



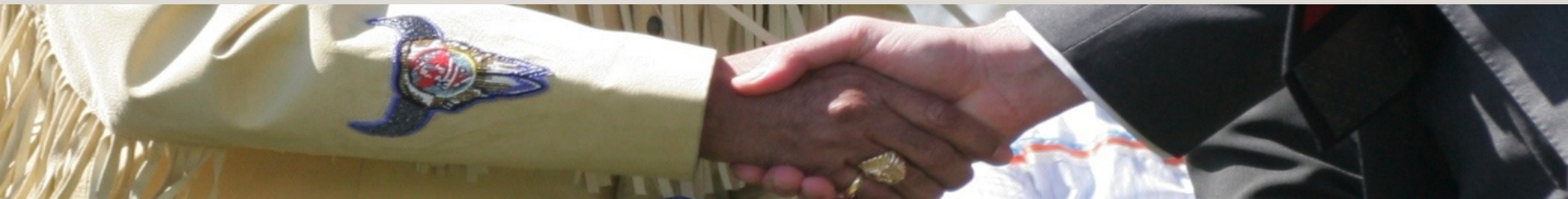
CANADA'S
HISTORY

TREATY RELATIONS COMMISSION OF MANITOBA & CANADA'S HISTORY SOCIETY WEBINAR SERIES

SESSION I: *TREATY-MAKING AND SIGNIFICANCE OF THE ROYAL PROCLAMATION OF 1763*

PRESENTER: CYNTHIA BIRD, TEI ADVISOR, TRCM

WEDNESDAY, OCTOBER 26, 2016

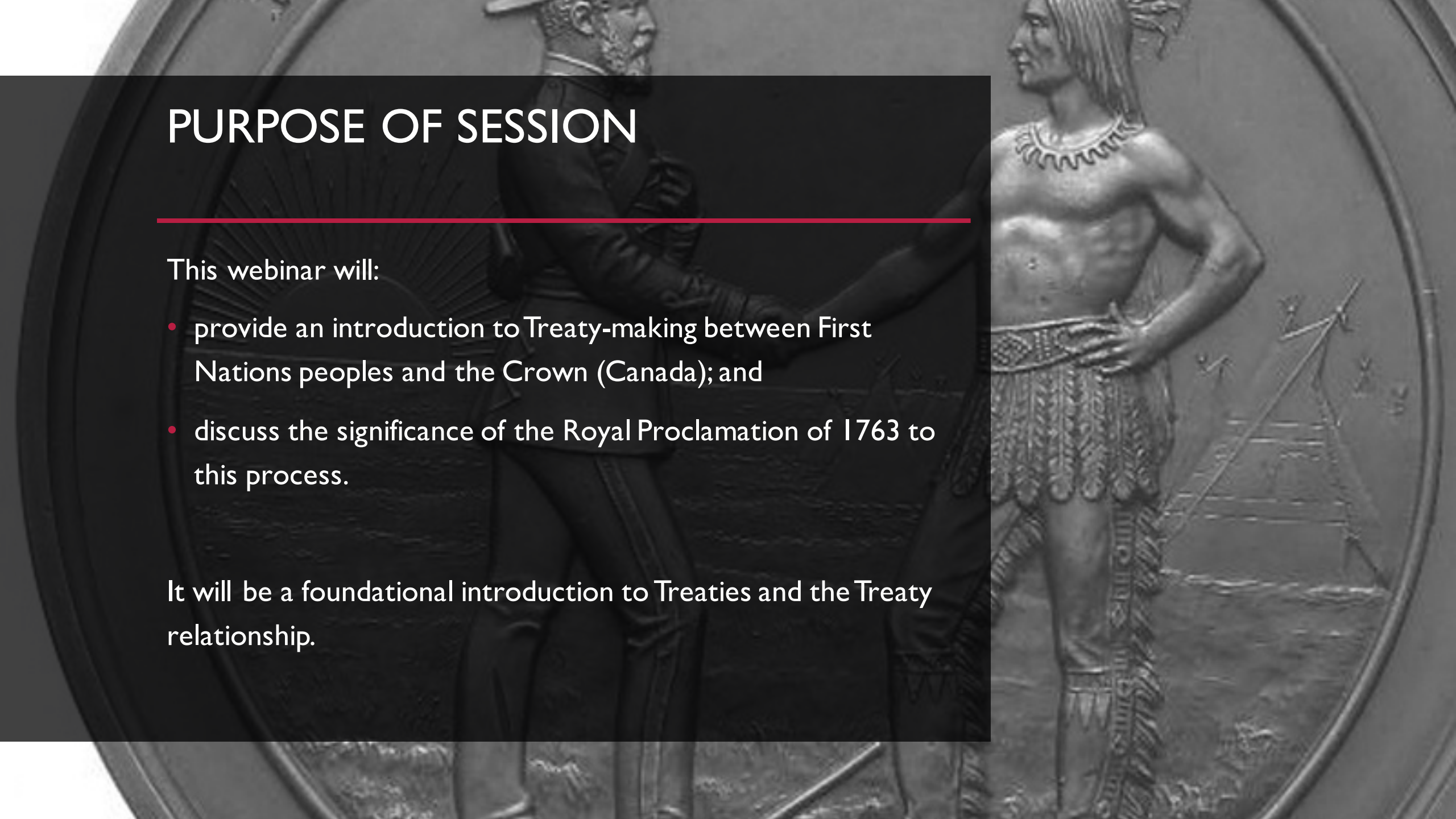


PURPOSE OF SESSION

This webinar will:

- provide an introduction to Treaty-making between First Nations peoples and the Crown (Canada); and
- discuss the significance of the Royal Proclamation of 1763 to this process.

It will be a foundational introduction to Treaties and the Treaty relationship.



WHAT IS A TREATY?

- Trea · ty
- Noun: (1) A formally concluded and ratified agreement between countries; (2) A treaty is an agreement in written form between nation-states that is intended to establish a relationship governed by International Law; and (3) A treaty is a negotiated agreement that clearly spells out the rights, responsibilities and relationships of First Nations and the federal and provincial governments.
- Synonyms: agreement – pact – contract – covenant – compact
- Examples of “Treaty” in Some First Nations Languages
 - Agowidiwin – Ojibway (Treaties, putting things together)
 - Kechi okimaswewi asotamakewin - Cree (The Queen Promises)

PRE-CONTACT MAP OF NORTH AMERICA

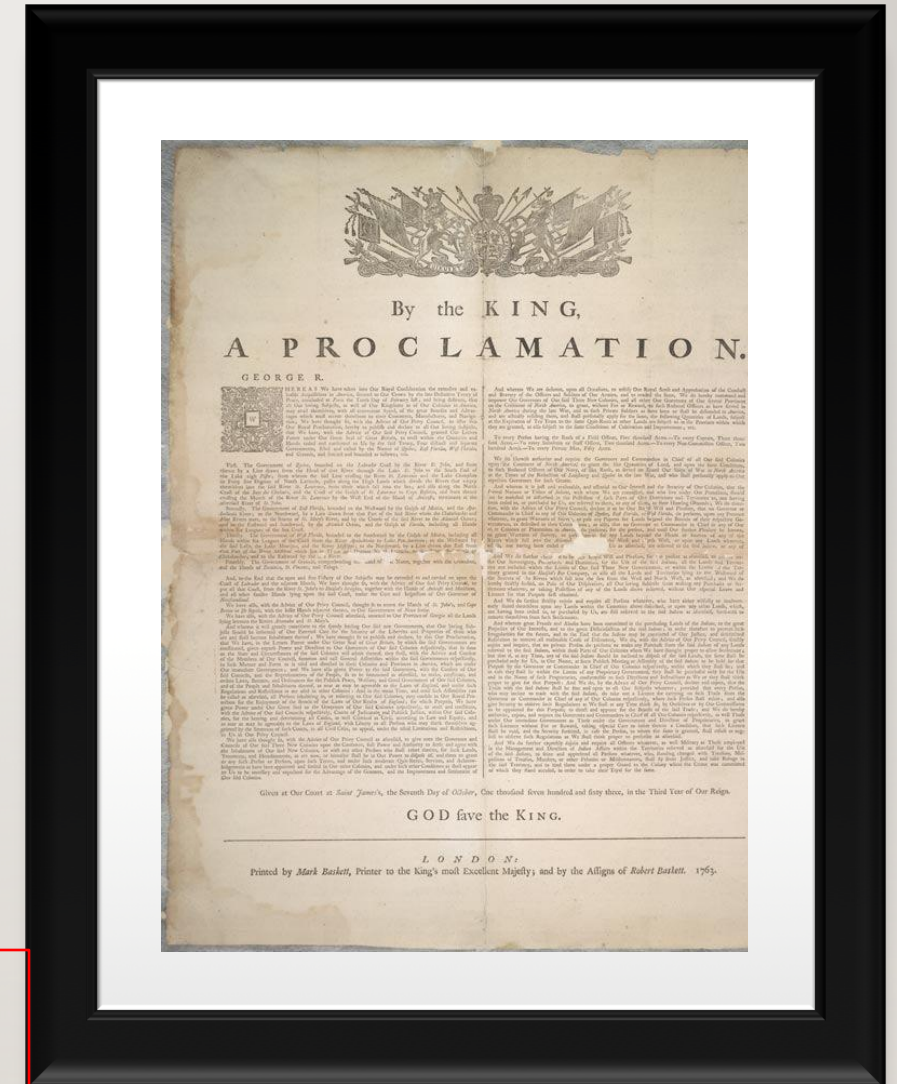


- Treaty-making in North America has its roots in the historical relationship that First Nations had with each other.
- Treaty-making protocols were adopted by Early Explorers, the Fur Trade and others who entered First Nations lands.
- Protocols included: ceremony which solidified the parties spirit and intent, gift giving and exchanges, feasting

ROYAL PROCLAMATION 1763

- Issued by King George III, followed the Seven Years War
- Outlined Treaty-making process between First Nations peoples and the Crown
- Set out conditions under which First Nations lands could be acquired
- The objective was to restore peaceful relations, reassure First Nations about their lands, and establish a long-standing process for Treaty-making to acquire lands
- Covered the northeastern portion of North America

It is the most important document in the history of Treaty-making in Canada – it established certain legal and political principles upon which the Treaty-making process.



THE “INDIAN” CLAUSES IN THE ROYAL PROCLAMATION OF 1763

- “And whereas it is just and reasonable and essential to Our Interest and the Security of Our Colonies, that the several **Nations** or Tribes of Indians, with whom We are connected and **who live under Our Protection**, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories as, **not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds**”
- “And whereas, Great frauds and abuses have been committed in purchasing **Land of the Indians**, to the great Prejudice of Our Interests, and the great Dissatisfaction of the said Indians...”
- “... no private Person do assume to make any Purchase from the said Indians of any Lands reserved to the said Indians, within those Parts of Our Colonies where We have thought proper to allow Settlement; but that, if at any time of the Said Indians should be inclined to dispose of said Lands, the same **shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of said Indians.**”

The “Indian Clauses” had a profound impact on colonial developments with consequences still felt in Canada today.

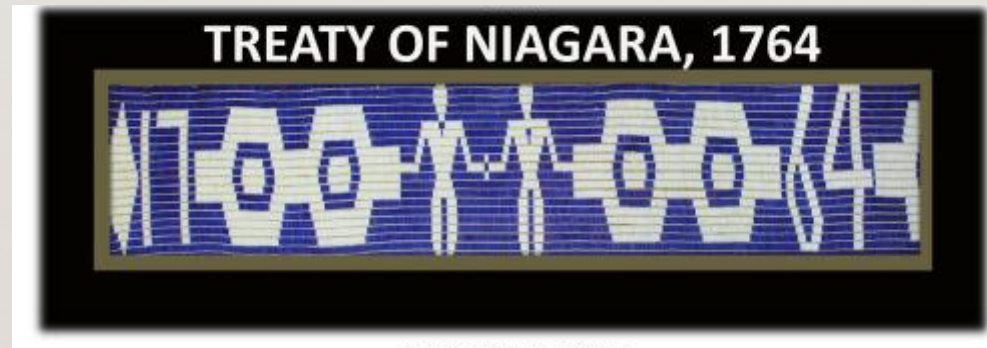
THE ROYAL PROCLAMATION OF 1763 SIGNIFICANCE - RECOGNIZED

- First Nations peoples lived on traditional lands
- Interest in those lands belonged to groups and nations, not individuals
- The Crown (Canada) required an agreement with First Nations peoples to acquire lands from them through a public meeting of their peoples
- First Nations peoples held title to their land unless they surrendered it
- First Nations peoples were under the Crown's (Canada's) protection

These directives, for the Colonies and later Canada, formed the founding principles of all future Treaties for lands. The Royal Proclamation of 1763 protocols combined with the First Nations already established protocols and Treaty-making processes came together to shape all future Treaty-making involving First Nations peoples and other peoples to their lands.

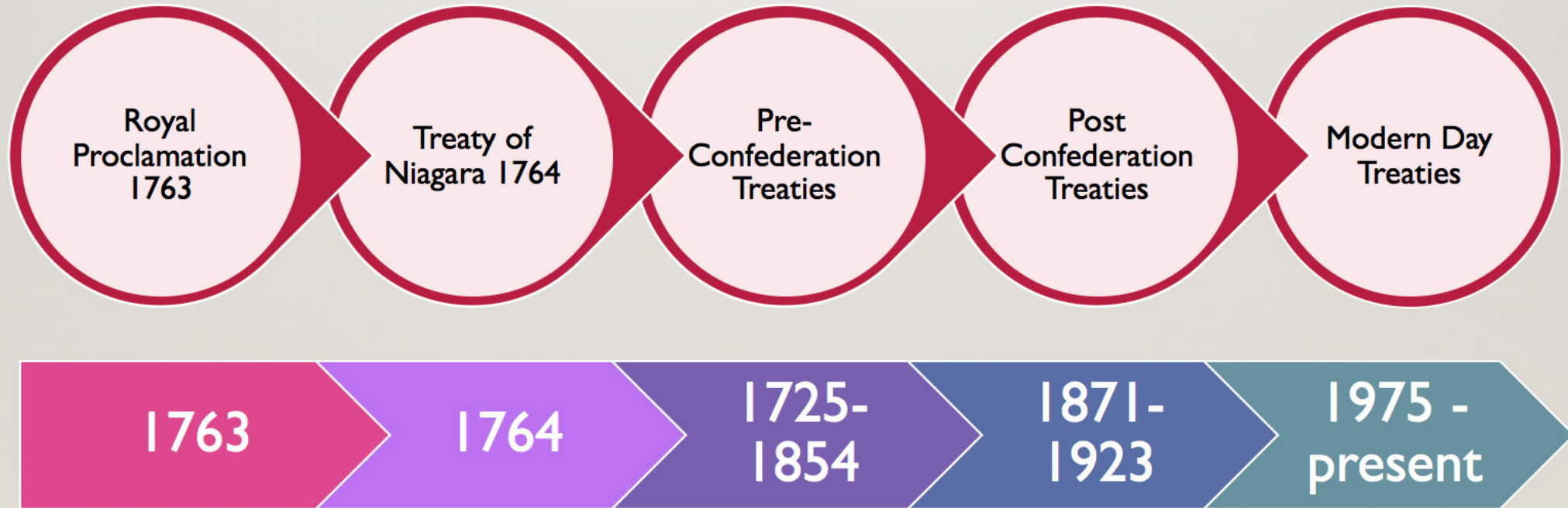
THE TREATY OF NIAGARA SUMMER 1764

- A large conference of over 2,000 First Nations Leaders (24 Nations) was convened at Niagara (the Crooked Place) with Crown representatives for the purpose of establishing agreement on free trade, safe passage into the Interior, peaceful relations, mutual support, and peaceful settlement, with no encroachments
- A Covenant Chain Wampum symbolizing friendship and alliance between First Nations Leaders and the Crown



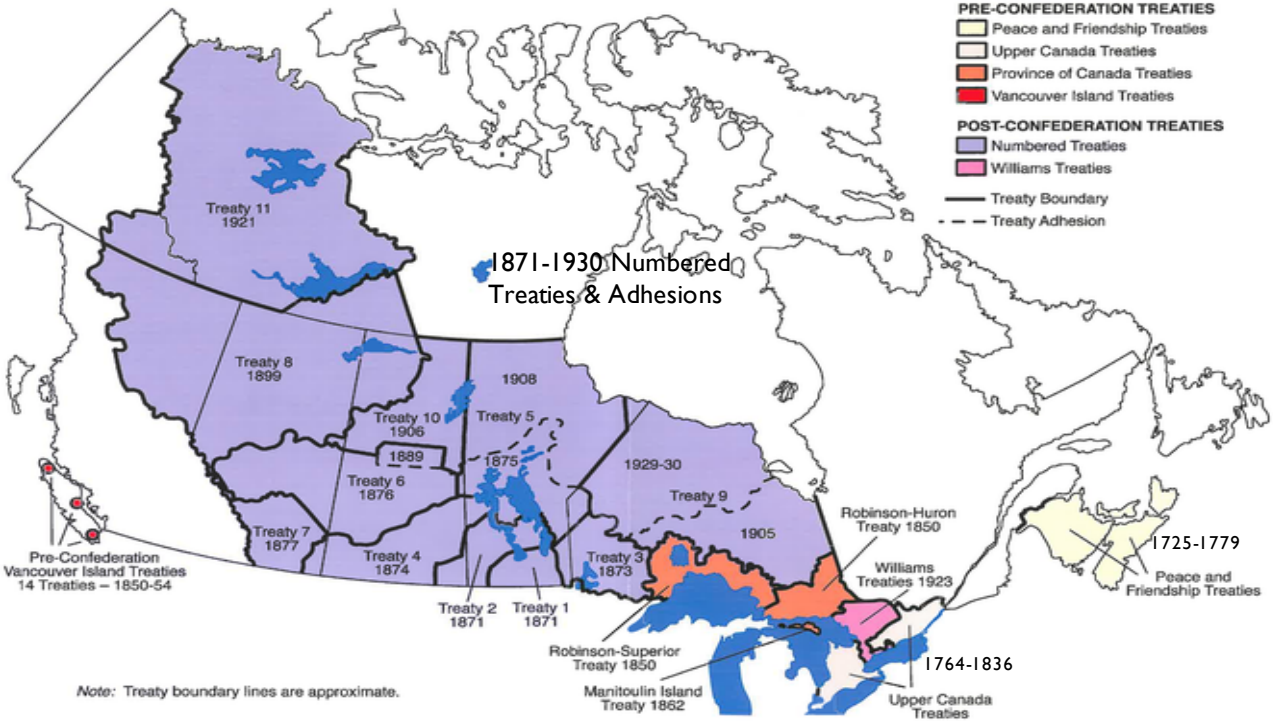
- The Royal Proclamation of 1763 guided the Treaty of Niagara 1764 negotiations.
- Together, they represented a “fundamental document” and a “fundamental agreement” of how the Royal Proclamation of 1763 principles of Treaty-making were implemented and actualized in a formal Treaty.

THE ROYAL PROCLAMATION & TREATY-MAKING IN CANADA



TREATIES IN CANADA FIRST NATIONS & CROWN

Location of Historical Treaty Boundaries in Canada



Note: Treaty boundary lines are approximate.

This map is based on information taken from the Geo Access Division maps.
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TREATIES CONTEMPORARY CONTEXTS

WHO BENEFITS FROM TREATIES?

- Treaties benefit all Canadians but the Treaties also have responsibilities and obligations for both Canadians and First Nations.

WHAT DO TREATIES MEAN TODAY?

- Treaties are the fundamental building blocks of Canada by ensuring the wellbeing of both parties to the agreements through economic and political means. The Treaties also established the long standing peaceful coexistence between First Nations and the Crown.

TREATY RIGHTS

WHAT IS A TREATY RIGHT?

- A Treaty Right is a collective entitlement derived from a Treaty.
- For example, Treaty First Nations have certain entitlements that flow from the Treaties such as, but not limited to, annuities, land and continued traditional livelihood.
- Canadians also have rights that come from the Crown entering into Treaties, such as the right to settle and make a living on the land.

WHAT IS THE TREATY RELATIONSHIP?

- Treaties established the historical Treaty relationship between First Nations and the Crown (Canada).
- The contemporary Treaty relationship with all Canadians is an extension of the historic Treaty relationship.
- All Canadians and New Canadians continue to benefit from this historic relationship - which is why "We Are All Treaty People".



**WE ARE ALL
TREATY PEOPLE**

TREATY RELATIONS COMMISSIONER OF MANITOBA

A group of multicultural students and staff from RB Russell Vocational High School smile as they share in the benefits of being within the Treaty No. 1 territory.

VISIT WWW.TRCM.CA TO LEARN MORE ABOUT YOUR TREATIES.

WHY ARE TREATIES IMPORTANT TO CANADIAN HISTORY?

- Treaties provided the foundation for the historic Treaty relationship between First Nations and the Crown (Canada)
- Treaties are fundamental building blocks of Canada as a country
- Treaties enabled the Crown to gain peaceful access to lands for settlement and occupation from coast to coast
- Treaties established Treaty benefits for First Nations peoples, the Crown (Canada) and its Citizens (past, present, future)

FUNDAMENTAL CONCEPTS TO TREATIES AND THE TREATY RELATIONSHIP

- Treaties were signed between First Nations peoples and the Crown (Canada)
- The Royal Proclamation of 1763 provides the guidelines for Treaty making
- The Treaty of Niagara of 1764 was the first gathering of First Nations with the Crown for the purpose of Treaty making following TRP 1763
- Treaties are solemn agreements, sacred covenants
- Treaties are the building blocks of Canada
- Treaties established the historical Treaty relationship between First Nations and the Crown (Canada), and the contemporary Treaty relationship with all Canadians - all benefit from this historic relationship - which is why "We Are All Treaty People"
- Treaties are evergreen, historical living documents that continue to have application to the present and the future
- All contemporary Treaty issues are related to the Treaties, the historic Treaty relationship, and subsequent Canadian legislation and policies
- The Indian Act is not part of the Treaties, it is a Canadian government policy
- The oral tradition and the written word are both intrinsic to understanding the Treaties and the historic Treaty relationship
- Treaty education is critical to establishing this understanding and an appreciation among all Canadians for the historical importance of Treaties and the Treaty relationship and its relevance to the contemporary Treaty relationship

REFERENCES & FURTHER READING

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