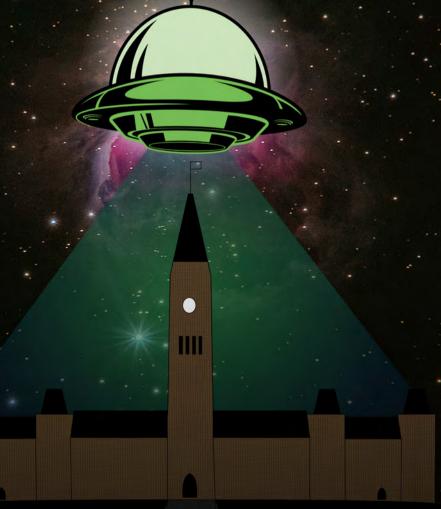
SSW 122 MEREDITH MCEVOY APRIL 1

2024

WITH APOLOGIES TO GRAND CHIEF RONALD M. DERRICKSON & ARTHUR MANUEL, THE EXPERTS ON UNSETTLING CANADA: HTTPS://UNSETTLINGCANADA.COM/



A Policy Analysis Unessay by Some Random Student

This comic was created using original artwork mixed with adaptations of free license vector images. To view the non-original images from which this work was partly created, please access the reference section of this document.



Dear Canadians,

We the residents of planet papils are writing to request refugee status in your beautiful nation.

Our home planet has been destroyed, and your large country with low population density seems our best hope for a permanent home.

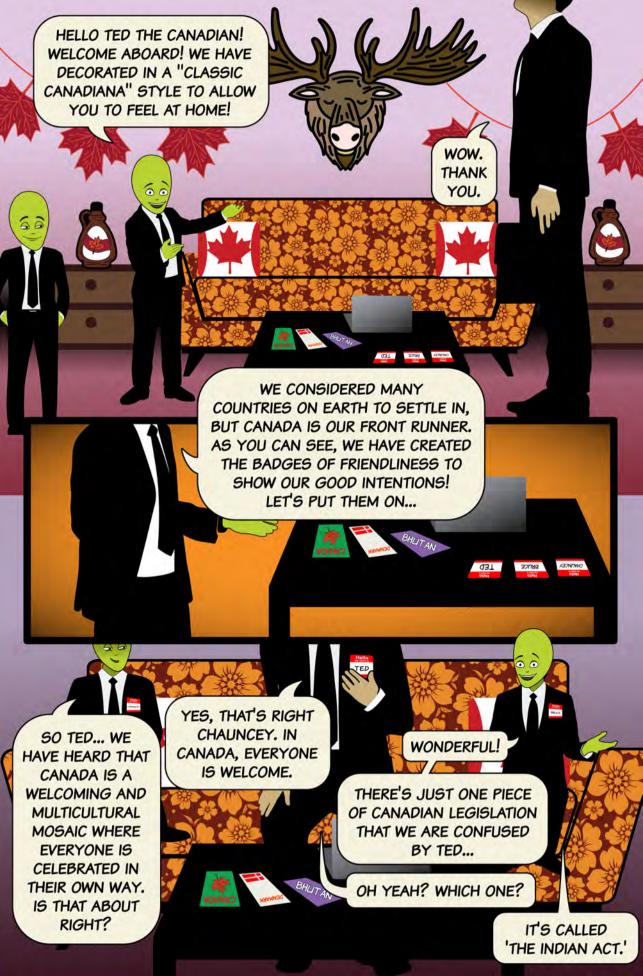
If you are agreeable to discussing this further, please have a representative ready for beam-up tomorrow at 6:00PM.

All the Best,

Bruce and Chauncey

WHEN A FLYING SAUCER APPEARS OVER THE CANADIAN FEDERAL LEGISLATURE, CITIZENS ARE CONCERNED. HOWEVER, THE INVITATION THAT ARRIVES REQUESTING A REPRESENTATIVE OF THE CANADIAN GOVERNMENT TO DISCUSS THE ISSUE FURTHER IS SUFFICIENTLY CHARMING. THERE ARE MANY VOLUNTEERS. A CANDIDATE IS CHOSEN, AND NOW THEY WAIT, PRAYING THAT BRUCE AND CHAUNCEY ARE EQUALLY AS CHARMING IN PERSON...







ADDITIONALLY, ALL TERMS USED TO REFER COLLECTIVELY TO THE FIRST PEOPLES OF

CANADA, INCLUDING INDIGENOUS, ABORIGINAL, AND FIRST NATIONS, ARE HOMOGENIZING COLONIAL LABELS. WHILE 'INDIGENOUS' IS CURRENTLY FAVOURED BY FIRST PEOPLES AND SETTLERS ALIKE. A SWEEPING TERM TO INCLUDE ALL OF CANADA'S FIRST PEOPLES IS ONLY NECESSARY DUE TO THE COLONIAL RELATIONSHIP CANADA HAS PRESCRIBED. (JOSEPH & JOSEPH, 2019, P.11-12)



ARE WE CORRECT TO ASSUME
THAT WHEN EUROPEAN COLONISTS
ARRIVED, INDIGENOUS PEOPLES
GENEROUSLY GIFTED THEIR
LAND TO THE SETTLERS?

NOT EXACTLY.

TREATIES WERE SIGNED THOUGH ...

1725 AND 1779 THE **BRITISH SIGNED** PEACE AND FRIENDSHIP TREATIES WITH THE MI'KMAQ AND MALISEET IN WHAT IS NOW NOVA SCOTIA. THESE TREATIES WERE DESIGNED BY THE BRITISH TO ENSURE AN ALLIANCE WITH INDIGENOUS COMMUNITIES AGAINST THE FRENCH.

BETWEEN

IN 1763 A ROYAL
PROCLAMATION
DECLARED LAND
WEST OF THE BRITISH
COLONY BOUNDARY
TO BE INDIAN
TERRITORY. THIS WAS
THE FIRST PUBLIC
ACKNOWLEDGEMENT
OF INDIGENOUS
RIGHT TO LAND
AND TITLE

BETWEEN 1781 AND 1862
THE BRITISH NEGOTIATED
THE UPPER CANADA LAND
SURRENDERS IN WHAT IS NOW
EASTERN ONTARIO.

THE ROBINSON TREATIES
WERE SIGNED TO SECURE
LAND IN SOUTHERN
ONTARIO IN 1850

THE NUMBERED TREATIES WERE SIGNED BETWEEN 1871 AND 1921. THESE TREATIES SECURED LAND FOR THE BRITISH IN WHAT IS NOW ONTARIO, THE PRAIRIES, THE YUKON, AND NORTHEASTERN B.C.

AND THE INDIAN ACT WAS PASSED IN 1876 CONSOLIDATING PREVIOUS LEGISL-ATION REGARDING INDIGENOUS PEOPLES. IN 1857
THE GRADUAL
CIVILIZATION ACT
WAS PASSED

CANADA BECAME A NATION IN 1867

IN 1869
THE GRADUAL
ENFRANCHISMENT
ACT WAS PASSED

THE DOUGLAS
TREATIES WERE
SIGNED ON
VANCOUVER ISLAND
(COVERING ONLY
A VERY LIMITED
AREA OF THE ISLAND)
BETWEEN 1850
AND 1854

HISTORIC TREATIES COVER ABOUT 50% OF CANADA'S LAND MASS.

READ THE CANADIAN GOVERNMENT ACCOUNT OF THESE TREATIES HERE: https://www.rcaanc-cirnac.gc.ca/eng/1380223988016/1544125243779

AND
INDIGENOUS
COMMUNITIES
ARE OK
WITH THIS?



IN FACT, THERE HAS BEEN ACTIVE INDIGENOUS RESISTANCE TO THE INDIAN ACT SINCE IT WAS PASSED IN 1876 (HANSON). ON THE OTHER HAND, ATTEMPTS TO ABOLISH IT (AS WAS PUT FORWARD BY THE PIERRE TRUDEAU ADMINISTRATION IN 1969) HAVE ALSO BEEN MET WITH INDIGENOUS RESISTANCE. THIS IS UNDERSTANDABLE WHEN YOU CONSIDER THAT THE INDIAN ACT IS THE ONLY PIECE OF LEGISLATION CONFIRMING THE NATION-TO-NATION OBLIGATIONS CANADA HAS TO FIRST PEOPLES WHOSE HOMELANDS NOW MAKE UP THE CANADIAN NATION.

SO WHAT HAPPENED TO THE 50% OF LAND NOT COVERED BY HISTORIC TREATIES? IS THAT WHAT IS NOW KNOWN AS 'RESERVE' LAND? WELL, THERE ARE MODERN TREATIES TOO, SO MORE THAN 50% OF CANADA WOULD NOW BE CONSIDERED TREATY LAND

> NUNAVUT, FOR EAXMPLE, COVERS 25% OF CANADA, AND IS TREATY LAND CONTROLED BY THE INUIT PEOPLE.

I BELIEVE THE CURRENT NUMBER IS ABOUT .36% SO WHAT
PERCENTAGE
OFCANADA'S
LAND FALLS
INTO THE RESERVE
CATEGORY
COVERED BY THE
INDIAN ACT?

ONE THIRD OF
ONE PERCENT?!

AND AM I

CORRECT IN MY
UNDERSTANDING
THAT THE CROWN
CAN CLAWBACK THIS
LAND AT ANY TIME?
ARE INDIGENOUS
COMMUNITIES
OK WITH THAT?

THE QUICK ANSWERS ARE 'YES' THE CANADIAN GOVERNMENT RETAINS ULTIMATE CONTROL OF RESERVE LANDS AS IS DECRIBED IN SECTIONS 18(1) AND 28(2) OF THE INDIAN ACT; AND NO, THERE HAS ALWAYS BEEN INDIGENOUS RESISTANCE TO SETTLER CONTROL OF LAND AND RESOURCES IN CANADA. IN FACT, CANADA PASSED LEGISLATION IN 1927 (REPEALED IN 1951) BANNING STATUS INDIANS FROM HIRING LAWYERS, SPECIFICALLY SO CANADA WOULDN'T HAVE TO DEAL WITH HOW UNHAPPY INDIGENOUS COMMUNITIES WERE WITH SETTLER DOMINATION OF LAND. (JOSEPH, 2018, P.74)



AND HOW IS THAT JUSTIFIED?

WELL IT'S NOT. IT'S JUST WHAT WE DO.

I SEE. AND OF THE LAND THAT CANADA CONTROLS, I BELIEVE THE STAT | READ WAS THAT ONLY 11% OF IT WAS PRIVATELY OWNED. IS THAT CORRECT?

YES, THAT SOUNDS ABOUT RIGHT.

SO WHAT HAPPENS WITH THE REST OF THE LAND? THE OTHER 89%? THE 8.89 MILLION KILOMETERES SQUARED THAT IS NOT PRIVATELY OWNED?

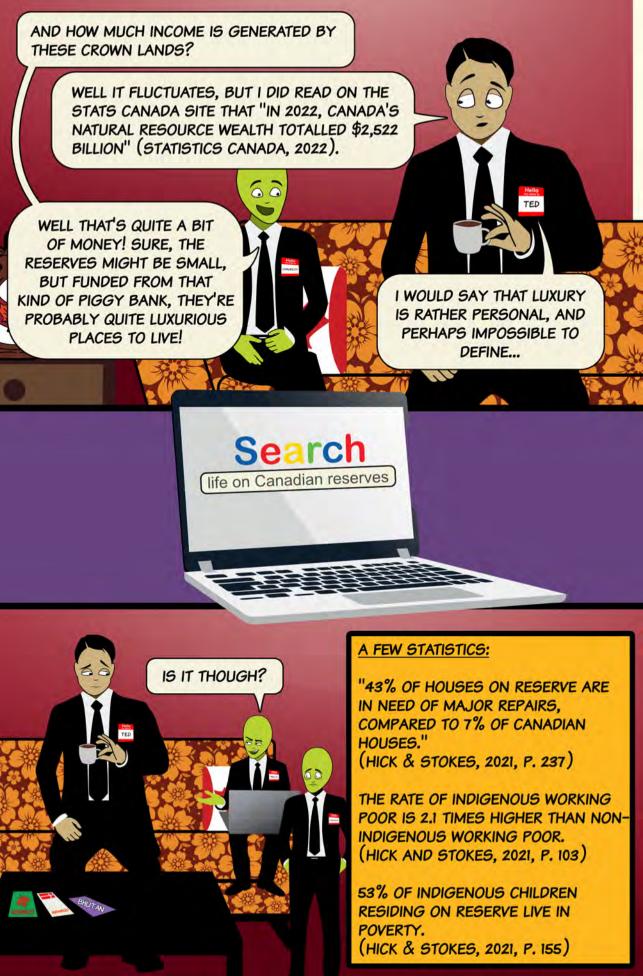
IT'S CATEGORIZED AS CROWN LAND AND IS HELD IN TRUST FOR THE PEOPLE OF CANADA. MOSTLY IT IS USED FOR RESOURCE EXTRACTION, ENERGY PRODUCTION, AND OTHER MEANS OF PRODUCING INCOME.

AND WHERE DOES THE INCOME GENERATED FROM CROWN LAND GO?

WELL IT GOES TO THE CANADIAN GOVERNMENT AND THE PRIVATE COMPANIES COMPLETING THE WORK; BUT, AS YOU READ IN THE INDIAN ACT, THE CANADIAN GOVERNMENT SUPPORTS THE ECONOMIC NEEDS OF THE RESERVES.

OH I GET IT NOW! THE MONEY MADE ON THE LAND IS RETURNED TO THE INGIGENOUS PEOPLES!







THIS ENFRANCHISEMENT IS A TRICK!

IN 1880 THE INDIAN ACT WAS AMENDED TO INCLUDE FORCED ENFRANCHISEMENT FOR ANY STATUS INDIAN WHO OBTAINED A UNIVERSITY DEGREE OR BECAME A CLERGYMAN. IN 1951 ENFRANCHISEMENT WAS FORCED ON ANY STATUS INDIAN WOMAN WHO MARRIED A NON-STATUS INDIAN MAN. DURING WWII FORCED ENFRANCHISEMENT WAS APPLIED TO STATUS INDIAN SOLDIERS, AND THE RIGHT TO VOTE WAS DENIED THE UNENFRANCHISED (IE. STATUS INDIANS) UNTIL 1960. (JOSEPH, 2018, 29-30)

SO BECAUSE OF THIS 'ENFRANCHISEMENT', HAVING INDIGENOUS ANCESTRY DOES NOT NECESSARILY MAKE YOU A STATUS INDIAN?

THAT'S CORRECT.

IT'S SO CONFUSING, BECAUSE IT'S ALMOST LIKE CANADA WANTS TO HAVE LESS STATUS INDIANS, BUT IT SAYS RIGHT HERE THAT CANADA'S RELATIONSHIP WITH INDIGENOUS COMMUNITIES IS "BASED ON RECOGNITION OF RIGHTS, RESPECT,

CO-OPERATION AND PART-NERSHIP" (TRUDEAU, 2017).

WELL, THERE ARE ECONOMIC CONCERNS...

OH YES, I AM READING HERE THAT "AMONG ABORIGINAL PEOPLE, BEING A STATUS INDIAN (REGISTERED UNDER THE INDIAN ACT) REDUCES THE ODDS OF HAVING HIGHER ECONOMIC OUTCOMES WITH RESPECT TO INCOME AND EDUCATION" (ROSA & SANCHEZ, 20--, P.34)

SO YOU ARE TRYING TO PROTECT INDIGENOUS PEOPLE FROM THIS REDUCED ECONOMIC STATE BY LIMITING WHO HAS STATUS?

WELLLL....

IT SEEMS LIKE GIVING SOME LAND BACK MIGHT RECTIFY THE SITUATION QUICKLY? HAVE YOU CONSIDERED GVING SOME LAND BACK?

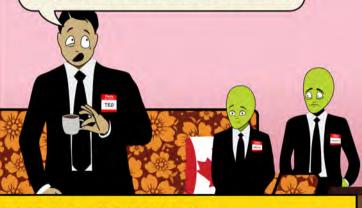
LAND BACK IS AN ONGOING DISCUSSION IN CANADA. THE FOLLOWING IS A QUOTE FROM BRIAN EGAN'S 2012 ARTICLE DISCUSSING THE STALLED MODERN TREATY PROCESS (WHICH INCLUDES LAND CLAIMS) OF THE HUL'QUMI'NUM PEOPLE:

"WHAT WE MIGHT CALL THE 'OFFICIAL RECONCILIATION PROJECT' -THE RECONCILIATION INITIATIVE PRIMARILY SHAPED AND DEFINED BY CROWN-LED POLICIES AND
PROCESSES - SERVES TO STABILIZE CROWN CONTROL OR SOVEREIGNTY OVER
CONTESTED NATIONAL AND PROVINCIAL SPACE ... TREATY MAKING, CLOSELY BOUND
UP WITH THE RECONCILIATION PROJECT, SERVES AS A KEY VEHICLE FOR THE TASK
OF CONTAINING ABORIGINAL RIGHTS TO LAND AND RESOURCES SAFELY WITHIN
THE BOUNDS OF THE STATE." (EGAN, 2012, P. 401)

THIS IS ALL SEEMING QUITE DIRE... ALMOST <u>UNSETTTLING</u> DON'T YOU THINK?

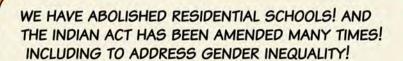


WELL, YES, THE HISTORY IS DICEY, BUT APOLOGIES HAVE BEEN MADE!



REGARDING THAT APOLOGY...

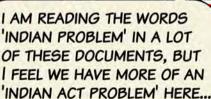
IN 2008 THEN PRIME MINISTER STEPHEN HARPER ISSUED AN OFFICIAL APOLOGY TO RESIDENTIAL SCHOOL SURVIVORS RECOGNIZING THAT "TWO PRIMARY OBJECTIVES OF THE RESIDENTIAL SCHOOL SYSTEM WERE TO REMOVE AND ISOLATE CHILDREN FROM THEIR HOMES, FAMILIES, TRADITIONS AND CULTURES, AND TO ASSIMILATE THEM INTO THE DOMINANT CULTURE." IN 2009, HARPER STATED AT A G20 MEETING THAT "WE ALSO HAVE NO HISTORY OF COLONIALISM [IN CANADA]" (JOSEPH, 2018, P. 88)







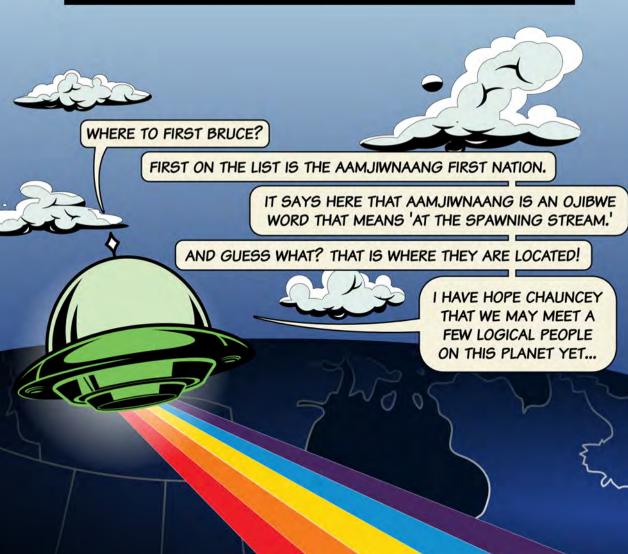
SO YOU MEAN IT USED TO BE WORSE THAN THIS?!?







HELLO, AND THANK YOU FOR JOINING ME ON THIS LOVELY AFTERNOON! TODAY I AM HERE TO SPEAK ABOUT MY RECENT (AND EXTREMELY SUCCESFUL!) MISSION TO THE FLYING SAUCER OF THE PAPILF PEOPLE. WHILE ON BOARD THE SHIP, I WAS LUCKY ENOUGH TO HAVE A WONDERFUL CONVERSATION ABOUT THE HISTORY OF OUR GREAT NATION...





in the policy discussion, but saps the credibility and political capital of those leaders upon whom it confers standing, inhibiting change" (Morden, 2016).

We ourselves are unclear of what the best solution might be to the 'Indian Act Problem,' though it is fairly clear that Land Back and nation-to-nation relations will be required. Seeing as we are respectful of nation-to-nation relations ourselves, we are now embarking on a tour of the Indigenous communities of Canada to listen and learn about the solutions they may find fitting to solve the 'Indian Act Problem.'

> All our love, Bruce & Chauncey

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Policy Analysis Unessay Rationale

1. Why did you choose the format you did for your Unessay?

I chose the format of a comic book for my unessay for a few reasons.

First, I liked the idea of presenting my research as a fictional narrative, as it allows scope for presenting biased opinions from characters. Secondly, I am fascinated by learning materials that present information in a visually appealing form, and I thought a comic book might be a good way to do that. Lastly, having worked for many years in graphic design, vector based software is a comfortable medium for me to work in.

- 2. How does your Unessay respond to following 5 assignment questions?
 - 1. What social problem is the policy at empting to address?

The Indian Act was designed by set lers in the late 1800's to solve what they viewed as 'the Indian Problem.' The act was intended to erode Indigenous cultures over time, and assimilate First Peoples into the Canadian nation state. Currently, the Indian Act exists because, while it is almost universally disliked, there has yet to be a solution agreed upon to replace it. My unessay addresses the idea of 'the Indian Problem' vs 'the Indian Act Problem' on page 11. It addresses the challenges of repealing the act on page 6, and one idea of why it is still around on page 14.

2. What is the historical context of the policy?

The historical context of the act is discussed on pages 4 and 5 of my unessay using a dialogue between an imaginary member of parliament named Ted, and two imaginary aliens named Bruce and Chauncey.

3. What is the policy? How does it work? What are its purpose and goals?

My unessay discusses various aspects of the Indian Act throughout, for example how it has been used to control land is discussed starting on page 6.

When the character dialogue does not overtly state the goals of the act, further information is added through narration boxes, such as the one on page 9 discussing enfranchisement.

4. How does the policy address equity, inclusion, and/or social justice?

My unessay comments on the financial *inequity* produced by the act on pages 8 and 10. The *exclusion* of Indigenous citizens from fully participating in Canadian society without the unsavoury step of enfranchisement is discussed on page 9. Ideas of social *injustice* are addressed throughout.

5. Assess the impact of the policy, what changes do you recommend?

Impacts of the policy are discussed throughout the comic, and necessary components for future change are addressed in a let er writ en by the aliens to their own people on the last page of the comic. As a set ler myself, I feel it is overstepping to propose specific solutions. I don't have the lived experience to understand all of the ways the Indian Act affects the lives of Indigenous communities, and this fact is addressed in the aliens solution to visit Indigenous communities to learn what solution they may have to 'the Indian Act Problem.'

3. What did you learn from this experience?

I learned more details about the Indian Act, including changes (and the reasoning behind them) made to the act over time. I reviewed some interesting discussions on why the act still exists even though it has been catching flack for 148 years. I also learned that when choosing projects I need to be more realistic about the time they will require to complete!