This section is excerpted from a discussion paper by Karrmen Crey about Aboriginal identity in the classroom. This paper was initially written for the What I Learned in Class Today project. Although the initial context of this paper was written with a classroom context in mind, we strongly recommend it as foundational reading for understanding the complexities of Aboriginal identity-- and the way in which it is constructed, regulated, and perceived-- both inside and outside of classroom contexts.

**Introduction**

Identity is a highly charged subject for Aboriginal people, owing largely to colonial efforts to eradicate Aboriginal identities as a part of the colonial project in Canada. The social and cultural legacies of this history continue to be experienced very profoundly today and generate deep tensions that often manifest in troubling and unexpected ways in classrooms. This material provides an overview of the historical and social circumstances affecting Aboriginal identity as a starting point to understanding why identity is such a charged issue and why it appears so frequently in troubling classroom situations.

It is critical that an understanding of the historical and social contexts be accompanied by an awareness of how individuals interpret this information and position themselves in relation to it. Both students and instructors, Aboriginal and non-Aboriginal, are constantly interpreting meaning from this history in relation to their sense of self, but the ways that they do so are often the source of classroom tensions. For non-Aboriginal students, discussions of the issues affecting Aboriginal people are often understood as taking place in the past and events are at a great distance. Aboriginal students, however, may have experienced these events or lived their consequences in their families and social realities and do not necessarily conceptualize their family and community histories in this way. For these students, history is lived every day, and very personally. Perspectives that distance these events or diminish their magnitude are not only inaccurate, but will be perceived as profoundly trivializing and insulting. As a result the classroom discussion can become highly charged, leaving Aboriginal students angry and alienated and non-Aboriginal students anxious, perplexed and defensive.

Another aspect to consider is that tensions do not solely arise between non-Aboriginal and Aboriginal students; these tensions are also often internal to groups. In this section we discuss situations that arise from tensions between Aboriginal students from positions differentiated by gender, skin color, and other factors that affect a person’s social identity. Tensions can also arise between non-Aboriginal students in various ways depending on how they position themselves in the classroom. Some students consider themselves allies, while other students may find themselves personally or socially challenged by the issues, and that can result in resistance to the discussion.

The next section begins with an overview of key historical and social factors affecting Aboriginal identity. For those unfamiliar with this history, we suggest reviewing this material, as it may assist you in developing ways to reframe problematic positions or arguments you may encounter in classrooms. For those familiar with this history, you may want to go directly to the analysis of classroom situations; these analyses will link to historical materials in the rest of the section where relevant.

**The Role of the Indian Act**

Identity is a highly charged subject for Aboriginal people owing to attempts by colonial nations and societies to undermine and eradicate Aboriginal peoples’ cultural and social distinctiveness in order to stabilize colonial authority and settlement in North America. Historically, colonial policy and legislation had the explicit goal of terminating Aboriginal peoples’ cultural and social identities in order to assimilate them into colonial society. Colonial governments and institutions operated on the paternalistic and Eurocentric assumption that in order to function in contemporary colonial society, Aboriginal people needed to abandon their own cultures and adopt a settler identity. By undermining Aboriginal peoples’ cultural
and social relationships to their traditional territories, colonial governments hoped to weaken Aboriginal peoples’ resistance to being removed from their land bases in order to accommodate growing settler populations and designed policy and legislation to this end.

In Canada, the Indian Act is the primary piece of legislation designed to assimilate and dispossess Aboriginal peoples who are recognized under the Act. It administers major aspects of these Aboriginal peoples’ lives, even setting out a legal definition of Indian and how this legal identity, called Indian status, can be conferred and inherited. It is, in effect, a state-constructed racial category that is imposed on those Aboriginal peoples it recognizes in order to make it possible for the state to administer policy and legislation directed at Aboriginal peoples. Under the Indian Act, tracts of lands called reserves were set aside for use by Status Indians with the intent of settling land disputes between Aboriginal peoples and settlers and introducing Aboriginal peoples to colonial ways of life based on private property, while at the same time clearing the way for settlers to take up occupancy of newly available lands. Assimilation and dispossession of Aboriginal peoples operate simultaneously in the Indian Act, as they do in other colonial agendas, since,

[T]he only way in which Indigenous peoples can be permanently severed from their land base is when they no longer exist as peoples. The ongoing regulation of Indigenous peoples’ identities is therefore no relic of a more openly colonial era it is part of the way in which Canada and the United States continue to actively maintain physical control of the land base they claim, a claim which is still contested by the rightful owners of the land (Lawrence, Real Indians and Others, 38).

While Aboriginal peoples and communities have historically challenged this legislation, the Indian Act has created legal and conceptual frameworks for lived and perceived understandings of Aboriginal identity, for both mainstream society and for Aboriginal people.

The Indian Act...is much more than a body of laws that for over a century has controlled every aspect of status Indian life. It provides a conceptual framework that has organized contemporary First Nations life in ways that have been almost entirely naturalized, and that governs ways of thinking about Native identity. To date few individuals appear to have recognized the depth of the problem that the Indian Act represents its overarching nature as a discourse of classification and regulation, which has produced the subjects it purports to control, and which has therefore indelibly ordered how Native people think of things Indian. (Lawrence, 25)

This is not to say that traditional understandings of identity have not persisted despite colonial efforts to eradicate them, or that Aboriginal people do not have agency to determine Aboriginal identity. In addition, for those Aboriginal groups not recognized under the Indian Act historically the Métis and the Inuit Indian status may not have affected their lived realities and identity construction in the same ways and/or to the extent that it has for groups that live under it. It is important, however, to understand that the Indian Act has produced powerful discourses of Aboriginal identity that have deeply affected Aboriginal people and communities because they have been exercised through Canadian law and have had very real consequences for Aboriginal peoples’ lived realities. Those with Indian status are entitled to have access to resources set aside by the Canadian federal government in compensation for removal from traditional territories, including health care, education, and the legal right to reside on reserve lands. This legislation also set[s] the legal parameters by which Indigenousness can be said to be eliminated:

Once these parameters have been set, policies can be put into place to
continuously restrict and diminish membership in Indigenous societies, until the final conclusion the elimination of Indigenous peoples as peoples, according to these parameters is reached (Lawrence, 16).

As it exists today the Indian Act sets out two categories of Indian status that a person may possess: 6(1), which means full status, and 6(2), which is half-status. Those with 6(2) have half status because one of their parents does not have status. Those with 6(1) or full status can pass on their status to their children. Those with 6(2) or half status cannot, unless they have children with another person with 6(2) or 6(1); in effect, two statuses make a full status.

If a person with 6(1) and a non-status person have a child, that child will be 6(2). If that 6(2) person has a child with a non-status person, their child will not have Indian status. This is called the two-generation cutoff and removes Indian status from those below the cutoff mark. Indian status is very complex and can be very confusing, but what is key to understand is that Indian status will be bred out after two or three generations. As a result, in order to preserve Indian status, those with status would have to have children only with other people with Indian status in effect, a form of racial engineering.

The logic of Indian status flows from thinking of Indigeneity (or ethnicity more broadly) as something that can be quantifiably measured and expressed in concepts such as blood quantum. Blood quantum in this case refers to the degree of Nativeness a person possesses expressed as a percentage. Blood quantum assumes that a person’s Indigeneity can be empirically measured and has its history in pseudo-sciences common in the 19th century that proposed that degrees of racial mixing could be measured, for instance, by the color of a person’s skin, hair texture, and other physical traits (Lawrence, 40). Indian status is not strictly based on blood quantum but rather on Victorian notions that judged a person’s heritage only by their descent along the male line (Lawrence, 73). A generational cutoff, however, is related to blood quantum in that the more a person’s heritage is mixed, the less likely that they will qualify for Indian status. As a result, Indian status bleeds off over generations of intermarriage (Lawrence, 51).

In addition to those who do not qualify for Indian status after the two generation cutoff, the Indian Act has also historically excluded particular Indigenous groups and individuals, such as the Métis and the Inuit, and so these groups were not entitled to Indian status. Indian status has also been patrilineal until relatively recently, and the ways in which Indian status could be conferred or inherited depended on men’s status. Prior to 1985, if a woman with Indian status married a non-status man, she would lose her status and their children would not be entitled to status. Even if she divorced or if her husband died she could not regain her status. On the other hand, if a man with Indian status married a non-status woman, his wife would gain status even if she did not have Aboriginal heritage, and their children would be entitled to Indian status.

The legal termination of Indian status is called enfranchisement, and affected generations of Aboriginal women and their descendents. There are significant consequences to being enfranchised, among them the loss of the right to live on reserve. Many women were forced to live away from their home reserves and by extension their communities and families. Even if they left their husbands or if their husbands died, they were not necessarily able to return to their communities. Many women were forced into urban areas to find employment and ways to support their families, increasing the representation of Aboriginal people in urban areas.

The gender discrimination of the Indian Act did not go unchallenged. Lobbying and legal action by Aboriginal women, women’s organizations and others resulted in the introduction of Bill C31, which proposed to amend the Indian Act to return status to those who lost status as a result of forced enfranchisement. In 1985, Bill C31 was passed and the Indian Act was amended to return status to those who had been enfranchised as well as their children. It also formally separated Indian status from band membership: Indian status remained in the control of the federal government while band membership was given to individual First Nations, making it possible for First Nations to develop band
membership rules that reflect their unique cultures and customs (Lawrence, 68) and so have some degree of autonomy over the configuration of their communities identities.

Bill C31 is not without contention, however. While it allowed the Canadian government to resolve the embarrassing problem of gender discrimination in Canadian law in violation of the Canadian Charter of Rights and Freedoms, it also allowed the fundamental project of the Indian Act to remain intact. Bill C31 did not call for redistribution of land and resources from the Canadian government to First Nations; instead, at the same time that it returned status to those entitled to it, Bill C31 also introduced additional legal categories of Aboriginal identity that added further bureaucratic and legal complexity to Indian status. By separating band membership from Indian status, Bill C31 made it possible for a person to have Indian status without being enrolled in a band or vice versa, though a band member without Indian status would not be entitled to access resources set aside for status Indians. And as already discussed, it also introduced new definitions of Indian status called 6(1) and 6(2), which did not change the logic of Indian status but only deferred the bleeding off of status by a generation.

First Nations already coping with impoverished or inadequate economic and social infrastructures faced the possibility of having increased membership without resources to support them. In addition, years of coping with difficult living conditions resulting from the Indian Act and mainstream racism in Canadian society have left many First Nations deeply protectionist and wary of outsiders, including newly enrolled or re-enrolled Aboriginal women and children, despite their rights to have Indian status or their ties to communities; in some cases, these women and their descendants have been referred to as new Indians to denote a second tier of legitimacy (Lawrence, 71), further fragmenting Aboriginal identity and Aboriginal communities.

While addressing the legislated sexism of the Indian Act, Bill C31 generated tensions in Aboriginal communities that frequently play out at the expense of Aboriginal women and their descendants. Since Bill C31 is often synonymous with Aboriginal women’s rights, these tensions often play out along gender lines. Certainly internalized sexism plays a role in some critiques of Bill C31, particularly those that ultimately uphold Aboriginal women as the target of its exclusionary logic. It is important, however, to understand the material stakes at the basis of many critiques of Bill C31. To read all critiques solely within the framework of internalized sexism obscures the ways more complex critiques challenge the right of the state to define Aboriginal identity and thereby unilaterally set the terms for the relationship between Canada and First Nations.

Why not terminate the Indian Act or Indian status?

Because of the ways that Indian status has deeply affected Aboriginal people’s lived realities, it cannot be thought of as an external, legal category that can be easily thrown off. It is deeply experienced and affects how Aboriginal people understand their own identities and those of others. For many people who may not have community connections or may not be physically recognizable as Aboriginal, Indian status is meaningful because, despite the fact that it is state-defined, it does provide proof of Aboriginal ancestry. This same authenticating power can undermine other dimensions of Aboriginal identity, however. Those with Aboriginal heritage who consider themselves to be Aboriginal may not feel that they are real Indians because this category is reserved for those with Indian status (Lawrence, 220). In some cases, those without status encounter suspicions about their Nativeness because they lack Indian status (221). Indian status is exclusionary by design, and consequently has generated deep stratifications and divisions within Aboriginal communities where identity is frequently configured around who has Indian status and who does not, and for many Aboriginal people deeply affects sense of self.

Indian status has also, over time, emerged as a legal and political identity. Historically, the Canadian government has exclusively recognized status Indians in treaty negotiations, and treaty beneficiaries have typically been status Indians. First Nations, which are usually comprised of status Indians, have been entitled to access monies to bring Aboriginal right and title cases to Canadian courts. The Indian Act and by
extension Indian status is virtually the only concrete indicator of the special relationship that exists between Aboriginal peoples and the Canadian government (222) and the dominant legal framework through which the terms of this relationship, in specific Aboriginal rights and title, can be articulated and negotiated.

This is the dual nature of the Indian Act. It is both an oppressive piece of legislation imposed by the state, and the dominant legal and political mechanism that recognizes and affirms that Aboriginal peoples are distinct within Canada with distinct rights. The Indian Act was an early sign of Aboriginal peoples distinct constitutional status that would become enshrined in the Canadian Constitution Act, Section 35. Efforts to dismantle the Indian Act, most notoriously the 1969 White Paper, have been roundly criticized as the Canadian federal government disavowing its obligations to First Nations and erasing the legal and constitutional standing of a broad range of Aboriginal peoples. The White Paper was developed without consultation with or involvement of First Nations, and unilaterally proposed to abolish Indian status without the consent or participation of Aboriginal peoples in the process or by negotiating an alternative that would uphold Aboriginal rights. The outcry from First Nations and Aboriginal peoples across Canada was immediate:

We do not want the Indian Act retained because it is a good piece of legislation. It isn’t. It is discriminatory from start to finish. But it is a lever in our hands and an embarrassment to the government, as it should be. No just society and no society with even pretensions to being just can long tolerate such a piece of legislation, but we would rather continue to live in bondage under the inequitable Indian Act than surrender our sacred rights. Any time the government wants to honour its obligations to us we are more than happy to help devise new Indian legislation.

The White Paper was successfully shelved in the face of massive opposition, but its effects continue to be felt as aspects of the White Paper continue to inform federal policy and legislation towards Aboriginal people and new relationship processes. As a result, struggles for Aboriginal rights tend to be oriented around protection of Indian status and acquiring Indian status, or its legal and political equivalent.

**Community and Aboriginal Identity**

Indian status and understandings of Aboriginal identity are also complexly associated with community and connections to place. Tribally specific relationships to the land are at the core of tribal identity, and as previously discussed, the success of colonial agendas hinged on severing these relationships and by extension eradicating traditional understandings of identity. Displacing Aboriginal peoples to reserves was central to this process. This is not to say that reserves are not communities, or that traditional perspectives of the relationship to land have not persisted despite extreme measures taken by colonial governments and societies to erase them. Communities located on reserves are important to maintaining family structures and cultural practices and for those that come from these communities, these relations are at the core of their identities. For many Aboriginal people, however, the loss of Indian status from intermarriage and forced enfranchisement has meant that they do not come from a reserve or other Aboriginal community and so cannot claim these community relations as a way of understanding their identities. For these individuals, authenticating discourses of Aboriginal identity tied to rural communities or reserves obscure their positions and perspectives.

**Looking Aboriginal : Race and Aboriginal Identity**

The social realities of skin colour in the day-to-day experiences of Aboriginal people also significantly inform Aboriginal identity. In mainstream society, if someone claims
Aboriginal identity there is an expectation of what Aboriginal people look like, typically associated with dark skin colour. Light-skinned people of Aboriginal heritage, particularly those who do not have status or community connections, often struggle to have their identities recognized or validated as being authentic or real, not only by mainstream society but by other Aboriginal people. Dark-skinned Aboriginal people have no choice but to be visible in mainstream society where their skin colour and heritage are continually made aware to them in such stark and damaging ways that any other lived reality of being Aboriginal, particularly being light-skinned, is almost inherently contradictory (Lawrence, 173), making it difficult to acknowledge the positions of light-skinned Aboriginal people. In mainstream society, where power and privilege are organized along lines of skin colour (Lawrence, 175), light-skinned Aboriginal people do not have to experience the daily burden of racism that goes along with having darker skin. This is not to say that they do not experience discrimination in their lives or that they cannot speak to a certain Aboriginal reality, but color functions socially in a person’s experience of discrimination, and for dark-skinned people it is often felt acutely and deeply. The ways in which Aboriginal identity is experienced because of skin colour is the source of many tensions in discussions of Aboriginal issues, not only between Aboriginal and non-Aboriginal people, but between Aboriginal people as well.

The relationship between assimilation and Western education

Western education in North America has historically functioned as a mechanism of colonial assimilationist policies. Educational institutions, in particular residential schools and boarding schools, were established with the primary purpose of stripping off Aboriginal peoples social and cultural distinctiveness in order to facilitate assimilation into the colonial mainstream. Aboriginal children were forcibly removed from their homes and communities and made to live the majority of the year in these schools where they were made to adhere to Western social and educational systems. This involved, among other things, forbidding children from speaking their own languages and associating with children of the opposite sex, and alienating students from their cultural practices, families and communities. Physical, psychological, sexual, and emotional abuse was common in these institutions. In addition to the individual impact on children attending these institutions, the residential school system has caused profound ruptures in Aboriginal families and communities and has significantly affected the communication and continuity of Aboriginal cultural and social values and practices for generations. For more about this, see our section on the residential school system.

Educational systems and institutions in Canada and North America have only very recently begun to account for their role in destabilizing and undermining Aboriginal identities and de-legitimizing Aboriginal perspectives and histories. While many Aboriginal people today have not attended residential or boarding schools, their impact continues to be experienced across generations in a trickle down effect, in particular because we are only now developing an understanding of the extent to which Aboriginal people, families, and communities have been affected by these institutions. Educational institutions continue to represent a threat to Aboriginal communities and cultures, leaving many Aboriginal people feeling deeply ambivalent about them and the history they represent.

Aboriginal students have experienced silencing in education in their lives, through the physical, psychological, and cultural mechanisms used in residential and boarding schools and their intergenerational effects, or because they have not been adequately represented in educational curriculum and educational systems. Only very recently has the curriculum at all educational levels begun to address Aboriginal peoples and histories. However, educators at all levels have not been trained in negotiating the ways in which such historical and contemporary exclusionary and racist policies impact the incorporation of Aboriginal content amongst Aboriginal and non-Aboriginal students, which leads us to our next section.
Identity and the classroom

The specificity of the historical and legal circumstances affecting Aboriginal identity means that it is insufficient to discuss or attempt to resolve them solely in terms of racial or ethnic diversity. This is not to say that racism does not play a role in difficult discussions of Aboriginal issues in classrooms; racist assumptions about and reactivity towards Aboriginal people are very much active in contemporary Canadian society and are frequently the basis for problematic classroom situations. However, an understanding of these historical and legal circumstances assists to explain why identity is a critical issue in classroom discussions of Aboriginal content and why it has such a profound impact when it does happen. Meaningful and relevant approaches to addressing these situations will flow from understandings of the issues and of the ways that students and others interpret and position themselves in relation to them.

This document is an excerpt of Karrmen Crey's discussion paper on Social Identity & the Classroom, a document intended to enhance instructor understandings of the challenges faced by Aboriginal students, and how we might effectively navigate these situations. In the full version of this document, Crey explains the importance of understanding the historical context of why Aboriginal students may face particular challenges. To read this paper in full, please visit the What I Learned in Class Today website at: www.issuesintheclass.com

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Works cited & recommended readings

Books & Articles


Films


Endnotes

1 Canadian policy and legislation towards Aboriginal people has historically been designed to eradicate Aboriginal social and cultural difference, in particular through the Indian Act and the residential school system; for further discussion see Bonita Lawrence, Real Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood, Vancouver/Toronto: UBC Press, 2004: pp. 105-119, and our sections on the Indian Act and the residential school system.

2 Tracey Deer’s film Club Native (Rezolution Pictures Inc/National Film Board of Canada, 2008) visually illustrates this process and is a useful resource for those interested in examining these dimensions of Indian status in more detail.
3 For further discussion of Indian status and Métis identity, see Bonita Lawrence, *Real Indians and Others*, 82-101.
4 The specific parameters of Indian status may be different in individual Aboriginal communities, since Indian status is often attached to treaties and individual treaties vary across Canada. While these differences are too complex to note here, it is more important to understand that the definition of Indian status is not uniform for Aboriginal people in Canada but historically determined and often contingent on individual Aboriginal groups’ relationship with the Canadian state.