

# Indian Moneys, Legislation, and the 1951 Indian Act Amendments



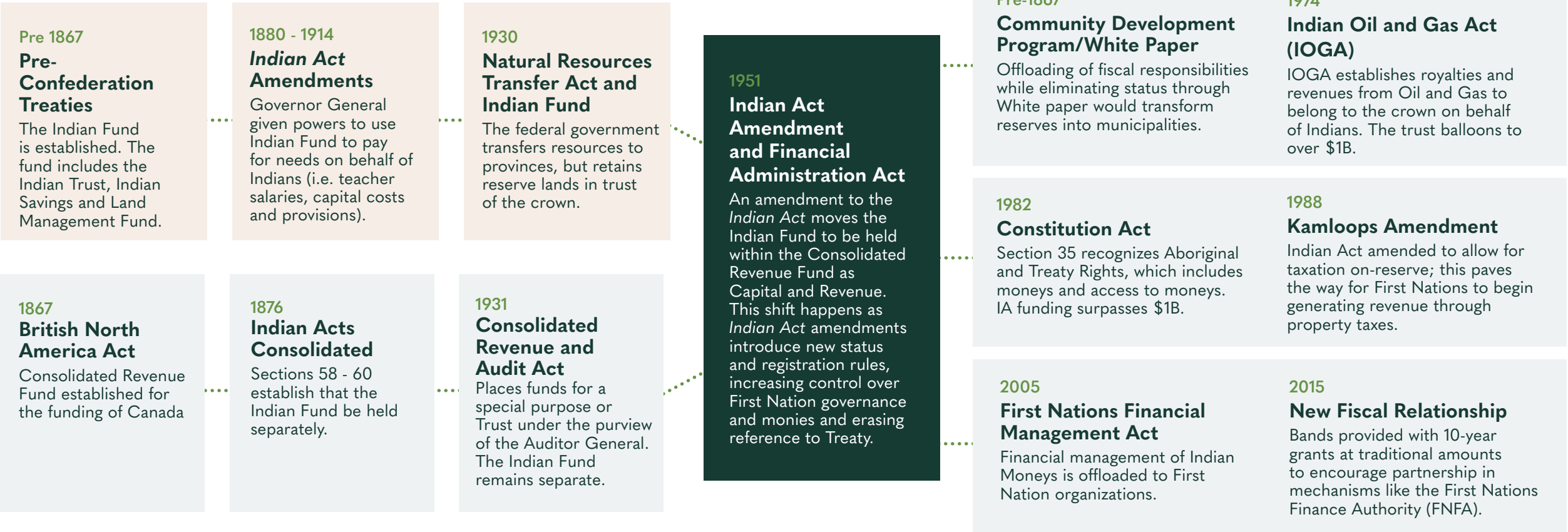
Learn more in Part One, How Canada Got its Economy, *Cash Back: A Yellowhead Institute Red Paper*

## INDIAN TRUST FUND

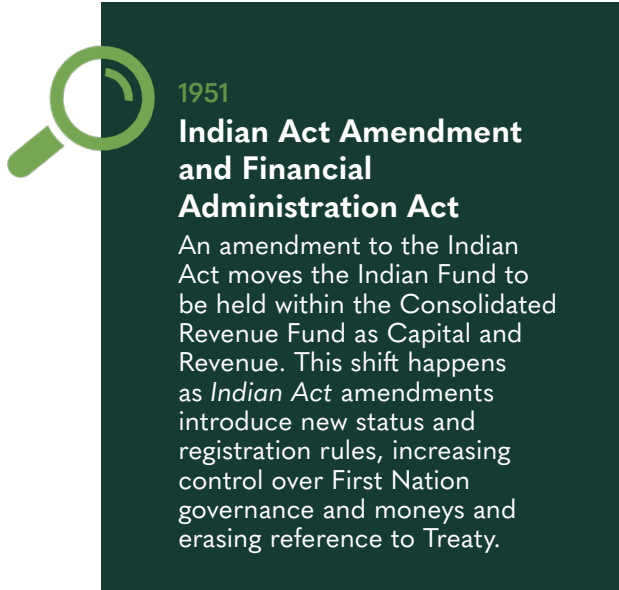
During this time, Indian Moneys were held in a distinct account. While there were policy changes with regards to how funds were used, the moneys were held separate from Canadian funds.

## BAND FUNDS

Funds are now connected to Indian status and band membership instead of to descendants of Treaty signatories.



## CONSOLIDATED REVENUE FUND (CRF)



# What happened in 1951?

Changes to the *Indian Act* in 1951 aimed to modernize and normalize new kinds of power in the governance of Indigenous peoples.

A centralized Indian Registry was introduced that empowered federal authorities to control First Nations through status, which was now fused to band membership, as well, through a registration requirement.

There is evidence that a number of factors contributed to the shift in “Indian” identification in 1951, all of which had financial implications.

One factor was the absolute mess Indian Affairs was keeping of the treaty records and the amount of fraud

and theft underway by Indian Agents of the government. Historian John Leslie writes that officials were at a loss of how to expand social services without clear records on Indian status and eligibility. The new definition and registry brought in through the amendments was “tied directly to an administrative initiative.”<sup>1</sup> The centralized registry also now controlled Treaty annuity payments.

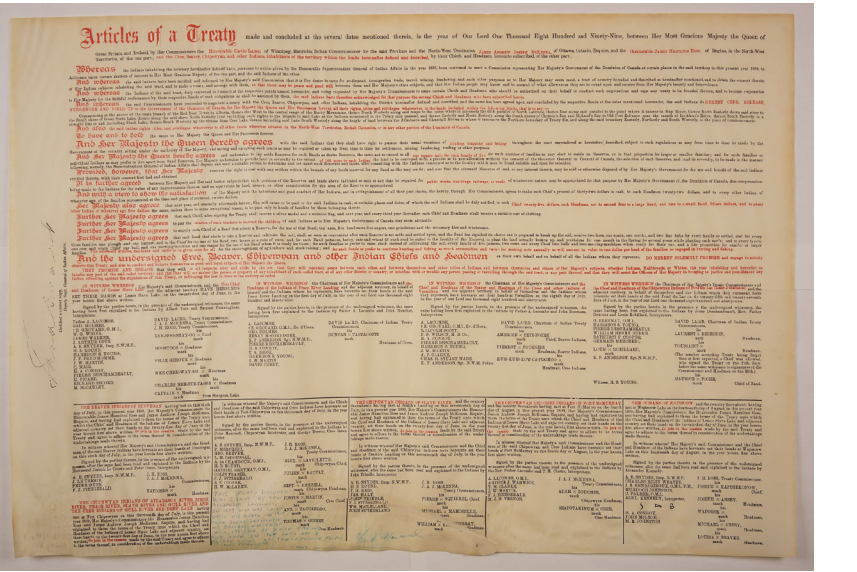
Another factor was that the 1951 *Indian Act* became more strict with regard to Indianness as a result of an adoption case. According to Métis scholar Allyson Stevenson, the Francis case angered officials when a Métis child became Indian through adoption. This travesty (to officials), “called into question the gendered and racialized parameters used to restrict band membership.”<sup>2</sup>

**The amendments doubled down on gender and racial discrimination by legislating the exclusion of status to women who “married out” and to their children.**

Finally, the requirement for band membership and rigid control over status were connected to the attempted erasure of the Métis. Métis were already being removed from Treaty rolls prior to the 1951 amendments, though their “Indian blood” provided them certain provisions. Without membership on reserves, only the discretion of the department could keep them “Indian.”

The Indian Trust Fund also moved at this juncture under the Consolidated Revenue Fund — the big slush fund of Canadian revenues. This meant that the descendants of Treaty signatories were now submerged into a new fiscal state by virtue of their status, not by the terms of the nation-to-nation relationship assured in Treaty. The CRF was an attempt to move Treaty partners one step closer to assimilation.

The 1951 change in language from Indian Fund to Band Fund, marked a shift from First Nations as Treaty signatories to Band Indians, as defined by the *Indian Act*.



AN IMAGE OF TREATY 8<sup>3</sup>



IMAGES OF A LAMINATED CERTIFICATE OF INDIAN STATUS STATUS CARD<sup>4</sup>

**Learn More: [cashback.yellowheadinstitute.org/indiantrustfund](https://cashback.yellowheadinstitute.org/indiantrustfund)**

This factsheet was researched and authored by Robert Houle and Shiri Pasternak, with Damien Lee; produced and designed by Yumi Numata.

<sup>1</sup> “Assimilation, Integration or Termination? The Development of Canadian Indian Policy, 1943-1963,” Dissertation, Carleton University, March 1999.

<sup>3</sup> Laird, David, McKenna, James Andrew Joseph, and Ross, James Hamilton, Treaty No. 8 (1899 June 21), Treaty no. 8, 1899, presentation copy of the original, 50 x 71 cm, University of Alberta Library Internet Archive collection, <https://archive.org/details/treatyno800unse/mode/2up>

<sup>2</sup> The Adoption of Frances T: Blood, Belonging, and Aboriginal Transracial Adoption in Twentieth-Century Canada Allyson Stevenson, *Canadian Journal of History / Annales canadiennes d'histoire* 50.3 6 2015, p. 475.

<sup>4</sup> Ontario Ministry of Finance, Laminated Certificate of Indian Status, 2008, back of laminated Certificated of Indian Status card, 8.5 x 5.5 cm, Government of Ontario website, <https://www.fin.gov.on.ca/en/taxtips/rst/02.html>