

# Gradual Civilization Act

## Gradual Civilization Act, 1857

The **Gradual Civilization Act** was a bill passed by the 5<sup>th</sup> Parliament of the Province of Canada in 1857. This Act was built upon the **Act for the Protection of the Indians in Upper Canada** which was passed in 1839.

### Terms of the Gradual Civilization Act

This Act required the right to vote for any recognized male First Nations over the age of 21 "able to speak, read and write either English or the French language readily and well, and is sufficiently advanced in the elementary branches of education and is of good moral character and free from debt." Individuals who met this criteria would no longer retain the "legal rights and abilities of First Nations." They would be deemed a regular British subject, and therefore, be able to vote.

This enfranchisement was mandatory, but any male First Nations could be voluntarily enfranchised despite an inability to read or write, or a lack of school education, so long as he spoke English or French, and was found to be of sober and industrious habits, free from debt and sufficiently intelligent to be capable of managing his own affairs. Voluntary enfranchisement required a three-year probation term before it would come into legal effect.

Enfranchisement required that First Nations choose a last name that was to be approved by appointed commissioners. This would be the name by which they would become legally known. The wife and children of an enfranchised First Nations would also be enfranchised, and would no longer be considered members of the former tribe, unless they were to regain First Nations status through another marriage.

Enfranchised First Nations were also entitled to a piece of land that did not exceed fifty acres out of the lands reserved or set apart for the use of his tribe. This was allotted by the Superintendent General of Indian Affairs. They also received a sum of money equal to the principal of his share of the annuities and other yearly revenues receivable by or for the use of such tribe. This land and money would become their property. However, by accepting it they would forgo all claim to any further share in the land or moneys then belonging to or reserved for the use of their tribe, and cease to have a voice in the proceedings thereof.

### Purpose of the Gradual Civilization Act

The purpose of the **Gradual Civilization Act** was to assimilate First Nations peoples to the economic and social customs of European settler society. This Act was a precursor for future paternalistic laws. Efforts to assimilate First Nations peoples to Euro-Canadian culture were always met with resistance on behalf of First Nations peoples and their communities.