



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Research Reports, 1984

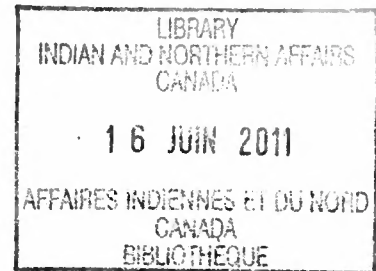
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Research Branch, Corporate Policy
Indian and Northern Affairs Canada

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To obtain a copy of any report listed in this publication, please address requests to:

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When requesting reports, please specify the title, author and publication number.

FOREWORD

This listing is a catalogue of research reports and papers prepared by or for the Research Branch of Corporate Policy, Indian and Northern Affairs Canada. The objective of making these materials available to interested researchers is to assist and promote the exchange and dissemination of research information relating to Indians and Inuit in Canada.

A single page entry is provided for each report; it contains the title, author, date of completion, length, a brief summary outlining the contents of the paper, and the publication number. The entries are arranged in alphabetical order by title and indexed by subject and author for ready reference.

We have also added a section on research reports now being prepared and that will become available in 1985 or 1986.

Copies of these reports are available from the departmental Public Enquiries Kiosk at the address shown on page iii.

L. Fraikin
Director, Research Branch
Corporate Policy

RESEARCH BRANCH ACTIVITIES

The mandate of the Research Branch is to support, direct, co-ordinate, conduct and disseminate research in support of departmental goals and priorities.

Research activities are established in relation to priority issues identified in the Departmental Strategic Plan and in consultation with program management at the headquarters and regional levels. The Branch has a certain in-house research capacity; however, the majority of projects are contracted out to specialists.

Among its other functions, the Research Branch maintains and operates the Treaties and Historical Research Centre. The Centre's staff provides a wide range of research services to people documenting claims on behalf of Native peoples' groups, bands and associations and undertakes research on various historical issues relating to Native peoples. Services available at the Centre include accommodation for examining departmental files, counsel on archival finding aids and likely research sources, facilitation of access to departmental files, and advice on information on specific historical questions of claims under investigation. The Centre's holdings are listed in the section called Report Summaries along with the other reports published by the Research Branch.

Other sources of information located at headquarters, including the departmental library, are identified in the Directory of Departmental Information Centres 1983 which is available by writing to:

Publication Distribution
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Ottawa, Ontario
K1A 0H4

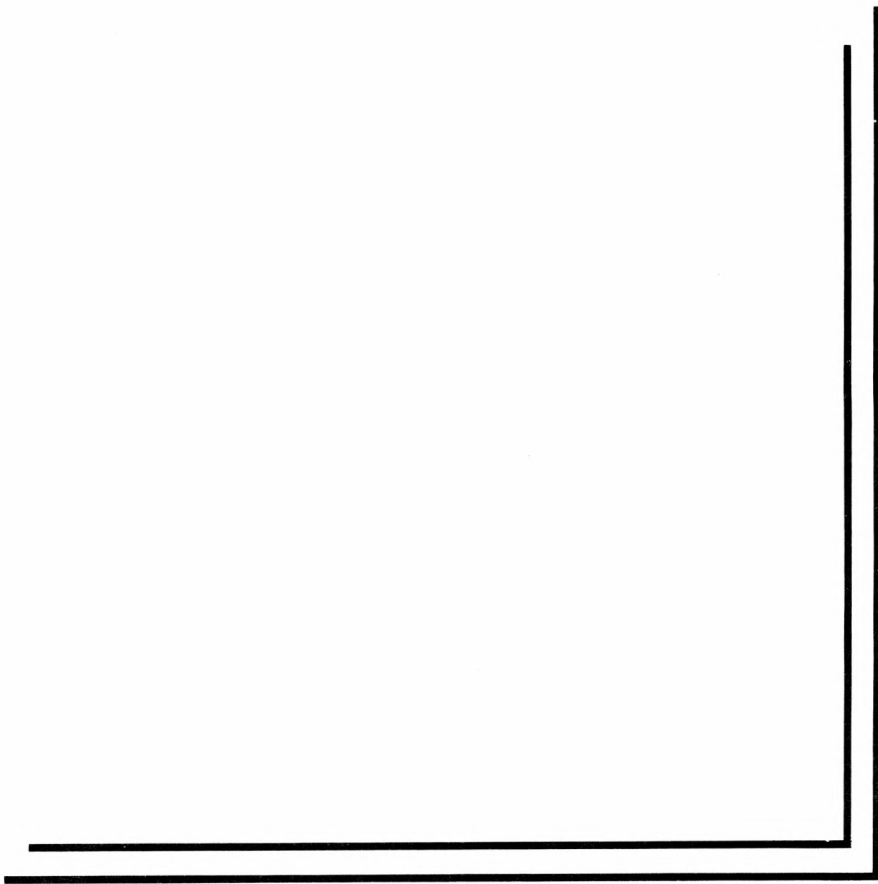
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**Report
Summaries**



APPROPRIATE TECHNOLOGY

by W.A. Lewis (Research Branch)

1980

56 pages, 4 appendices, bibliography

The principal purposes of this paper are to examine the concepts and achievements in the field of appropriate technology, to assess its potential contribution to socio-economic development on Indian reserves, and to discuss the consequent implications for federal policy.

Appropriate technology refers to any technology that satisfies the needs of the discipline in which it is used: economic, social, resource-oriented or environmental. Its subdivisions, alternative technology and intermediate technology, are also described at length. The former is used in advanced, industrialized countries, the latter in developing countries where manpower utilization, rather than alternative machinery, is the predominant requirement. Canada's Indian people could use both these technologies in varying degrees, the extent of each being subjects for joint consultation between Indian bands and the federal government. It is pointed out, however, that the real issues should first be defined precisely; the choice of technology is less complex.

The paper enumerates a number of potential on-reserve applications: interior heating (by a variety of methods), alternative fuels for farming and logging equipment, manpower utilization, community involvement in the service sector and several others. The paper is obviously based on extensive research and is well documented. It makes several telling points in discussing the philosophy behind the development of each category of technology: for example, in the intermediate or low-cost technology movement, the best approach is seen to be one that recognizes the needs of people, and the chosen technology must 'fit' the capabilities of the recipient society.

AN ARCHIVAL FINDING AID FOR PRIMARY SOURCE MATERIAL ON THE MÉTIS

by Randall Barnhart (contract) and Dennis Madill (Research Branch)

1979

36 pages

The report consists of a bibliography of primary source materials on the history of the Métis in western Canada. Among the major sources reviewed are the following:

- (a) RG10 Series, Indian Affairs Records
- (b) Sir John A. Macdonald Papers
- (c) Alexander Mackenzie Papers
- (d) David Laird Papers
- (e) Alexander Morris Papers
- (f) Edgar Dewdney Papers
- (g) L. Vankoughnet Letterbooks

The sources are grouped under fifteen subject headings, the most extensive being Red River Rebellion, Louis Riel, The Northwest Rebellion, 1885, and Land Matters (Scrip and Land Grants, Reserves, Surrender of Land).

ARCHIVAL RECORDS RELATING TO NATIVE PEOPLE IN THE PUBLIC ARCHIVES OF CANADA, THE NATIONAL LIBRARY OF CANADA AND THE NATIONAL MUSEUM OF MAN

by Bennett E. McCardle (contract)

1984 (forthcoming)

700 pages

This comprehensive index lists all sources available for research on Canadian Native peoples at the Public Archives, National Library and National Museum of Man. More than 130 Record and Manuscript Groups at the Public Archives contain data on Native peoples, while the Canadian Indian Rights Collection at the National Library is a growing collection concerned with both historical and contemporary Native issues. The index also details the little-known Sapier and Jenness Collections at the National Museum of Man (Canadian Ethnology Service) and the resources of the Archaeological Survey of Canada.

This report would be of particular interest to Native claims researchers, academics and university students interested in investigating Canadian Native history, conditions, and current issues.

BRITISH COLUMBIA INDIAN TREATIES IN HISTORICAL PERSPECTIVE

by Dennis Madill

1981

112 pages, appendices, 7 maps

This report provides an historical appreciation of the major themes of Indian treaty activity in British Columbia. Chapter one discusses the Vancouver Island treaties, while chapter two examines the Treaty No. 8 portion of British Columbia.

The first treaties in British Columbia were made between 1850 and 1854 when, as chief factor of the Hudson's Bay Company (until 1858) and as governor of Vancouver Island (1851-1854), James Douglas negotiated fourteen "deeds of conveyance" with the Coast Salish Indians of Vancouver Island in the vicinity of Fort Victoria, Fort Rupert and Nanaimo.

Almost accidentally, a small portion of British Columbia (approximately 104,000 square miles in the northeastern corner of the mainland) was included in Treaty No. 8, signed in 1899. Unlike the Vancouver Island treaties, Treaty No. 8 was negotiated by the Crown in right of Canada.

The Douglas treaties, signed between 1850 and 1854, and the inclusion of the northeastern corner of the province in Treaty No. 8 represent the only formal treaties in which the Indians of British Columbia have participated.

CANADA'S INDIAN RESERVES: Legislative Powers

by William B. Henderson (contract)

1981

38 pages

This paper looks at the distribution of legislative powers and seeks to posit what the law is in reference to "Lands reserved for the Indians". The phrase describes a class of subjects over which the legislative power of Parliament is exclusive, but this does not mean that provincial laws have no application within the borders of Indian reserves. The problems inherent in defining 'Indians' as well as what lands are included in the class "Lands reserved for the Indians" are discussed. Reference is made to parliamentary legislation in relation to the constitutional class of "Lands reserved for the Indians", with citations of specific cases involving federal jurisdiction.

What is constitutionally 'federal' in relation to one reserve may not be so in relation to another. The author explores what the law is in relation to the actual interests in land reserved for the Indians, again citing specific cases that have tested federal-provincial jurisdictional conflicts.

It seems well established that section 91 (24) of the Constitution Act, 1867 (formerly the British North America Act) embraces two distinct powers, however closely they may be related: exclusive power to legislate in relation to "Indians" and exclusive power to legislate in relation to "Lands reserved for the Indians". The legal consequences of the relationship between Indians and Indian reserves that would not attach to either head of power alone are examined. Working from an historical perspective, citing specific legal precedents, the author establishes these powers as totally distinct and legally distinguishable but decries the absence of a clear body of law and definition of policy interests.

CANADA'S INDIAN RESERVES: Pre-Confederation

by William B. Henderson (contract)

1980

47 pages

This paper begins with a review of the evolution of the reserve system in Canada, starting with the establishment of Indian settlements in the 1630s. It traces the changes that occurred, both in the attitude toward lands reserved for Indian settlement and in their administration, together with the political and administrative developments that were taking place in Canada during the subsequent two hundred years and the period immediately before Confederation.

Of particular interest, in the context of the present Indian Act, are the references to Indian legislation enacted by the Parliament of Canada in the 1850s. For example, two provisions of an Upper Canada statute still survive in the present Act.

Statutory provisions continued to be made for the protection of Indian lands, but effective administration remained difficult, as 'Indian Affairs' was not a single department of government at the time.

The latter sections of this research paper examine in some detail the settling of Indians in the Maritime provinces, and conclude with a brief summary of the main themes that emerge from an historical review of Indian reserves in the pre-Confederation period.

The 'federalization' of reserves and the use of the concept of usufruct in this context after Confederation are examined in another paper (see page 9).

CANADA'S INDIAN RESERVES: The Usufruct in our Constitution

by William B. Henderson (contract)

1980

44 pages

This is the second of two papers on Indian reserves. It examines in considerable detail the varied interpretations, applications and resultant ambiguities that arose, after Confederation, in the position of Indian lands because of the creeping in of the concept of usufruct in lawsuits pertaining to them.

The purpose of the article is to dissipate, if not dispel, the mystery of the usufruct in our Constitution. The earlier sections are therefore devoted to an historical and critical examination of its introduction to Canadian law. In this process, selected constitutional cases concerning Indian reserve lands are reviewed in depth in order to illustrate the diversity of judgements that were handed down using the obscure language of usufruct, or were obviously influenced by the concept. The later sections suggest an alternative framework for resolving constitutional conflicts between legislative powers and proprietary rights without referring to the usufruct at all.

For purposes of attempting a definition of usufruct, the author cites several sources, each with a different approach, but all deriving from the theme that possession of Indian lands might lie with Indians but title lies elsewhere. As the paper proceeds it becomes increasingly clear that usufruct is neither necessary, nor even helpful, to describe the Indian interest in reserve lands. The earlier terminology, "right of occupancy", served the purpose of legal analysis quite adequately.

The paper concludes with the firm recommendation that the term usufruct be deleted from our rules because it is unnecessary, hopelessly uncertain and positively misleading.

CANADIAN INDIAN POLICY DURING THE INTER-WAR YEARS, 1918-1939

by Dr. John L. Taylor (contract)

1984

227 pages, appendix, bibliography

This historical report deals with a little-known period in the development of Canadian Indian policy. The study is divided into four parts. Part One deals with policy issues arising from the Great War, such as the Greater Production campaign and the Soldier Settlement Acts. Part Two deals primarily with concern over Indian lands and livelihood and details of such events as the signing of Treaty eleven; the negotiation of the 1923 Williams Treaties; the B.C. Indian Land Question; Arctic Lands and the 1924 amendment to the Indian Act; and the economic development policies of the Indian Department. The broad question of the future of the Indian people is dealt with in Part Three. At first, assimilation and, ultimately, enfranchisement were the only official approved goals of Canadian Indian policy. Indians objected to departmental interference with their Sun Dance and Potlatches and to some of the more autocratic attempts to enfranchise them. A few Indian political associations became active during the period in order to take up specific grievances and to give Indians a voice in their future. Although these burgeoning groups were resented by the department, at the end of the period, there were signs of change in departmental thinking. Part Four concludes with a concise summary of Indian policy during the twenty-year period and analyzes the basic philosophical assumptions that underlay departmental programs.

This historical study would be of interest to Indian policy makers, both Native-based and government, who are engaged in the Indian Act revision process and formulation of Indian self-government models.

**CANADIANS' OPINIONS AND ATTITUDES TOWARDS INDIANS AND INDIAN ISSUES:
findings of a national survey**

by Roger Gibbins and J. Rick Ponting (contract)

1978

51 pages, 11 tables, 6 charts

The data upon which this report is based are derived from a nation-wide survey in 1976 of public awareness of, and opinion toward Indian people and Indian issues in Canada. The random sample consisted of 1,832 people aged 18 or older living south of the 60th parallel of latitude from Newfoundland to British Columbia. Personal interviews were conducted in the respondents' homes by trained and supervised interviewers.

The survey begins with a brief discussion of the relative importance that Canadians attribute to Native peoples and their problems. This question is regarded by the authors as setting the context for the more specific topics they cover, such as the major differences between Native peoples and other Canadians; the main problems of Indian people; reactions to their claims; and the extent to which these and other Indian issues arouse sympathy or antagonism.

The report contains detailed statistical information, graphs and charts, which the authors explain, together with examples of their questions, in order that the reader may understand how they arrived at their conclusions. These show that Indian issues are not a high priority with the Canadian public and that the latter is not well informed about Indian affairs. While the public seems to be more sympathetic than resistant to Indian aspirations, the survey indicates only a very slight link between this factor and any knowledge that the public may have of the Indian situation.

**CARTOGRAPHIC DEPICTION OF INDIAN RESERVES AND VILLAGES IN SOUTHERN ONTARIO
AND QUEBEC**

by Dr. Robert J. Surtees (contract)

1984 (forthcoming)

75 pages, 3 maps

This project is in two sections and covers the period 1760 to 1850. The first is a series of maps showing tribal distribution, early villages and reserves, and treaty areas. The second part is a manuscript describing the historical evolution of village sites into a system of Indian reserves following the adoption of a formal Indian civilization program after 1830.

This study would be of interest to academics, Native researchers and university students.

A COLLECTION OF CRITIQUES CONCERNING INDIAN ALCOHOL AND DRUG ABUSE PROGRAMS

by Stella Chabot (contract)

1979

55 pages

This research paper consists of 17 brief (2 to 4 pages) critical essays selected from various medical, sociological and other journals drawing attention to the problem of alcoholism and its attendant ills among Indian people in North America, more particularly those in the United States. Most of these articles are from American journals, but there are also a few from Canadian sources.

The collection covers a wide spectrum of alcohol-related studies. One article, for example, examines some of the social and psychological factors that lead to excessive use of alcohol among a group of young Indians living off reserve and the treatment offered at a rehabilitation centre operated by two Indian tribes. Another article focuses on drinking attitudes and practices among young people living on a reservation; data collected here include interviews with junior-high school students. A third article looks at drinking patterns, which are viewed as a system of cultural behaviour, displaying regularity and satisfying some functional requirement. There are several studies relating to the causes of excessive drinking in different Indian communities, bands or tribes, and the remedial therapy that is sought or applied in each instance. In the area of what is termed 'mental hygiene', the collection includes articles on subjects such as the extent and significance of suicide among Indians in the United States today, and also of sudden deaths among them.

A common theme in many of these studies is the question of whether there are any special characteristics peculiar to Native people that induce heavy drinking; the answer varies according to the subjects under review.

**A COLLECTION OF SUMMARIES OF 13 TASK FORCE REPORTS TO THE
AMERICAN INDIAN POLICY REVIEW COMMISSION 1976**

by Jesse A. Rieber (contract)

1978

78 pages

The 13 reports/summaries are numbered here in the order of their compilation, with a brief resumé of the contents of each:

1. This report examines treaties, statutes and other legal instruments to determine the precise nature of the relationship between the U.S. government and Indian peoples, or Indian tribes, as they are called.
 2. Based on the recognition of Indian tribes as sovereign entities, this report cites some factors that would ensure more effective self-governing powers for them.
 3. Federal administrative structures and their inadequacy to deliver appropriate services to Indian programs are highlighted.
 4. Transfer of tribal jurisdiction from federal to state governments is considered to be disadvantageous to Indian people.
 5. The federal role in Indian education is seen to require improvement in terms of the quantity and quality of services.
 6. The delivery of Indian health services, continuity of care, nutrition programs and other factors are examined critically and improvements are recommended.
 7. Protection and development of Indian lands and resources are seen to be crucial to economic progress, and their neglect by the administration needs to be rectified.
 8. The federal government's relationship with non-reservation Indians and some of the handicaps encountered by the latter are reviewed.
 9. Repeal of certain pieces of legislation is recommended in order to restore the original spirit of federal-Indian accords.
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10. Termination (from 1953 to the late 1960s) of a policy on the federal-Indian relationship, and its repercussions, are examined.
 11. Alcohol and drug abuse are identified as the most pressing problems.
 12. The federal-Indian relationship in the former territory of Alaska, where no treaty exists, is reviewed.
 13. This report/summary is a management study of the Bureau of Indian Affairs.

A DEMOGRAPHIC PROFILE OF REGISTERED INDIAN WOMEN

Research Branch

1979

31 pages, 17 tables

The report presents an analysis of data with respect to registered Indian women. Where possible, data for the total Canadian female population have been included in order to provide a context and a basis for comparison.

The data have been organized in five sections: 1) demographic composition, including population structure by age and sex, and residence on- and off-reserve; 2) marital status, including the 1971 and 1976 trends in marital status for registered Indians and the total Canadian population, and the distribution by gender of marriages between registered Indians and non-registered persons; 3) birth rates, including the number of births, general trends, and birth rate by marital status, age and residence of the mother; 4) selected socio-economic characteristics including 1971 Census data on head of household, employment status and income level; and 5) selected health characteristics including life expectancy and data on mortality.

The sources used are the Indian Register, the Statistics Canada Census and reports prepared by the Medical Services Branch of Health and Welfare Canada. The period covered is 1966-1976.

It should be noted that the term "Indian" as used in this report refers only to those registered under the Indian Act, as they are the only Indian women about whom records are maintained by INAC. It is recognized that this procedure limits the degree to which the profile can be used to draw general conclusions about women of Indian ancestry.

DEMOGRAPHIC, SOCIAL AND ECONOMIC PROFILE OF REGISTERED INDIANS IN ONTARIO

Research Branch

1979

40 pages, 20 tables, map

This paper focuses on seven selected subjects to present a general picture of the demographic and socio-economic conditions of the registered Indian population of Ontario. The indicators developed within each subject are intended to provide information that would be useful in policy and program planning. Where appropriate, these indicators are compared with those of the general Ontario population.

In the area of demographic characteristics, the size of the current population and its expected growth are key indicators for planning the delivery of various services to registered Indians. This aspect is considered in some detail, backed up by statistical tables on the previous years' (1966-1976) birth and mortality rates and future projections (1980-1986). The conclusion reached is that the proportion of registered Indians to the total population of Ontario will remain unchanged during the decade 1976-1986.

In the area of education, the indications are that the retention rate for Indian students in Ontario schools has remained virtually static, at 34 per cent, since 1973, and that the rate for all provincial students is twice as high.

The section on employment states that no statistical data are available on the employment or unemployment situation among registered Indians, but that a substantial majority of Indian families are receiving social assistance payments. These data gaps have been identified for corrective action.

The indicators for housing show that future demand (to 1986) for on-reserve housing will be very heavy because of a projected 53 per cent increase in the family formation age group.

The report concludes with brief reviews of selected indicators for social services and justice, together with a listing of data gaps in each of the seven subjects it covers.

**THE DEVELOPMENT OF CUSTOMIZED STATUS INDIAN VARIABLES
USING 1981 CENSUS DATA**

by Sheila Klein (Research Branch) and
Wendy Wright (Statistics Canada)

1984

55 pages, 15 tables, 4 appendices

This methodology report discusses the creation by Indian and Northern Affairs Canada of three customized variables, which allow the production of a flexible Status Indian dataset based on the 1981 Census of Population and Housing. These three variables--two population and one residence--have been mounted by Statistics Canada on the 1981 Census 2B Retrieval Data Base. The reasons why INAC felt it necessary to develop these variables and the methodology used to create them are set forth in this documentation.

The first population variable, called STATUSPP, has five values, STATUS, STATUS-NFLD, STATUS-USA, OTHER and NON APP. It was created to identify individuals that INAC did not consider as part of their population. The second population variable, called REGIND, identified individuals that INAC considered part of its population by utilizing the Census family structure and applying specified criteria. Thus the population derived from the value STATUS in the variable STATUSPP was disaggregated into 35 categories which were then assigned to one of the five values of the variable REGIND, i.e., STATUS-CURRENT, STATUS-POTENTIAL, STATUS-POSSIBLE, OTHER and NON APP. It is the population variable REGIND that allows INAC to produce 1981 Status Indian population and family data. The Status Indian population counts at the Canada level using the new variable REGIND are STATUS-CURRENT - 283,490; STATUS-POTENTIAL - 25,280; and STATUS-POSSIBLE - 11,385. The total Canadian Status Indian count is 320,160.

The residence variable, called NEWRES, was created because not all of INAC's Crown lands and settlements were identified as such on the 1981 Census 2B Retrieval Data Base. As a consequence, INAC identified 66 Census sub-divisions in which the missing Crown lands and settlements could logically be located. These new Census sub-divisions, plus those already identified, are included in the NEWRES variable which has 3 values, ONRES, ONSETT and OFF.

DISCUSSION REPORT ON INDIAN TAXATION

by Wayne E. Daugherty (Research Branch)

1978

18 pages

This working paper on Indian taxation consists of two parts. The first deals with exemptions from taxation granted during the nineteenth century, from 1819 to 1876. Sources used were the Statutes of Upper Canada, an early legal opinion, the Indian Act of 1876, the British North America Act and the Annual Report of the Department for 1899.

The second part covers the period 1917-1948 and traces the development of Indian liability to income tax through the correspondence and concurrent legal opinions. The sources used for this portion are drawn exclusively from the Department of Indian Affairs files on taxation. These are listed on a separate page of the report.

The documents extracted from these files and used in the report have been collated as a separate appendix (78 pages). The appendix is not distributed with the report unless it is specifically requested.

**THE EFFECTS OF ETHNIC CHARACTERISTICS UPON ORIENTATIONS
TOWARDS NATIVE INDIANS**

by Roger Gibbins and J. Rick Ponting (contract)

1978

42 pages, 8 pages of tables, appendices

This report follows up a previous study by the same authors, Canadians' Opinions and Attitudes Toward Indians and Indian Issues (see page 11). Using the same data base, a 1976 national opinion survey of 1,832 people, this study explores the relationships between the ethnic characteristics of respondents and their orientation toward Indians in Canada. The range of ethnic characteristics under examination includes country of birth, ethnic origin, length of residence in Canada (for immigrants), immigrant generation, and bilingualism (principally English/other language because anglophone and francophone orientations toward Indian people have been discussed elsewhere).

Some of the characteristics are further subdivided according to their variable indicators. For example, in approaching the topic of immigrant generation, the authors isolated three generational groups of respondents, because sociological studies of ethnic groups have found significant generational differences in the experiences of immigrants. All these characteristics are then correlated with the respondents' knowledge about Indians and Indian affairs, their sympathy toward Indians, their perceptions of Indian culture, and their reactions to Indian land claims and to Indian protest, in order to arrive at an assessment of their effects on respondents' orientations toward Indians. However, the authors repeatedly emphasize that the data presented in the report must be treated with caution and circumspection. They also point out in the abstract that many of the findings must be considered tentative or suggestive, rather than definitive.

FERTILITY PROJECTIONS OF REGISTERED INDIANS

by Bali Ram and A. Romaniuc (contract)

1984

40 pages, 15 tables, 6 graphs

This publication, prepared under contract with the Demography Division of Statistics Canada, provides detailed information on the fertility component of the Population Projections of Registered Indians, 1982 to 1996 (see page 64).

In this report, birth data obtained from the Indian Register of Indian and Northern Affairs Canada are evaluated and adjusted for late reporting and under-reporting. Based on a trend analysis of past fertility patterns, assumptions for the future are developed. A discussion on the projection methodology and the evaluation and analysis of results is also provided.

The report shows that until the 1960s the crude birth rate for registered Indians remained relatively stable between 40 and 45 births per 1,000 population. From the 1960s on, the crude birth rate declined, from 46 in 1961 to 30 per 1,000 population in 1981. The total fertility rate declined by almost 50% within less than two decades, reaching 3.2 children per woman in 1981.

Although the total fertility rates of registered Indians have been converging with that of the total Canadian population, Indians still have a fertility rate almost twice as high. They are projected to converge further, implying continuing decline in the future. On this basis, two declining fertility assumptions are made. They are: (i) the total fertility rate will drop to 2.6 by 1996; and (ii) it will drop to the replacement level of 2.1 by 1996. In addition, considering the uncertainty about the future trend, a third assumption of a constant fertility level is included. According to this assumption, the current total fertility level of 3.2 will remain unchanged during the projection period. The constant fertility assumption is intended to provide an alternative high projection scenario and to accommodate the possibility of not achieving the expected decline in fertility.

Under the plausible assumption, with a total fertility rate of 2.6 births per woman by 1996, it is expected that the number of registered Indian births would increase from 9,700 in 1981 to 10,600 in 1996, and the crude birth rate would decrease from 29.5 to 23.4 per 1,000 population.

**THE FRENCH RELATIONSHIP WITH THE NATIVE PEOPLES
OF NEW FRANCE AND ACADIA**

by Cornelius J. Jaenen (contract)

1984

215 pages

This study begins with the first contacts between Native and non-Native peoples in the New World, and concludes with the demise of French influence in North America. Chapter themes include French sovereignty and Native nationhood, missions, reserves and schools, economic interaction, and military alliances.

Two other regional studies by Daniel Francis, A History of the Native Peoples of Québec, 1760-1867 (1984) and The Historical Background of Indian Reserves and Settlements in the Province of Québec (1984) (see pages 31 and 28), supplement and develop this thematic chronicle.

**FUNDAMENTAL CONCERNS REGARDING INDIAN LOCAL GOVERNMENT: a discussion paper
of potential problem and research areas**

by Jesse A. Rieber (contract)

1977

51 pages

This discussion paper deals with some of the major categories of problems that have arisen, or may arise, in the process of developing Indian local government through the transfer of certain elements of government administration by INAC to band chiefs and councils.

The paper begins with a brief analysis of the earliest legislation concerning Indian people, particularly the Indian Act, which it sees as being out of tune with the current Indian/federal government relationship. Following a discussion of this relationship, the author identifies and elaborates on major problem areas, starting with the problem of defining jurisdiction at the federal, provincial and Indian community government levels. Next, questions of domain, or territory, under a government's jurisdiction are considered, followed by other problem categories such as election disputes at the community level, law enforcement, government financing (and its allied subjects economic and community development), access to information, treaty people in non-treaty communities, and advocacy or access to due process of law.

One of the major remedial measures suggested in the paper is that co-ordination and information-sharing at the federal level, between INAC and other departments, are essential to the growth and development of local Indian government.

A GUIDE TO NATIVE POLITICAL ASSOCIATIONS IN CANADA

by Wayne E. Daugherty (Research Branch)

1982

33 pages, bibliography

The purpose of this guide is to sketch the origins of the various organizations developed by Native people to help preserve their cultural identity and independence.

The paper is divided into two parts. The first deals with the period of armed resistance and examines such organizations as the League of the Iroquois, the coalition formed by the war chief, Pontiac, and the attempt to organize the Plains Indians by the Cree Chief Big Bear.

The second part concerns the development of Native peoples' political organizations as they are known today. It outlines briefly their origins, structures and aims.

A GUIDE TO SOCIAL IMPACT ASSESSMENT

by Cathy M. Waiten (contract)

1981

120 pages, 5 appendices

The term social impact assessment (SIA) can be traced to the social movements of the 1960s, which were characterized by concern for preservation of the environment. According to the author, if we take as given the accelerating nature of resource development, especially in or near areas inhabited primarily by Native people, and add the fact that Native people hold values and have interests different from those of both the development agent and the sectors of society that will benefit from development, then we can realize that Native people will receive the brunt of the adverse effects of development activity, and that these effects will be different to some extent from those felt by non-native groups. The issue for Native people, in light of their concern about preserving and enhancing their cultural identity, is to attempt to minimize potential adverse effects.

The object of this report is to demystify SIA. It provides some basic information on various aspects of SIA to enable readers to draw their own conclusions on its applicability and utility in their particular situations. The report focuses on the following aspects of SIA:

1. a working definition and explanation of the importance of a social context for SIA;
2. the characteristics of SIA as a planning, policy and decision-making tool;
3. the legislative framework within which SIA operates; and
4. the operational procedure of phases involved in the conduct of SIA.

The author draws conclusions and presents recommendations. As well, five appendices offer the reader additional information on current practitioners of SIA.

HANDBOOK OF CASE LAW ON THE INDIAN ACT

by Gordon J. Burrell and Douglas E. Sanders (contract)

1984

285 pages, indexes, glossary

This report was prepared to inform Indian people, particularly Indian band councils, the staff of Indian and Northern Affairs Canada, and other concerned members of government or the public of the direct interpretations of the provisions of the 1951 and 1970 Indian Acts that have been made by Canadian courts.

The Handbook is intended to facilitate band management by increasing general knowledge and understanding of the Indian Act and by assisting band members, governments and related parties in evaluating and handling the various situations they face in dealing with band business.

The report is intended as a basic guide to the complexities of the Indian Act and their implications; readers are cautioned that court decisions are determined by the facts of a particular case, and are advised that legal counsel may be required for further opinion regarding specific situations.

The Handbook reviews the 1970 Indian Act and for each section thereof provides the original text of the Indian Act, a layman's explanation of that text, and a brief summary of the court decisions relative to that section.

The report contains a detailed glossary of legal terms and a listing of common abbreviations. It also contains two indexes; an alphabetical index of court cases cited and a subject index which relates particular subject areas to specific sections of the Act.

**HELPING INDIANS TO HELP THEMSELVES... A COMMITTEE TO INVESTIGATE ITSELF.
THE 1951 INDIAN ACT CONSULTATION PROCESS**

by Ian Johnson (contract)

1984

64 pages, appendices, bibliography

This historical background paper provides the researcher with a concise overview of the course of Canadian Indian policy from pre-Confederation times to World War II. The paper then focuses on the hearings of the Special Joint Committee of the Senate and House of Commons, which were held between 1946 and 1951 to hear testimony from Native peoples and government officials prior to revising the existing Indian Act (last revised in 1927). Included in this study is a review of the major social and economic issues, suggested changes to legislation, policy debates, and an assessment of the impact the Standing Committee had on the Indian Act revision process.

This synopsis will be of particular interest to Native researchers and government officials engaged in policy deliberations.

**THE HISTORICAL BACKGROUND OF INDIAN RESERVES AND SETTLEMENTS
IN THE PROVINCE OF QUEBEC**

by Daniel Francis (contract)

1984

97 pages, appendices, bibliography

This research report is a revised and updated version of an unpublished manuscript prepared in 1975 by Lawrence Villeneuve. The study traces the development of an Indian reserve system in seventeenth-century New France and assesses reserve policy in the context of Indian policy generally as it developed in Québec. The report contains a listing of reserves in Québec and provides a short history of their origins. It includes with an in-depth historical examination of three reserves--Oka, Caughnawaga, and St. Regis--which have been characterized by longstanding disputes over land title.

This overview would be of particular interest to Native claims researchers, government officials, and students who need a concise, yet comprehensive overview of Indian reserve policy in Québec before and after Confederation.

THE HISTORICAL DEVELOPMENT OF THE INDIAN ACT

edited by John Leslie and Ron Maguire (Research Branch)

1978

196 pages, 11 pages of maps, bibliography

This paper provides an historical outline of the main themes of Indian policy and legislation in Canada from colonial times to the passage of the Indian Act of 1951. The study has two major sections: Pre-Confederation, 1755 to 1867, and Post-Confederation, 1967 to 1960. These are prefaced by a brief chronological resumé of the major developments and changes in Indian Affairs administration from 1955 to 1966.

The pre-Confederation section traces the evolution of administrative policy and attitudes toward Indians, from the predominantly military considerations that governed the Indian Department until 1830, to the early Indian legislation of the 1850s and 1860s, which formed the prototypes for post-Confederation Indian Acts. The paper focuses on the experience in the Province of Canada. Only peripheral reference is made to Indian administration in other British North American colonies.

The post-Confederation section records the evolution of Indian legislation from the first consolidated Indian Act of 1876 to the Indian Act of 1951. It sketches the various historical and attitudinal factors that affected Indian administrative policy: the settlement of the west, the pressures of immigration, the economic and social climate of the Depression era, World War II and the immediate post-war period. Within this historical context, the paper reviews the major provisions of Indian legislation, the sections and regulations that were introduced or amended, and the rationale for the various changes. It also outlines the revision process and consultation mechanisms that preceded the enactment of the Indian Act in 1951.

A HISTORY OF NATIVE CLAIMS PROCESSES IN CANADA, 1867-1979

by Richard Daniel (contract)

1980

248 pages, bibliography

This is principally an historical background paper about Indian interests in land, the claims arising from them, and the manner in which those claims were responded to by governments since Confederation. The report is divided into two parts.

The first deals with a variety of claims as 'case studies' for purposes of exemplifying claims issues and types of settlement processes; the shaping of resultant treaties as claims settlement mechanisms; and identifying any common features in these treaties that, along with all the other factors, provide insights into the origins of government policy. The second part is an analysis of the various approaches to claims, based on the historical facts presented in the case studies. It is concerned mainly with how the government handled claims and with the ultimate results of such action.

Throughout the analytical survey there are indications of the emergence of government policy, culminating in the 1969 statement of the Government of Canada on Indian Policy (the White Paper). The concluding chapters provide a concise analysis of developments during the 1969-1979 period, when certain fresh approaches and initiatives came to the fore, although it is clear that no single mechanism would be adequate to resolve all classes of claims.

A HISTORY OF THE NATIVE PEOPLES OF QUEBEC, 1760-1867

by Daniel Francis (contract)

1984

88 pages, bibliography

This historical report provides a general history of Native peoples in Québec from the fall of New France to Confederation. Separate chapters deal with such related topics as the creation of reserves, Native people and the fur trade, and Native people and missionaries. There is a chapter on general Indian administration, 1760-1845, as well as a short discussion of the Inuit people of Québec.

Two related studies that would be of interest to the reader are Cornelius Jaenen's The French Relationship with the Native Peoples of New France and Acadia and Daniel Francis, The Historical Background of Indian Reserves and Settlements in the Province of Québec (see pages 22 and 28).

This study would be of particular interest to the Native people of Québec, government officials and students.

IMAGES OF INDIANS HELD BY NON-INDIANS: A REVIEW OF CURRENT CANADIAN RESEARCH

by Dr. Katie Cooke (contract)

1984

90 pages, bibliography

This report provides a review and analysis of current Canadian research on the images of Indians held by non-Indians. For purposes of this report, the term 'image' refers to image in its usual meaning as well as attitudes, opinions, perceptions, or stereotypes that contribute to how Indians and the issues that affect them are viewed by those who are not Indians. The term 'Indians' refers to persons of Amerindian ancestry, aboriginal peoples, Native peoples, Métis, status and non-status Indians, treaty Indians and registered Indians. The term 'non-Indians' refers to all persons who are not in some way identifiable as Indians.

The report discusses primarily published research material. The main emphasis is on research done within the past 15 years. By and large, the work reviewed deals with what is going on in Canada. The research included comes principally from the social sciences and from such applied areas as educational studies and opinion research.

The first section of the report deals with the common knowledge and folk image of Indians. Sections 2 through 8 deal with the images of Indians in small communities, in public opinion surveys and studies of attitudes, in history, in literature and magazines, in newspapers, in school textbooks and in movies and television. Section 9 deals with images of Indians in sociological and other studies that do not seem to fit elsewhere.

Section 10 provides the author's conclusions regarding the generally negative but changing image of Indians held by non-Indians that emerges from her review of current Canadian research. The author indicates that the fact that this image is changing comes across most clearly in research that examines images in history, textbooks and movies.

INCOME SECURITY FOR SUBSISTENCE HUNTERS

by Ignatius LaRusic (contract)

1982

124 pages, 16 tables, bibliography

One of the provisions of the James Bay and Northern Quebec Agreement was that a form of guaranteed annual income be established for Cree hunters and trappers as part of the Indian land claims settlement in northern Quebec. The program has been underway since the autumn of 1976, when the first benefits were distributed. The program provides hunting families with an average annual benefit of about \$5,000 based on a complex formula that takes into account the size of the family, the time spent in harvesting, the wages earned and other income. Overall, the annual cost of the program is about \$5 million.

This report reviews the design, operation and effects of the Cree Income Security Program. It analyses the Cree economy in the decade prior to the program, describes the nature and significance of the subsistence economy, compares the program with recent experiments in guaranteed annual income in the United States and in Manitoba, and assesses its effect on welfare services and costs.

INDIAN ACTS AND AMENDMENTS, 1868-1978

edited by the Treaties and Historical Research Centre

1981

650 pages (2 volumes)

This two-volume report is based on documentation originally collected by Gail Hinge under contract to the Office of Native Claims and contained in Part II of a four-part set entitled The Consolidation of Indian Legislation. The Treaties and Historical Research Centre has since edited and updated the original report.

The work focuses on the Indian Acts and their amendments, with the contents of both volumes arranged in chronological order.

Volume I, entitled Indian Acts and Amendments 1868-1950, begins with the Statute of 1868. The various Indian Acts and their amending acts are reproduced in their entirety; all amending sections are underlined, with citations to the amending acts given in the margin.

Volume II, entitled Contemporary Indian Legislation, begins with the Indian Act of 1951 and includes amending acts, Statutory Orders and Regulations and other related contemporary legislation. The format of this volume is the same as that of Volume I.

INDIAN CONDITIONS: a survey

Indian and Northern Affairs Canada

1980

159 pages, charts, bibliography

This report documents the principal developments and trends in the social, economic and political conditions of Indian people in Canada and includes a summary of available information on changes since the 1950s; comparisons of Indian and national situations; and a perspective on changes in government policies, programs and services to Indians.

The information in this report was gathered principally from available sources rather than through original research. The survey brings together data from various government sources and presents them in an easily read graphic format. Commentary on the data provides facts about program and policy environments, interrelating the data and highlighting the implications of the information presented. The report is a compilation of statistics that serves as a reference source for Indian people as well as for officials and others in the field.

**INDIAN DEMOGRAPHIC PATTERNS AND TRENDS AND THEIR IMPLICATIONS
FOR POLICY AND PLANNING**

A workshop sponsored jointly by INAC and Statistics Canada

1980

100 pages, 21 tables, 18 charts, 2 appendices, bibliography

This report summarizes the proceedings of a workshop held 20 June 1980, jointly sponsored by Statistics Canada and Indian and Northern Affairs Canada. Its objectives were three-fold:

1. to inform users of demographic patterns and trends and their implications for policy and program development;
2. to assess the available demographic data about Indians and to suggest needed improvements; and
3. to foster the pooling of resources for future demographic research.

There were seven formal papers presented at the workshop. This report summarizes each paper and includes rapporteurs' comments on both morning and afternoon sessions.

The papers themselves covered the following topics:

1. the relationship of demography to policy and planning issues;
2. demographic patterns and trends among registered Indians in Canada;
3. the decline in birth rates among Indians in Canada;
4. mortality rates in Indian and Inuit communities;
5. the demographic and economic circumstances of Winnipeg's Native population;
6. an overview of Indian demographic data; and
7. the development of a data base on Canada's Indian population.

See also page 62.

INDIAN GOVERNMENT UNDER INDIAN ACT LEGISLATION: 1868-1951

by Wayne E. Daugherty and Dennis Madill (Research Branch)

1979

179 pages, appendices, bibliography

The report consists of two parts. Part I outlines the evolution of the electoral system in Indian communities, starting with the Indian Act of 1869, which introduced elected band councils to replace the traditional Indian concept of government by consensus or hereditary systems. The authors' reviews include the various changes in the Indian Act from 1869 to 1898, providing the legislation necessary for elections; the Indian Advancement Act of 1884 until its consolidation with the Indian Act in 1906; Hayter Reed's Western Policy during the 1890s; and further election legislation from 1906 to 1951, when the Indian advancement part of the Indian Act was finally rescinded. Throughout this historical review the authors discuss the several and varied administrative problems encountered in implementing the electoral process.

Part II sets out in historical perspective how band council powers were developed by legislation between 1868 and 1951. This study also takes into account such factors as the principles of Indian policy as they evolved from the pre-Confederation period; the progressive change from protection legislation to local government initiatives; the uncertainty of the Depression years, which was accentuated by World War II; and finally, the post-war awakening of public interest in Indian affairs, leading to a further review of the Indian Act and its revision in 1951.

The report concludes with a brief assessment of the post-1951 period and touches on some of the local government constraints experienced by band councils.

INDIAN HISTORY AND CLAIMS: A Research Handbook

by Bennett E. McCardle (contract)

1983

595 pages (2 volumes), charts, appendices

This handbook is intended as a how-to manual for those researching Native claims. The first volume lists the historical materials available to researchers, such as archival records, departmental files, church records, charts, maps, books and articles. The author then describes how to use these records effectively to document specific claims involving such matters as treaty land entitlement; reserve surrenders and lands sales; band trust accounts; and hunting, fishing and trapping rights issues. There is also a brief section on recent constitutional events, which includes quotations from those sections of the Charter of Rights and Freedoms that refer to Native people, and a select bibliography.

The second volume concerns itself with research methodology: where records are located in archives and government departments; what to look for in terms of pertinent data; how to evaluate the sources; and, finally, how to go about writing and documenting a claims submission. Two appendices are also included; the first is a glossary of terms used in Indian historical research, and the second outlines rules of research access to archival and departmental files.

INDIAN LAND SURRENDERS IN ONTARIO, 1763-1867

by Robert J. Surtees (contract)

1983

130 pages, maps, bibliography

This report provides an historical overview of Indian treaty activity in Ontario beginning in 1763. The author traces the evolution of the treaty system from the early exercises at Niagara and the lost Crawford Purchases (1783) to the Robinson (1850) and Manitoulin Island treaties (1862), which were forerunners of the numbered treaties of the Prairies. Subject to the availability of historical records, the report provides the historical context, an account of the negotiations and an explanation of the provisions of each treaty. An extensive bibliography provides readers with additional sources for consultation and research.

INDIAN TREATIES IN HISTORICAL PERSPECTIVE

by Ron Maguire (Research Branch)

1979

51 pages, treaties map, chart, chronology of events, tables

This report provides a general overview of Indian treaty activity in Canada and a base for further research. It begins with a 13-page chronology of major historical events in the European settlement of North America, and in Canada in particular, from 1497 to 1978. This is followed by an 8-page listing of Indian treaties and grants from 1680 to 1929. The major Canadian Indian treaties are then identified separately on a chart showing the provisions of each treaty under appropriate headings; further elucidation is provided by a map depicting the areas covered by each treaty.

The narrative part of the report commences with a brief outline of the historical events that led to the emergence of Canada. This is followed by a survey of treaty activity as it occurred in each provincial area from east to west, including a discussion of the political and social forces that had a bearing on the treaty-making process and on treaty provisions.

The preface to the report states that it is not designed for the specialist but rather for those not familiar with the historical background and provisions of Canadian Indian treaties. For further study on this and related subjects, an extensive bibliography is available at the Treaties and Historical Research Centre.

THE JAY TREATY, 1794

by John Leslie (Research Branch)

Revised 1979

8 pages, maps, bibliography; 30-page annex includes extracts from treaties, conventions and international acts, protocols and agreements between the U.S.A. and other powers

This is an historical background paper on the "Treaty of Amity, Commerce and Navigation, 1794-96", which was concluded between Great Britain and the United States about a decade after the American Revolution ended. The Treaty came to be named after Chief Justice John Jay, who was the principal U.S. negotiator.

In its general review of treaty negotiations, the paper provides information on the historical circumstances that dictated specific references to Indian people in Article 3 of the Treaty. This provision permitted the free movement of Indians across the boundary line between the U.S. and Canada and also exempted their personal goods and effects from any impost or duty. The paper further describes some of the legislative measures and court decisions affecting the interpretation and implementation of Article 3 in both countries during the years following the treaty. In fact, the reader is left with the impression that the influence of this Article outlived the treaty itself. Although the Jay Treaty was considered abrogated in the U.S. by the War of 1812, references to the Article have figured in court proceedings in both countries as recently as 1955-56.

LAND TENURE IN INDIAN RESERVES

by William B. Henderson (contract)

1978

96 pages, 8 pages of graphs, glossary

This paper was prepared to provide an understanding of the legal complexities of the land tenure system in Canada's Indian reserves under the Indian Act. It reviews the land provisions of the Indian Act with a brief explanation of the historical and constitutional setting. In layman's terms, the author explains the concepts of land tenure, estates in land, rights and privileges, and powers and immunities as recognized in Canadian law and as they affect land policy decisions.

The report discusses the constitutional question in relation to lands reserved for Indians and the nature of the legal interests that the government, bands, band members and non-Indians hold or may hold in reserve or surrendered lands. For each topic, the author raises certain discussion points and provides suggested responses.

The author's method of expressing difficult legal ideas in the simplest possible manner will make this report most useful to readers without legal training.

LEGAL PRINCIPLES AND ECONOMIC DEVELOPMENT: General Considerations

by P. David Hunter (contract)

1977

38 pages, appendix

Indian bands have expressed various objections to formal incorporation as a legal form for their business enterprises and economic development ventures. This paper is concerned with identifying principles for establishing appropriate legal forms for Indian economic development activities.

The author examines the legal nature of incorporation and partnership and the advantages and disadvantages of these as they relate to Indian bands. This is accompanied by a discussion of the Indian Act, the relationship between the band and the band council and the legal status of the band as factors determining appropriate legal forms for economic development.

THE LEGAL STATUS OF THE BAND AND BAND GOVERNMENT

by P. David Hunter & Associates (contract)

1978

30 pages, appendix

This discussion paper consists of three parts. PART I deals with some of the ambiguities that have become apparent, through two important court decisions, in describing the legal status of Indian bands. On the one hand, the band may be found to be an unincorporated association, and in such a situation its members may be found vicariously liable for the wrong-doing of a band councillor who would be regarded as the members' agent or trustee, acting on their behalf. On the other hand, if the band is regarded as a corporation for purposes of local self-government, then the concept of trusteeship does not exist.

PART II starts with the assertion that the Indian Act should be revised to permit the incorporation of bands for purposes of establishing band government. It then discusses what such a local administration might involve by drawing an analogy between municipal government and band government. Aspects such as a municipality's relationship to the province and to its own geopolitical area are compared to a band government's responsibilities (under a revised Act) in terms of matters applicable to all Indians and those applicable only to the particular band's members. There are also suggestions about what a revised Indian Act should include in terms of federal jurisdiction and band powers.

In PART III, the author examines the possibility of a band being permitted to adopt a corporate character by means of a charter and discusses some of the potential policy aspects that might be involved.

The report includes an eleven-page appendix analysing the court decision in the case of Mintuk v. Valley River Band No. 63A et al. (1977) relating to the legal status of the band and band council.

NOTE: This report is for discussion purposes only.

MAJOR DOCUMENT COLLECTIONS OF THE TREATIES AND HISTORICAL RESEARCH CENTRE

In addition to the research reports listed elsewhere, the Treaties and Historical Research Centre has four major document collections, which are accessible to researchers visiting the Centre.

1. **TREATIES 1-11 PROJECT**

Between 1871 and 1921, the federal government negotiated 11 treaties with the Indian people of western and northern Canada. These treaties contain provisions which the federal government has a lawful obligation to fulfil. This project examines each band under Treaties 1-11 and provides an historical overview with supporting documentation, indicating to what extent the government has met its treaty commitments.

Documentation is subdivided by treaty, band and provision. Photocopies can be made of all materials. The collection has been microfilmed. Arrangements can be made with the Centre to purchase either selected reels or the entire set.

2. **CONSOLIDATION OF INDIAN LEGISLATION**

This four-volume set is a consolidation of major legislative enactments, both pre- and post-Confederation, concerning Indians in Canada. It contains not only the Indian Acts and amendments but a complete spectrum of federal and provincial statutes, including areas such as electoral franchise, veterans' lands, migratory birds, railways, mining, education and liquor laws. Certain proclamations and constitutional documents emanating from the government of the United Kingdom are also included.

Volume 1 United Kingdom and Canada
Volume 2 Indian Acts and Amendments, 1868-1975
Volume 3 Provincial Legislation: Pre- and Post-Confederation
Volume 4 Ordinances of the Yukon and Northwest Territories

Researchers can make photocopies of any statute required for a research project.

3. **NATIVE LAW**

The Centre has a fourteen-volume set (including a resumé and finding aid) of court cases dealing with various aspects of Canadian Native Law. Major categories include aboriginal rights, taxation, reserve lands, Crown as trustee, treaties, hunting, fishing and trapping rights, constitutional matters, band powers, civil rights, and family law.

Researchers can make photocopies of any cases requested for a research project.

4. **INDIAN ACT DOCUMENTATION**

When The Historical Development of The Indian Act (see page 20) was being written, supporting documentation was collected from the Public Archives and other repositories in the National Capital Region. This collection, in eight filing drawers, contains early legislation, parliamentary debates, letters, reports and petitions from 1665 to 1969. A detailed listing of what is available can be obtained from the Centre.

Researchers can make photocopies of any documents required for a research report.

5. **COMPREHENSIVE INDEX OF THE INDIAN TRUST FUND LEDGERS, 1849-1949**

This index is a guide for researchers investigating Indian Trust Fund accounts. The Indian Trust Funds first resulted from the sale of surrendered Indian lands in Upper Canada. The Indian moneys are held in the Consolidated Revenue Fund and receive interest at a rate fixed by the Governor in Council. The Fund is divided into two accounts, capital and revenue. Capital money is defined as all money derived from the sale of surrendered lands or capital assets such as timber or oil. Interest earned on the money is used to improve reserves or for the general benefit of the band. Disbursements from the fund average ten per cent of total assets and are roughly balanced by receipts.

The money in the revenue accounts is not considered as a permanent trust and is therefore spent for current expenses or per capita distributions to band members. In addition, many individual Indians have trust fund accounts.

The Trust Fund Ledgers are the record of these financial transactions. The index consists of a comprehensive alphabetical and chronological listing of microjackets (located at the Public Archives of Canada) that contain information on individual and band trust accounts from 1849 to 1949. The index consists of three parts:

- (1) an alphabetical listing of accounts by names of persons (4 pages);
- (2) an alphabetical listing of accounts by band, reserve, etc. (32 pages); and
- (3) an alphabetical cross-reference listing of accounts by names of bands, reserves, persons, etc. (131 pages).

See also page 79.

MARITIME INDIAN TREATIES IN HISTORICAL PERSPECTIVE

by Wayne E. Daugherty (Research Branch)

1983

99 pages, maps, appendices, bibliography

The treaties signed by the Indians of Canada's Maritime provinces were the product of the struggle between France and New England for empire and supremacy in North America. It is the purpose of this paper to trace the genesis of these treaties and to place them in historical context by providing a description of the events that produced them.

The paper is divided into three parts. The first part deals with the early treaties signed in New England between the Abenaki and Massachusetts and covers the period of intercolonial warfare leading to the Treaty of Utrecht. The second part examines the British administration in Nova Scotia after 1713 and their attempts to pacify the Micmacs through trade and presents. An account of Dummer's War, which led directly to the Treaty of 1725, is also given. The third part covers the period 1744-1779 and deals with the final stage of the imperial struggle and the Indians' place in it.

There are two appendices. Appendix A provides the full text of the treaties and relevant sections of the various proclamations. Appendix B provides a list of the various court cases in which these treaties have been cited.

THE MÉTIS AS A FACTOR IN THE EURO-CANADIAN DEVELOPMENT OF THE CANADIAN WEST

by Randall Barnhart (contract) and Dennis Madill (Research Branch)

1978

25 pages

The report provides a general history of the Métis in western Canada from the founding of the Hudson's Bay Company in 1670 to the signing of Treaty 11 in 1921.

It traces the emergence of the Métis as a distinct people in the Canadian west, briefly recounting their rise as a major factor in the fur trade and their growing sense of identity evidenced in their struggle against control by the Hudson's Bay Company and voiced in the provisional government at Red River in 1869-70. From 1870 onward, the report deals mainly with the various measures adopted by the Canadian government for dealing with Métis land claims on the Prairies.

MIGRATION PROJECTIONS OF REGISTERED INDIANS

by M.J. Norris (contract)

1984

55 pages, 18 tables, 6 graphs

This publication, prepared under contract with the Demography Division of Statistics Canada, provides detailed information on the migration component of the Population Projections of Registered Indians, 1982 to 1996 (see page 64).

This report describes the development of interregional migration projections based on a comparative analysis of status Indian and Canadian migration for the 1976-81 period, using 1981 Census data. An assessment of migration data, projection assumptions and an evaluation of projection results are also provided.

The 1981 Census migration question on the place of residence "5 years ago" provided the only source of migration data for the registered Indian population. The report indicates the limitations of the census 5-year question as a direct source of migration data and provides estimates of Indian interregional migration for 1976-1981 adjusted for under-enumeration.

The census-based comparative analysis revealed that although the number of status Indians who migrated among the 8 INAC regions during 1976-81 was relatively small, their rate of interregional migration was almost 3/4 of the corresponding total Canadian rate. For both the Indian and total Canadian populations, the streams of interregional migration during the 1976-81 period were characterized by a similar westward flow of migrants.

For the future it was assumed that the projected interregional migration for the registered Indian population would reflect the migration scenarios already developed for the Canadian population, with some adjustment for observed Indian/Canadian differentials in the extent and patterns of migration. Only one migration scenario was chosen, since the impact of the different scenarios on projected Indian population was minimal for most regions.

The report concludes with an evaluation of the projected migration results. Unlike the Canadian situation, the impact of migration on projected regional growth was found to be relatively minimal for the registered Indians due to their high levels of fertility, making natural increase the major determinant of regional growth.

MORTALITY PROJECTIONS OF REGISTERED INDIANS

by G. Rowe and M.J. Norris (contract)

1984

40 pages, 7 tables, 9 graphs

This report, prepared under contract with the Demography Division of Statistics Canada, provides detailed information on the mortality component of the Population Projections of Registered Indians, 1982 to 1996 (see page 64).

The report begins with a description of the data quality problems and their adjustments, followed by an analysis of trends. The analysis of past trends reveals further suspected problems in the quality of death data for certain years and regions. Because of poor data quality, a relational model was developed for the Indian life table construction. The report describes the methodology used for life table estimation and the development of assumptions for future Indian mortality. It concludes with an evaluation of the projection results.

The estimated 1976 and 1981 Registered Indian life tables produced from the relational model yield life expectancies at birth for females of 66 and 69 years respectively, and for males of 60 and 62 years. The life expectancies of Indian females maintains a lag of about 30-35 years with respect to that of total Canadian females and a lag of 40-45 years for Indian males. In contrast, the estimated infant death rate for Indians of about 27 deaths per thousand births lags behind the total Canadian level by approximately 20 years.

Two assumptions of mortality were used in the Indian projections. One assumes constant mortality at the estimated 1981 level for the duration of the projection period, and the other assumes mortality will decrease at a rate such that the estimated current Indian mortality will reach the 1981 levels of the total Canadian population by the year 2006. This implies a gain of 10 years in life expectancy over the 25-year period. By 1996, this rate of improvement yields a projected gain of 6 years and an infant death rate of about 17 per thousand births. When the mortality is kept constant at its 1981 level, the number of deaths generated by the projection amounts to about 49,700 over the fifteen-year period 1981-1996. When the mortality is assumed to decrease, cumulative deaths amount to 38,600. The two assumptions yield a range of 6,100 deaths for the fifteen-year period.

NATIVE PEOPLE AND CANADA'S JUSTICE SYSTEM: programmes and issues

by Gail Michalis and William T. Badcock (contract)

1979

Volume 1, 220 pages; Volume 2, 104 pages

Volume 1 lists federal, provincial and territorial justice and alcohol-related programs that are specially designed for or available to Native people. For each program the authors identify the purpose, authorization and funding source, the administrators, the target population, the duration of each program, the resources in terms of funds and manpower, and a contact person.

Volume 2 of the report covers material written over the past ten years on the problems of Native people within Canada's justice system. the main documentation sources were papers submitted by individuals and groups to the National Conference on Native Peoples and the Criminal Justice System held in Edmonton, Alberta, in February 1975.

The final product is not an analysis of justice issues but rather a synthesis of perceptions brought out over the past decade, mostly from the point of view of Native people.

QS-3270-010-EE-A1, Volume 1

QS-3270-020-EE-A1, Volume 2

NATIVE STUDIES IN CANADA: A Research Guide

by Robert S. Allen (Research Branch)

1984, second edition

185 pages, 2 bibliographies

Native Studies in Canada: A Research Guide provides information and reference material for students, researchers and others engaged in various aspects of Native studies.

Divided into five specific areas of concentration -- Native Studies Programs and Courses, Native Associations, Resource Centres, Select Bibliography, and Comparative Native Studies, which also includes a bibliography of comparative Native literature -- the guide is intended to help individuals in establishing an initial focus for their particular interests.

NEGOTIATING A WAY OF LIFE: a study of the Cree regional administration arising from the James Bay Agreement

by Ignatius LaRusic and Associates (contract)

1979

158 pages, 12 pages of tables and charts

This report examines the new Cree administrative structures that have emerged from the James Bay and Northern Quebec Agreement and their effects on the Crees.

For those not familiar with the area, the prologue provides a statistical summary on Cree communities, some general observations on Cree society and a chronology of the main events in the James Bay negotiations. This is followed by three papers that can be read as a unit or separately. The first traces the new Cree regional administration from its genesis to identify how the style and tone of the present operation evolved. The second paper views the new structures in operation at the regional level, as they affect changes in the Cree economic and political dependency situation. The final paper examines the effects of the Agreement on local communities, potential class differentiation and the effects on the subsistence economy, which the Crees sought to protect in their initial court action.

An appendix summarizes the contents of the James Bay and Northern Quebec Agreement as they relate to the Crees.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG ALBERTA'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner and Chantal Locatelli (Research Branch)

1980

49 pages, tables, map

This is one of a series of provincial reports based on the model used in the national study; in the main, it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected conditions of registered Alberta Indians in comparison with those of the general population of Alberta, supported by ample resource data.

Population indicators reflect a steeper decline in the Indian birth rate than in the provincial rate. The Indian mortality rate has also declined, but it still remains relatively high. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Under educational attainment, the study shows that the number of Indian children in Alberta attending school at all levels increased markedly between 1966 and 1977. Their retention rate also showed some increase during the earlier part of this period but, at 22 per cent, this improved rate contrasts sharply with the rate for all Canadian students -- 75 per cent.

In the section on employment, the study foresees some increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase by about 37 per cent by the year 1986.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be considerably heavier because of the projected increase of 58 per cent in the on-reserve family formation age group.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG BRITISH COLUMBIA'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner and Chantal Locatelli (Research Branch)

Revised 1981

44 pages, tables, charts, maps

This is one of a series of provincial reports based on the model used in the national study; in the main, it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected conditions of registered British Columbian Indians in comparison with those of the general population of British Columbia, supported by ample resource data.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The mortality rate has also declined, but still remains relatively high. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Under educational attainment, the study shows that the number of Indian children in British Columbia attending school at all levels increased markedly between 1966 and 1977. Their retention rate also showed some increase during the earlier part of this period but, at 16 per cent, this improved rate contrasts sharply with the national rate for Canadian students -- 75 per cent.

In the section on employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 69 per cent by the year 1986, from 56 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be heavier because of the projected increase of 34 per cent in the on-reserve family formation age group.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG CANADA'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner (Research Branch)

1979

48 pages, tables, charts

Covering the ten-year period between 1966 and 1976, this report describes trends in selected demographic, social and economic conditions among the registered Indian population in comparison with those trends in the general population. The indicators chosen for this study are discussed in detail, with accompanying statistical tables where necessary, in seven sections: demographic characteristics, health, education, employment, social services, housing and justice. There is also a concluding chapter that summarizes some of the more significant findings and their possible implications.

One finding, for example, is that the birth rate in the registered Indian population has declined more sharply in recent years than the birth rate in the overall population. The author then assesses mortality trends in various age groups and arrives at conclusions that would assist policy and decision-makers to identify the possible future requirements for services and programs among these age groups. The point is also made that the Indian population still remains disadvantaged compared with the general population. The young Indian adult population is particularly noteworthy in this context. They have poor school retention rates and have tended recently to move back to, or to remain on, reserves due to the absence of off-reserve employment opportunities. This segment of the population is expected to increase in the 1980s, with consequent effects on housing, family formation services, and possibly on post-secondary school recruitment.

In short, the information provided in this overview could be invaluable to planners and administrators within the government.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG MANITOBA'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner and Chantal Locatelli (Research Branch)

1980

49 pages, tables, charts, map

This is one of a series of provincial reports based on the model used in the national study; in the main, it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected conditions of registered Manitoba Indians in comparison with those of the general population of Manitoba, supported by ample resource data.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The Indian mortality rate has also declined, although it still remains relatively high. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Under educational attainment, the study shows that the number of Indian children in Manitoba attending school at all levels increased markedly between 1966 and 1977. Their retention rate also showed some increase during the earlier part of this period but, at 11 per cent, in 1976, this improved rate contrasts sharply with the rate for all Canadian students -- 75 per cent.

In the section on employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 59 per cent by the year 1986, from 49 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be heavier because of the projected increase of 71 per cent in the on-reserve family formation age group.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG NEW BRUNSWICK'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner, David Perley and Debra Young (Research Branch)

1983

44 pages, tables, charts, map

This is one of a series of provincial reports based on the model used in the national study; it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected demographic, social and economic conditions of registered Indians in comparison with those of the general population of New Brunswick. These conditions are discussed in detail with accompanying statistical tables.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The Indian mortality rate has also declined, although it remains considerably higher in most age groups than that of the provincial population. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Regarding educational attainment, the study reports that the number of Indian children in New Brunswick attending school at all levels increased substantially during the decade 1966-1976. The retention rate for Indian children also increased during the latter part of this period but, at 23 per cent in 1976, this improved rate contrasts sharply with the 75 per cent retention rate for all Canadian students.

In the section describing employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 67 per cent of the total by 1986, from 58 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be greater because of a projected increase of 30 per cent in the on-reserve family formation age group between 1976 and 1986.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG NOVA SCOTIA'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner, David Perley and Debra Young (Research Branch)

1982

44 pages, tables, charts, map

This is one of a series of provincial reports based on the model used in the national study; it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected demographic, social and economic conditions of registered Indians in comparison with those of the general population of Nova Scotia. These conditions are discussed in detail with accompanying statistical tables.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The Indian mortality rate has also declined, although it remains considerably higher in most age groups than that of the provincial population. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Regarding educational attainment, the study reports that the number of Indian children in Nova Scotia attending school at all levels increased substantially during the decade 1966-1976. The retention rate for Indian children also increased during the earlier part of this period but, at 20 per cent in 1976, this improved rate contrasts sharply with the 75 per cent retention rate for all Canadian students.

In the section describing employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 66 per cent of the total by 1986, from 58 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be greater because of a projected increase of 19 per cent in the on-reserve family formation age group between 1976 and 1986.

AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG QUEBEC'S REGISTERED INDIAN POPULATION

by Andrew J. Siggner, Chantal Locatelli and Gilles Y. Larocque
(Research Branch)

1982

39 pages, tables, map

This is one of a series of provincial reports based on the model used in the national study; it covers the same ten-year period, 1966-1976. It provides an overview of trends in selected demographic, social and economic conditions of registered Indians in comparison with those of the general population of Quebec. These conditions are discussed in detail with accompanying statistical tables.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The Indian mortality rate has also declined, although it remains considerably higher in most age groups than that of the provincial population. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Regarding educational attainment, the study reports that the number of Indian children in Quebec attending school at all levels increased substantially during the decade 1966-1976. The retention rate for Indian children also increased during the earlier part of this period but, at 27 per cent in 1976, this improved rate contrasts sharply with the 83 per cent retention rate for all Canadian students (to grade 11).

In the section describing employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 66 per cent of the total by 1986, from 57 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be greater because of a projected increase of 36 per cent in the on-reserve family formation age group between 1976 and 1986.

**AN OVERVIEW OF DEMOGRAPHIC, SOCIAL AND ECONOMIC CONDITIONS AMONG
SASKATCHEWAN'S REGISTERED INDIAN POPULATION**

by Andrew J. Siggner and Chantal Locatelli (Research Branch)

1980

39 pages, tables, charts, map

This is one of a series of provincial reports based on the model used in the national study; it covers in the main the same ten-year period, 1966-1976. It provides an overview of trends in selected conditions of registered Saskatchewan Indians in comparison with those of the general population of Saskatchewan, supported by ample resource data.

Population indicators reflect a steeper decline in the Indian birth rate than in that of the province as a whole. The Indian mortality rate has also declined, although it still remains relatively high. The study compares population characteristics by age groups and makes certain forecasts for the 1980s, including growth trends in the off-reserve Indian population.

Under educational attainment, the study shows that the number of Indian children in Saskatchewan attending school at all levels increased markedly between 1966 and 1977. Their retention rate also showed a slight increase during the earlier part of this period but declined to 9 per cent by 1976. This rate contrasts sharply with the retention rate of 75 per cent for all Canadian students.

In the section on employment, the study foresees a major increase in the so-called "productive" segment of the Indian population and a consequent reduction in the dependency ratio. The significant age group constituting the Indian labour force is expected to increase to 57 per cent by the year 1986, from 47 per cent in 1976.

An analysis of housing requirements reveals that the future demand for housing on Indian reserves will be heavier because of the projected increase of 69 per cent in the on-reserve family formation age group.

AN OVERVIEW OF SELECTED DEMOGRAPHIC PATTERNS AND TRENDS AMONG REGISTERED INDIANS FOR CANADA AND THE REGIONS WITH OBSERVATIONS ON INTRA-REGIONAL DIFFERENCES IN SASKATCHEWAN

by Andrew J. Siggner and Chantal Locatelli (Research Branch)

1980

57 pages, tables, charts, map, appendix, bibliography

This paper, which was prepared for A Workshop on Demographic Patterns and Trends and Their Implications for Policy and Planning (see p. 36), is concerned primarily with selected registered Indian demographic patterns and trends over the period 1966-1976 and includes a medium-term forecast to 1986. This is presented in national terms and by provinces (except for P.E.I., N.S. and N.B., which have been combined into the Atlantic region). Indian demographic patterns are compared with those of the Canadian population and of provincial and territorial populations. A second section of the paper describes several demographic trends among Indian bands in Saskatchewan by band location.

Population distributions show Ontario to have the largest Indian band membership and Yukon the smallest. Indian populations in Canada and the provinces recorded high growth rates relative to the national population in both absolute and percentage terms between 1966 and 1976. In the years following, the Indian birth rate declined steeply, and projections indicate that the Indian growth rate will begin to converge with that of the general population of Canada by 1986. This pattern is also seen in the regions. Statistics on general fertility rates (GFR), however, reveal fairly sharp differences between east and west. For example, in 1977 the eastern provinces and Yukon recorded rates below 130 births per thousand women in the child-bearing years, while all provinces west of Ontario as well as the Northwest Territories had GFRs of at least 130.

Age-composition changes in the registered Indian population have been significant. With the declining Indian birth rate, the proportion of the dependent population has fallen, and by 1986 the age group 15-29 years will represent nearly 30 per cent of the total Indian population in every region. The rapid growth of the labour force age group and in particular that of the young adult population will pose major social and economic challenges for all those concerned with policy-making and planning.

In an analysis of trends in Saskatchewan, band populations and distribution are examined by geographic location, again using the 1966-1976 period. General fertility rates and age compositions are presented, and the implications of regional Indian demographic trends for policy and planning are emphasized.

An appendix lists all Saskatchewan bands (1976) by geographic location.

**AN OVERVIEW OF SOME RECENT RESEARCH ON ATTITUDES
IN CANADA TOWARDS INDIAN PEOPLE**

Research Branch

1980

22 pages

Seven public opinion research reports and their findings are summarized in this paper, providing an overview of public attitudes toward Indian people from a variety of standpoints. Significantly, the overview also attempts to highlight some factors that shape public attitudes toward Indian people and consequently need to be taken into account by the Department in planning and formulating policy. For example, although researchers found a general lack of awareness of the Indian situation among non-Indians, the attitudes of non-Indians toward Indian aspirations were, on balance, more sympathetic than resistant.

Another factor evident throughout the study is that attitudes toward Indian people varied according to regions and ethnicity -- from most favourable in French Canada to least favourable among Prairie dwellers of eastern European origin. However, a recurring theme in the research papers is the fragility of sympathy. One paper shows statistically how sympathy for Indian issues waned between the years 1976 and 1979, and there is common agreement that sympathy depends largely on there being little or no cost to the non-Indian.

The scope for further research is recognized, and fresh subjects are cited for study as a result of the findings of the papers summarized in this overview.

POPULATION PROJECTIONS OF REGISTERED INDIANS, 1982 TO 1996

by J. Perreault, L. Paquette and M.V. George (contract)

1984

65 pages, 20 tables, 15 graphs

This publication, prepared under contract with the Demography Division of Statistics Canada, contains projections of registered Indian population for Canada, INAC regions, districts, and bands for 1982 to 1996. They are based on 1981 adjusted Indian Register data and are projected using the cohort-component method with alternative assumptions of the components of growth. The report presents projections for each year by five-year age groups, sex, on and off reserve residence for Canada and INAC regions, and projections of total population for each fifth year for districts and bands.

The main body of the report presents a description of the projection methodology as well as a discussion of the results. It covers the population model and algorithm, the evaluation and adjustment of the data, and the three components of the projections: fertility, mortality and migration. In addition, projections prepared for INAC districts and bands are discussed.

The report examines each underlying assumption with its logical and empirical foundations, provides a brief analysis comparing the projected trends with the past, and indicates the emerging trends in the Indian population. Furthermore, the hypothetical character of the assumptions and the possibilities of errors in the projections are examined in order to assess the reliability of the projections.

Six possible scenarios are discussed. These are based on various combinations of assumptions of fertility, mortality and migration. From these scenarios three series were selected as most plausible: a) high-growth series; b) medium-growth series; and c) low-growth series. The projected registered Indian population for Canada in 1996 according to the three series is 477,000, 456,000 and 433,000 respectively. The middle series represents the most likely scenario.

The reader wishing to examine in further detail the fertility, migration and mortality assumptions is referred to individual publications on these subjects listed separately elsewhere in this report (pages 21, 49 and 50).

Detailed tables of the three scenarios are available within the report for Canada-level projections, while only the most likely scenario is presented for the INAC regions, districts and bands. Readers wishing to obtain the details on the projection model, the other two projections at the INAC regional level, and the detailed INAC district and band population projections may contact the Socio-demographic Research Section of the Research Branch.

PRE-CONFEDERATION CROWN RESPONSIBILITIES

by Ian Johnson (contract)

1983

87 pages

This historical background paper is intended as a general overview of government-Indian relations prior to 1867. The focus is Upper Canada, later Canada West, and the paper describes the special relationship that developed between Indian peoples and the government in such matters as land surrenders, gift-giving, military co-operation, and reserve land protection. The paper isolates specific government responsibilities that may have existed before Confederation and that then devolved on the government of Canada after 1867.

**A PRELIMINARY ASSESSMENT OF CANADIAN PHILANTHROPIC FOUNDATIONS AS POTENTIAL SOURCES OF FUNDING FOR PROJECTS BY OR ABOUT NATIVE PEOPLE:
A Summary Report**

by J. Rick Ponting (contract)

1979

23 pages, table, appendix

This is an exploratory study of the actual and potential roles of Canadian philanthropic foundations in funding projects or research by or about Native peoples in Canada. Philanthropic foundations are defined as "non-governmental, non-profit organizations with funds and programs managed by (their) own trustees or directors and established to maintain or aid social, educational, charitable, religious, or other activities serving the common welfare".

Having contacted 18 such foundations in Canada, the author uses them as examples to illustrate the varied nature of foundations, the extent of donations, the types of projects supported, what foundation directors look for in project applications, the main problems or weaknesses of applications by Native people and how Native people could use the resources of the foundations.

NOTE: This study is neither a fund-raising guide nor a directory of foundations. It was undertaken to ascertain which foundations are involved in making grants to, or for, Native people and to what extent. The author's book, Out of Irrelevance, a socio-political study of Indian Affairs, provides more complete information.

PROBLEMS WITH THE LEGISLATIVE BASE FOR NATIVE CHILD WELFARE SERVICES

by Rose B. Wuerscher (student contract)

1979

23 pages, appendices

Taking as its point of departure the current absence of federal legislation concerning native child welfare services, this paper describes some of the resulting handicaps that beset Indian people and offers suggestions for remedial action. Essentially, what is required is an explicit recognition of Indian culture and values, both legislatively and at the administrative level in the delivery of these services. The paper provides convincing evidence to substantiate this need.

The Indian Act makes no provision for Indian child welfare, foster care or adoption proceedings. Provincial laws on these matters therefore apply to Indian people. Provincial child welfare laws often fail to take account of problems peculiar to the Indian segment of the population. The paper discusses some of these problems, notably child protection and adoption, and the limitations of provincial legislatures in dealing with them. (Ontario is cited as an example.)

As possible alternatives, the paper looks at Indian custom in the matter of adoption and at U.S. legislation, which recognizes that custom and places greater control over child welfare matters in Indian tribal courts.

The appendices to the paper include both Canadian and U.S. material to amplify the salient points in the main report. Especially significant are the data collected for a home study, which is a process of evaluating the suitability of a prospective adoptive parent and is designed for use by the children's aid societies.

REGIONAL COMPARISONS OF DATA ON CANADA'S REGISTERED INDIANS

by Andrew J. Siggner, David Perley, Debra Young and P. Turcotte (Research Branch)

1983

62 pages, 23 charts

This report synthesizes statistical information found in the overview series of provincial reports based on the model used in the national study, An Overview of Demographic, Social and Economic Conditions Among Canada's Registered Indian Population (see page 56). It is analagous in terms of the topics treated and covers the same period (1966-1976), with projections for 1981 and 1986. In contrast to the overview series, however, it focuses on regional comparisons rather than on one selected INAC region.

The purpose of this report is to provide researchers, policy makers, planners and evaluators with information on the socio-demographic and economic conditions of registered Indians by regions and on trends in these conditions.

Eight demographic, two health, four education and two housing variables as well as a dependency ratio are examined for various years between 1966 and 1986. Different years have been used for these variables as the time coverage or geographical breakdown of existing data precluded a consistent standardized approach.

In addition, a section on the quality of life provides a broader perspective on the regional comparisons. This is done by selecting a number of the socio-demographic and economic indicators to measure the "quality of life" of registered Indians in Canada. Among the indicators chosen are the infant mortality rate, other age-specific death rates, the percentage distribution of deaths by cause, the incidence of tuberculosis, participation in education and on-reserve growth rates, birth rates and age distribution.

The conclusion of the report states that the 1980s should be challenging for Indian people and those organizations that serve them. Demographic changes will create greater needs for housing, education and health care. Social support programs, including social assistance and affirmative action, also will be affected.

Data are presented graphically to illustrate regional patterns in conditions among registered Indians.

**REPORT TO THE DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS
ON THE INSTITUTO INDIGENISTA INTERAMERICANO**

by David E.W. Holden (contract)

1978

37 pages, 3 tables

The author discusses the possible benefits and obligations if Canada were to become a member of the Instituto Indigenista Interamericano (I.I.I.), also referred to as the Inter-American Indian Institute. Begun in 1942, the I.I.I. has been a specialized agency of the Organization of American States since 1953; its headquarters are in Mexico City. It fulfils a variety of functions relating to the gathering and dissemination of information and the provision of research, technical assistance and training for projects concerning or involving Indians of the Americas. The I.I.I. currently has 17 members: Argentina, Bolivia, Brazil, Colombia, Costa Rica, Chile, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the United States and Venezuela.

The author discusses the organizational structure of the I.I.I., its history, the information publicly available on the agency and its current program plans. He also reports on his visit to Mexico's National Indian Institute, that country's national affiliate of the I.I.I., and its work in the areas of education, health, agriculture and economic assistance. A discussion of some of the major problems of the I.I.I. and the benefits that might be derived from Canadian membership completes the report.

SECONDARY EDUCATION FOR CANADIAN REGISTERED INDIANS

by Joseph E. Couture (contract)

1979

49 pages, appendix, bibliography

This study provides an analysis of the nature of policy, past and present, relative to Indian secondary education and concludes with recommendations for future policy and practice.

The report outlines the values, perceptions and the philosophical and cultural factors that have shaped Indian secondary education policies. It attempts to identify the unexpressed assumptions, indicating strengths as well as weaknesses, and examines various policy alternatives and their education, administrative and social implications.

The data base for this report consisted of available Indian and Inuit Affairs Program documents, a number of non-governmental studies and interviews with staff of the Policy, Research and Evaluation Group and the Education Division.

SECTION 107 OF THE INDIAN ACT AND RELATED ISSUES

by Robert H. Debassige (student contract)

1979

24 pages, appendices

The purpose of this discussion paper is to examine some of the issues that may have to be considered in the context of a possible revision of the Indian Act, especially section 107 and other sections pertaining to the administration of justice. Section 107 authorizes the appointment of Justices of the Peace, with powers and authority in relation to offences committed by an Indian or against his/her person or property.

The author draws on another paper, "Section 107 and Other Alternative Justice Systems for Indian Reserves in B.C.", by G. Youngman, to point out that any revision of the Indian Act with respect to the administration of justice would affect the operation of this section, and that it is therefore crucial to the question of revising the Act. Accordingly, the paper examines some of the issues involved in the operation of the Justices of the Peace program in Canada, and also includes a 6-page section on what appears to be its United States equivalent: the American Indian Court Judges Training Program.

In examining the Canadian situation the author starts with a review of some of the problems of Indian band councils in enforcing band by-laws and the regulations of the Indian Act applicable to reserves. This is followed by an analysis of the functioning of the Justices of the Peace Program from recruitment and training of Native J.P.'s to their jurisdiction on reserves and their place in the provincial judicial system. The paper dwells at some length on the findings and recommendations of the Ontario Native Council of Justice and also touches on some analogous cases and recommendations by the Union of New Brunswick Indians, among others.

The paper concludes with a brief section on recommendations, pointing to the need for some precise definitions as a prerequisite to any contemplated change to section 107.

SELECT ANNOTATED BIBLIOGRAPHY ON B.C. INDIAN POLICY AND LAND CLAIMS

by Dennis Madill (Research Branch)

1982

27 pages, map, bibliography

This report consists mainly of secondary source materials with a brief section on primary sources. While the section on secondary sources concentrates on studies published within the last decade, there is also some analysis of the most useful 'older' works. Topics covered in the section on secondary sources include the following: Part I - (a) general references and (b) reference works on specific tribes; Part II - Pre-Confederation: (a) fur trade historiography, (b) imperial policy (1849-71), and (c) Vancouver Island Treaties (1850-1854); Part III - Post-Confederation: (a) federal and provincial policy, (b) Potlatch, (c) Treaty 8, and (d) comprehensive and specific claims; and Part IV - legal aspects and judicial cases.

The section on primary sources is divided into two sections: (a) Main repositories: (i) Public Archives of Canada, (ii) Public Archives of British Columbia, and (iii) other repositories, and (b) Published sources.

Finally, there is a bibliographical list covering all the works mentioned in the text.

SELECT ANNOTATED BIBLIOGRAPHY ON MARITIME INDIAN HISTORY

by Wayne E. Daugherty (Research Branch)

1984

22 pages

This bibliography is primarily a survey of secondary source material. The survey is divided into the following chronological periods: the Pre-Contact period; the Post-Contact period; the Struggle for Acadia (a) 1689-1713 and (b) 1713-1763; and British rule. The topics covered in these periods include Indian culture, economics, warfare, and British colonial policy.

There is a section on primary sources divided into Main repositories: (i) Public Archives of Canada, (ii) Public Archives of Nova Scotia, (iii) Public Archives of New Brunswick, and (iv) Public Archives of Prince Edward Island; and Published Sources. In addition, there is a section concerning local county histories, mainly those of Nova Scotia, and another dealing with Indian treaties.

Finally, there is a bibliographical list of those works mentioned in the text and a separate bibliographical list for the county histories.

SELECT ANNOTATED BIBLIOGRAPHY ON MÉTIS HISTORY AND CLAIMS

by Dennis Madill (Research Branch)

1983

45 pages

Most of this report focuses on secondary source material but there is also a useful section on primary sources. To avoid duplication, the section on secondary sources considers those sources published after 1977-78 and not mentioned in the annotated bibliography by John W. Friesen and Terry Lusty, The Métis of Canada: An Annotated Bibliography (Toronto: The Ontario Institute for Studies in Education, 1980). In addition, some of the most important sources published before 1977-78 are included to provide a more balanced presentation of the 'old' and 'new' material. Topics covered in the secondary source section are as follows: Part I - Introduction: (a) Definitions of Métis, (b) Bibliographies, and (c) General references; Part II - Foundations of Métis History to 1870; Part III - Rich rebellions; Part IV - Métis Land Claims; Part V - Métis Participation in Treaty Activity; Part VI - Biographical studies; Part VII - Regional studies; Part VIII - Métis organizations; Part IX - Constitutional issues; and Part X - Recent trends.

The section on primary sources refers to the early records relating to the Métis available under the various record groups, particularly RG10 and RG15. References to the RG10 and RG15 record groups are contained in another report available from the Treaties and Historical Research Centre: An Archival Finding Aid for Primary Source Material on the Métis by R. Barnhart and D. Madill (see page 4).

SELECT BIBLIOGRAPHY ON CANADIAN INDIAN TREATIES AND RELATED SUBJECTS

by Ron Maguire (Research Branch)

1979

36 pages

This comprehensive bibliography is a source supplement to Indian Treaties in Historical Perspective (see page 40). The bibliography is a select list of the principal works on Canadian Indian treaties and will provide a solid foundation for further reading or research. No attempt is made to distinguish between primary and secondary source material or to say whether the nature of the references is historical, anthropological, ethnological, or sociological; nor is there any organization by geographic region because of the generality of many sources and the overlapping of others.

Appended to the alphabetical listing is a Supplementary Bibliography which refers to valuable source material in the Treaties and Historical Research Centre. The Centre's holdings constitute an interesting selection of historical maps, working charts on Indian treaties, and a large collection of files, documents, select statutes, judicial cases, and news clippings on Indian treaties or related situations.

The Select Bibliography on Canadian Indian Treaties and Related Subjects will be updated at regular intervals as new sources come to our attention.

SOCIO-ECONOMIC AND DEMOGRAPHIC CONDITIONS OF THE INUIT IN CANADA
(tentative title)

by Norbert Robitaille and Robert Choinière (contract)

1984 (forthcoming; not yet available in English)

116 pages, 31 tables, 9 charts, 2 appendices, bibliography

This overview describes the demographic evolution and socio-economic profile of the Inuit for Canada as a whole and for four regions (Northwest Territories and Yukon, Northern Quebec, Labrador, and Southern Canada). For purposes of comparison, figures for the overall Canadian population are also presented.

The authors used two principal data sources: the 1981 Census and vital statistics. Census data were obtained mainly from special tabulations, while vital statistics on the Inuit were supplied by National Health and Welfare and the Inuit population registry for Northern Quebec maintained by the demography department of the University of Montreal.

The report is divided into two parts. The first, based on the Census and vital statistics, describes the geographical distribution of the Inuit, how it has changed over the past 50 years, and the influence of such factors as fertility, mortality and migration on this evolution.

The second part, based mainly on the 1981 Census but also drawing data from that of 1971, reviews the recent evolution and current situation with regard to language, education, employment, income, religion, family, household situation and housing. Several of these variables are cross-tabulated to shed light on the relationship between them. Finally, the study attempts to isolate certain differences related to gender and to present the characteristics of the main locations of Inuit population.

The study reveals that the Inuit population has quadrupled since 1931, while the overall Canadian population doubled. According to the 1981 Census, the present Inuit population is 25,395, the majority of whom (87 per cent) live in northern Canada. The age structure of the Inuit population is generally much younger than that of the Canadian population as a whole.

The report also shows that education levels among the Inuit are below the national average. The percentage of Inuit that were employed in 1981 was about a third less than in the general population. In 1980, the average annual income of Inuit 15 years of age and over was well below that of the comparable part of the overall Canadian population.

SOCIO-ECONOMIC IMPACT MODEL FOR NORTHERN DEVELOPMENT

by Bernard R. Blishen (contract)

1979

Volume I, 88 pages; Volume II, 151 pages, tables, bibliography

This report describes a pilot study undertaken in 1979 to develop a conceptual model for reporting and assessing the social and economic effects of industrial development on northern communities. The model, as constructed, is based on three broadly defined variables of the community process.

The first, "social vitality", refers to the processes and patterns of social behaviour; the authors view this factor as a continuum ranging from social isolation (privatization) to social integration (communitarianism). The second variable, "economic viability", refers to the community's degree of dependence on, or independence of, externally initiated and controlled economic forces. The final factor, "political efficacy", refers to the processes whereby members of a community participate in decision-making regarding social and economic initiatives.

Throughout the report, the authors make extensive reference to other papers and studies that have also attempted to develop a social reporting and accounting system based on a variety of social indicators. They emphasize the importance of social indicators as tools for measuring and assessing economic and social changes; they draw a distinction between objective and subjective indicators; and they provide appropriate examples of these for each of their three variables.

The second volume of the report briefly describes the historical development of the eight communities in northwest British Columbia that were studied. It also contains additional background information and related material on the study.

SURVEY OF DOCUMENTS AVAILABLE FOR RESEARCH IN THE TREATIES AND HISTORICAL RESEARCH CENTRE

by Helen Ryan (Research Branch)

Revised 1984

132 pages

Since its establishment in 1973, the Treaties and Historical Research Centre has acquired an extensive collection of historical documents, reports, articles, bibliographies, indexes, and other material on aspects of Native history, Indian treaties, rights and claims issues. The Centre will provide limited copies free of charge to Native researchers, academics, students and other interested groups.

To assist researchers, the Centre has published a Survey of Documents which, under the major categories listed below, outlines documentation available to those using the Centre's facilities.

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See also page 45.

A SURVEY OF THE HISTORY AND CLAIMS OF THE NATIVE PEOPLES OF NORTHERN CANADA

by William R. Morrison (contract)

1983

110 pages, bibliography

This publication is a historical survey of Canada's northern Native peoples and the claims they have from time to time presented to the federal government.

The report is divided into six chapters. The first is a survey of the Native peoples of the Canadian north in the pre-historic period. The second deals with the legal and constitutional background to the comprehensive claims. Chapter three is a survey of the Yukon comprehensive claim. It also advances some suggestions as to why the Native peoples of the north presented these claims at the time and in the form they did, and why the government reacted the way it did. The remaining chapters deal with the claims of the Dene and Inuit of the Mackenzie Delta and the rest of the Northwest Territories. The final chapter deals briefly with the James Bay Agreement and the claims of the Native people of Labrador.

This publication would be of value and interest to Native claims researchers, government claims negotiators, and the academic community.

**TITLE TO THE WATER BED: THE LEGAL HISTORY OF THE
AD MEDIUM FILUM AQUAE RULE**

by Rose B. Wuerscher (contract)

1982

70 pages

Legal entitlement to the water bed or water-covered lands that border a grant of land can be derived either from words in the grant document that expressly convey the waterbed or, in some cases, by applying the ad medium filum aquae rule of interpretation. The ad medium filum aquae principle is found in both English common law and French civil law. This principle of law applies in cases where a document regarding a Crown grant of land, although located on or adjoining a stream or body of water, did not mention the body of water. The waterway was presumed to include the solum or bed of the adjacent waters up to its mid-point, as long as there was no contrary intention contained in circumstances surrounding the grant. Because Canadian law with respect to the disposition of lands and the use of water had its origins in French civil and English common law, the ad medium filum aquae rule would continue to operate until it was nullified or abrogated by statute.

This report examines the legal history of the ad medium filum aquae rule of interpretation in Ontario, the prairie provinces and British Columbia. Included is information about the time the rule came into force and whether it has been modified or abolished. Because it is beyond the scope of the study to apply this rule to specific Indian reserves, the law is considered in a general way and not in the context of the creation of particular reserves. However, since the ad medium filum aquae rule is one of general application governing the disposition of lands, it would also apply to Indian reserves, unless it is made inapplicable by a federal statute.

This report would be of particular interest to lawyers, government officials, and Indian bands.

TREATY RESEARCH REPORT: TREATY ONE AND TREATY TWO

by Wayne E. Daugherty (Research Branch)

1983

34 pages, appendix

This report provides a brief historical outline of Treaties One and Two, which set the precedent for all the numbered treaties in western Canada.

The report is divided into four sections. The first examines the historical background to the treaties; the second explains the terms and conditions of the treaties; the third section deals with the problems of implementation; and the fourth offers a summary placing the significance of the treaties in perspective.

The full texts of Treaty One and Treaty Two are contained in an appendix to the report.

**UNDER THE FLAG: CANADIAN SOVEREIGNTY AND THE NATIVE PEOPLE IN
NORTHERN CANADA**

by William R. Morrison (contract)

1984

138 pages, 1 map, 10 illustrations

This publication details the right of Canada to exercise sovereignty over the northern regions of Canada and its Native peoples.

Themes include an examination of the concept of sovereignty, the idea of Native title, and the ultimate extension of sovereignty to five regions of the Canadian North between 1895 and 1925, viz., Yukon, Hudson Bay, Western Arctic, Central Arctic and Eastern Arctic.

**THE UNITED STATES FEDERAL GOVERNMENT/INDIAN RELATIONSHIP:
Trusteeship and Local Government**

by Jesse A. Rieber (contract)

1977

129 pages

Starting with a review of the origins in international law of the concepts of trusteeship and local government, this paper traces their development through judicial, legislative and administrative decisions in the United States in the context of the relationship between the U.S. government and Indian tribes. In its final section, the paper discusses the positions adopted by the American Indian Policy Review Commission (A.I.P.R.C.) on these concepts in a proposed report to the U.S. Congress.

The purpose of this study is to provide an understanding of trusteeship and local or tribal government and to familiarize the reader with their historical origins, applications and misapplications. The study is divided into four sections.

Section I deals with various theses on the themes of trusteeship and local government as put forward by influential European thinkers at about the time the United States came into being. Early U.S. dealings with the Indians relied heavily on those ideas.

Section II reviews major U.S. legislation and court decisions involving the trust relationship between the U.S. government and the Indians. It highlights some of the major points of contention in the discussions and debates that have taken place over the years concerning the interpretations and applications of the two concepts, which have developed to a stage where they affect almost every facet of U.S.-Indian relations.

Section III examines the processes and historical circumstances through which the U.S. Congress and the Bureau of Indian Affairs have strayed from the original ideas of trusteeship and local government.

Section IV recapitulates the recommendations of the A.I.P.R.C., which are seen as an effort to bring the U.S. government back to a significant understanding of the original meaning of the trust relationship.

URBANIZATION AND INDIAN PEOPLE: An Analytical Literature Review

by Michael Gurstein (contract)

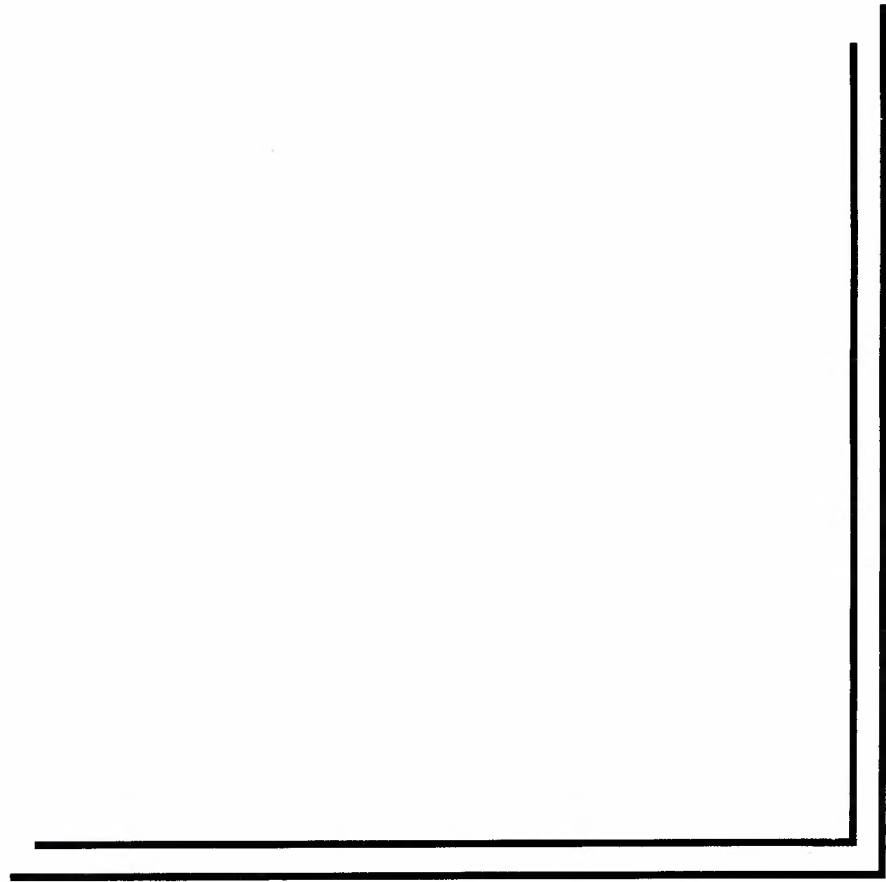
1977

44 pages, tables, bibliography

This study examines the literature on urbanization and Indian people to identify gaps in existing knowledge, significant research findings, and the implications of research findings for program and policy development. The author develops a distinction between four major types of groups of Indians in urban centres: Indian transients (short-term and mobile), Indian migrants (transitional from the rural reserve to the urban environment), Indian residents (partially established in the urban environment), and Indian settlers (permanent urban dwellers).

The report discusses the characteristics of these groups (in terms of age, gender, marital status, education, home community and motivation for moving to an urban centre), their needs (in terms of shelter, social services, education, employment and cultural maintenance), and the types of programs and agencies (governmental and non-governmental) that might best meet the different requirements of the four groups.

Future Publications



TO BE PUBLISHED IN 1985

Aspects of Canadian Métis History

The British Columbia Indian Reserve Allotment Commission, 1875-1924

Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1958

Contemporary Issues in Canadian Indian Policy

A Finding Aid/Index to the Indian Trust Accounts

The Government of Canada and the Inuit, 1900-1967

Maritime Indians in the Nineteenth Century

An Overview of the Economic Circumstances of Registered Indians in Canada

An Overview of the Educational Conditions of Registered Indians in Canada

An Overview of the Housing Conditions of Registered Indians in Canada

Overview of the Social, Economic and Demographic Conditions of Registered
Indians Residing Off-Reserve

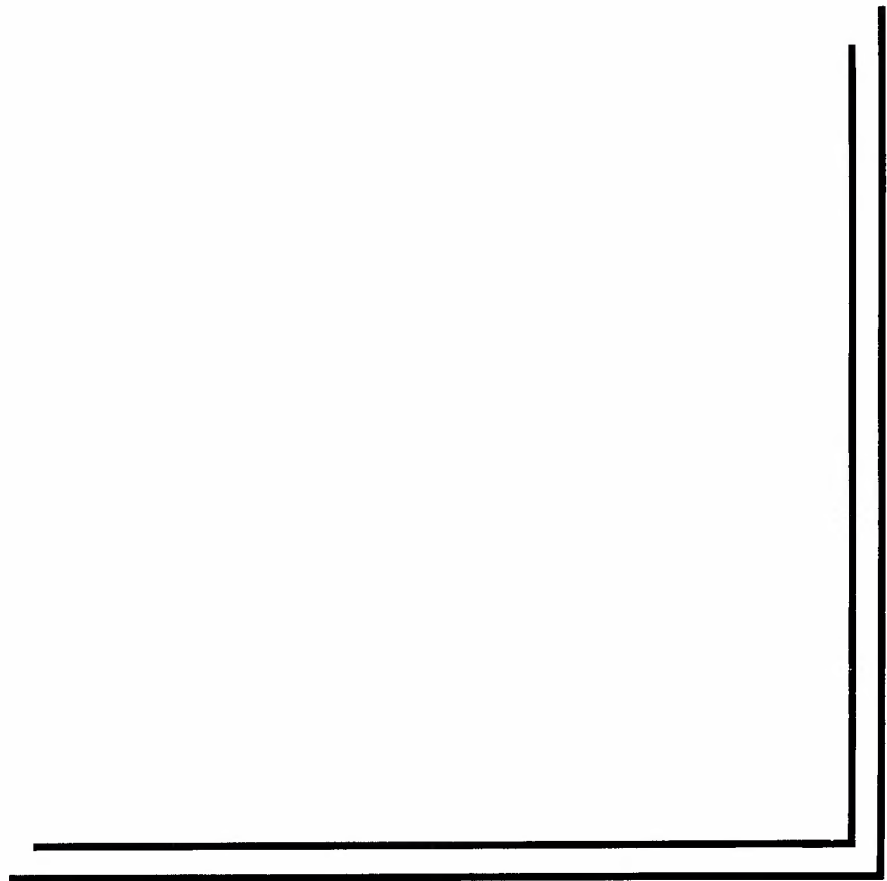
The Relationship Between the Indian Department and the Department of the
Interior in Establishing Indian Reserves in Western Canada

A Review of United States Research on Native History and Related Issues

TO BE PUBLISHED IN 1986

- An Overview of Registered Indian Conditions in Alberta
- An Overview of Registered Indian Conditions in British Columbia
- An Overview of Registered Indian Conditions in Canada
- An Overview of Registered Indian Conditions in Manitoba
- An Overview of Registered Indian Conditions in New Brunswick and Prince
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- An Overview of Registered Indian Conditions - Methodology Report (Canada
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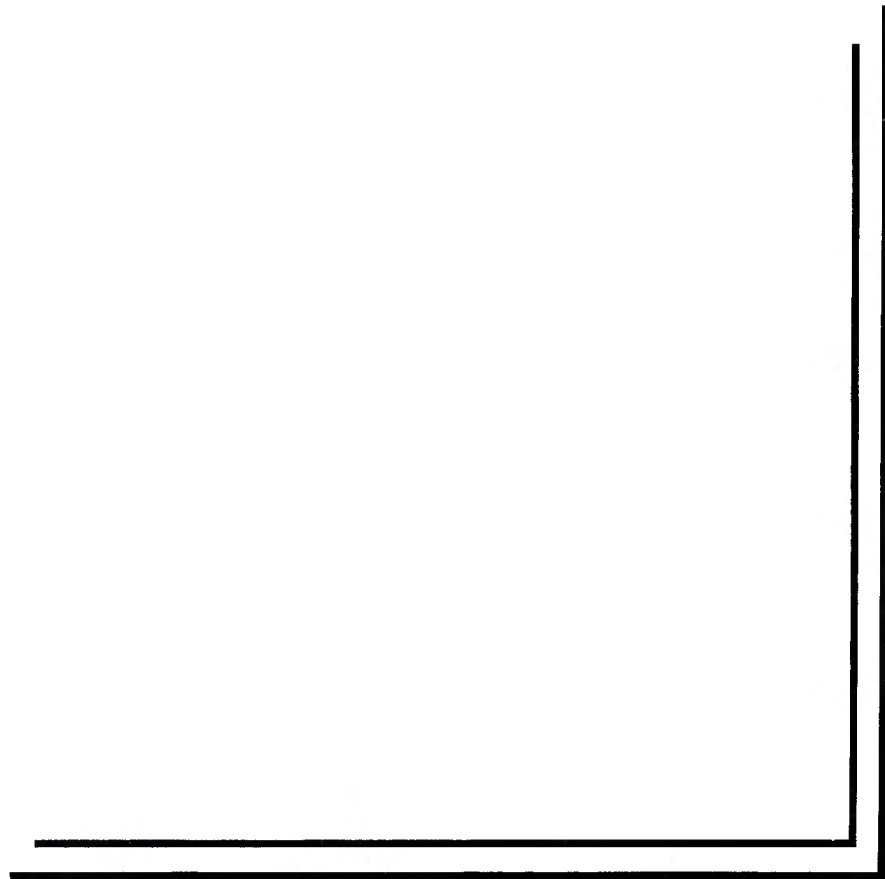
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