egalitarian societies, located in the interior and north of the province. In these societies, if a person worked hard and earned the respect of the community they could achieve a position of

leadership. In some cases the entire community selected the leader. In others a council of advisors chose a new leader through consensus.

Leadership Qualities

However the leadership was structured, there were some general characteristics of leaders that were expected.

In most societies, leaders were not considered to be above the rest of the community. They were responsible to and acted on behalf of the community.

Leaders modelled the qualities and behaviours that were expected of others. These included humility, hard work and respect for the land. In fact, managing the resources to keep a balance between natural laws and survival of the community was a main responsibility.

Role of Advisors, Elders and Matriarchs

In traditional governments, leaders did not act alone. They usually had a council of advisors to help make decisions. These could be Elders or heads of extended families.

Communities depended on certain people who were authorities and custodians of the legal customs and traditions. Usually this was the role of Elders who were trained to share and pass on their knowledge.

Traditionally, leaders were usually men. However, matriarchs were an important influence in the community’s decision making. They held great respect, and in many ways acted in the same way as leaders. They advised the community and helped managed the land and resources.

BACKGROUND**6. Public Witness: Feasts and Potlatches**

Central to most First Nations societies was a cultural institution that brought groups of people together to witness and acknowledge important events and proceedings. This was a core institution for governance.

Such public gatherings are often called feasts in English, but First Nations have words in their own language that give names to specific types of feasts, depending on their purpose. For example, it could be a wedding feast, a naming feast, a memorial feast, or a settlement feast.

Feasts were, and still are, public institutions that connect First Nations spiritual lives, governance, economy, politics, land management, and family or clan history through ceremony, oratory and public witness.

In some First Nations cultures, certain feasts are called potlatches. This is a well-known aspect of many coastal First Nations' cultures.

Feasts and potlatches all are built around cultural protocols, sometimes called "Laws of the Feast House." Each First Nation has its own laws and customs which are important for passing on its identity.

Generally, the Laws of the Feast House express who the people are, their stories that connect them to their ancestors, and acknowledge their lands and resources.

Most feasts and potlatches include the important feature of food, gifts and witnesses. Guests to the Feast House are served with bountiful amounts of food. Often the food has been harvested from the territories of the host family or clan. The hosts announce publicly the source of the food served to the guests.

Part of the proceedings includes the passing out of gifts from the host family or clan to its guests. Depending on the nature of the potlatch, these gifts can have great value.

The role of the guests is to act as witnesses to the important events that take place, and therefore key players in oral traditions. By accepting the gifts, guests acknowledge, recognize and remember the events. For example, they acknowledge the host's rights to manage their resources and territories. As well, the gifts are seen as an investment. There is an expectation that they will be returned to the hosts in the future.

Through feasts and potlatches, family and clan histories are kept alive. Sacred stories linking ancestors and territories are performed in dance and song for the guests. Artists create masks and regalia that dancers wear to create the dramatic performances.

Newcomers, like missionaries and Indian Agents, only saw the surface of feasts. They had little understanding of the protocols nor empathy for the deep cultural meaning. They interpreted the ceremonies through their own worldview, which saw the gift giving as an extravagant waste and the performances as pagan rituals. The Canadian government made these important institutions illegal through the Indian Act. This law was only repealed in 1951.

Despite being banned, and in some cases people being sent to prison, feasts and potlatches have endured. In some communities they were conducted in secret, or disguised as other types of community gatherings.

Today public witnessing ceremonies like feasts have largely returned to prominence as key cultural institutions.

BACKGROUND**7. *The Indian Act***

The principal tool of colonialism in Canada was the Indian Act. It is a law that evolved over time and set out the federal government's powers over many aspects of the lives of First Nations. This includes lands and resources, education, governance and personal property.

Under the terms of Confederation, First Nations were considered to be wards of the federal government. Canada acted in a parental role. The Indian Act describes the powers and responsibilities of Canada to regulate and support First Nations communities.

The Indian Act, when it was first passed in 1876, was supposed to be temporary. Many believed that First Nations would simply become assimilated into mainstream society.

One of the methods for assimilating Indigenous people was to turn them into farmers. A number of provisions were put in the Indian Act to help the transition to an agricultural life style. These included making loans to purchase livestock or machinery, and operating government-run farms on Reserves to teach the people about farming methods.

The Act also said that if a Band did not farm their reserve land, the government could hire outsiders to come in and farm it. Profits made from farming on reserve land, either by the community or outsiders, went directly to the Minister of Finance in Ottawa.

Under the Act, the community itself had almost no control of money made from the sale of resources such as cattle, hay or timber from their reserves. The money went to Ottawa. Further, if people did grow or harvest products

to sell, they had to get a permit from the Indian Agent before they could take it to market.

Some BC First Nations did participate in farming, particularly in cattle ranching. However, for many First Nations, farming was not even an option. Territories on the rocky coast, the Interior mountains and the boreal forests of the north have little arable land. And in more fertile regions of the province, the reserves were often placed on the least desirable land.

Despite these and many other discriminatory laws, as well as enticements to “give up” their Indian Status, First Nations survived. The tenacious strength of First Nations people to hold on to their cultures and identity has meant that the Indian Act did not work to assimilate them. Ironically, until recently it has been one of the few documents that acknowledges the unique relationship between First Nations and the rest of Canada.

The Indian Act has been amended many times over the years. At first, it became more and more restrictive. Important cultural ceremonies like the potlatch were banned. The Indian Residential School system was devised. It became illegal for First Nations to hire lawyers to pursue their land claims.

Following World War 2, many restrictive elements of the Indian Act were removed, but many discriminatory policies remain. The last major revisions were made in 1985.

Today the significance of the Indian Act is slowly eroding as other federal and provincial laws are put in place, as First Nations resume the exercise of their inherent right of self-determination.

BACKGROUND**8. Indian Reserves**

A common practice in many colonized countries was to set aside certain lands specifically for its Indigenous peoples. This happened in British Columbia, beginning in colonial times around settled areas.

After BC joined Confederation in 1871, officials worked to allocate Indian Reserves for all First Nations throughout the province. There were two main periods of reserve creation.

Original Reserves were made in the late 1800s. Not surprisingly, First Nations protested being forced to live on Reserves, while at the same time their Indigenous Title was denied.

This led to what is called the McKenna-McBride Commission, between 1913 and 1916. New Reserves were added, but some original reserves were “cut-off” and given back to the province.

Disputes arose because, while the Federal government was responsible for managing “Indian” lands, Indian Reserves would have to come out of provincially controlled land. The province enforced a paltry allocation of acres per person compared with the rest of the country.

Today most First Nations have their main community on the principal reserve for their Band. In some cases this is an ancestral village site, while in others they settled in a new spot within their traditional territories.

Most Bands or First Nations also have additional reserve lands that were created at fishing or other harvesting sites.

In most of the rest of Canada, Indigenous title was recognized by treaties to surrender their

lands. However, the British Columbia government consistently refused to acknowledge Indigenous Rights and Title. Reserves were established with little consultation or compensation.

Being forced to live on reserves caused huge disruptions for First Nations communities. Most Nations had seasonal harvesting patterns that took them around large areas of their traditional territories. Under the Indian Act they had to set up permanent villages in one location, and build European styled homes.

There were many restrictions around who could live on a reserve – only registered Indians who were members of the Band – and even when people could leave the reserve.

The Pass System was originally instituted to control “rebel Indians,” but in many places it extended to all First Nations. People had to get a permit to leave the reserve from the Indian Agent. This system was policy, not a section of the Indian Act. It was not administered consistently, but was largely left to the Indian Agent to administer.

It is important to note that Reserves are not the same as traditional territories. Reserves are tiny parcels of land, sometimes called “postage stamp” sized plots of land.

Territories are all the land that a First Nations has used and cared for over many generations. Also note that reserves are not the same as reservations, which is the term used in the USA.

BACKGROUND**9. Citizenship**

Who is a citizen of a Nation? A key component of a governance system is determining who belongs to the community.

Before contact, First Nations communities were autonomous and always decided their own citizenship. However, the Indian Act imposed new definitions of citizenship.

Under the Indian Act, citizenship is defined in terms of membership in a Band. People who fit the criteria for belonging are termed Status Indians.

This is how the first Indian Act, 1876, defined membership in a Band:

The term “Indian” means:

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.

The patriarchal policies of the Department of Indian Affairs created an artificial body of citizens. Status centred on the men of the community. If a man married a non-Indigenous woman, she gained status. However, if a woman married a non-Indigenous man, she *and* her children lost their status.

Status Indians were considered to be wards of the government, and they had few rights held by other Canadians citizens. They could not vote and they could not own property.

To achieve its goal of assimilation, the Canadian government, through the Indian Act, tried to convince First Nations to give up their Indian Status. A man could choose to become a full Canadian citizen (and gain the rights of a citi-

zens, such as the right to vote in federal elections), but would lose his status. His wife and children would also lose their status. This was called Enfranchisement.

Few First Nations chose Enfranchisement. This shows you how important it was for people to hold on to their Indigenous identity, even under the Indian Act.

However, some First Nations became Enfranchised whether they wanted to or not. A person with Indian Status who went to university involuntarily lost their status. Also, First Nations people who joined the military to serve in World Wars 1 and 2 lost their status.

Until 1985, the determination of Band membership was made only by the federal government. Today, however, a Band can take back control of its own membership. (However, determination of Status is still held by the Crown.) Control of membership can be done in two ways:

One is for Bands under the Indian Act to develop a membership code that the majority of Band members approve. The other is for First Nations who negotiate a form of self-government. Their treaty or agreement will include responsibilities for citizenship.

Bill C-31, which enabled Band control of membership, also amended the Indian Act to restore Indian status to women and children who had lost status due to marriage.

This Bill enabled many people to regain legal recognition of their First Nations heritage. However, the processes involved in applying to regain status have proved difficult for some people.

BACKGROUND**10. Band Council**

The Band Council is a governing body for an Indian Band, a First Nations community governed under the Indian Act.

The Band Council is typically comprised of a Chief Councillor and council members, who are elected by members of the Band. The roles and responsibilities of the Band Council are dictated by the Indian Act and federal government policies.

The Band Council was introduced to replace traditional forms of leadership selection, such as inheritance and consensus. It is a “one-size-fits-all” solution of early Canadian governments to assimilate First Nations into the cultures of the colonists.

The Band Council structure ignores the fact that First Nations had a diversity of successful governance systems long before contact.

Although elected by the community members, the Band Council is ultimately accountable to the federal government.

All final decisions regarding most aspects of community life, development and finances in the past were handled by what was then called the Department of Indian Affairs in Ottawa.

Some communities tried to maintain their traditional forms of hereditary leadership.

In the past, the elected Chief and Council had few real powers to run their communities. The 1876 Indian Act listed a few items of local jurisdiction they were allowed to make, but even these had to be confirmed by Ottawa.

However, the Indian Act was quickly amended to decree that hereditary or “life chiefs” had

to be elected before they could exercise any powers. It also prohibited chiefs from being re-elected.

Women could not vote in Band Council elections until 1951.

Over time changes have been made to Band Council governance, but control is still held by the Government of Canada today.

In the 1970s and 1980s, Indian Agents were removed and Band Councils were allowed to run their own meetings and set their own agendas. However, they were still responsible to Ottawa.

Many First Nations people live outside their home communities. Until 1999 they could not vote or run for office in Band Council elections. That year the Supreme Court of Canada in the Corbiere case said that all members of a Band had the right to vote.

One of the problems with the Band Council system is that it calls for elections every two years. Such short terms of offices often cause instability in government. As well, any appeals about the results of an election go to the federal Minister, not to the courts as is the case in other elections in Canada.

In 2014 the First Nations Election Act was passed. Communities with Band Councils can choose to follow this act. Among the improvements it makes are elections every four years and an appeal process through the courts like other municipal, provincial and federal elections.

Despite these changes, this is still a structure of governing imposed by the Canadian government.

BACKGROUND**11. Self-Government**

For millennia, First Nations were self-governing and had a governance system appropriate to its circumstances and needs. But under colonialism and the *Indian Act*, First Nations were forced to follow a single governance model.

Today, First Nations are re-establishing their own governments. There are many factors involved in exercising self-government.

Comprehensive Governance Arrangements

First Nations' right of self-government is inherent and not contingent on recognition by the Crown or others. However, they also recognize that to have legal clarity and reconciliation in Canada, which can be set out in a formal agreement with the Crown.

To achieve this, First Nations may negotiate sectoral or comprehensive governance agreements with Canada and/or British Columbia. This may be done through a modern-day treaty negotiated or through another arrangement.

Agreements may address a number of areas of jurisdiction such as education, health, lands and resources and financial and economic management. Or, an agreement may focus on just one sector.

Comprehensive governance agreements may confirm the core institutions of the First Nation's government, including a constitution, governing structures, law-making powers, and citizenship

Moving Toward Self-Government

While exercising self-government through a treaty, agreement or other constructive arrangement is the goal for most First Nations, it can be a slow process. Many factors may come into play, including priorities of the Nation, capacity issues, and political will of the Crown governments to negotiate an agreement..

Indian Act Governance. Some communities are able to use the Indian Act as a first step towards self-government. The main ways this can be achieved are through control over membership codes, custom council elections and making bylaws.

Sectoral Governance. First Nations can negotiate sectoral agreements to take control of specific areas or sectors that are important to the community. These include jurisdictions such as land management, economic development, education, and oil and gas regulations.

Whatever direction a First Nation takes to exercise self-governance, they have inherent responsibilities to their lands, resources, territories and citizens. They have their own laws over certain jurisdictions, such as education, health, social welfare and lands and resource management.

Ultimately, self-governance means that First Nations leaders are accountable to their community, as they will no longer be ruled under the Indian Act.

12. Reconciliation and Indigenous Rights and Title

A fundamental issue that remains largely outstanding in BC today is the reconciliation of pre-existing Aboriginal sovereignty with the assertion of sovereignty by provincial and federal governments (the Crown).

The fact that First Nations were here first and have inherent Indigenous Rights and Title must be reconciled with what the Crown asserts as its rights and powers.

Generally speaking, Indigenous Right and Title are about the First Nations' rights to occupy and use lands and resources in their traditional territories, including for economic benefit. They also include rights to determine their own lives, govern themselves, and to practice and continue their cultures, languages, and legal traditions.

In some parts of Canada, Indigenous Rights and Title were formally recognized through treaties, but the same did not happen in BC. Instead, decades of conflict and litigation occurred over land, resource use and governance powers. Few historic treaties were made, and modern treaty negotiations have been slow.

Early court cases recognized that First Nations had some form of rights. Then Section 35 of the Constitution Act, 1982, was enacted. It states that the “existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

Many cases were brought forward testing what this meant. Cases focussed on what are “ab-original rights” and what are the corresponding obligations or restrictions of the Crown.

Much common law (judge-made law) on the meaning of Section 35 has come from BC.

Many milestone court decisions arise from cases in BC, culminating in the historic Tsilhqot'in decision in 2014. This was the first time the Court made a declaration of Aboriginal Title over a specified area of land.

Court cases continue today, but the conflicts and legal arguments made are changing based on the evolution of the law and our understanding of Section 35.

The courts have confirmed that the purpose of Section 35 is “reconciliation” – that is, to reconcile the fact that First Nations were pre-existing societies with inherent rights and title, with the assertion of Crown title and jurisdiction. Reconciliation requires negotiation to agree on who owns what lands, and whose laws apply where.

First Nations in BC have always fought to have their Indigenous Rights and Title recognized and respected, and to reconcile what the federal and provincial governments assert as their jurisdiction. Recent First Nations' successes in the courts have pressured the governments to negotiate based on recognition of Indigenous Rights and Title, rather than continuing to deny their existence.

Today, First Nations communities and individuals are taking diverse paths on how best to protect and exercise their Indigenous Rights and Title. One means for achieving reconciliation is through the BC Treaty Process. A small number of First Nations have signed treaties, and some are participating in the process, but have made little progress. Some are finding ways to revitalize the treaty process. Other Nations choose not to participate in the BC Treaty Process.

Glossary

Aboriginal: An umbrella term used in the Constitution Act, 1982, to refer to three distinct categories of Indigenous peoples: First Nations, Inuit and Métis. Often the term Aboriginal is used interchangeably with the terms “Indigenous” or “First Peoples.” Using the term Aboriginal is growing in disuse as people are encouraged to specify First Nations, Inuit or Métis, or use Indigenous.

Aboriginal rights: In Canadian law, Aboriginal rights are collective rights which flow from Aboriginal peoples’ continued use and occupation of areas of land (traditional territories). They are inherent rights (i.e. not granted from any external source) that existed prior to European contact. Because Aboriginal peoples are diverse and distinct societies, there is no single definition of what these rights are.

Aboriginal title: An Aboriginal right. It is a legal interest in the land. It includes the right to the exclusive use and occupation of the land. It entails the right to choose the uses to which the lands are put and includes an inescapable economic component.

Acknowledgement of territory: An acknowledgment is an act of respect of local First Nations and their traditional territories. It is a recognition of their presence on the land in the past, present and future. It is usually given at the beginning of a meeting, class, performance or other public gathering. It is the responsibility of the leader, host, or MC of the event.

Assimilation: When a distinct group is absorbed into a dominant society and loses its identity. In Canada, federal assimilation policies were aimed to cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada.

Band: a group of First Nations people identified under the Indian Act with lands set apart and whose finances are controlled by the federal government. Today, many bands prefer the term First Nation. Band may also sometimes be used to refer to a traditional First Nations group similar to a village, or house group or clan

Band Council: An elected form of government under the Indian Act made up of a chief councillor and councillors. Their authority is set out in the Act and is restricted to relevant Indian reserves.

Ceded territory: lands that one group gives over to another group through a treaty or other agreement.

Colonialism: When a foreign power takes control of lands, territories and people in another region, resulting in an unequal relationship, an exploitation of resources, and policies of assimilation.

Comprehensive land claims: Modern-day treaties made between Indigenous peoples and the federal government. They are based on the traditional use and occupancy of land by Indigenous peoples who did not sign treaties and were not displaced from their lands by war or other means. These claims are settled by negotiation. They include a variety of terms relating to money, land, governance, resources, language and culture. Treaties are constitutionally protected, mutually binding agreements.

GLOSSARY

Crown: A term referring to the state, or the government of the state, derived from the historical relationship between Canada and British monarch who is the head of state.

Crown land: Lands that are held by Canada or the provinces.

Customary law: The body of unwritten laws based on thousands of years of cultural practices followed by First Nations, resulting in diverse protocols, rules for behaviour, customs and practices.

Department of Indian Affairs (DIA): Is the department of the government of Canada with responsibility for policies relating to Aboriginal peoples in Canada. In 1965 it became its own ministry, called Department of Indian Affairs and Northern Development (DIAND). This later became Indian and Northern Affairs Canada (INAC). In 2011 the department's name was changed to Aboriginal Affairs and Northern Development Canada (AANDC). This became Indigenous and Northern Affairs Canada (INAC), then in 2017 two new departments were created: Crown-Indigenous Relations and Northern Affairs Canada, and Indigenous Services Canada.

Elder: A respected position of importance in Indigenous communities, held by those whose wisdom and knowledge guide and support the community. Being an Elder is not defined by age, but rather because they have earned the respect of their community through wisdom, their actions and their teachings.

Elected chief: The Chief or Chief Councillor of a contemporary First Nations community, the leader of a Band Council or some modes of self-government.

Extended family: A family that extends beyond the nuclear family of parents and children, including multiple generations of relatives.

Feast: A general term to refer to many different types of formal gatherings held by First Nations to carry out a variety of important cultural, social, economic and political matters in a public forum. See also Potlatch.

Fiduciary duty, fiduciary obligation: Generally, a concept used by Canadian courts when a person is entrusted to look after the best interests of someone else. The trusted person (fiduciary) has a duty to be loyal and act with honesty and good faith. The courts have held that the Canadian government has a fiduciary relationship with, and to, First Nations.

First Nations community: Often the main settlement of a First Nations band on a reserve. Many First nations prefer “First Nations” rather than “First Nations community.”

Hereditary Chief or Leader: A role or title passed down between generations according to the customs and protocols of the Nation. They may be raised to exhibit certain qualities and hold a position of influence. Rules of how the title is passed down vary among Nations.

House Group: A form of social organization in some First Nations communities in which large extended families are connected by shared territories, oral traditions, and inherited names.

GLOSSARY

Indian: A term that has been used historically by explorers and settlers to identify Indigenous peoples in South, Central and North America. In Canada, the term has legal meaning in the Indian Act, which defines who has Indian “status” for purposes of the Indian Act. For some Indigenous peoples, the term “Indian” confirms their ancestry and protects their historic relationship to with the federal Crown. For others, the definitions set out in the Indian Act are not affirmations of their identity. In terms of these curricular resources, Indian is used in historical and legal contexts. For example, it is the Indian Act which still has legal and governmental importance today.

Indian Act: Is a Canadian act of Parliament that concerns registered Indians, their bands, and the system of Indian reserves. Since its creation in 1876, it has controlled many aspects of economic, cultural, educational and personal lives of First Nations people.

Indian Act Band: See *Band Council*.

Indian Agency: An administrative unit of the Department of Indian Affairs in the past. Each province was divided into regions called agencies, usually based on geographical and linguistic groupings. Each agency had an Indian Agent who was responsible for the status Indians within that agency. The number and location of agencies changed over time. The first agencies in British Columbia were created in 1881, with six agencies. By 1913, there were fifteen agencies. Indian agencies continued to operate until 1969.

Indian Agent: The local representative of the Federal Government and the Department of Indian Affairs, and was responsible for administering the Indian Act on the reserves in his jurisdiction. Agents held a great deal of power in the daily lives of First Nations people, and approved or vetoed any actions of band councils. Most details of what might be considered municipal governance had to pass through the Indian Agent. Some agents tried to be proactive for the First Nations in their agencies, as far as the Indian Act allowed. Much depended on the character and beliefs of the individual agents; some were more enlightened than others. Until 1910, BC Indian Agents reported to the Superintendent of Indian Affairs of British Columbia. After that they reported to officials in Ottawa.

Indigenous: The original people of a territory or region. In Canada the term may be used interchangeably with “First Peoples” or “Aboriginal.”

Indigenous rights: The inherent and original rights of First Nations, Inuit and Métis people as autonomous, self-determining people, not granted by a government, and affirmed under the Constitution Act, 1982. See also *Aboriginal rights*.

Indigenous title: The inherent right to ownership and jurisdiction of First Nations over their traditional lands and resources. See also *Aboriginal title*.

Inherent right: A fundamental, natural right that originates with a group of people, and does not come from any external source.

Land: Has several meanings, such as real estate or the soil; in this document it refers generally to the whole of the natural world that encompasses First Nations traditional territories, including the geography, the plant and animal life, and the water and skies.

GLOSSARY

- Matriarch:** A respected woman who acts as a leader for a First Nations community, providing advice, wisdom in some First Nations societies, decision-making powers.
- Oral history:** The narratives in which the knowledge of a peoples is held and passed on from generation to generation.
- Oral tradition:** The means of recording knowledge through the spoken word rather than the written word; including laws, beliefs, customs, histories and all other forms of cultural knowledge.
- Pass system:** A system of control implemented by the Department of Indian Affairs between 1885 and 1951, which forced First Nations to get permission from the Indian Agent before leaving their reserve. Levels of enforcement varied from agency to agency.
- Potlatch:** A word commonly used today to describes traditional ceremonies involving sharing of wealth and resources. See also, *Feast*.
- Reserve:** An Indian Reserve, as defined by the Indian Act, is “a tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band.”
- Section 35 Rights:** Some Canadian Indigenous people use this term to refer to Aboriginal Rights or Inherent Rights that are entrenched in Section 35 of the Constitution Act.
- Sectoral Agreement:** An agreement between a First Nation and the governments of Canada and/or a province regarding who has jurisdiction regarding a specific sector (e.g. forestry, education).
- Self-determination:** The rights of a community to determine what is best for them. Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- Self-government:** In an Indigenous context, self-government is the formal structure and processes that Indigenous Nations or communities may use to control the administration of their people, land, resources and related programs and policies. These may be set out in agreements with federal and provincial governments.
- Self-government agreement:** Typically, an agreement reached between a First Nation and the federal government and, possibly, a provincial government, that sets out their respective authorities and whose laws prevail in what circumstances.
- Sovereignty:** The authority of a state to govern itself, without any interference from outside sources or bodies.
- Speaker:** In First Nations societies, a person chosen by the leaders of a family, clan or community to speak for them at public gatherings.
- Specific land claims:** Land claims which apply to specific issues relating the reserve lands of a First Nation under the Indian Act.
- Tradition, traditional:** Cultural practices and institutions that have been followed in the past that are not static but are continually evolving.

GLOSSARY

Treaty: A voluntary agreement between two or more nations that involves mutually binding obligations.

Truth and Reconciliation Commission of Canada: The Truth and Reconciliation Commission was established as part of the Indian Residential Schools Settlement Agreement in 2008. Thousands of survivors, their families and others across Canada made statements to document memories of the schools and their impacts. An Interim Report was released in 2012. The Final Report was delivered in 2015 including 94 recommendations for future action. The statements, documents and other materials are housed at the National Research Centre on Indian Residential Schools at the University of Winnipeg, where the work of the Commission will be carried on.

Unceded territory: Lands that have not been surrendered or transferred ownership. See also **Ceded territory**.

Watershed: a geographical region between ridges of land, drained by a river system. Watersheds are used to organize family, House or Clan territories in some First Nations.

Welcome: A **welcome** is a public act made by members of the First Nation on whose territories an event is taking place. The form of the welcome depends on the particular protocols of the Nation. It may be a welcoming address, a prayer or in some gatherings, a traditional dance or song.

BIBLIOGRAPHY

Many of these resources are available online. Books that are not available in your school library may be in your community library or available through interlibrary loan.

The resources are listed in the following categories:

1. Picture Books
2. First Nations Narratives and Community Histories
3. Topical Books, Articles and Theses
4. Videos
5. Websites
6. Teacher Resources, Units, and Lessons

1. PICTURE BOOKS

These books are illustrated books with relatively little text. While they may be principally published for primary students, they can still be useful resources at any level.

Abood, Debora. *I Know I am Precious and Sacred*. Debora Abood. Peppermint Toast Publishing, 2016.

A child and grandfather talk about what “precious” and “sacred” mean. Useful resource for discussing ancestral teachings and values.

Aleck, Celistine. *Granny and I Get Traditional Names*. Strong Stories, Coast Salish Series. Strong Nations Publishing Inc, 2018.

The family of a young girl prepares and gives a feast. The girl and her Granny are given names at the Naming ceremony in Snuneymuxw territory. The book depicts some of the main procedures and protocols involved in a feast.

Boreham, Brenda and Terri Mack. *We Are a Community*. From the Mountains to the Sea series. Strong Nations, 2015.

This book demonstrates how everything is interconnected; water from the mountains feed the streams that support the animals, salmon and plant ecosystems. These systems support us. (grade 2).

Boreham, Brenda and Terri Mack. *We Live Here*. From the Mountains to the Sea series, Strong Nations, 2015

Themes: cedars, salmon, bears, eagles and orcas live in the communities in which people live. We all share the land and water. We are interconnected. (grade 1)

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Bouchard, David and Roy Henry Vickers, R. *The Elders Are Watching*. Tofino, BC: Eagle Dancer Enterprises, 1993.

This illustrated story expresses a message from First Nations Elders or Ancestors to people who have broken their promises of taking care of the land. There are two introductory sections, Thoughts, by Vickers, and Whispers, by Bouchard. The main part of the book is the poem by Bouchard with paintings by Vickers. See also the video of the same name.

Campbell, Nicola. *A Day with Yayah*. Tradewind Books 2018.

Set in the Nicola Valley, a First Nations family goes on an outing to harvest plants. A grandmother passes down her knowledge of plant life and the natural world to her young grandchildren.

Friesen, Angnakuluk. Ippiksaut Friesen, illust. *Only in My Hometown: Kisimi Taimaippaktut Angirrarijarani*. Toronto: Groundwood 2017.

This book conveys the special sense of belonging in an Inuit community, describing and illustrating features that make it unique. The illustrations convey as much information as the text. Written in English and Inuktitut.

Klockars, Donna. *Planning the Feast*. Strong Readers series.

This story is about a community of animals planning a feast. It demonstrates all the things necessary to plan and it also demonstrates how others feel when someone is not doing their fair share of the work. Raven is good at telling others what to do but when the animals catch on that they are doing all the work, they revise his list of jobs to do so that Raven ends up doing all the work. This relates to good leadership qualities. Why did the animals listen at first? Why did they change their mind and revise Raven's list? Reading Level 17.

Nicholson, Caitline Dale. *I Wait: nipehon*. Toronto: Groundwood Books/House of Anansi Press. 2017.

Three generations, grandmother, mother and child, go out to pick wild yarrow. Through expressive illustrations and simple text, readers experience the bond that the people have for each other, and for the land. A significant element is the thanks that each of them gives to the land. Includes a recipe for wild yarrow tea.

Silvey, Dianne. *Little Bear's Vision Quest*. Greater Victoria School District. 1995.

In this story Little Bear is mean and selfish with all his friends. Grandfather Bear, as an Elder, banishes him to an island until he learns to behave differently.

Spalding, Andrea and Alfred Scow. *Secret of the Dance*. Orca Books, 2006.

This story tells of a time when potlatches, ceremonial dancing and the wearing of regalia and masks were forbidden by Canadian law. A young boy, based on Judge Alfred Scow's boyhood story, witnesses the last secret potlatch of his community before the threat of imprisonment caused them to stop dancing.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Taniton, Raymond and Mindy Willett. *At the Heart of It: Dene dzó ɛ'áré*. This is Our Land Storybook series. Fifth House, 2011.

Describes the Taniton family of the Sahtugot'ine (People of Great Bear Lake), Northwest Territories.

Thompson, Sheila. *Cheryl Bibalhats: Cheryl's Potlatch*. Yinka Dene Language Institute, 1991.

Cheryl, a member of the Caribou Clan of the Lake Babine First Nation, gets an inherited name at a potlatch put on by her clan. Told in her voice, she describes the events leading up to the potlatch, and the proceedings at the event.

Vickers, Roy Henry and Robert Budd. *Orca Chief*. Harbour Publishing, 2015.

Based on a traditional Ts'msyen narrative, often called Gitnagunaks. The story takes place in a time when animals lived in communities just like people, and had similar ways of governance. It tells of four Kitkatla (Gitxaala) men who went on a fishing trip. They disturb the Orca or Killer Whale chief whose village is under the sea. The men further mistreat one of the sea creatures. The chief brings the men down to his undersea house and he is angry with them for not showing respect to the creatures of the sea. However, he teaches the humans about the many food resources to be found in the sea. The humans learn and take their knowledge back to their people.

Key concepts for this topic conveyed in the narrative include:

- Humans must show respect for the natural world, the land, or specifically in this case the animals of the sea. The men broke the laws of respecting the natural world.
- The importance of the social organization with the chief as leader, reflected in the animal world.
- The qualities of the Orca Chief reflect the good qualities of a human Chief: is honest, gives advice, expects respect, his kind, teaches and passes on knowledge.

Vickers, Roy Henry and Robert Budd. *Peace Dancer*. Harbour Publishing, 2016.

When children from the Tsimshian village of Kitkatla mistreat a crow, a great flood covers the Earth. The villagers tie themselves to the top of Anchor Mountain and promise to teach their children to value all life. When the water recedes the villagers appoint a Chief to perform the Peace Dance at every feast to pass on the story of the flood and the importance of respect.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

2. FIRST NATIONS NARRATIVES AND COMMUNITY HISTORIES

These books focus on one First Nations community or cultural group. They provide specific examples of many of the topics discussed in the units. Some are older books that may be available through the community library or inter-library loan.

Assu, Harry. *Assu of Cape Mudge: Recollections of a Coastal Indian Chief*. UBC Press, 1989.

Chief Harry Assu describes many aspects of his life as a leader in the Lewiltok First Nation community of Cape Mudge. Some sections of special interest are chapter 2, *Organization of My People*, pages 16-24, which discusses the Indian Reserves of the Cape Mudge band; Chapter 4, *Potlatch and Privilege*, pages 39-58, and chapter 7, *Renewal of the Potlatch at Cape Mudge*, pages 103-121.

Beynon, William. *Potlatch at Gitsegukla: William Beynon's 1945 Field Notebooks*. Margaret Anderson, and Marjorie Halpin (eds). UBC Press, 2000.

Ts'msyen ethnographer William Beynon recorded all the proceedings at a five-day potlatch at the Gitxssan community of Gitsegukla in 1945. In this book his notebooks are transcribed directly, presenting in great detail the events that took place. Additional academic articles contextualize and expand the field notes.

Carlson, Keith Thor. *I am Sto:lo!* Sto:lo Heritage Trust. 1998.

This book describes many aspects of Sto:lo culture and history from a student's point of view. Some of the key content relevant to these resources is outlined below:

p 11: describes how Sto:lo keep track of property rights through inheritance of names. (Witnessing potlatching.)

p 29-30: Story about how the sturgeon came to be, illustrating connections with nature. "We treat everything in nature with respect because all of nature is alive and part of our family."

p 35-54: Story of Th'owxeya, an old woman who ate children. Explains the origins of the mosquito. Lesson to remind children not to stay out late. (She kidnapped some children but they managed to trick her and push her into the fire that she was going to cook them on. She turned into thousands of little pieces that became mosquitoes.)

p 73-81: Tells about coastal raiders, and how a particular whirlpool on the Fraser called Hemq'eleq "being devoured by the water" Hemq'eleq is considered a guardian. The coastal raiders didn't know about the whirlpool, and they would get sucked into it. The Stolo people with local knowledge knew how to navigate the waters, also their spiritual practices combined with their skills.

p 81-94: Describes inheritance of fishing sites; naming feasts and potlatches from the past. Discusses the significance of witnesses at the potlatch.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

p 90-91 - Sux'yel: story of knowledge and technology in hunting grizzly bear. Used knowledge of bear behaviour to trick it, used a special bone weapon that the hunter put into the bears' mouth; when it closed its mouth it punctured the brain, killing it instantly.

Carrier Sekani Family Services. *Culture and Diversity*. PDF booklet, 7 pages.

<https://tinyurl.com/fnesc923>

This illustrated brochure includes a summary of Carrier governance, cultural protocols and clans. It includes an explanation of protocols to follow at a Bah'lats (feast).

Collison, Pansy. *Haida Eagle Treasures: Traditional Stories and Memories from a Teacher of the Tsath Lanas Clan*. Brush Education Inc. 2017.

This book contains both traditional and personal narratives that explore Haida culture. It includes the Haida narratives How the Haida People Were Created and The Haida Women and the Bears, as well as several scripts for Readers Theatre based on narratives: The Haida Chief Who Built an Island; Tow and Tow-Ustahsin and Raven and the Moon. The chapter called Traditions and Culture describes the different potlatches held by the Haida.

Ditidaht First Nation. Traditional Territory Flyover Tour. Nitinaht website.

<https://www.nitinaht.com/first-nation/>

This video is found on the Ditidaht First Nation website. It shows the lands and waters within Ditidaht traditional territory, highlighting a selection of areas used and inhabited by the Ditidaht for generations.

Fiske, Jo-Anne and Betty Patrick. *Cis dideen Kat (When the Plume Rizes): The Way of the Lake Babine Nation*. UBC Press, 2000.

A study of the history and practice of the Balhats or potlatch in the Lake Babine Nation through interviews with community leaders, oral histories and archival research.

Furniss, Elizabeth. *Changing Ways: Southern Carrier History, 1793-1940*. Quesnel School District and Kluskus, Nazko, Red Bluff and Ulkatcho Indian Bands. 1993.

This student book details the post-contact history of the southern Dakelh or Carrier First Nations. Chapter 5, The Land Issue, examines the issues of Aboriginal Title, the impact of colonial impacts on the lands of the southern Dakelh communities, as well as a general overview of land issues in BC. Chapter 6, Government Laws shows how specific laws impacted the Dakelh people, including fishing, hunting and trapping rights, and topics such as the Indian Agent, Band Councils and banning of cultural celebrations.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Furniss, Elizabeth. *Dakelh Keyoh: The Southern Carrier in Earlier Times*. Quesnel School District and Kluskus, Nazko, Red Bluff and Ulkatcho Indian Bands.

This student book details the traditional cultures of the Southern Dakelh or Carrier First Nations. It includes some traditional narratives and information about traditional governance systems and hunting practices.

Ignace, Marianne and Ronald E. Ignace. *Secwépemc People, Land and Laws*. McGill-Queen's University Press 2017.

This 588-page book is a comprehensive telling of the history of the Secwépemc using oral history supported by a multidisciplinary study including history, archaeology, linguistics and sciences.

Kennedy, Dorothy and Randy Bouchard. *Sliammon Life, Sliammon Lands*. Talonbooks, Vancouver, 1983.

Although this book is dated (for example it uses “Indian” throughout) it contains a wealth of information about the Sliammon First Nations - the people of the northern Sunshine Coast and beyond, including Sliammon, Homalco, Klahoose and Island Comox. Relevant chapters include:

- 5. Moving Up in the World. (The social structure of the Sliammon, including details about the different types of ceremonial feasts.)
- 10. May the Waters Be Calm. Traditional Sliammon narratives.
- 13. Indian Reserves and Indian Rights. A detailed recounting of how the Sliammon reserves were set out and modified by the McKenna-McBride Commission, with original documents and maps.

McIlwraith, Thomas. *'We Are Still Didene': Stories of Hunting and History From Northern British Columbia*. University of Toronto Press, 2012.

This ethnography explores ways that hunting is central to the lives and culture of the people of Iskut in northwestern BC. It consists of many stories and memories told by people of Iskut. It also discusses recent changes and challenges as industrial development has come into their traditional territories. Useful for senior students and teacher background.

Mann, Marlaena and Warner Adam. *Nowh Guna': Our Way. Carrier Culture, Knowledge + Traditions*. Prince George: Carrier Sekani Family Services. 2016.

This illustrated book gives a comprehensive overview of Carrier or Dakelh culture, territories, protocols and governance.

Marshall, Daniel P. *Those Who Fell From the Sky. A History of the Cowichan Peoples*. Cultural & Education Centre, Cowichan Tribes, 1999.

This book covers the history of the Cowichan peoples before and after contact. Includes topics such as the creation of reserves, Fort Victoria (Douglas) treaties and resistance.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Morven, Amelia. *When the Volcano Erupted*. Amelia Morven, Nisga'a Elder.

Found in *First Nations Journey of Justice*, Grade 5, pages 143-146. Online at <https://bit.ly/2CQCO1H>. This story told by Nisga'a Elder Amelia Morven tells of how children mistreated the salmon, which resulted in the eruption of a volcano and the destruction of many people and villages.

Nelson, Nella. Karin Clark, illus. *Welcome Family and Friends to Our Bighouse*. *Kwakwaka'wakw Potlatch*. Union Bay BC: Raven Publishing, 2017.

The story of a contemporary Kwakwaka'wakw Potlatch is told through the voice of a 12 year old girl. With many illustrations, the book describes preparations, and the important parts of the potlatch. Chapters: 1. Getting to the *pasa* (Potlatch). 2. Going to the Gukwdzi (Bighouse). 3. The Potlatch Begins. 4. The T'seka (Sacred Bark Ceremony). 5. The Tla'sala (Peace Dances) 6. The Makah. 7. The Witnesses.

Nisga'a Nation. *From Time Before Memory*. SD 92 (Nisga'a). 1996.

A hard-cover student book that details the many aspects of traditional and modern Nisga'a culture, including social organization, roles of chiefs, feasts, Nisga'a communities, clothing, combat, Nisga'a spirituality.

Okanagan Nation. *Kou-Skelowh / We are the People*. Theytus Books, 1999.

Contains three Okanagan traditional narratives: How Food was Given (Led by Grizzly Bear, the plants and animals promise to sacrifice themselves to provide food for humans); How Names were Given (Animals are given roles before the arrival of humans) and How Turtle Set the Animals Free (Turtle outsmarts Eagle to free the animals).

Paul, Elsie. *Written as I Remember It. Teachings from the Life of a Sliammon Elder*. Vancouver, UBC Press, 2014.

Elsie Paul, with her granddaughter Harmony Johnson and scholar Paige Raibmon, tells her traditional knowledge, her life story and the history of the Sliammon people, in her own words and style.

People of the Land: Legends of the Four Host First Nations. Theytus Books. 2009.

Narratives of the Lil'wat, Musqueam, Squamish and Tsleil-Waututh First Nations published in connection with the 2012 Vancouver-Whistler Olympics. Many photographs illustrate this anthology of the Lil'wat, Musqueam, Squamish and Tsleil-Waututh First Nations traditional stories. These stories link people to the land and to each other and pass on traditional knowledge and history. These sacred teachings – which range from creation stories to naming stories – are collected in an anthology of stories shared by storytellers of each nation. The book celebrates the four host First Nations on whose ancestral territories the Vancouver 2010 Olympic and Paralympic Winter Games were held.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Stories included in *People of the Land: Legends of the Four Host First Nations*:

The Transformer Story of Lil'wat People: Creation of Lil'wat Territory, pages 13-19. Two brothers and their sister, known as the Transformers, shaped the land of Lil'wat people, leaving landmarks that can be identified today. At the same time, they instruct the people on how to harvest resources from the land.

Coyote, (Lil'wat) pages 21-43. This story tells different adventures of Coyote, the trickster/transformer character. First, he attempts to create a son out of different materials from the land – mud, rock, pitch and finally cottonwood bark (teaching an understanding of the different properties of these materials). Then Coyote and his son go on a journey and a variety of transformations happen along the way.

The Young Girl That Transformed into a Wolf (Musqueam), pages 49-50. A short version of story in which a girl, tired of always having to hunt deer for her family, transforms into a wolf.

Qelqelil (Musqueam), pages 53-68. A Musqueam version of how mosquitoes came to be.

Smwkwa'a7 _ The Great Blue Heron (Squamish), pages 75-78. The Transformers are preparing the world for the coming of the people, and the transform a grumpy old man into the Great Blue Heron.

Sch'ich'iyúy – The Sisters Mountain (Squamish) pages 81-90. This tells the story of the transformation of two sisters into the two prominent mountain peaks visible from Vancouver, called by the Squamish the Sisters, but commonly known today as the Lions.

Tsleil-Waututh Nation Story of Creation, pages 97-101. The first man and woman are created as a result of transformations of aspects of the natural world.

Sewid-Smith, Daisy. "In Time-Immemorial." *BC Studies*, No. 89, 1991. (PDF 18 pages)
Online at <https://tinyurl.com/fnesc941>

Daisy Sewid-Smith describes the history of the Kwakwaka'wakw Nation, including origin stories, and pre- and post-contact relationships. She includes a description of how governance centered on the extended family and clans, and shows how ceremonies were important to governance.

Songhees. Songhees First Nations. 2013.

This large, full-colour book celebrates the Songhees First Nations, with historical and contemporary photos, traditional narratives and text that includes discussion of families, traditional leadership and governance, and cultural values of the Lekwungen people. It can be adapted for use at all grade levels.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Ts'elxwéyeqw Tribe. *Being Ts'elxwéyeqw: First Peoples' Voices and History from the Chilliwack-Fraser Valley, British Columbia*. David M. Schaepe, Ed. Harbour Publishing, 2017.

This large and comprehensive book is richly illustrated with pictures and maps that detail the territories of the Ts'elxwéyeqw (Chilliwack) people. The text is largely composed of interviews with people of the Ts'elxwéyeqw Nation, accompanied by contextual material. It includes examples of the histories and stewardship of specific territories throughout the book. As well, the chapter Hunting, Fishing, Gathering and Relations with the Environment will be useful for Unit 6, Hunting and Trapping Case Studies.

Ts'msyen Nation. *Luutigm Hoon – Honouring the Salmon: An Anthology Told in the Voices of the Tsimshian*. Tsimshian Nation, School District 52 (Prince Rupert), 1999.

A diverse collection of narratives and articles about all aspect of the salmon and its importance in the lives of the Ts'msyen. It includes a description of different types of feasts held in Hartley Bay (pages 89-90).

Ts'msyen Nation. *Persistence and Change: A History of the Ts'msyen Nation*. First Nations Education Services, SD 52, Prince Rupert, 2005.

A hardcover book documenting the culture and history of the Ts'msyen Nation. Available from the Aboriginal Education Department, SD 52 Prince Rupert.

We Get Our Living Like Milk From the Land. Edited by Lee Maracle, Jeannette C. Armstrong, Delphine Derickson, and Greg Young-Ing; researched and compiled by The Okanagan Rights Committee and The Okanagan Indian Education Resource Society. Theytus Books, 1994

Historical overview of the Okanagan Nation, beginning with the Creation Story and traditional life, through first contact and colonization, and recent political and land claims issues, including UNDRIP.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

3. TOPICAL BOOKS, ARTICLES AND THESES

These are adult or academic works that are useful background materials for teachers and research resources for senior students that discuss many aspects of governance and treaty.

BCTF. *Understanding the BC Treaty Process*. 1998. Online at the BCTF website. Link at <https://tinyurl.com/fnesc937>.

This booklet was created by FNEESC, the BCTF and the Tripartite Public Education Committee. Although it was written in 1998, the basic information is still relevant. It provides background to the BC Treaty Commission and also discusses the Nisga'a Agreement and the implications of Delgamuukw.

BC Government. Incremental Treaty Agreements. <https://bit.ly/2FbflW1>

BC Treaty Commission. Main website. <http://www.bctreaty.ca>

Interactive map. <http://www.bctreaty.ca/map>

The Report of the British Columbia Claims Task Force, 1991. <https://bit.ly/2QrujxL>

Blankinship, Jennie L. *Alternatives to the British Columbia Treaty Process: Community Perspectives on Aboriginal Title and Rights*. Masters Thesis, UVic, 2006. Available online at <https://tinyurl.com/fnesc936>

British Columbia. *Aboriginal Worldviews and Perspectives in the Classroom. Moving Forward*. Victoria: Queen's Printer for British Columbia, 2015. Online at <https://tinyurl.com/fnesc942>.

This document is designed to support educators in understanding best practices in approaching Aboriginal perspectives in their classrooms. It was based on discussions in a number of First Nations communities throughout the province. Contents include: Characteristics of Aboriginal Worldviews and Perspectives; Attributes of Responsive Schooling; Indicators of Success; Possible Next Steps

British Columbia. Legislative Assembly. *Papers Connected With the Indian Land Question, 1850-1875*. Government Printer, Victoria 1875. 175 pages. Available online at <https://tinyurl.com/fnesc922>.

This is a collection of significant original documents collected by the provincial government in 1875 to illuminate colonial and provincial policies towards First Nations in the period 1850 to 1875. It mainly consists of correspondence between various groups, including First Nations, colonial officials, settlers and other citizens of the colony and province. It includes the text of all the Vancouver Island (Douglas) Treaties. The document can be viewed and searched online, or downloaded and searched as a pdf.

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Brown, F. and Y. K. Brown (compilers). *Staying the Course, Staying Alive – Coastal First Nations Fundamental Truths: Biodiversity, Stewardship and Sustainability*. Biodiversity BC. Victoria BC 2009. Download at the website www.biodiversitybc.org or link directly at <http://ow.ly/LV5X302mlHN>

Through examples from Heiltsuk, Namgis and Haida First Peoples, this book discusses seven Fundamental Truths shared by most BC First Nations: Creation; Connection to Nature; Respect; Knowledge; Stewardship; Sharing; and Adapting to Change. Includes many examples from traditional stories and teachings.

Centre for First Nations Governance. *A Brief History of Our Right to Self-Governance, Pre-Contact to Present*. 2007. PDF Booklet, 36 pages. First Nations Governance website, <http://fngovernance.org>. Link at <https://tinyurl.com/fnesc930>.

An accessible overview of the changing nature of self-governance, including the traditional rights inherited by First Nations, the erosion of property and governance during colonization, and the affirmation of these rights in Canada's constitutions and laws.

Gordon, Katherine Palmer. *We Are Born With Songs Inside Us*. Harbour Publishing, 2013.

A collection of biographies of BC First Nations people from a variety of walks of life, including some who have been involved in governance and treaty, including Kim Baird and the Tsawwassen Treaty process and Trudy Lynn Warner and the Maa-nulth Treaty process.

Gray, Lynda. *First Nations 101*. Vancouver: Adaawx Publishing. 2011.

Sub-titled "Tons of stuff you need to know about First Nations people." This book answers many questions non-Indigenous may have about First Nations culture, history, politics, gender, language, and many more.

Indigenous Corporate Training Inc. "Indian Act and Elected Chief and Band Council System," Indigenous Corporate Training, 2015. Online at <https://tinyurl.com/fnesc909>.

This blog article discusses the terms of Band Council governance under the Indian Act.

Indigenous Corporate Training Inc. "Potlatch: What I Learned as a Guest." <https://tinyurl.com/fnesc925>.

A guest at a potlatch describes some of the protocols and customs practised there.

Indigenous Peoples Atlas of Canada. 4 volumes. Royal Canadian Geographical Society, 2018. v. 1. Indigenous Canada; v. 2. First Nations; v. 3. Inuit; v. 4. Métis.

Many up-to-date reference maps of Indigenous Canada, as well as a section devoted to Truth and Reconciliation. Volume 1 consists of articles exploring many Indigenous issues. The maps of BC in Volume 2 uses a unique graphical format to indicate reserves of First Nations, and unceded territory. Many contemporary and historical photographs and a glossary of common Indigenous terms.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

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

This article discusses the path taken by the Shíshálh (Sechelt) First Nation to self-government. Written in the first person and connects with the author's personal experiences as well as those of her community.

Joseph, Bob. *21 Things You May Not Know About The Indian Act*. Indigenous Relations Press, 2018.

This book analyzes the Indian Act and its consequences by discussing 21 major clauses. A second section discusses self-government options for the future. Appendices include the TRC Calls to Action and some quotes from John A. Macdonald and Duncan Campbell Scott.

Joseph, Bob. *Indigenous Relations: Insights, Tips & Suggestions to Make Reconciliation a Reality*. Indigenous Relations Press, 2019.

Like *21 Things You May No Know About The Indian Act*, this book is designed for people in business and governments who work with Indigenous Peoples, but it will be a useful reference for teachers and senior students. It includes many “do’s and don’ts” when dealing with Indigenous people and groups.

Lutz, John Sutton. *Makúk: A New History of Aboriginal-White Relations*. UBC Press, 2008.

Lutz examines the Indigenous-Settler relationships in BC through work and economics, tracing First Peoples' involvement in the new economy after contact, and its effects on them. It includes a chapter focusing on the Tsilqot'in. There are references to potlatches throughout the book.

Nations Centre for First Nations Governance. *The Five Pillars of Effective Governance*. PDF. 16 pages. <http://www.fngovernance.org/pillars>

This booklet gives an over view to key components of self-government: The People, The Land, Laws and Jurisdictions, Institutions and Resources.

Neasloss, Doug. An Interview with Doug Neasloss. Green Fire Productions. *Exploring the Great Bear Sea* series. 2016. Available to download at www.greatbearsea.net.

Doug Neasloss, community leader from Klemtu, discusses some aspects of the impacts of colonialism of the Kitasoo/Xai'xais people of Klemtu, including the hereditary system of chieftainship and its role in stewardship of the land, the potlatch and the Indian Agent. Pages 127-132 in the *Elementary Grades 4-7 Resource*, and pages 79-84 in *Social Studies Grade 11& 12* resource. See the entry for the video *First Nations History Overview*.

Nuxalk Nation. “Potlatch.” Nuxalk Nation website. <https://tinyurl.com/fnesc926>.

This is a page on the Nuxalk Nation's website some aspects of modern-day potlatches.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

Okanagan SD 23. Simplified Version of the Universal Declaration of Human Rights. SD 23 Central Okanagan website. <https://bit.ly/2QraGpu>

U'mitsa Cultural Centre. *The History of the Potlatch Collection*. Umista Centre, Alert Bay. <https://tinyurl.com/fnesc950>

An article that describes how potlatch regalia and masks were taken from the Kwakwaka'wakw, and how some of the collection came to be returned.

UNICEF. Know Your Rights! United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents. Human Rights Unit, UNICEF, 2013. 40 page PDF. Link at <https://tinyurl.com/fnesc932>.

Written by Cindy Blackstock (Gitxsan) in collaboration with UNICEF, this booklet, explains to a teen audience a summary of some of the key ideas in UNDRIP. Includes a Word Bank of terms.

4. VIDEOS

Aboriginal Rights, Treaty Rights, Original Aboriginal Title - Aboriginal Awareness Training. Indigenous Awareness Canada. 2010. 2.30 min. <https://youtu.be/kRmJcuJ839A>.

A short video that gives an overview of Aboriginal and Treaty rights.

The Charter of Rights and Freedoms. Springtide, 2013. 6:34 min. https://youtu.be/YAIM1qzO9_w.

An animated explanation of the Canadian Charter of Rights and Freedoms.

The Elders are Watching. Roy Henry Vickers and David Bouchard. Big Raven, 2011. 9.32 min. <https://youtu.be/4VLBfOqS4j4>

Companion to the book by the same name. Illustrates how people have broken the promise of looking after the land.

First Nations History Overview. Karen Meyer, 2016. 14:02 min. https://youtu.be/j7KJF_l71KE

This is an interview with Doug Neasloss from Kitasoo. It is transcribed in the Great Bear Sea series. (See the entry in section 5, Neasloss, Doug.)

Ktunaxa Nation: Building From Their Vision. 2012. 13:55 min. Centre for First Nations Governance. <https://youtu.be/DTZhlZsZMpU>

This video documents the process that the Ktunaxa Nation is following to bring about self-government through the BC Treaty Process, emphasizing a citizen-based process.

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Land Code. Akisqnuq First Nation. 2017. 3 min. <https://vimeo.com/209334834>

An informational video by the Akisqnuq First Nation, a member of the Ktunaxa Nation, as they prepare to vote on the adoption of a Land Code that would give them control of their lands.

Tradition and Governance: Georjann Morreseau. <https://youtu.be/j6blVZGGasI>.

Councilor Georjann Morreseau of Fort William First Nation (Ojibway, Ontario) talks about the challenges of teaching Fort William youth about traditions and governance.

The Gift of Salmon Comes as a Surprise. shishalh Nation. 1:05 min. 2015. <https://youtu.be/hWkPi7lWSGM>

This short clip explains a fisheries sharing agreement between two First Nations.

Hartley Bay School and Community. <https://youtu.be/URmy7JVpD2c>

A student-made video showing a variety of aspects of the Gitga'a community of Hartley Bay.

Nuu-chah-nulth Tribal Council videos. <http://www.nuuchahnulth.org/video>

This page includes video interviews with a number of Nuu-chah-nulth leaders discussing a variety of topics, including Governance.

People of the Grizzly: Government by the People. 21 min 47 sec. 2011. Produced by the Kitselas First Nations. <https://vimeo.com/21621109>

This video is directed towards the people of Kitselas to lay out information about self-governance. It gives an overview of the history and goals of self-governance. It also highlights the differences between the Nisga'a Lisiims government and the Westbank First Nations self-government.

Mysteries of Ancient Clam Gardens. Andrew Elizaga, 2013. 6:43 min. https://youtu.be/DIGn4yd15_I

Tom Sewid, Watchman for the Mamalilikulla Qwe'Qwa'Sot'Em territory, explains the significance of the ancient clam gardens (lo'hewae). He emphasizes that features like clam gardens and culturally modified trees are considered archeological evidence, but are also First Nations "deeds and title" to the land.

Reflections of Mary Lake - Chapter Three 'Coast Salish Stories.' 4.42 minutes. 2011. <https://youtu.be/exIokupmOzE>

Tom Sampson, Tsartlip Elder, explains how the mountains of the Saanich Peninsula were the sources of food, resources and spiritual health. He talks about the values he was taught about respect and honouring the land. He makes the notable statement, in relations to his people's territories, "I am everything that is in that mountain, and everything that my ancestors told me it was. I am that person." He also expresses his

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views on development. This was made as part of campaign to save a piece of land near Victoria from development.

Respect. Karen Meyer. 2016. Great Bear Sea Project. 9:47.

<https://youtu.be/XhNPUOFIHOQ>.

A Kitsoo storyteller tells the narrative of Gitnagunaks. At the end he elaborates on the need to respect and take care of the natural world, and the circle of life.

The Road Forward. Marie Clements. National Film Board of Canada. 2017. 1 h 41 min.

Can be downloaded for personal and classroom use for a small fee.

https://www.nfb.ca/film/road_forward/

Part musical, part documentary about the struggle and activism of First Peoples in Canada for civil rights. Inspired by the stories in the Native Voice, an early Indigenous newspaper published by the Native Brotherhood of BC.

Trick or Treaty. Alanis Obomsawin. National Film Board of Canada. 2014. 1 h 24 min.

https://www.nfb.ca/film/trick_or_treaty/

Feature length documentary by acclaimed First Nations filmmaker Obomsawin about the history and current actions around Treaty No. 9.

Westbank: A Self-Governing First Nation (video). GC Indigenous (Government of Canada) 2012. 3:23 min. <https://youtu.be/G6d5FMBCYik>

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.

What are the universal human rights? Ted-Ed, 2015. 4:46 min.

<https://youtu.be/nDgIVseTkuE>.

An animated explanation of the basics of the UN Universal Declaration of Human Rights.

Working at Westbank First Nation. 13.59 min. Westbank First Nation, 2017.

This video gives background to Westbank First Nation's decision to seek self-government, and the successful results of negotiating it.

https://youtu.be/O0R8kIDz_6c.

Young Indigenous Leaders of the Okanagan. Indigenous Tourism BC, 2018. 4:41 min.

<https://youtu.be/Ej8ndURJle4>.

This video features two young leaders in the Osoyoos First Nation. They talk about learning to respect the land when they were growing up, and the vision they have for the younger generation.

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5. Websites

These resources include useful web pages that include both information and interactive pages. Listed by title.

First Nations A-Z Listing. British Columbia Government website, online at <https://tinyurl.com/fnesc944>.

Website provides information about all First Nations communities in BC, including the location, their involvement and progress in the BC Treaty Process, Tribal Councils and other associations they are member of, and Agreements and other negotiations they have made. Includes links to the First Nations' website.

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

An online map showing all the main First Nations communities in the province. It also indicates Indian Reserve lands.

First Nations of British Columbia. UBC Museum of Anthropology. Online at <https://tinyurl.com/fnesc933>.

An online map shows the diverse First Nations in BC, indicated by language areas.

First Peoples' Language Map of British Columbia. First Peoples Culture Council. <http://maps.fphlcc.ca/>

An interactive map of First Nations languages in BC. It is also an informative data base of First Nations communities, and the diverse languages and where they are spoken.

Húyat, Our Voices, Our Land. Heiltsuk Nation. Online at <http://www.hauyat.ca>.

This interactive site explores one particular territory of the Heiltsuk First Nation. It includes oral histories, community interviews and a virtual tour to illustrate Heiltsuk connections with the land.

Indigenous Corporate Training Inc. website <https://www.ictinc.ca/>

This website, led by Bob Joseph, contains a wealth of current information to build awareness of non-Indigenous people about contemporary Indigenous issues. While designed for corporations, it provides useful and accessible information for everyone.

Indigenous Foundations. <https://indigenousfoundations.arts.ubc.ca>

This website was developed by the First Nations Studies Program at the University of British Columbia in 2009. It is an information resource for many topics including histories, politics and cultures of the Indigenous peoples of Canada.

Living Tradition: The Kwakwaka'wakw Potlatch of the Northwest Coast. Virtual Museum website. <https://umistapotlatch.ca>

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY

A multimedia website that explores the significance of the potlatch for the Kwakwaka'wakw. It covers the culture and society of the Kwakwaka'wakw, what a potlatch is, how ceremonial regalia and masks were taken when it was forcibly banned in Kwakwaka'wakw communities, and the how the regalia was returned to the communities. It includes lessons for teachers.

Native Land. <https://native-land.ca/>

This site is an interactive map of the world that shows Indigenous territories in many regions, especially North America. It does not claim to be an official map, but is an ongoing project of the developer.

Our Homes Are Bleeding. Union of BC Indian Chiefs digital collection. Online at <https://tinyurl.com/fnesc946>.

This site is a rich digital archives of many primary source documents relating to First Nations history in BC. Includes Department of Indian Affairs records, First Nations testimony at Land Claims meetings, maps, and photos.

Sq'ewlets: A Coast Salish Community in the Fraser Valley. <http://digitalsqewlets.ca/>

This comprehensive website tells the story of the Sq'ewlets People who live where the Harrison and Fraser River meets. It covers all aspects of culture, including language, oral tradition and post-contact history. It has videos, maps, pictures and illustrations and interactive sections, such as the historical timeline. It includes some origin stories, with videos and transcripts.

Stellat'en First Nation. History of the Stellat'en First Nation. <https://tinyurl.com/fnesc951>

This is a page on the Stellat'en First Nation website. It includes information about the clan system of the Stallat'en and the Bahlats (potlatch).

The Universal Declaration of Human Rights. Poster. <https://tinyurl.com/fnesc914>.

An engaging poster highlighting the major human rights in the Universal Declaration of Human Rights

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6. TEACHING RESOURCES, UNITS AND LESSONS

These are units and activities that have been developed by other organizations that are relevant to the topics in these resources.

Aboriginal Education, SD 52 (Prince Rupert). The following teacher resource guides are available from Wap Sigatgyet, Aboriginal Education SD52

P'te'ex dił Dzepk, Clans and Crests. Aboriginal Education SD 52

A cross-curricular unit designed for Grade 2 that helps teachers and learners understand the importance of clans and crests in Ts'msyen society.

Pts'aan: Totem Poles. Aboriginal Education SD 52

A cross-curricular unit developed for Grade 6 that helps students understand the full mean of monumental or totem poles in Northwest Coast cultures.

Suwilaayksm Dzepk: Learning About Crests. Aboriginal Education SD 52

A cross-curricular unit developed for Grade 7 that explains the role of crests in the Clan and House systems of the Ts'msyen.

Canadian Museum for Human Rights. *Human Rights Activities*.

<https://humanrights.ca/human-rights-activities-classroom>.

Classroom activities K-12 that can be adapted to your classroom.

First Nations Education Steering Committee. *In Our Own Words, Bringing Authentic First Peoples Content to the K-3 Classroom*. FNEESC 2012. <https://tinyurl.com/fnesc929>.

Cross-Curricular units developed for the primary classroom. See Unit 5, The Spirit of Celebration, which relates to feast, potlatches and other community celebrations.

First Nations Education Steering Committee. *Indian Residential Schools and Reconciliation Teacher Resource Guide 5*. 2015. <https://tinyurl.com/fnesc924>.

Age-appropriate activities building awareness of the history and impacts of Indian Residential Schools in BC.

Green Fire Productions. *Exploring the Great Bear Sea* series. 2016. Available to download at www.greatbearsea.net.

This series includes Resources for Grades 4-7 (a guide that integrates Social Studies and Language Arts) and Social Studies Grades 11 and 12. Of particular note is Appendix A: Interview with Doug Neasloss.

“Native Land Claims - Teaching Resource” found at SFU Centre for Education, Law & Society. <https://bit.ly/2TloVyz>

Lesson ideas for simulating a treaty negotiation.

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Nuu-chah-nulth Governance, Grade 10. Ab Ed Team, SD 70 (Alberni).

<https://bit.ly/2Oe32Q3>

This four-lesson unit developed for Social Studies 10 focusses on past and present governance systems of the Nuu-chah-nulth people, including the Maa-nulth Treaty process. It is a good example of including specific local information and language in a unit.

Our Homes are Bleeding. Digital Collection Teachers Guide. UBCIC.

<https://tinyurl.com/fnesc952>.

This is a section of the *Our Homes are Bleeding* website of the Union of BC Indian Chiefs. It provides support for teachers using the many primary source documents in the collection.

Siya:ye Yoyes Society. *9000 Years of History in the Land of the River People: The Stó:lō: From Time Immemorial*. Online at the Siwal Si'wes Library website,

<https://swwslibrary.com>. Direct link at <https://tinyurl.com/fnesc927>

This teacher resource was developed with participation of educators from several Lower Mainland school districts, many Stó:lō Elders and Knowledge Keepers, and historical researchers and archaeologists. It includes 10 modules including “Who are the Stó:lō,” “Oral Traditions,” “Social Structure” and “Potlatch.” It also includes a 100-page Teacher Information Reference Package which provides a wealth of background information, maps and pictures. It is designed for intermediate students but has material that can be adapted for any grade level.

Siya:ye Yoyes Society. *Secret of the Dance Aboriginal High Interest Strategies*. Available at TeachBC, BC Teachers Federation. Link at <https://tinyurl.com/fnesc928>

High interest strategies for struggling readers using the book *Secret of the Dance* by Andrea Spalding and Alfred Scow. Developed by Siya:ye Yoyes Society in partnership with the Langley School District. Can be used at grades 4-12.

Teaching Treaties in the Classroom. Grades 7-12. Office of the Treaty Commission, Saskatchewan. (510 pp.) <https://tinyurl.com/fnesc956>

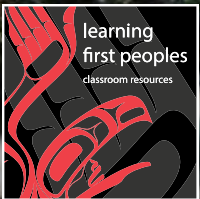
UBCIC. “About Indigenous Rights and Title.” *Two World Views in Law*. Union of BC Indian Chiefs website. <https://tinyurl.com/fnesc935>

This unit deals with historical and contemporary legal decisions that have shaped the landscape of Aboriginal Title and Rights. Includes the Royal Proclamation, 1763; the Indian Act, 1876; and the Constitution Act, 1982.

UVIC. *The Governor's Letters: Uncovering Colonial British Columbia*. Department of History, University of UVIC. <http://www.govlet.ca>

This online teacher's resource uses primary source material from BC's Colonial Despatches collection to support 4 Curriculum Challenges, including “Were the Douglas Treaties and the Numbered Treaties Fairly Negotiated?” They include detailed Suggested Activities for classroom use.

FIRST NATIONS GOVERNANCE: BIBLIOGRAPHY



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