CHAPTER 13: Aboriginal Rights and Governance

**MULTIPLE CHOICE**

1. For what past injustice did the Canadian government accept responsibility and pay about $1.9 billion in compensation in 2008?
2. Abuse experienced in residential schools
3. Violation of treaty rights
4. Seizure of Aboriginal lands
5. Unequal treatment of men and women

*Answer:* a *Difficulty:* moderate *Page:* 356

1. In 1867, the Constitution Act gave exclusive jurisdiction over the governance of Aboriginal people to the\_\_\_\_\_\_\_\_\_.
2. Parliament of Canada
3. Government of Ontario
4. provinces
5. French colonies

*Answer:* a *Difficulty:* easy *Page:* 360

1. Under the Indian Acts, some Aboriginal people were listed in the official government registry as being entitled to particular benefits. These people were termed \_\_\_\_\_\_\_\_\_ Indians.
2. Status
3. Citizen
4. Authorized
5. Colonial

*Answer:* a *Difficulty:* easy *Page:* 357

1. According to the text, the \_\_\_\_\_\_\_\_\_ has been widely recognized as perpetuating a virtually imperialistic level of control by Ottawa.
2. Meech Lake Accord
3. White Paper of 1969
4. Assimilation Act
5. Indian Act

*Answer:* d *Difficulty:* easy *Pages:* 360-361

1. In this concept, the Hawthorn Report argued Indians are simultaneously Canadian citizens and rights-bearing members of Aboriginal communities.
2. Bilateral citizens
3. Equal citizens
4. Citizens plus
5. Dual citizens

*Answer:* c *Difficulty:* moderate *Page:* 361

1. The White Paper of 1969 proposed that the Indian Act be eliminated, reserves be abolished, and Aboriginal people be \_\_\_\_\_\_\_\_\_.
2. assimilated
3. deported
4. recognized
5. discriminated

*Answer:* a *Difficulty:* moderate *Page:* 362

1. What perspective suggests that First Nations have the right to govern themselves based on their independence before European colonization, a right that was never ceded?
2. Citizens plus
3. Wards of the state
4. Lawful obligation
5. Inherent right to self-government

*Answer:* d *Difficulty:* easy *Page:* 362

1. Generally, the lack of opportunities in remote and isolated areas has meant that an increasing proportion of the Aboriginal population has migrated \_\_\_\_\_\_\_\_\_.
2. to Canada’s north
3. to the Atlantic provinces
4. to cities
5. to the United States

*Answer:* c *Difficulty:* easy *Page:* 376

1. The 1996 Report of the Royal Commission on Aboriginal Peoples recommended that Aboriginal \_\_\_\_\_\_\_\_\_.
2. people should be allowed to emigrate from Canada
3. reserves should be abolished along with the Indian Affairs bureaucracy
4. women should be treated differently from Aboriginal men
5. land claims should be recognized by the government

*Answer:* d *Difficulty:* moderate *Page:* 363

1. The Report of the Royal Commission on Aboriginal Peoples of 1996 gave official recognition to an Aboriginal \_\_\_\_\_\_\_\_\_.
2. right to self-government
3. interest group
4. language
5. hierarchy

*Answer:* a *Difficulty:* easy *Page:* 363

1. What was missing from the Constitution Act, 1982, with regard to Aboriginal rights?
2. A requirement to hold constitutional conferences with Aboriginal representatives
3. A clause that spelled out the specific nature of Aboriginal rights
4. Equal application of rights to all Aboriginal peoples
5. Equal application of rights to Aboriginal males and females

*Answer:* b *Difficulty:* moderate *Pages:* 363-364

1. In the Charlottetown Accord, Aboriginal self-government was \_\_\_\_\_\_\_\_\_.
2. limited
3. recognized
4. ignored
5. abrogated

*Answer:* b *Difficulty:* moderate *Page:* 363

1. Although the case was lost by the Nisga’a Tribal Council, the 1973 Nisga’a land claims decision of the Supreme Court recognized that Aboriginal title to land \_\_\_\_\_\_\_\_\_.
2. was based on the sale of land
3. could exist through occupancy
4. created a constitutional third order of government
5. brought Aboriginal people full circle

*Answer:* b *Difficulty:* moderate *Page:* 364

1. In the standoff at Burnt Church and the Marshall Cases of the Supreme Court, the main source of conflict was \_\_\_\_\_\_\_\_\_.
2. how bands should choose their leaders
3. who was considered a Status Indian
4. private logging on a reserve
5. rights to fish out of season

*Answer:* d *Difficulty:* moderate *Page:* 366

1. What is the general principle that has been upheld by the courts when deciding on Aboriginal self-government?
2. Only Status Indians should be granted self-government
3. Self-government should include compulsory taxation
4. Self-government is a matter for negotiation
5. The courts should not take into account specific circumstances

*Answer:* c *Difficulty:* challenging *Page:* 368

1. The Supreme Court of Canada has played a significant role in determining Aboriginal and treaty rights by taking into account the history and circumstances of Aboriginal peoples. Nevertheless, the Supreme Court has indicated that these rights are not \_\_\_\_\_\_\_\_\_.
2. binding on territorial governments
3. open to subsequent negotiation
4. comprehensive
5. absolute

*Answer:* d *Difficulty:* challenging *Page:* 369

1. Which among the following was considered a landmark decision establishing self-government for First Nations peoples?
2. The White Paper
3. The Marshall Claim
4. The Nisga’a Treaty
5. The Indian Agreement

*Answer:* c *Difficulty:* moderate *Pages:* 370-371

1. In Nunavut, governing practices follow Aboriginal traditions. How does the territorial government of Nunavut make decisions?
2. By consensus
3. In cabinet
4. Through referenda
5. In secret

*Answer:* a *Difficulty:* moderate *Page:* 372

1. The primary purpose of the Joint Canada-First Nations Action Plan (2011) was to \_\_\_\_\_\_\_\_\_.
2. improve Aboriginal representation in Parliament
3. create a new level of Aboriginal government
4. improve life on reserves for Aboriginals
5. change the way that the Assembly of First Nations chooses its leader

*Answer:* c *Difficulty:* moderate *Page:* 359

1. For the Six Nations Confederacy, the Two-Row Wampum Belt is symbolic of \_\_\_\_\_\_\_\_\_ with Europeans.
2. farming and settlement
3. diversity and division
4. mutual trading
5. peace and friendship

*Answer:* d *Difficulty:* easy *Page:* 377

1. The term \_\_\_\_\_\_\_\_\_, advocated by Kiera Ladner, refers to “a renewed nation-to-nation relationship, and a re-constitution of Indigenous polities as sovereigns with their own spheres of influence and jurisdiction and as co-sovereigns with their traditional territories.”
2. inherent claim
3. democratic deliberation
4. land agreement
5. treaty federalism

*Answer:* d *Difficulty:* easy *Page:* 377

1. The Budget Implementation Act, passed by Parliament in December 2012, was responsible for triggering which Aboriginal protest movement?
2. Standoff at Burnt Church
3. March on Ottawa
4. Idle No More
5. Northern Gateway

*Answer:* c *Difficulty:* easy *Page:* 375

1. Among the challenges of establishing effective self-government is that \_\_\_\_\_\_\_\_\_.
2. most First Nations are large
3. most First Nations have a limited economic base
4. the majority of Aboriginals are opposed to the idea
5. the international community opposes Indigenous rights

*Answer:* b *Difficulty:* moderate *Page:* 376

1. Some First Nations have refused to enter into negotiations to establish self-government arrangements, arguing that they are \_\_\_\_\_\_\_\_\_.
2. sovereign nations
3. American colonial people
4. British subjects
5. nomadic people

*Answer:* a *Difficulty:* easy *Page:* 376

1. Although Canada endorsed the United Nations Declaration on the Rights of Indigenous Peoples in 2010, the federal government noted that it was an “aspirational document” and \_\_\_\_\_\_\_\_\_.
2. not endorsed by the majority of UN member countries
3. not supported by the Assembly of First Nations
4. not based on international legal norms
5. not legally binding

*Answer:* d *Difficulty:* moderate *Page:* 378

**TRUE/FALSE**

1. The average lifespan of Aboriginals in Canada is several years less than other Canadians.

*Answer:* True *Difficulty:* easy *Page:* 358

1. The Aboriginal population in Canada is growing rapidly.

*Answer:* True *Difficulty:* easy *Page:* 357

1. Unlike many other indigenous peoples in the Americas, Canada’s indigenous peoples were never conquered by the European powers.

*Answer:* True *Difficulty:* easy *Page:* 359

1. Under the Indian Act, Aboriginal people were considered to be legally wards of the state.

*Answer:* True *Difficulty:* easy *Page:* 360

1. In recent decades, Aboriginal groups have avoided legal actions as they energetically pursue recognition of their communal rights and title to traditional lands through other means.

*Answer:* False *Difficulty:* easy *Page:* 364

1. Despite promises of community benefits, 60 First Nations joined together in opposing the Northern Gateway Pipeline.

*Answer:* True *Difficulty:* easy *Page:* 368

1. In Canada, the government took over the land after signing treaties with all Aboriginals.

*Answer:* False *Difficulty:* easy *Page:* 369

1. Negotiated self-government agreements remove First Nations from some provisions of the Indian Act.

*Answer:* True *Difficulty:* moderate *Page:* 370

1. Under the Indian Act, the Minister of Indian Affairs cannot overturn bylaws enacted by band councils.

*Answer:* False *Difficulty:* moderate *Page:* 373

1. The Canadian government has declared its commitment to the “inherent right to self-government” principle.

*Answer:* True *Difficulty:* moderate *Page:* 378

**SHORT ANSWER**

1. To which groups of Aboriginal people did the constitutionally enshrined rights in the Constitution Act, 1982, apply?

*Answer:* The rights in the Constitution Act applied to Indian, Inuit, and Métis peoples, and applied equally to males and females.

*Difficulty:* easy *Page:* 363

1. What is meant by the term *citizens plus*?

*Answer:* The term *citizens plus* refers to the idea that Indians possess certain rights in addition to the normal rights and duties of citizens.

*Difficulty:* easy *Page:* 361

1. What are three features that make Aboriginal title to land distinct from other claims, according to the Supreme Court’s decision in the Gitksan and Wet’suwet’en cases?

*Answer:* The three features that make Aboriginal title to land distinct are (1) it can only be transferred to the Crown, (2) it derives from possession before the British declaration of sovereignty, and (3) the band members hold it collectively.

*Difficulty:* challenging *Page:* 367

1. What were two reasons why the Assembly of First Nations objected to the First Nations Governance Act of 2002?

*Answer:* They argued that it violated the inherent right to self-government by imposing more bureaucratic controls (especially on finances) on Aboriginal governments, and added to the cost of governing First Nations.

*Difficulty:* moderate *Page:* 374