

Book Review

21 Things You May Not Know About the Indian Act

Bob Joseph

Port Coquitlam, B.C., Canada: Indigenous Relations Press, 2018

Reviewed by Eleanor D. Glor

The Americas were occupied and governed by Indigenous people for tens of thousands of years before the arrival of colonizing Europeans, starting in 1492. While some Indigenous peoples were violently conquered further south, in British North America, in what is now Canada, treaties were signed between the British monarch and the Indigenous peoples that were to govern the relationships between the nations. Although the Indigenous peoples for the most part kept their commitments, the British and later Canadians did not. Following Canadian Confederation in 1867, which united the British colonies, the Parliament of Canada and Britain passed the *Indian Act* in 1876. Through it the Government of Canada, on behalf of the Canadian (British) monarch, governed the Reserves set aside for them in the treaties. In essence, it was used to control Indigenous people rather than create the resourced self-government the Indigenous people agreed to.

21 Things You May Not Know About the Indian Act, by hereditary Indigenous chief Bob Joseph has been high on the Canadian Non-Fiction best-seller list since its publication, reaching best seller status within its first week of publication in April 2018 and in December 2024 on Quill & Quire's 2024 Indie Bookstore Bestseller list. Joseph published a companion to the book, *Indigenous Relations Insights: Tips and Suggestions to Make Reconciliation a Reality*, offering practical tools to help readers respectfully avoid missteps in work and daily life. His newest book, *21 Things You Need to Know About Indigenous Self-Government* is currently on *The Globe and Mail* newspaper's best seller list. It offers readers an opportunity to join the conversation about dismantling the Indian Act and the future of Indigenous self-government.

21 Things You May Not Know About the Indian Act was a timely publication, as it was published during a federal government that was committed to improving relations with Indigenous people in Canada, and following three major Canadian inquiries concerning Indigenous peoples: (1) The Royal Commission on Aboriginal Peoples; Report 1996. (2) The Truth and Reconciliation Commission (TRC), created through a legal settlement between Residential Schools Survivors, the Assembly of First Nations, Inuit representatives and the parties responsible for creation and operation of the schools (the federal government and the church bodies that ran them). It heard from people who attended the residential schools and their descendants and informed Canadians about what happened in residential schools. The TRC documented the truth of survivors, their families, communities and anyone personally affected by the residential school experience. This included First Nations, Inuit and Métis; former residential school students, their families and communities; the churches; former school employees;

government officials and other Canadians. It was set up under the Indian Residential Schools Settlement Agreement, the largest class-action settlement in Canadian history. The Commission operated from 2008 to 2015 and published its report in 2015, recommending 94 Calls to Action. (3) A National Inquiry into Missing and Murdered Indigenous Women and Girls, 2015-2019, that published its Report in 2019.¹

Despite initially promising schools on reserves (reserves are lands set aside under treaties for use of Treaty Indians), beginning in the late 1800s, Indian² children were removed from their communities, to be educated in residential schools, run on behalf of the Government of Canada by churches, in a deliberate and ongoing attempt to eliminate their cultures and assimilate them into mainstream Canadian colonial society, eliminate the reserves and eliminate the commitments made. The children were poorly educated, starved, and physically and sexually abused. Highly disproportionately large numbers of children died in the residential schools. The schools were often large distances away from the children's families, parents were limited in how much they could visit, they had to travel and transport their children at their own expense, and parents had to have permission from the Indian Agent to leave reserves. More than 150,000 Indigenous children attended residential schools. In 1920 attendance was made compulsory and was enforced by the federal police force, the Royal Canadian Mounted Police (the RCMP). "The schools were often underfunded and overcrowded. The quality of education was substandard. Children were harshly punished for speaking their own languages. Staff were not held accountable for how they treated the children."³

I grew up the first half of my childhood in northern Alberta. A friend of mine quit school at age 15 and went to teach in an Indian residential school further north. She lasted six months but could bear it no longer. She returned telling of terrible abuse, including sexual abuse of the children. This teacher too was traumatized.

Between 1931 and 1996, there were 139 Indian Residential Schools operating in Canada. It is difficult to estimate the number of children's deaths as they were not reported and often parents were not informed. The National Centre for Truth and Reconciliation identified 2,800 children who had died in the schools. At that time, it was believed that there were still an additional 1,600 unnamed children, a total of 4,400 deaths.

Residential schools were provided for under the *Indian Act*. Although Indigenous parents wanted their children educated, and schools had been promised on the reserves, their children were removed from their families and communities, sometimes forcibly, as provided for under revisions to the *Indian Act*. Parents were at most allowed to visit their children four times per year and children were only allowed to come home for Christmas, all at the expense of the pauperized parents, who were often not paid the amounts promised to them in the treaties. Indians could not leave the reserve without prior permission from the Indian Agent, a non-

¹ <https://www.bac-lac.gc.ca/eng/discover/aboriginal-heritage/royal-commission-aboriginal-peoples/Pages/introduction.aspx>; <https://nctr.ca/about/history-of-the-trc/truth-and-reconciliation-commission-of-canada/>; <https://www.mmiwg-ffada.ca/>

² The term Indian is a colonial term and not acceptable to Indigenous people in Canada. It is used here because it was the term used at the time. Better terms include First Nation, Inuit and Metis. It is more respectful to use a nation's terms for itself.

³ <https://nctr.ca/education/teaching-resources/residential-school-history/>

resident official of the Government of Canada. For the Province of Saskatchewan, for example, there was one Indian Agent. Approval to leave the reserve was uncertain and took a long time to secure. Thus, despite the expressed intent of integration, there was little mixing of Indians and other Canadians.

21 Things You May Not Know About the Indian Act outlines 21 key provisions of and changes to the *Indian Act*, that governed the Government of Canada's relationship with the Indigenous people of Canada. The Government of Canada is responsible for Status Indigenous people living on reserves in Canada as the original treaties with them were between the Canadian monarch and the Indigenous nations. The Government of Canada is thus responsible for fulfilling the treaty commitments. Later, the Government of Canada argued it was only responsible for Status Indians living on reserves and that the provinces and territories were responsible for all others (Status people living off-reserve, non-Status Indians, Métis, Inuit). Every effort was made to get Status Indians to give up their status and rights under the treaties. They could not vote unless they did so.

While the initial treaties that permitted European settlement in Canada were nation-to-nation agreements, the initial *Indian Act* and its subsequent revisions created a colonial relationship with Indigenous people and severely controlled and constrained their actions, sometimes in contradictory ways.

The 21 provisions of the *Indian Act* highlighted in the book include:

1. Imposed the elected chief and band council system, 1869 to present. Their responsibilities are similar to those of a municipality.
2. Denied women status, 1869 to 1985.
3. Created reserves, 1876 to present.
4. Encouraged voluntary and enforced enfranchisement, 1876 to 1985. Enfranchisement is loss of status rights. 1876 to 1985.
5. Government of Canada could expropriate portions of reserves for public purposes [and often private purposes too]. 1886 to present.
6. Renamed individuals with European names, 1880 to ?
7. Created a permit system to control Indians' ability to sell products from their farms, 1881 to 2014.
8. Prohibited sale of ammunition to Indians, 1882 to ?
9. Prohibited sale of intoxicants to Indians, 1884 to ?
10. Declared potlatch and other cultural ceremonies illegal, 1884 to 1951.
11. Restricted Indians from leaving their reserve without permission from an Indian agent, 1885 to 1951 (not legislated, a policy).
12. Created residential schools, 1886 to 1996, 110 years.
13. Forbade Indian students from speaking their home language at their schools, late 1890s to early 1960s.
14. Forbade western Indians from appearing in any public dance wearing traditional regalia, 1906 to 1951.
15. Leased uncultivated reserve land to non-Indians, 1918 to 1985.
16. Forbade Indians from forming political organizations, 1927 to 1951.

17. Prohibited anyone, Indian or non-Indian, from soliciting funds for Indians to hire counsel, 1927 to 1951.
18. Prohibited pool hall owners from allowing Indians entrance, 1927 to ?
19. Forbade Indian students from practicing their traditional religion, 1940s.
20. Denied Indians the right to vote until 1960.
21. The *Indian Act* is legislation created under colonial rule for the purpose of subjugating a group of people.

While the *Indian Act* is an unacceptable piece of legislation, especially now that the Government of Canada has signed the *United Nations Declaration on the Rights of Indigenous Peoples*, in 2021, many indigenous people feared that opening it up could lead to additional loss of rights. Doing so thus remains controversial.

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