

***TREATY ESSENTIAL LEARNINGS (TELS):  
THE TREATY EXPERIENCE IN MANITOBA***



**IMPLEMENTATION COPY**

**Treaty Relations Commission of Manitoba, September 2011**

## ***Treaty Essential Learning (TELs): The Treaty Experience in Manitoba***

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Produced by the Treaty Relations Commission of Manitoba (TRCM) in partnership with the Assembly of Manitoba Chiefs, Aboriginal Affairs and Northern Development Canada, Manitoba Education, and the Manitoba First Nations Education Resource Centre.

Adapted from the Office of the Treaty Commissioner (OTC) of Saskatchewan's document entitled *Treaty Essential Learnings: We Are All Treaty People* through a protocol agreement between the TRCM and the OTC.

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Cover: Photo of a Treaty Medal commissioned by Canada for presentation to the First Nations leadership who were signatories to Treaties. Photo credit to Library and Archives of Canada.

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## P R E F A C E

The *Treaty Essential Learnings (TELs): The Treaty Experience in Manitoba* is provided by the Treaty Relations Commission of Manitoba (TRCM), with the support of our partners; the Assembly of Manitoba Chiefs; Government of Canada, Aboriginal Affairs and Northern Development Canada; Manitoba Education; and the Manitoba First Nations Education Resource Centre. It is a reference guide for teachers to understanding the foundational aspects of the Treaties and the Treaty relationship and to provide a resource for educators when teaching about Treaties and the Treaty relationship in classrooms. It is part of the TRCM's *Treaty Education Initiative*, which is one aspect of the TRCM's public education mandate that includes the development of Treaty education resource materials.

This document is an adaptation of the Office of the Treaty Commissioner of Saskatchewan's document entitled *Treaty Essential Learnings: We Are All Treaty People*. The adaptation has been made possible through a protocol arrangement between the Office of the Treaty Commissioner of Saskatchewan and the Treaty Relations Commission of Manitoba.

The *Treaty Essential Learnings: The Treaty Experience in Manitoba* captures a series of basic topics, foundational concepts and understandings of Treaties and the Treaty relationship that all students would be expected to learn through the provincial education system, as they move from Pre-Kindergarten to Grade 12. The TELs are organized into the following six categories:

1. Treaties
2. The Treaty Relationship
3. Historical Context of Treaties
4. Worldviews
5. Symbolism in Treaty Making
6. Contemporary Treaty Issues

It is the intention of TRCM that this document will instill a greater appreciation and understanding for the historical significance of Treaties and how the Treaty relationship between First Nations peoples and the Crown has contributed to the development of the Province of Manitoba and to Canada as a nation.

James Wilson  
Treaty Commissioner  
Treaty Relations Commission of Manitoba

## ACKNOWLEDGEMENTS

The TRCM is grateful to the contributions of many people and organizations that have made this document possible.

The TRCM would like to acknowledge the Office of the Treaty Commissioner in Saskatchewan and its staff who were most accommodating when a protocol arrangement to adapt this document was proposed and accepted. The decision to adapt Saskatchewan's Treaty Essential Learnings (TELs) document was made because many of the basic topics, foundational concepts and understandings of the Treaties and the Treaty relationship are familiar to the Treaty experience in Manitoba. For this reason, acknowledgements are extended to the people from Saskatchewan who worked on the Saskatchewan version of the TELs which became the Manitoba template.

The TRCM would also like to acknowledge the **Assembly of Manitoba Chiefs Council of Elders** who provided guidance on the foundational concepts, understandings and symbolism related to the sacredness of the Treaties and the Treaty relationship, including First Nations peoples' worldviews. In addition, the TRCM would like to acknowledge our partners who contributed to the content and assisted with the accuracy of the final document: the **Assembly of Manitoba Chiefs; Government of Canada, Aboriginal Affairs and Northern Development Canada; Manitoba Education**; and the **Manitoba First Nations Education Resource Centre**.

The *Treaty Essential Learnings: The Treaty Experience in Manitoba* is a result of the contributions of many people who carry very specific bundles of knowledge about the Treaties and the Treaty relationship. On behalf of the TRCM we thank you for your contributions.

## **SPECIAL MENTION TO:**

The Assembly of Manitoba Chiefs Council of Elders have shared their knowledge of the Treaties, the Treaty relationship, and their respective nation's worldview in the oral tradition of their *odinawemaaganewan* (their relatives).

The Treaty Relations Commission of Manitoba has been fortunate to have had the ongoing support from the Assembly of Manitoba Chiefs in the form of working directly with their Council of Elders through meetings, gatherings, and opportunities for listening to the teachings of the Elders.

The Elders have shared their wisdom through many talks, dreams and visions, memories of teachings they had received directly from parents, grandparents, past leaders, Elders, and through ceremony. They also drew on personal life experiences on the land and transitions and adaptations they had to make to new ways of life. Their collective wisdom and life journeys enriched the discussions and brought another depth of understanding about the Treaties and the Treaty relationship.

We wish to thank the individual Council of Elders for their contributions to building harmonization and respectful Treaty relationships with all peoples.

I would also like to acknowledge former Treaty Commissioner and Anishinaabe educator Dennis White Bird for his role in promoting Treaty education to all learners and citizens in Manitoba.

Commissioner James Wilson

## ASSEMBLY OF MANITOBA CHIEFS COUNCIL OF ELDERS

**Elder Harry Bone** (Giizis-inini from the Mikinaak Clan) is from Giizhigoowining in Treaty 2 territory. Elder Bone is fluent in the Ojibway and English language. Currently, Elder Bone is doing research on the original Spirit and Intent of Treaty. Elder Bone is a member of the AMC/TRCM Elders Council and also a member of the TRCM's Speakers Bureau. Elder Bone's special interest is the history of Treaties, as well as Federal and Provincial governments. Elder Bone specializes in the First Nations Government at the First Nations community level.



**Elder Helen Cobiness** is originally from Okwewanashko-ziibiing and is the daughter of Andy Acoby and Jenny Pierre. She married into Mashkode-Bizhiki Neyaashiing in Treaty 3 territory. Elder Cobiness and her husband, Eddy are the proud parents of five children. Content at being home first for her children then later grandchildren and great-grandchildren Elder Cobiness has taken the time for the past three years sitting on the AMC Council of Elders advising the Assembly of Manitoba Chiefs and Treaty Relations Commission of Manitoba.



**Elder James Cote** (Makade Makwa from the Makwa Clan) is from Wewezhigaabawing in Treaty 4 territory. He is the son of James and Margaret Cote. Elder Cote attended the Birtle and Brandon Residential Schools from 1947-1957. He had worked as a farm labourer prior to his marriage to Lena McKay in 1967. He was a Band Councillor for 16 years and Ojibwe Language Instructor for 2 years. Currently, he is enjoying his retirement and sitting on the AMC Council of Elders advising the Assembly of Manitoba Chiefs and Treaty Relations Commission of Manitoba.



**Elder William G. Lathlin** is a member of the Opaskwayak Cree Nation located in Treaty 5 territory. His first teachers were his parents Liz and George Lathlin and his grandparents Horace Whitehead and Mary Lathlin. In his early years, Elder Lathlin was raised along with his siblings in the winter camps. He acquired his early education at the Prince Albert Residential School and later earned a Millwright Red Seal and a Diploma in Business Management. Throughout his life, Elder Lathlin has been involved in matters of health, education, and economic and social development. He is currently developing a



land based/traditional teachings program for disengaged youth in his community and remains an active member of the Assembly of Manitoba Council of Elders.

**Elder D'Arcy Linklater** (Wapiskiw-Ma'inkan from the Ma'inkan Clan) is from Nisichawayasihk in Treaty 5 territory. He was raised by his grandparents who taught him to live openly like the water and the river to experience life to the fullest. His great grandfather was Pierre Moose the Chief who made the Adhesion to Treaty #5 with the Crown in Nelson House on July 30, 1908. Elder Linklater has worked as a trapper, fisherman, hunter and miner. Elder Linklater has been Executive Director for his Cree Nation and an elected leader for over fifteen years. Elder Linklater has a keen interest in justice and equal rights for his people. He continues to work tirelessly for his people with the aim of combating injustices and poverty. He seeks sustainable ways to use the natural resources in a way that will provide meaningful opportunity for First Nations people while at the same time providing the protection and respect for the land.



**Elder Doris Pratt** (Duzahan Mani Win) from Wikoza Wakpa, has dedicated her life to revitalizing and preserving the Dakota Language for the benefit of this vibrant and resurging culture, which she has shared with her three daughters and three sons, encouraging them always to take pride in the gifts of the Dakota language and culture. Elder Pratt has her Masters in Education from Brandon University and holds an Educational Specialist Degree from the University of Arizona. Elder Pratt has developed a wide range of Dakota Language related materials for classroom and/or home education, including materials that range from the Primary School Level to Senior Advanced Studies in the Dakota Language.



**Elder Wayne Scott** (Naazhikigaabow from the Mashtadim Clan) is from Gaa-biskigamaag in Treaty 4 territory. Elder Scott has completed extensive research as a member of a dedicated team in Treaty Land Entitlement for his community that was successful in settling the outstanding TLE claim. This work allowed Elder Scott to continue his research and assist other First Nation bands in conducting independent research to file Comprehensive Land Claims. Elder Scott is interested in understanding legislation and policies as they relate and affect Treaty and Aboriginal rights.



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## EXECUTIVE SUMMARY

The Treaty Relations Commission of Manitoba in partnership with the Assembly of Manitoba Chiefs, Aboriginal Affairs and Northern Development Canada, Manitoba Education, and the Manitoba First Nations Education Resource Centre have made a commitment to work together to increase the knowledge and understanding of Treaties and the Treaty relationship for all students in Manitoba. The TRCM has taken the lead on the Treaty Education Initiative as part of the Commission's public education mandate.

The Treaty Essential Learnings are organized as foundational blocks of information which appear in the following six categories:

**PART ONE: Treaty Essential Learning #1 – The Treaties** introduces the Treaties and answers the questions: who, what, where, when and why. In order to become familiar with the intentions of Treaties there is a need for a better understanding of the implications of the Treaties. This learning will introduce the Treaty partners of the numbered Treaties that cover Manitoba.

**PART TWO: Treaty Essential Learning #2 – The Treaty Relationship** emphasizes that the Treaties established a new relationship. The Treaties outlined how this relationship was to be honoured and maintained for the peace and good order of the country. Both parties to the Treaties agreed to responsibilities which would nurture the Treaty relationship into perpetuity.

**PART THREE: Treaty Essential Learning #3 – The Historical Context of Treaties** is a chronological list of historical events which affected First Nations peoples and the Treaty making process. During and after the time of Treaty-making, the government implemented other policies directed at First Nations peoples. Many of these policies have had negative intergenerational effects. Understanding the historical events context of Treaties is critical to developing an appreciation of the Treaty-making era.

**PART FOUR: Treaty Essential Learning #4 – The Worldviews** provides a better understanding of the differing worldviews of the Treaty partners. It is essential to understand the worldviews to understand the differing perspectives involved when interpreting the Treaties for implementation.

**PART FIVE: Treaty Essential Learning #5 – Symbolism in Treaty Making** explains the significance of the objects and actions used in Treaty negotiations. The meanings of the symbols are explained.

**PART SIX: Treaty Essential Learning #6 – Contemporary Issues** is a compilation of some of the issues that have arisen since the time of Treaty-making. Understanding of the first five Treaty Essential Learnings provides a basis for making connections to contemporary issues. This greater

understanding will assist in making more accurate observations of the Treaty relationship.

An essential part of understanding Treaties in Manitoba is the Dakota peoples experience. The Dakota did not currently have a formal Treaty with the Crown (Canada). However, they are an integral part of the First Nations Community in Manitoba and continue to have a unique relationship with the Crown (Canada) and its representatives. Therefore, the Dakota peoples are included as an important part of this document.

The TEL document is intended to instill a greater appreciation of the historical significance of Treaties and how the Treaty relationship between First Nations peoples and the Crown (Canada) has contributed to the development of the Province of Manitoba and to Canada as a nation.

*Treaties were made between various nations for peace, friendship, non-interference and sharing of lands and resources... When our forefathers signed the Treaties, they believed that our lands would provide home bases, which would provide sustenance, as they always had done – as long as the sun shines, the grass grows and the rivers flow.*

(Assembly of Manitoba Chiefs, former Grand Chief Ron Evans, 2010)



Beaded Runner presented to the Legislative Assembly of Manitoba, 12 May 2010.

*As ratified by the AMC Chiefs-in-Assembly in Resolution Mar10-04, the AMC supports the continued development of Treaty curriculum for all grade levels and call upon both the federal and provincial governments to fund the development of mandatory curriculum as Treaties for students in all schools in Manitoba. The TELS is an essential document for students to start learning the true history of Manitoba and the role of First Nations as the original people in our original country.*

(Assembly of Manitoba Chiefs, Grand Chief Derek Nepinak, Niibin Makwa, 2011)

# PART ONE: Treaty Essential Learning #1

## The Treaties

Treaties between the First Nations peoples and the British Crown are the building blocks in the creation of the country of Canada (Aboriginal Affairs and Northern Development Canada (AANDC), 1997), and provide for peace and good order for all people in Canada (Office of the Treaty Commissioner (OTC), 1998).

The Treaties are agreements, voluntarily entered into by both parties, which provide for peaceful relations between the two nations. For First Nations peoples, the Treaties are more than a simple written document; they are sacred agreements between the First Nations peoples and the British Crown with the Creator as witness. They are “living,” permanent, foundational agreements based on the synthesis of two worldviews: the oral traditions (values & natural laws) of the First Nations peoples and the written traditions and common law of the Crown who represented the Newcomers.

The Treaties were based on the First Nations peoples’ natural laws which guided the spirit and intent of the Treaties. These natural laws rested on balance, harmony, and reciprocity. The First Nations peoples’ intended that the Treaties would result in a sharing of the land; and they understood according to natural laws, the Crown would provide them with an exchange for sharing the land. The Crown’s exchange of rights came in the form of obligations that they promised to provide, such as the right for First Nations to retain their own way of life, and other benefits that would preserve their existence.

Treaties were to provide both sides with the means of achieving survival and socio-economic stability, anchored on the principle of mutual benefit (OTC, 1998). Treaty-making was a process that allowed for the peaceful creation of Canada.

### HISTORY OF TREATIES

It is important to understand the nature and significance of the Treaties:

- The Treaty parties, why, when and where they were entered into;
- Pre-Treaty developments;
- The intended benefits; and
- International Law that defines, protects and recommends achievable ways of implementing Treaties.

- 1. The Treaty Partners:** There are two Treaty partners: the First Nations peoples and Canada (formerly the British Crown); with the Creator (God) as witness.

The Indigenous Peoples/First Nations peoples are the original inhabitants of North America. They were sovereign nations who exercised their powers to negotiate and agree to international arrangements. For thousands of years prior to contact, the land that is now Manitoba was occupied by diverse groups of First Nations peoples. They are known as the Anishinaabeg (Ojibway), Anishiniwak (Oji-Cree), Dakota, Dene and Nehowak/Ininiwak (Cree). These were the original inhabitants of the lands that make up Manitoba.

At the time of Treaty negotiations in Manitoba, beginning in 1871, Canada (Crown) appointed representatives known as Indian Commissioners to negotiate Treaties with the First Nations peoples. In Manitoba, these negotiations included the Lieutenant-Governor, and other individuals such as members of the Legislative Assembly of Manitoba and officers of the Hudson's Bay Company (Morris, 1991, pp 25 and 43). The Treaty negotiations in Manitoba with the First Nations peoples were consistent with principles of The Royal Proclamation of 1763 which required the Crown (Canada) to have a public meeting with First Nations peoples to acquire lands from them, essentially recognizing that the First Nations peoples lived on traditional lands, held title to their land unless they surrendered it, and would come under the protection of the Crown (Canada) once a Treaty was signed.

The Creator or God is considered witness to the Treaties. It is to the Creator that the promises were made, therefore; they continue to be considered sacred.

- 2. Definition of Treaties.** A Treaty is “an agreement, especially one between nations, signed and approved by each nation” (DeWolf et al., 1997, p.1560). The Supreme Court of Canada defines Treaties as: “What characterizes a Treaty is intention to create obligations, the presence of mutually-binding obligations and a certain measure of seriousness” (R. v. Sioui, 1990, p.18).
- 3. First Nations Peoples Treaty-Making.** Prior to Treaty-making between the First Nations peoples and the Newcomers, First Nations entered into agreements with other First Nations to share lands for trapping, hunting or gathering purposes. They were prepared to enter into a similar agreement with the Crown that would allow for “agowidiwin” (Treaty) meaning bringing things together, sharing what each other has (Assembly of Manitoba Chiefs, Council of Elders, Elder Bone, 2011). The primary reason for the internal Treaties was to allow for equitable and fair access to resources. Therefore, when the First Nations peoples entered into Treaty with the British Crown they assumed that the same type of relations would follow (R. v. Sioui, 1990).

**4. First Nations Peoples of Manitoba Treaty Concepts in the Oral Tradition:**

The Treaties or Agowidi'iana (Anishinaabeg) or Asitamakewin (Anishiniwuk) (Flett et al, 2010) or Yunize tsabanalya dene elelot'ine eleltsi ni erehtl isi (Dene – the time people built relationships and dispersed funds and documents) (Herman & Toutsaid-Gordon, 2010) or Okadakchiyapi (Dakota) (Assembly of Manitoba Chiefs, Doris Pratt, 2010) were based on the First Nations peoples' principles of: “kitagi'inan (Nehow/Ininiw – our land belongs to all of us), “magi'aski (Nehow/Injniw – we all make a living from the land) (Assembly of Manitoba Chiefs, Darcy Linklater, 2011). Treaty making or Onak'go'nagewin (Anishinaabeg) or Sooniyaka awesjikewin (Anishiniwuk) or Okadakchiyapi kaghapi (Dakota, meaning relationship making, friendship) included the spiritual and ceremonial concepts of the Treaty making process: “sagasedewin” (Anishinaabeg – smoking the pipe), and “sagasedewag asho'da'mayewinan (Anishinaabeg – Treaty promise) (Assembly of Manitoba Chiefs, Council of Elders, 2010). Appendix 2 provides a listing of additional Treaty related terms in the First Nations peoples' languages in Manitoba.

**5. Royal Proclamation of 1763.** In 1763 King George III issued The Royal Proclamation which established certain legal and political principles upon which the Treaty making process was founded from the Crown's perspective (R.v.Sioui,1990).

The Royal Proclamation of 1763 recognized that:

- 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 and the First Nations peoples established Treaty making process came together in all future Treaty making processes.

**6. Pre-Confederation Treaties.** Prior to Confederation in 1867, the First Nations peoples and Newcomers had a long history of diplomacy that resulted in different types of peace and friendship, military, and economic agreements or Treaties. The early pre-Confederation Treaties from 1781 to 1862 were primarily peace and friendship Treaties and those involving land negotiations. The Upper Canadian Treaties of 1818 to 1862 'reflected a shifting nature of Native-Newcomer relations in British North America. Most noticeably after 1840, the personnel that the government sent to make Treaty with First Nations peoples were representative of the settler government, and not the earlier military-diplomatic tradition' (Miller, 2009, p. 117). The terms of the Robinson Treaties were significant because they dealt with large territories of

land, recognized First Nations hunting and fishing rights, and included provisions for annuities. All these elements became important elements to Treaty-making in western Canada after 1867 (Ibid., p. 118).

The Selkirk Treaty of 1817 is an example of a pre-Confederation Treaty in Manitoba which was negotiated by The Earl of Selkirk, also known as the Lord Selkirk and Thomas Douglas, with the Anishinaabeg (Ojibway) and Nehowak/Ininiwak (Cree) First Nations peoples residing along the forks of the Red and Assiniboine Rivers in the territory of Rupert's Land. Lord Selkirk negotiated this Treaty for the purposes of establishing a colony at the Red River using the guidelines outlined by The Royal Proclamation of 1763. Not all the historic Treaties that were negotiated with the First Nations peoples are recognized by Canada. Approximately seventy historic Treaties are recognized by Canada (Leslie, n.d.).

7. **First Nations Peoples (Aboriginal) Custom Law Rights.** First Nations peoples have custom law rights which are specific to them because of their historical occupancy of the lands. First Nations custom law is the law of the land, their traditional territories. The Royal Proclamation of 1763 recognized First Nations as sovereign nations with their own rights and required newcomers to negotiate Treaties with the First Nations before occupying their lands. The Crown acknowledged these rights and required Newcomers to respect these rights as a rule of law before First Nations land was obtained and opened up for settlement. The Crown was required to make Treaties with First Nations to deal with First Nations peoples' rights.
8. **Canadian Confederation 1867.** At the time of Confederation, the union to be known as the Dominion of Canada was created by the British North America Act. At this time, the Canadian government had control over internal (domestic) affairs. Confederation included terms relevant to western Treaty-making: one was the provision for entry of new territories such as Rupert's Land and the North-western Territories; and the second was the assigned jurisdiction over "Indians and lands reserved for Indians" to the Parliament of Canada (Miller, 2009, p.129).

The new government launched two waves of Treaty making:

- (a) the first opened the prairies for farming and the railway; and
- (b) the second opened the north for mining and logging.

From Canada's perspective, land was the central impetus for negotiating the Treaties (OTC, 2007).

9. **Treaty Adhesions.** Treaty adhesions were signed because some First Nations were not present at the original Treaty negotiations. The Treaty adhesion process was just as significant as the Treaty

*Treaty Adhesions are sacred agreements that created an ongoing relationship with the Crown, just as the original Treaties.*

(OTC, n.d.)

negotiation process. Adhesions were signed with First Nations peoples throughout the areas that were dealt with in the initial Treaty negotiations and often continued for several years, sometimes decades, following the negotiations. First Nations peoples who adhered to existing Treaties are subject to the same conditions as the original signatories. Likewise, the Crown is also subject to the same conditions and obligations. For example in Manitoba, Treaty 5 Adhesions were negotiated and signed between June 1908 and 1910. This Adhesion included a significant number of First Nations peoples from Fort Churchill, Fox Lake, Garden Hill, God's Lake, God's River, Island Lake, Nisichawayasihk, Oxford House, Red Sucker Lake, Shamattawa, St. Theresa Point, Tataskweyak, Wasagamack and York Factory.

- 10. The Numbered Treaties.** From 1871 to 1921, a series of eleven Treaties were negotiated by various Indian Commissioners with First Nations peoples who occupied lands covering the western provinces and northeastern British Columbia, northwestern Ontario, northern Ontario and the western portion of the Northwest Territories. The Numbered Treaties contained numerous provisions: one-time payments to Chiefs and Headmen; a census; clothing; annuity payments; education; prohibition of intoxicants; creation of reserves; farm stock; agricultural equipment; ammunition; twine for nets; and flags. Treaty 6 included provision for a medicine chest, as well as food in case of pestilence and famine (Leslie, n.d.).

The Numbered Treaties are held in high esteem by the descendants of the original signatories and serve to define the historical Treaty relationship between First Nations peoples and the Crown (Canada). Treaties 1, 2, 3, 4, 5, 6 and 10 cover areas in what is now Manitoba.

**Treaty 1 (1871)**, Treaty No. 1 was negotiated and signed in August 1871 at Lower Fort Garry. Current First Nations that are part of Treaty No. 1, are: Brokenhead, Long Plain, Peguis, Roseau River, Sagkeeng, Swan Lake and Sandy Bay. The Dakota people within Manitoba do not have Treaties with the Crown; however, their land is considered reserve land under Canada's Indian Act. The Dakota Oyate communities within the Treaty No. 1 area include: Dakota Tipi and Dakota Plains (Treaty Relations Commission of Manitoba, 2010).

**Treaty 2 (1871)**, is primarily in the province of Manitoba but also covers a small area of Saskatchewan, although no Treaty 2 First Nations peoples reside in Saskatchewan. This Treaty was negotiated in Lower Fort Garry and agreed to in 1871 at Manitoba House. The First Nations that are part of Treaty No. 2 are: Dauphin River, Ebb and Flow, Keeseekoowenin, Lake St. Martin, Lake Manitoba, Little Saskatchewan, O-Chi-Chak-Ko-Sipi, Pinaymootang, and Skownan. Riding Mountain National Park and Duck Mountain Provincial Park are within the Treaty No. 2 area.

**Treaty 3 (1873)** was negotiated and signed in October 1873. Treaty 3 area lies mostly within the borders of Ontario; however, Buffalo Point First Nation is part of Treaty No. 3. Although Sagkeeng First Nation is a Treaty 1 nation; it is also a member of the Grand Council of Treaty 3. Both First Nations are located in present day Manitoba. Much of the Whiteshell Provincial Heritage Park is within the Treaty No. 3 area.

**Treaty 4 (1874)** was negotiated and signed in September of 1874 at Fort Qu'Appelle, Saskatchewan. The larger portion of the Treaty area can be found in Saskatchewan; however, a small part of western Manitoba is covered by Treaty No. 4. First Nations that are part of Treaty No 4 include: Gamblers, Pine Creek, Rolling River, Tootinawaziibeeng, Waywayseecappo and Wuskwi Sipiik.

**Treaty 5 (1875)** was negotiated and signed by the largest number of First Nations communities within Manitoba at different locations and times. The first negotiation and signing of Treaty No. 5 occurred at Berens River in 1875. The First Nations that entered into Treaty No. 5 include: Chemawawin, Berens River, Black River, Bloodvein, Pimicikamak, Fisher River, Misipawistik, Hollow Water, Kinonjeoshtegon, Mosakahiken, Norway House, Opaskwayak and Poplar River.

**Treaty 5 Adhesion (1908 - 1910)** was negotiated and signed between June 1908 and 1910. The First Nations that entered into Treaty No. 5 through adhesions include: Sayisi Dene, Fox Lake, Garden Hill, God's Lake, Manto Sipi, Nisichawayasihk, Bunibonibeee, Red Sucker Lake, Shamattawa, St. Theresa Point, Tataskweyak, Wasagamack and York Factory.

**Treaty 6 Adhesion (1876)** was signed and negotiated in August and September of 1876. The bulk of Treaty No. 6 exists within present day Saskatchewan. With the disappearance of buffalo herds, the declining fur prices and the introduction of new diseases, First Nations peoples acknowledged the need for education and agriculture as a new means of ensuring an adequate livelihood for future generations; therefore they agreed to share their lands in exchange for the Queen's benevolence and protection. The First Nations that entered into Treaty No. 6, within Manitoba, are Mathias Colomb and Marcel Colomb.

**Treaty 10 (1906)** was negotiated and signed in August 1906 in northern Saskatchewan primarily due to the declining fur prices and game. This Treaty covers the First Nations within Manitoba known as Barren Lands and Northlands. The majority of Treaty 10 exists in northern Saskatchewan. Since the land was largely unsuitable for agriculture, the government was not interested in making Treaty until the discovery of gold in the Klondike. The discovery of gold brought an influx of miners, leading to hostilities between First Nations peoples and the miners. The negotiation of Treaty 10 was important to bring stability to the region.

11. **Modern Treaties.** After the Numbered Treaties were agreed to, there were still many First Nations groups that were not included in any Treaties. This prompted the parties to formulate modern Treaties in other parts of Canada. The modern Treaties include the 1975 James Bay and Northern Quebec Agreement, the 1993 Nunavut Treaty and the British Columbia Nisga'a land claim settlement. In Manitoba, the Dakota were not signatory to any of the numbered Treaties.
12. **The Treaty Making Process.** Both the Crown and First Nations peoples practiced their own customs in sanctioning the Treaties. The Crown had lawyers and government officials and the First Nations peoples had Chiefs, headmen, spiritual women, and Elder advisors and spiritual leaders. Most were authorized to carry out a process of negotiation and consultation; however, there was some resistance to Treaty negotiations from some First Nations peoples who were skeptical of the Crown's promises. For First Nations peoples, it is customary to approve important matters through spiritual ceremonies. During the Treaty signing process, the First Nations peoples conducted spiritual ceremonies because they believed the Creator must be part of the arrangement in order for the Treaties to be validated.

The following are important elements to the Treaty-making process. Some of these elements are shared with the Crown and others are not.

- **Treaties Are More Than Promises.** Both the Crown and the First Nations peoples agreed to and entered into solemn promises, vowing to provide socio-economic stability and physical and cultural survival. These solemn agreements were based on the assumption of mutual respect for all aspects of life, including the spiritual, political, economical, traditional and social values of one another. Both parties acknowledged the Creator (God) as witness to the ceremony of Treaty making and the promises that were made by each party to each other.
- **Treaty Obligations.** Treaties create obligations for the Treaty partners. After negotiations, both the Crown and First Nations peoples had agreed to obligations in the Treaties. The First Nations peoples agreed to share their land with the Newcomers; the government agreed to deal with the changes that First Nations peoples encountered as a result of the Newcomers influx and agreed to protect their existence as distinct societies. The Treaty-making process was a means for the Crown (Canada) to continue the vision of uniting the East coast of the Dominion of Canada with the West coast.

*When [Treaty 6 First Nations] finally agreed to the Treaty, the Commissioner took the promises in his hand and raised them to the skies, placing the Treaties in the hands of the Great Spirit.*

(Cardinal & Hildebrandt, 2000, p. 7)

- **The Treaties Are A Legal Undertaking.** The Treaties are recognized by Canadian law as a legitimate way of reconciling the interests of First Nations peoples with the interests of the immigrating Newcomers. The Treaties are recognized as solemn, sacred and lasting agreements that create legally enforceable obligations. Since 1982, Treaty rights are protected by the Canadian Constitution (the supreme law of the land) in Section 35 which recognized and affirmed “existing Aboriginal and Treaty rights” (Canada, Constitution Act, 1982, s.35).
- **Treaties Are Sui Generis.** From the First Nations peoples’ perspective, Treaties are *sui generis*, which is a legal term that refers to the fact that something is unique or different (McNeil, 2006). First Nations peoples maintain that they were sovereign nations at the time of Treaty-making; they had laws predating the Crown’s sovereignty which meant they had jurisdiction over the lands that they occupied. The guidelines from The Royal Proclamation of 1763 stated that First Nations peoples’ lands could only be acquired by purchase or Treaty. From the First Nations peoples’ perspective, the Royal Proclamation of 1763 recognized First Nations peoples’ jurisdiction over their lands and their sovereignty as nations. The Crown protected their interests in First Nations peoples’ land by entering into Treaties with First Nations peoples, which First Nations peoples believe are *sui generis*, unique on to themselves.
- **The Benefits for Treaty-Making to Newcomers and First Nations.** Both parties to the Treaty-making process benefited from The Numbered Treaties. The Crown represented the Newcomers and the First Nations were represented by their respective leaders.

**(a) Treaty Benefits to the Newcomers (as represented by the Crown):**

As a Treaty settlement, the Crown believed they were to receive:

- peaceful access to lands for settlement, farming, railways, and development;
- peaceful settlement in the west;
- minimal costs for westward expansion and prevention of costly wars with the First Nations peoples; and
- protection for western lands by creating a barrier to American expansion.

These benefits became a reality as the Crown settled the land from sea to sea, eventually building the nation now known as Canada.

### **(b) Treaty Benefits to the First Nations:**

As a Treaty settlement, First Nations peoples believed they were receiving:

- physical survival of their nations;
- peaceful relations with the Newcomers through ongoing equitable relations;
- respect for cultural and spiritual survival as distinct nations by the preservation of their distinctive traditions and institutions; and
- a transition to a new lifestyle by learning different technologies within education, economics, health and other benefits.

Some of these benefits became a reality and others remain outstanding matters yet to be settled between the impacted First Nations communities and the Crown, now represented by the Government of Canada. This is the reason such processes as the Treaty Land Entitlement (TLE) Framework Agreement was signed between Canada, Manitoba and 27 Manitoba First Nations as a means of addressing the shortfall of land allocations under Treaties.

- 13. The Provisions of Treaty.** In contemporary terms, Treaties are considered *evergreen*. The Treaties are not frozen in time and are understood to be evolving to suit the conditions of the day and they are also unchangeable. In matters of interpretation Canada's Supreme Court has ruled that legislation is "subject to accommodation of the Aboriginal peoples' interests, in accordance with honour and good faith of the Crown" (Delgamuukw v. British Columbia, 1997, p.242).

The most common provisions of the written Treaties for First Nations peoples and the Newcomers in present-day Manitoba can be found in the following charts:

### TREATY 1 (3 AUGUST 1871) LOWER FORT GARRY

Treaty 1 was the first of eleven numbered Treaties that the Canada (Crown) signed with First Nations peoples in the western part of the continent. Provision was made for the admission of Rupert's Land and the adjacent North West Territory to the Canadian Union through the Rupert's Land Act, 1868.

The acquisition of this territory was imperative if Canada was to become the transcontinental nation envisaged by the Fathers of Confederation.

During this time First Nations peoples co-existed peacefully with their relatives, the Métis. As part of their fear of being dispossessed, the Métis quickly organized to form a provisional government under the leadership of Louis Riel; and the First Nations peoples took measures to protect their interests by requesting to Treaty with Canada (Crown) despite their experience with the Selkirk Treaty, 1817 which remained in dispute. During this time, the U.S.A. followed a belief of 'manifest destiny', where the Americans wanted to expand wherever lands were unsettled. This was a threat to Canadian lands as they were not yet settled in the west.

Canada (Crown) was aware of the danger these situations posed to them. Canada (Crown) quickly established an armed presence at the Red River Colony which became known as the province of Manitoba (Canada, Manitoba Act, 1870); and commissioned Wemyss Simpson, Indian Commissioner to go and Treaty with the Indians to ensure a hold in the area (Daugherty, 1983).

| Provisions for First Nations Peoples   | Provisions for Newcomers  |
|--|---|
| <ul style="list-style-type: none"> <li>• Initial annuities in 1871 (\$3/per person);</li> <li>• Amended annuities in 1875 (\$5/per person, \$20 to Chief &amp; Headmen and a suit of clothing every 3 years);</li> <li>• Reserves land equal to 160 acres per family of 5;</li> <li>• Schools (education);</li> <li>• Mutual obligation of peace and goodwill;</li> <li>• "Outside promises" dealt with in 1875 resulted in amendments that included farming implements, stock &amp; seed, a buggy for each Chief.</li> </ul> <p>Outstanding claim disputes continue to be addressed by Canada in consultation with First Nations peoples.</p> | <ul style="list-style-type: none"> <li>• Westward expansion of settlement in a large tract of land in the southern part of present day Manitoba, from the international border of Lake of the Woods north along the Winnipeg River to the mouth of Lake Winnipeg, west to Lake Manitoba along its western shoreline, south to the international boundary and back to Lake of the Woods;</li> <li>• Established a strong Canadian presence in the West as settlement was quickly organized;</li> <li>• Mutual obligation of peace and goodwill;</li> <li>• Avoided war with First Nations peoples and created an alliance with them;</li> <li>• Alleviated some of the threat of USA expansion by settling on the land.</li> </ul> |

## TREATY 2 (21 AUGUST 1871) MANITOBA POST

Treaty 2 was signed at Manitoba Post on the 21<sup>st</sup> of August 1871, as part of a previous promise the Crown had made to treat with the First Nations peoples in their own localities.

The signing of Treaty 2 followed the same suit as Treaty 1 with the First Nations peoples and Crown agreeing to the same terms and conditions.

| Provisions for First Nations Peoples  | Provisions for Newcomers   |
|---|--|
| <ul style="list-style-type: none"> <li>• Initial annuities in 1871 (\$3/per person);</li> <li>• Amended annuities in 1875 (\$5/per person, \$20 to Chief &amp; Headmen and a suit of clothing every 3 years);</li> <li>• Reserves land equal to 160 acres for each family of 5;</li> <li>• Schools (education);</li> <li>• Mutual obligation of peace and goodwill;</li> <li>• “Outside promises” dealt with in 1875 resulted in amendments that included farming implements, stock and seed, a buggy for each Chief (Daugherty, 1983).</li> </ul> <p>Outstanding claim disputes continue to be addressed by Canada in consultation with First Nations peoples.</p> | <ul style="list-style-type: none"> <li>• Westward expansion and settlement of land, beginning at the mouth of the Winnipeg River, running along the eastern shore of Lake Winnipeg to the mouth of Beren’s River; to Dauphin River; to St. Martin’s Lake, and along the north bank of the stream from Lake Manitoba; to the eastern and northern shores of Lake Manitoba to the Waterhen River; to Waterhen Lake; across Lake Winnipegosis; to Shell River; crossing the Assiniboine River; to Fort Ellice; to the Moose Mountains, to the United States frontier; to the mouth of Winnipeg River.</li> <li>• Established a strong British presence in the West as settlement was quickly organized;</li> <li>• Mutual obligation of peace and goodwill;</li> <li>• Avoided war with First Nations peoples and created an alliance with them;</li> <li>• Alleviated some of the threat of US expansion by settling on the land.</li> </ul> |

### **TREATY 3 (3 OCTOBER 1873) AT NORTH-WEST ANGLE LAKE OF THE WOODS**

The Crown, as represented by the Dominion of Canada and the First Nations peoples entered into Treaty 3 at the North-West Angle of the Lake of the Woods on the 3<sup>rd</sup> of October 1873.

Subsequent Treaty 3 adhesions with the remaining First Nations peoples in this territory were signed on 13 October 1873 and 9 June 1874. These negotiations were slow and cumbersome as the First Nations peoples in these territories had knowledge of the terms of Treaties 1 and 2, and those being offered by the United States of America (U.S.A). They also understood the value of the territory they were being asked to cede (Daugherty, 1983). As a result, these Treaty Adhesions were negotiated and carried on for three years.

| <b>Provisions for First Nations Peoples</b>  | <b>Provisions for Newcomers</b>   |
|--|---|
| <ul style="list-style-type: none"> <li>• Annuities (\$12 per/person at Treaty signing, \$25/Chief, \$15/Headmen annually);</li> <li>• Per Chief, medal and flag for signing Treaty;</li> <li>• Chief and Headmen clothing every three years;</li> <li>• Reserves land equal to 640 acres for each family of 5;</li> <li>• Farming implements, stock and seed;</li> <li>• Hunting and fishing (livelihood);</li> <li>• Schools for instruction (education);</li> <li>• Mutual obligation for peace and goodwill (Price, 1991).</li> </ul> | <ul style="list-style-type: none"> <li>• Land that covered an area of 14,245,000 hectares of land for agriculture, settlement, timber and mineral discovery; (Daugherty, 1983).</li> <li>• Government right to appropriate reserve lands with compensation to First Nations peoples;</li> <li>• Secured communication with the North-West Territories, including the route of the future Canadian Pacific Railway, thus securing a gateway to the West; (Daugherty, 1983).</li> <li>• Mutual obligation for peace and goodwill;</li> <li>• Alleviated some of the threat of US expansion by securing dominion over this territory.</li> </ul> |

### TREATY 4 (1874) AT FORT QU'APPELLE AND FORT ELLICE

The First Nations within the territory covering Treaty 4 viewed Treaty as a symbol of the Queen's protection against loss of land and livelihood. First Nations anticipated settlement and changes that were threatening their way of life, such as reduction in the number of buffalo and fur-bearing animals. These changes also included a breakdown in trade relationships, intrusions into their territories by the Métis and newcomers, and development of the south by the United States.

Treaty 4 resulted in the Crown's acquisition of the southern portion of present day Saskatchewan (Taylor, 1985) and a small portion of west central Manitoba.

| Provisions for First Nations Peoples   | Provisions for Newcomers  |
|--|---|
| <ul style="list-style-type: none"><li>• Annuities (\$5/person, \$15/headmen, \$25/Chief);</li><li>• Chief &amp; Headmen clothing every 3 years;</li><li>• Reserves of 640 acres for each family of 5;</li><li>• Agricultural implements, stock and seed;</li><li>• Schools (education);</li><li>• Hunting, fishing and trapping (livelihood);</li><li>• Mutual obligation of peace and goodwill.</li></ul> | <ul style="list-style-type: none"><li>• Westward expansion of settlement in most of the southern part of present-day Saskatchewan (land between Fort Ellice and forks of the Saskatchewan including Saskatchewan Valley and Qu'Appelle Valley);</li><li>• Government right to appropriate reserve lands with compensation to First Nations peoples;</li><li>• Mutual obligation of peace and goodwill;</li><li>• Avoided war with First Nations peoples and created an alliance with them;</li><li>• Alleviated some of the threat of US expansion by settling on the land.</li></ul> |

## TREATY 5 (1875) AT BEREN'S RIVER AND NORWAY HOUSE

Treaty 5 originated in two historical processes. This was unique to the western Treaty process:

- (a) The southern part, negotiated in 1875, was one of the southern Prairie Treaties, and was in large part a result of the insistence of the Native people of that region that their Aboriginal rights be recognized by the Canadian government, which had recently acquired title to their lands.
- (b) The northern part of Treaty 5 was negotiated in 1908.

The First Nations peoples were experiencing the negative effects of the influx of Newcomers. The lack of animals contributed to famine.

The government wanted to open up Lake Winnipeg as a transportation route and the shore for settlement. These combined circumstances led both parties to Treaty negotiations (Coates and Morrison, 1986).

Treaty 5 covers the largest area in present day northern Manitoba.

| Provisions for First Nations Peoples   | Provisions for Newcomers   |
|--|--|
| <ul style="list-style-type: none"> <li>• Annuities (\$5/person, \$15/headmen, \$25/Chief);</li> <li>• Chief &amp; Headmen clothing every 3 years;</li> <li>• Each Chief a suitable flag and medal (AANDC, 2007)</li> <li>• Reserves of 160 acres for each family of 5;</li> <li>• Agricultural implements, stock and seed;</li> <li>• Schools and a teacher (education);</li> <li>• Hunting and fishing (livelihood);</li> <li>• Schools for instruction (education);</li> <li>• Mutual obligation of peace and goodwill.</li> </ul> | <ul style="list-style-type: none"> <li>• Large tract of land in northern Manitoba covering an estimated area of one hundred thousand square miles;</li> <li>• Government right to appropriate reserve lands with compensation to First Nations peoples;</li> <li>• Lake Winnipeg was free for navigation;</li> <li>• Land and the shore was opened up for settlement and development;</li> <li>• Mutual obligation of peace and goodwill.</li> </ul> |

## TREATY 6 (1876) AT FORT CARLTON, FORT PITT AND BATTLE RIVER

The settlers were moving and encroaching further putting a strain on the game that First Nations peoples were reliant upon. The Canadian government wanted to construct telegraph lines, however the First Nations peoples resisted the developments until a Treaty was signed. They needed assurance that if they were to give up their way of life, they would be assisted in their transition to a new way of life.

The area covering Treaty 6 is primarily in Saskatchewan, and includes provisions for Mathias Colomb Cree Nation and Marcel Colomb First Nation in northwestern Manitoba.

This was the first Treaty making where the North West Mounted Police had provided escort to the Commissioners, prior to this time it had been provided by the militia (Taylor, 1985).

| <b>Provisions for First Nations Peoples</b>   | <b>Provisions for Newcomers</b>   |
|---|---|
| <ul style="list-style-type: none"><li>• Annuities (\$12 per person at the signing and \$5/person, \$15/headmen, \$25/Chief annually);</li><li>• Chief &amp; Headmen clothing every year;</li><li>• Each Chief a suitable flag and medal for signing the Treaty; (AANDC, 2007)</li><li>• Reserves of 1 square mile (640 acres) per family of 5;</li><li>• Agricultural implements, stock and seed;</li><li>• Schools for instruction (education);</li><li>• Hunting and fishing (livelihood);</li><li>• Relief from famine and pestilence;</li><li>• A medicine chest (health);</li><li>• Mutual obligation of peace and goodwill.</li></ul> | <ul style="list-style-type: none"><li>• Government right to appropriate reserve lands with compensation to First Nations peoples;</li><li>• Construction of telegraph lines;</li><li>• Peaceful settlement and development further west;</li><li>• Mutual obligation of peace and goodwill.</li></ul> |

## TREATY 10 (1906) AT ILE A LA CROSSE

This land was largely unsuitable for agriculture. First Nations peoples in this region were experiencing falling fur prices, starvation and encroaching miners (OTC, 1998). The government was slow to respond as they did not have an immediate need for the land.

It was not until the early 20<sup>th</sup> century with the discovery of gold in the north and the demands for compensation from the Métis peoples from northern Saskatchewan for loss of Aboriginal rights that the government was ready to negotiate a Treaty (Coates and Morrison, 1986). Protecting the way of life and securing livelihood was the focus and primary concern for Treaties 8 and 10 (OTC, 1998).

| Provisions for First Nations Peoples   | Provisions for Newcomers   |
|--|--|
| <ul style="list-style-type: none"> <li>• Annuities (\$12 per person at the signing; \$5/person, \$15/headmen, \$25/Chief annually);</li> <li>• Chief &amp; Headmen clothing every 3 years;</li> <li>• Each Chief a suitable flag and medal for signing the Treaty; (AANDC, 2007).</li> <li>• Reserves of 640 acres per family of 5; or 160 acres per Indian;</li> <li>• Agricultural implements, stock and seed;</li> <li>• Education;</li> <li>• Hunting, fishing and trapping (livelihood);</li> <li>• Mutual obligation of peace and goodwill.</li> </ul> | <ul style="list-style-type: none"> <li>• Access to an area north of the 54 parallel in Saskatchewan and a small adjoining area in northern Alberta, encompassing an area of approximately 220,000 square kilometers (this included two First Nations in northwestern Manitoba near the Saskatchewan border who came into Treaty 10 on 19 August 1907);</li> <li>• Government right to appropriate reserve lands with compensation to First Nations peoples;</li> <li>• Peaceful access to the land;</li> <li>• Mutual obligation of peace and goodwill.</li> </ul> |

## **PART TWO: Treaty Essential Learning #2**

### **The Treaty Relationship**

Treaties established what is commonly referred to as a “brother-to-brother” relationship between the First Nations peoples and the Newcomers. First Nations teachings foretold of other nations of peoples, relatives of the last order of Creation, with their own language, history, and way of life. These teachings provided a framework for First Nations conduct when meeting peoples from different lands (Assembly of Manitoba Chiefs, Council of Elders, 2011). So it was, when the Newcomers came to First Nations territories, First Nations peoples treated them “as relatives, as brothers and sisters” (OTC, 2007, p.18).

The Treaties created a living relationship that can change to reflect the current realities of both Canadian and First Nations peoples.

Treaties were to last “as long as the grass grows, the sun shines and the rivers flow” (Morris, 1971, p.202). First Nations understood the reference to grass as an acknowledgement of land, Mother Earth; the reference to sun an acknowledgement of the Creator and Creation; and the reference to water an acknowledgement of life at the time of birth, meaning inclusive of successive generations yet to be born (Assembly of Manitoba Chiefs, Council of Elders, 2011).

The Treaty-making process was a way of reconciling the interests of both nations and a means to build lasting and meaningful alliances between the Crown and First Nations peoples that would foster the future well-being of their peoples (OTC, 1998). It was a time in history when it was necessary for both parties to consider each other’s interests as a means of building a future for their peoples and preserving peace and goodwill among nations of peoples.

Treaties were intended to create a lasting relationship between First Nations peoples and the Newcomers. Three important concepts are presented:

- The importance of the Treaty relationship;
- That we are all Treaty people; and
- The importance of the spirit and intent of Treaties.

Additional concepts are presented to provide additional context to the Treaty relationship.

**The Treaty Relationship.** The Treaty relationship refers to the historic Treaty relationship between the two Treaty partners: the First Nations and the Crown. In a modern day context, the Treaty relationship is extended to First Nations and all other Canadians, and continues to be inclusive of the Crown.

Building social harmony is achieved when there is respect for all members of society. In order to respect the Treaty relationship it is first necessary to first understand this relationship. With Treaty education, the knowledge sharing and transfer will promote a change in attitudes. This change in attitudes will promote respect which will bring social harmony. This is one of the objectives of teaching Treaties in the classroom.

- 1. We Are All Treaty People.** Treaties are beneficial to all people in Manitoba and Canada. They are considered mutually beneficial arrangements that guarantee a co-existence between the Treaty parties. Newcomers and their descendents benefit from the wealth generated from the land and the foundational rights provided in the Treaties. They built their society in this new land where some were looking for political and religious freedom. Today, there are misconceptions that only First Nations peoples benefited from the Treaties, but in reality, both parties are beneficiaries. All people in Manitoba are Treaty people.
- 2. The Spirit and Intent of Treaties.** The spirit and intent of Treaties is critical to understanding the relationship between the two nations. Spirit and intent takes into consideration the differences in the language and culture of the two parties: the Crown and the First Nations. The Treaties are more than written documents; they maintain a permanent living relationship for all generations. To fully understand the context of Treaties one must understand what the spirit was and what the intentions were at the time of Treaty-making. The spirit and intent refers to the combination of the spoken words and actions of the Treaty partners which was not inclusively recorded in written form, as well as the spoken words captured on paper in the written form. These actions included welcoming speeches, gift exchanges, feasting, the smoking of the pipe and use of the calumet which bound all parties to honest words and honourable acts (Miller, 2009). The Treaties, oral and written, reflected both the First Nations peoples and Canada (Crown) concerns and objectives (Miller, 2009). Both the Crown and the First Nations peoples intended to each benefit from Treaties and to be respectful of each other's way of life. The Crown and First Nations peoples sealed the agreements before the Creator, which formed the binding relationship.

To this day, First Nations peoples believe that the concept of reciprocity is part of the spirit and intent of the Treaties. That is, by sharing the land with the Newcomers, the First Nations peoples believed that an honourable exchange would take place. First Nations expected the Crown would make provision for their promises in exchange for the First Nations agreeing to share the land with the Newcomers (Assembly of Manitoba Chiefs, Council of Elders, 2011).

According to First Nations peoples' natural laws, all Creation lived in balance and harmony. First Nations were given four gifts: 1) their own language, 2) the ability to remember "the past" (history), 3) a way of life, and, 4) teachings. First Nations peoples were given Turtle Island (North America) as the place and land on which to live together. One of the First Nations teachings includes other nations of peoples of the fourth order of Creation, from other lands. As a result, it was natural that when the Newcomers came to Turtle Island (North America), First Nations peoples agreed to share the land with them through a Treaty-making process. The intent from the First Nations peoples' perspective is that all the terms agreed to, both written and spoken - would have a continual fulfillment without obstructions; it is a "living document".

Today, the Aboriginal Affairs and Northern Development Canada (AANDC) maintains a centre of expertise for understanding Treaties and the Treaty relationship that exists between Canada (Crown) and First Nations peoples.

3. **Oral Traditions and Treaties.** Although the Government of Canada acknowledges the written texts of the Treaties as a definitive representation of the agreements of the parties involved, First Nations peoples have long maintained there is an oral factor to understanding the Treaty-making process and the relevance of the Treaty relationships. The Supreme Court of Canada has stated that the Crown cannot ignore the oral terms while relying only on the written ones. These rulings has strengthened the oral tradition, resulting in consideration for "outside promises" made at the time of Treaty making but were not recorded in the original written Treaty documents. In Manitoba, First Nations signatories to Treaty 1 and Treaty 2 continue to be involved in negotiations with the Government of Canada (Crown) as a means of trying to reconcile the Crown's "outside promises".
4. **Contexts for Treaties and the Treaty Relationship.** The following concepts provides additional context for understanding the respect that both parties (First Nations peoples and Canada) have for Treaties and the Treaty relationship.

- (a) **Language is vital to the Treaty-Signing Process.** There were two different and valid cultural concepts in the Treaty negotiations. First Nations peoples maintain the languages used in the Treaty-signing process contained the beneficiary concepts expressed from a First Nations interpretation and worldview. First Nations peoples' languages express certain beliefs that are significant to these agreements and English words and terms do not clearly articulate the same meanings.

*Our language – Anishinaabemowin – is about who we are. It is the vehicle we use to transmit our culture, our worldview, our understanding of Treaties to our children and all future generations.*

(Assembly of Manitoba Chiefs, Council of Elders, 2011)

First Nations worldview includes a belief that First Nations peoples have four levels of understanding:

- The day-to-day language;
- The language of the pipe ceremony-sacred words used only for ceremony;
- The deeper voices of the spirit world that are shared through ceremonies like the Shaking Tent; and
- The language of dreams and visions which is used for the betterment of all peoples.

Through the Treaty making process, a fifth language has evolved the language of translation and interpretation (government language).

These concepts of understanding were critical at the time of Treaty making, and Treaty signing. First Nations peoples believe that the Treaty making process included both the written words of the Crown as understood by the Crown's representatives and its interpreters and translators, and the oral tradition of the First Nations which was expressed in the First Nations peoples' languages (Assembly of Manitoba Chiefs, Council of Elders, 2011). Given this perspective, one can understand how the complexities of languages could lead to some misunderstanding and misinterpretation.

Today, a part of the First Nations' intent and purpose is currently being lost with the loss of First Nations peoples' languages. First Nations believe that first language is contributing to the loss of the oral tradition.

(b) **Treaties are a Sacred Covenant.** First Nations peoples recognized the Creator as supreme. They depended on provisions from the created earth and they believed certain events were sacred. They believed the Treaty-signing process was sacred because it included an acknowledgement of the Creator as a witness to the promises made by each party; as well as certain ceremonies, such as the smoking of the pipestem and use of the calemut. The Treaties were also sealed with official signatures and handshakes from both parties, and with exchanges of gifts such as Treaty medals, symbolizing the sacred covenant. First Nations peoples believed that these ceremonies, protocols and practices were part of the sacred covenant between both parties.

(c) **Treaties are Forever.** When the Treaties were signed, they were perceived by both signatories as permanent agreements. First Nations leaders and officials for the Crown acknowledged the permanency of the Treaties and knew the pledges would affect their people's lives for generations.

*What I trust and hope we will do is not for today or tomorrow only; what I will promise, and what I believe and hope you will take, is to last as long as that sun shines, and yonder river flows.*

(Morris, 1971, p.202)

(d) **Treaties are a Bridge to the Future.** Treaties were negotiated and agreed upon based on mutual reciprocity, meaning that the Treaties were to benefit both nations. The two nations needed to rely on one another for a successful transition into the future. They anticipated new economies and the development of a new and diverse society due to large numbers of Newcomers coming to the new land. Newcomers and First Nations peoples built their relationship out of common socio-economic interests. First Nations leaders, who agreed to the Treaties, foresaw their traditional lifestyle changing and had a vision of a new and different lifestyle with the new Treaty relationships. Newcomers envisioned a new country with many diverse peoples coming to make this their home and start a new life primarily on the agriculture industry. The establishment of the Treaties was intended to create a bridge to the future for First Nations peoples and non-First Nations people alike.

(e) **Brother-to-Brother Relations.** First Nations peoples saw the Treaty arrangement as a partnership in which the two parties live together as brothers, side by side. They emphasized that the Treaties were made in an atmosphere of mutual respect, and that the parties made solemn commitments to live in peace and to help one another. They also stressed that the Treaties began a relationship which requires that both parties benefit, that both parties are involved in decision making, and that consultation occurs regularly to ensure that the relationship remains strong.

In their description of their relationship forged by the Treaties, First Nations peoples emphasized that they expected the Treaty partners to come together regularly to discuss matters of mutual concern. While circumstances and issues might change, the basic commitment to respect each other and to help one another was expected to endure “as long as the sun shines, the grass grows and the rivers flow”.

## **PART THREE: Treaty Essential Learning #3: Historical Context of Treaties**

The Treaties were negotiated among many other historical events occurring in Canada which affected the development and implementation of Treaties.

Understanding the historical context of Treaties requires a brief chronological review of events, legislation and policies that existed prior to, during and after Treaties were negotiated and agreed to.

Though Treaties were the building blocks of Canada and are considered stand-alone documents, other historical events have greatly impacted the Treaties and the Treaty relationship.

Many historical events had an impact on the Treaties both prior to their signing and after they were signed. Some of these historical events had an impact on early interactions between the Newcomers (Europeans) and the First Nations peoples, and have continued to have an impact on the implementation of Treaties, through to the present.

### **First Nations Perspectives and Historical Contexts**

**1. Pre-Contact First Nations Treaties (Pre-1400's).** First Nations peoples believed the Creator placed them on Turtle Island (North America) where they have coexisted since time immemorial. They were well adapted to the geography and the environment and possessed all the survival skills to live on their land. They had their own spiritual, political, economical, traditional and social systems, teachings, and natural laws that promoted living in balance and harmony with the natural environment.

First Nations peoples had a long history of making Treaties with other First Nations peoples to consolidate alliances and share resources within each others' territories. They had a thorough knowledge of the Treaty-making process because this was the way inter-tribal agreements were made. Spiritual ceremonies were an integral part of this Treaty-making process as it was a form of ratifying the agreements. The agreements were made in the best interest of all parties involved.

## Western Perspectives & Historical Contexts

- 2. The Doctrine of Discovery 1452.** In 1452, Pope Nicholas V became aware that Portugal had begun a slave trade along the west coast of Africa. Pope Nicholas V issued to King Alfonso V of Portugal, the bull *Romanus Pontifex* which states, in part:

“... [W]e bestow suitable favours and special graces on those Catholic kings and princes, ... athletes and intrepid champions of the Christian faith ... to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and ... to reduce their persons to perpetual slavery, and to apply and appropriate ... possessions, and goods, and to convert them to ... their use and profit.” (Francis, p.3)

This was a basic declaration of war against all non-Christians throughout the earth, specifically sanctioning and promoting the conquest, colonization, and exploitation of non-Christian nations and their territories (Newcomb, 1992). In today's rhetoric, this papal bull would be called a mandate for terrorism. Non-Christians were considered enemies of the Catholic faith. As such, they were considered less than human, in effect, non-persons. This western historical perspective guided early colonization efforts.

- 3. The Inter Caetera 1493.** *Inter Caetera* was a papal bull issued by Pope Alexander VI on May 4, 1493. It granted to Spain all lands to the “west and south” of the pole to pole line 100 leagues west and south of any of the islands of the Azores or the Cape Verde Islands. Columbus' arrival to supposedly Asiatic lands in the western seas in 1492 threatened the unstable relations between Portugal and Spain, which had been jockeying for position and possession of colonial territories along the African coast for many years. *Inter Caetera* which states, in part:

... that in our times especially the Catholic faith and the Christian religion be exalted and be everywhere increased and spread, that the health of souls be cared for and that barbarous nations be overthrown and brought to the faith itself. ...we (the Papacy) command you (Spain) ... to instruct the aforesaid inhabitants and residents and dwellers therein in the Catholic faith, and train them in good morals.” (Wikipedia, *Inter Caetera*, n.d., p.2)

This papal command marked the beginning of colonization and Catholic Missions in the New World.

- 4. Newcomers and First Nations Peoples in North America.** Historical relations between the Newcomers (Europeans) and First Nations peoples in present day Canada, began with making agreements about trade, entering into alliances for the purposes of maintaining peace and friendship, and eventually evolved into Treaty-making for the purposes of acquiring lands and resources from First Nations peoples.

### **First Nations Relations with Newcomers**

- 5. Fur Trade Alliances (1600's).** The fur trade period is important to the Treaty-making process because the Newcomers observed the protocols of trade that were already set within First Nations peoples societies. The fur traders realized they had to follow that protocol if they wanted to see success in their commerce. Trust relationships were established during the trade alliances which set precedence for the Treaty-making process of the late 19<sup>th</sup> century between the Newcomers and First Nations peoples.

*Through trade, “both societies exchanged technologies and material goods that made their lives easier in their common environment.*

(Royal Commission on Aboriginal Peoples, 1996, p.3)

Since First Nations peoples were already trading within North America, these trading systems included the Newcomers. Trade between them was one of mutual benefit - Newcomers desired the furs and food that the First Nations peoples possessed, and First Nations peoples desired certain goods that Newcomers possessed. Within the fur trade network, trade alliances were sanctioned by ceremonies before trading began as a sign of good relations; ceremonies such as the smoking of the sacred pipe, the exchange of gifts and arranged marriages. Maintaining good relations with First Nations peoples was important to trading companies if they wished to have success in North America. The importance of good relations with First Nations peoples was understood by the Crown (Canada) during the Treaty-making period.

- 6. The Royal Proclamation of 1763.** The Royal Proclamation of 1763 was issued by King George III of Great Britain. This historical document is significant as it provided guidelines for the British Crown's relationship with First Nations peoples. The First Nations and the Crown (Canada) share the perspective that The Royal Proclamation of 1763 provides a framework for historical Treaty making and has served to define the unique relationship between First Nations and the Crown (Canada). From the First Nations' perspective, the relationship between First Nations peoples and the Crown (Canada) was more balanced, characterized by a nation-to-nation understanding.

The Royal Proclamation of 1763 recognized that:

- First Nations peoples lived on traditional lands;
- Interest in those lands belonged to groups and nations, not individuals;

- Only the Crown (Canada) could buy or accept First Nations lands;
- The Crown (Canada) required an agreement with First Nations to acquire lands from them;
- First Nations peoples were under the Crown's (Canada's) protection, and
- First Nations held title to their lands unless they surrendered it.

The Royal Proclamation principles of understanding set out guidelines for all future negotiations with the First Nations of North America. These principles influenced the Hudson's Bay Company and Northwest Company in their commercial dealings with First Nations peoples. The Royal Proclamation also provided guidance to the Treaty-making negotiations between the Crown (Canada) and the First Nations.

**7. United States Adoption of the Doctrine of Discovery 1823.** In 1823 the United States Supreme Court made a decision that said that:

as a result of European discovery, the Native Americans had a right to occupancy and possession ... tribal rights to complete sovereignty were necessarily diminished by the principle that discovery gave exclusive title to those who made it. (The United States and Doctrine of Discovery. n.d.)

The European nations had assumed "ultimate dominion" over the lands of America during the Age of Discovery and that upon "discovery" the Native Americans, or Indians as they were referred to at that time, lost "their rights to complete sovereignty, as independent nations," and retained only a right of "occupancy" in their lands (Newcomb, 1992). Supreme Court Justice Joseph Story wrote, "As infidels, heathens, and savages, they (the Indians) were not allowed to possess the prerogatives belonging to absolute, sovereign and independent nations" (The United States and Doctrine of Discovery, n.d.). This doctrine provides insight into the western perspective at the time of early colonization of North America, which included what is now Canada.

**8. Pre-Confederation Treaties (Pre-1867).** Prior to Canada officially becoming a nation, '*peace and friendship*' and '*surrender*' Treaties were ratified between the British government and First Nations peoples. The early pre-Confederation Treaties from 1781 to 1862 were primarily peace and friendship Treaties and those involving land negotiations. These included the Upper Canadian Treaties of 1818 to 1862 which reflected a shifting nature of Native-Newcomer relations in British North America. Most noticeably after 1840, the personnel that the government sent to make Treaty with First Nations peoples were representative of the settler government, and not the earlier military-diplomatic tradition (Miller, 2009). The terms of the Robinson Treaties were significant because they dealt with large territories of land, recognized First Nations hunting and fishing rights, and included provisions for annuities. All these elements became important elements to Treaty-making in western Canada after 1867.

The Selkirk Treaty of 1817 is one example of a pre-Confederation Treaty in Manitoba. This Treaty was negotiated by The Earl of Selkirk, also known as the Lord Selkirk and Thomas Douglas, with the Anishinaabe (Ojibway) and Nehowak/Ininiw (Cree) First Nations peoples residing along the forks of the Red and Assiniboine Rivers in the territory of Rupert's Land. Lord Selkirk negotiated this Treaty for the purposes of establishing a colony at the Red River. To accomplish this, he followed the terms and conditions of the Royal Proclamation of 1763 which gave guidance as to how negotiations were to take place with First Nations peoples.

From the First Nations peoples' perspective, the Selkirk Treaty was an acknowledgement of the relationship between the Earl of Selkirk as a representative of the British Crown and First Nations peoples. This early Treaty-making experience provided First Nations peoples with an understanding as to how Treaties with respect to land were being negotiated and later interpreted by the Newcomers and the Crown. This early Treaty-making experience provided the Newcomers with access to land that was used to establish one of the first settler colonies in western Canada, which would later become part of the province of Manitoba.

**9. The British North America Act (BNA) 1867.** The *British North America Act* was enacted on March 29, 1867 by the British parliament to provide for the Confederation of Canada. When Canada was being formed, British colonial political leaders discussed sharing and dividing power and jurisdiction between the different levels of government. The *BNA* is significant to First Nations peoples as it gave the federal government the constitutional responsibility and jurisdiction over "*Indians, and lands reserved for Indians*" (Canada, Constitution Act, 1867). As a result, Canada has jurisdiction over and responsibility for First Nations peoples in Canada. First Nations leaders were not consulted when this *Act* was negotiated.

**10. Post-Confederation Western Expansion (Post-1867).** Prior to Confederation in 1858, Henry Youle Hind was sent to the West to explore its economic potential. His report ignored the First Nations peoples' presence and stated that the land was 'fertile and empty' and was 'ready to be taken by immigrants for farming.'

After Confederation, Canada was intent on westward expansion and building a transcontinental railroad to help unite the country. The rich natural resources attracted industries. The government sought immigrants to work in the industries and to farm the western Prairies. In the twenty years prior to 1914, more than three million immigrants came to Canada and to accommodate them, First Nations peoples' land had to be accessed. Thus the negotiation of the Numbered Treaties began to provide a way for First Nations peoples and the Newcomers to live together in peace. Both the Crown and First Nations peoples had compelling reasons to enter into Treaty with each other.

**11. The Treaties in Manitoba (1871-1906).** During the 1800s, the Canadian government representing the British Crown negotiated seven different numbered Treaties with the Anishinaabeg (Ojibway), Anishiniwak (Oji-Cree), Dene, and the Nehowak/Ininiwak (Cree) people in the territory that is now the province of Manitoba. The Numbered Treaties which cover Manitoba are: Treaties One, Two, Three, Four, Five, Six, and Ten. The Dakota were not signatories to any of the numbered Treaties.

**12. Federal Legislation Respecting First Nations Peoples (1867).** The *British North America Act* (BNA) (1867) gave the government of Canada jurisdiction over First Nations peoples and their lands. In order to fulfill its jurisdictional responsibilities, Canada passed legislation to eventually regulate and control all aspects of First Nations peoples' lives. The legislation was not part of any Treaty negotiations and did not involve First Nations peoples in the development and implementation processes.

**13. The Indian Act (1876).** In 1876, after Confederation, Canada arbitrarily passed the first *Indian Act* as part of its authority under the *BNA Act* Section 91(24). The *Indian Act* was a consolidation of pre-existing colonial legislation including the *Gradual Civilization Act (1857)* and the *Gradual Enfranchisement Act (1869)*. The *Indian Act* was created to guide its relations with First Nations peoples by imposing several restrictions on them in order to meet two main goals: to "civilize" the First Nations peoples; and to "assimilate" them into Canadian society.

The goals conflicted with Treaty negotiations and contributed to poor relations among the First Nations peoples, the Canadian government, and the other peoples of Canada. The Act included: defining who "Indians" were; enfranchising First Nations peoples; administering reserve lands; managing sale of timber; administering First Nations' moneys; determining the processes of leadership selection (through Chief and Council elections); regulating intoxicants; and prohibitions on certain activities, mainly of a cultural nature, such as restricting women's involvement in land negotiations and prohibiting First Nations people's ability to enforce laws in their respective communities (reserves). In the years that followed there were many amendments to the Indian Act which both positively and negatively impacted aspects of First Nations peoples' lives.

***No policy or legislation can  
supercede our Treaty.***

*(Assembly of Manitoba Chiefs  
Council of Elders, (Elder Hyslop),  
2011)*

**14. The Davin Report (1879).** Nicholas Flood Davin was commissioned by Prime Minister John A. Macdonald to write a report which is referred to as the 'Davin Report'. The formal title was the "Report on Industrial Schools for Indians and Half-breeds". This report was submitted in 1879 to Ottawa and led to the establishment of the residential schools system in Canada (Aboriginal Healing Foundation, n.d.)

**15. Residential Schools (1880's).** Shortly after the Davin Report was submitted, the first Residential School was established. In 1874 the first residential school opened in Manitoba; it was Lake St. Martin Residential School (Anglican). In many instances, children were forcibly taken from their families to attend the various Indian residential and industrial schools that were established mostly across Western Canada, with the goal of assimilation. The government of Canada operated every Indian residential and industrial school as a joint venture with various religious churches and organizations (AANDC, 2008).

**16. The Department of Indian Affairs (DIA).** In 1880, the Department of Indian Affairs was created as a ministry in the Department of the Interior. Its duties were to administer the Government of Canada's responsibilities to First Nations peoples under the *Indian Act*. Indian Agents were appointed to regulate and enforce the provisions of the *Indian Act* and to provide agricultural and trades training for the men and home-making skills to the women. The Indian Agents also had decision-making powers and judicial powers over every aspect of First Nations peoples' lives.

The government of Canada:

treated First Nations peoples throughout Canada as legal minors and approached them as a problem to be administered.... The DIA carried out a series of policies aimed at political control, enforced economic transition, and cultural subjugation and assimilation. (Ray et al., 2000, p.202).

The "implementation of the Indian Act made it clear that the government regarded itself as the guardian of Indian minors" (Price, 1991, p.64). Today, the federal department is still responsible for First Nations peoples and their lands and is known simultaneously as the Department of Indian Affairs and Northern Development (DIAND) and Aboriginal Affairs and Northern Development Canada (AANDC).

**17. The Pass System.** The pass system forced First Nations peoples to obtain consent from the Indian Agent before leaving the reserves. The pass system was a result of The North West Rebellion of 1885 because the government thought First Nations peoples violated the peace pact called for in the Treaties, as well, the government wanted to control First Nations peoples' activities. It was not a law rather it was practiced by the Indian Agents to inhibit mobility of First Nations peoples. This pass system interfered with their cultural life.

Because of the restrictions on travel First Nations peoples could not easily practice their traditions that took place at different geographic locations. With the ceremony ban already in place, this was another obstacle to the First Nations peoples. This pass system also restricted parents from visiting their children who were in residential schools. Though the pass system was never a specific provision of the *Indian Act*, it was enforced by Indian Agents after

the Rebellion of 1885 and persisted as a policy on the Prairies until the mid 1930's, and remained in practice until the mid 1950's.

**18. The Permit System.** Prior to the 1950's and 1960's, the Department of Indian Affairs controlled the financial transactions of First Nations peoples by applying the Indian Act. This was known as "the Permit System". Under this policy, First Nations needed a permit from the local Indian Agent to sell their agricultural produce, cattle, grain, firewood, lime, and charcoal; and to buy groceries and clothes available outside the reserve boundaries. Violators would be fined or jailed. This policy remained in practice till the 1960's. This section of the Indian Act was repealed in 1995.

**19. Amendments to *The Indian Act* 1885 to 1985.** The Canadian government made several amendments to *The Indian Act* between 1885 and 1985 as a means to address some of the inadequacies of the policies. They included:

- **1885.** The government of Canada amended *The Indian Act* in 1885, prohibiting the practice of potlatch ceremonies, or give away ceremonies. Those found participating in these activities were arrested and convicted. A further amendment in 1951 lifted the ban and allowed ceremonies like the potlatch, and sundance to be practiced.
- **1895.** The government of Canada amended *The Indian Act* in 1895, banning any traditional First Nations people's dances, customs, or ceremonies, like the Sundance. The ban was lifted in 1951.
- **1927.** The government of Canada amended *The Indian Act* in 1927 and made legal assistance for First Nations peoples illegal, exceptions were those with permission from Indian Affairs. The ban was lifted in the 1951 amendments to *The Indian Act*.
- **1951.** In 1951, there were revisions made to *The Indian Act*. First Nations women could now take part in land decisions. Also, if a First Nations woman married out, she would lose status whereas if a First Nations man married out he would not lose status. The restrictions on alcohol were reinforced. The legal assistance ban was now lifted. In the 1951 revisions, the government created section 87 (now section 88), which allowed provincial laws to cover areas that were not covered by *The Indian Act*. One area that was not covered by federal legislation was child welfare matters, therefore whenever there were concerns for First Nations children the province could now use their laws and apply them on reserve lands (OTC, 2008).
- **1985.** Bill C-31 is passed and as a result all women and their children who lost their status after marrying a non-First Nations person can now regain their status. Elected First Nations were given power to regulate residency on reserve and to control development on reserve. First

Nations could now determine membership but still could not grant Indian status which was still left to the federal government to decide.

**20. Covenant of the League of Nations (1919).** The Covenant of the League of Nations was signed in 1919 in order to promote international co-operation and to achieve international peace and security by: (a) the acceptance of obligations not to resort to war; (b) the prescription of open, just and honorable relations between nations; (c) the firm establishment of the understandings of international law as the actual rule of conduct among Governments; and (d) the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another. Article 23 of the Covenant makes specific reference to interests of native inhabitants of territories, similar to those of the First Nations Peoples in Canada:

... Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League: undertake to secure just treatment of the native inhabitants of territories under their control; ... (Covenant of the League of Nations, n.d.).

Although the Covenant has direct application to colonial-held Africa, the reference to 'native inhabitants of territories' provides insight into the ongoing western perspective and colonization practices.

**21. Natural Resources Transfer Acts of 1930 (NRTA).** The government of Canada passed acts concerning the prairie provinces of Manitoba, Saskatchewan and Alberta which transferred the administration of natural resources and the control of Crown lands from Canada to the province. The Manitoba Natural Resources Transfer Agreement of 1930 was part of these acts, which formed part of the Constitution Act of 1930. Although this Act transferred control and administration of resources and lands to the province of Manitoba, it required the province to provide Canada with sufficient unoccupied Crown land to fulfill outstanding Treaty Land Entitlement obligations to First Nations peoples in Manitoba (Treaty Land Entitlement of Manitoba Inc, n.d.). As a result, First Nations peoples of Manitoba began discussions with the province in the 1980's, eventually securing The Manitoba Treaty Land Entitlement Agreement (1997). This Agreement details the way Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. (TLEC) have agreed to fulfill outstanding Treaty Land Entitlement (TLE) obligations in Manitoba for Entitlement First Nations (EFN's) represented by the TLE committee. The Framework Agreement settles the land debt that is owed to the First Nation that did not receive all the lands that they were entitled to under the Treaties 1, 2, 3, 4, 5, 6 and 10. (Treaty Land Entitlement of Manitoba Inc, n.d.).

**22. Amendments to the Canada Elections Act (1960).** This amendment permitted all First Nations peoples to vote in federal elections. It recognized First Nations as having the same voting rights as other Canadian citizens.

- 23. The Sixties Scoop (1960 to mid-1980's).** The 60's Scoop refers to a period time when many First Nations and Métis children were adopted out of their families, and communities to non-Aboriginal families. It is called "The 60's Scoop" because it was a time when children were literally scooped from their families and communities and made available for adoption by the child welfare system. Consent has been disputed by First Nations and Métis peoples and they believe that many children were forcibly removed from their families when social workers and other government officials acted under legislation that provided them with the right to apprehend children. To rectify this situation and reunite families, many First Nations reunification programs were established and remain open. (Sinclair, n.d.).
- 24. The Hawthorn Report 1966.** In 1964 the government commissioned a study to review the situation of the First Nations peoples in Canada. They wanted to understand the difficulties in their situation to try and overcome the problems. The Hawthorn report was submitted in 1966 and recommended that the government abandon 'assimilation' as its formal goal for First Nations peoples. The report proposed First Nations peoples be treated as 'citizens plus' where in addition to ordinary rights and benefits of citizens, they have access to special rights as charter members of the Canadian community.
- 25. The White Paper 1969.** In response to the Hawthorn report the federal government of Canada proposed the abolishment of the Indian Act, rejection of land claims and that First Nations peoples of Canada integrate fully into the rest of Canadian society. It was proposed that First Nations peoples not be treated as a distinct society any longer and that all Canadian citizens be treated equally.
- 26. The Red Paper 1970.** In response to the 1969 White Paper, Harold Cardinal and the First Nations of Alberta published *Citizen Plus*, which became known as The Red Paper. This document proposed the Indian Act be reviewed but not repealed, that Treaty and land promises are upheld, that Indian Status is essential to identity and culture therefore vital to First Nations peoples and that First Nations peoples have special rights because they are charter members of Canada who deserve to be treated as citizens plus.
- 27. Manitoba Indian Brotherhood 1971.** First Nations people's leadership in Manitoba came together in 1971 and established a unified political voice under the Manitoba Indian Brotherhood to address issues impacting First Nations peoples in Manitoba. The organization evolved in 1980 into the First Nations Confederacy and eventually has become known as the Assembly of Manitoba Chiefs (1988).

**28. Wabung: Our Tomorrows 1971.** *Wabung* was a key document developed under the leadership of the Manitoba Indian Brotherhood that outlined the need to restore the original spirit and intent of the Treaties and the Treaty relationship. The document outlined the Manitoba Indian Brotherhood's collective issues related to twenty different matters concerning the day-to-day lives of First Nations peoples. It included such issues as land, membership, health, education, housing, and economic development. *Wabung* is an historical and foundational document for the First Nations of Manitoba movement toward self-government.

**29. The Last Residential School closes in Manitoba (1980).**

Mackay Indian Residential School (Anglican) in Dauphin, Manitoba (inset) closed in 1980. It was one of seventeen residential schools operating in the province of Manitoba for the education of First Nations children by the government of Canada, as a provision of the Treaty negotiation process. Several of the schools were operated by the churches on behalf of the government of Canada, which included the Roman Catholic (8), Anglican (5), Methodist (3), and Presbyterian (1) churches. Lake St. Martin Residential School (Anglican) was the first school to open in 1874, shortly after the signing of Treaty 1 in 1871 (Aboriginal Healing Foundation, 2006). Presently there are a variety of educational resources on residential schools available through such sources as: the Aboriginal Education Directorate, Manitoba Education, and the Aboriginal Healing Foundation, to name a few.



(Aboriginal Healing Foundation, 2009)

**30. Constitution Act (1982) and the Charter of Rights and Freedoms.** The federal government has a fiduciary responsibility to First Nations peoples where it is the Crown's responsibility to make decisions in the best interest of the First Nations peoples. The federal government inherited this responsibility in Section 91(24) of the Constitution: "Indians, and lands reserved for Indians" (Canada, Constitution Act, 1867). The Canadian Constitution protects the Treaties and it also makes provision for the division of law-making powers between the federal and provincial governments which causes conflicting responsibilities and makes it difficult to fully implement the Treaty commitments. This continues to challenge the Treaty relationship for both parties.

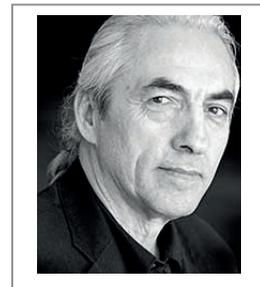
**31. The Penner Report (1983).** *The Report of the Special Committee on Indian Self Government in Canada (1983)*, more commonly known as *The Penner Report*, was submitted to the House of Commons in 1983. This report suggested that First Nations peoples be recognized as distinct peoples who are constitutionally protected. The report proposed that First Nations peoples be given the full range of government powers equal to that of the provinces.

In this report it was recommended that the First Nations peoples possess an inherent right to self-government and that these powers should be fully restored back to First Nations peoples. The report was not endorsed by either the federal or provincial governments. However, in April 2004, a *First Nations – Federal Crown Political Accord on the Recognition and Implementation of First Nations Governments* was signed which acknowledged *The Penner Report* as a document to consider in the joint discussions related to First Nations governments (AANDC Press Release, 2005).

**32. The Meech Lake Accord and Elijah Harper (1987).** In the attempt to amend the Constitution Act, Prime Minister Mulroney and the 10 provincial premiers held a number of meetings to discuss the nature of the amendments to the satisfaction of all provinces especially Quebec. These talks were mainly held in private with no public consultation. Elijah Harper (Red Sucker Lake First Nation member) was an MP at the time in Manitoba who opposed the amendments mainly because the leaders failed to consult with or acknowledge First Nations peoples and address their rights. In 1990, the vote was held and Elijah Harper stood and raised his feather to oppose the accord. The Meech Lake Accord failed.



**33. Indian Residential School Abuses Come to Light (1990).** In 1990, Phil Fontaine, former Grand Chief of the Manitoba Chiefs publicly addressed the abuses experienced by First Nations students at the residential schools they attended. He also called for the government to recognize the abuses, to compensate for the pain and suffering, and to apologize for the injustices suffered by First Nations children (Assembly of First Nations, n.d.). Over time, the Government of Canada came to acknowledge that “the legacy left by the Indian Residential School system is an important aspect of Canada’s relationship with Aboriginal people” (AANDC, 2009. p.202). This experience was an outcome of the historical Treaty implementation process with respect to the provision for schools (education).



**34. Royal Commission on Aboriginal Peoples (RCAP) 1996.** The federal government appointed an independent commission to study and recommend solutions to some of the problems being experienced by Aboriginal people. At the time there were high incarceration rates, high usages of drugs and alcohol and the numbers for employed and educated Aboriginal people were very low. The federal government understood that their relationship with Aboriginal people had been damaged due to the past policies of assimilation and acculturation. They hoped that RCAP would have some solutions to help alleviate the situation. However, few of the RCAP recommendations have been implemented.

**35. Aboriginal Healing Foundation 1999.** The Government of Canada established the Aboriginal Healing Foundation to help create, reinforce and sustain initiatives supportive of healing, reconciliation, and self-determination of First Nations peoples. Its purpose was to address the legacy of residential schools abuse in all forms by building on the strengths and resilience of Aboriginal peoples (Aboriginal Healing Foundation, n.d.). Funding for this initiative expired in 2009.



**36. The Indian Residential Schools Settlement Agreement 2006.** This agreement was precipitated by a court case on behalf of the former residential school students, with support from the Assembly of First Nations and Inuit organizations. The result was the agreement between the survivors, the Assembly of First Nations, the Government of Canada and the churches (Anglican, Presbyterian, United and Roman Catholic) that sought to repair the harm caused by residential schools in the form of compensation. This was the largest class-action settlement in Canadian history. The agreement made provision for compensation to residential school survivors and led to the establishment of *The Truth and Reconciliation Commission of Canada*. (The Truth and Reconciliation Commission, 2008).

**37. Declaration on the Rights of Indigenous Peoples (2007).**

The *United Nations Declaration on the Rights of Indigenous Peoples* was adopted by the United Nations General Assembly in 2007. As a non-binding text, the declaration outlines the individual and collective rights of the world's estimated 370 million indigenous people, including their rights to culture, identity, language, employment, health, education and other issues. It:

*emphasizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures and traditions and to pursue their development in keeping with their own needs and aspirations. It also prohibits discrimination against indigenous peoples and promotes their full and effective participation in all matters that concern them, and their right to remain distinct and to pursue their own visions of economic and social development* (United Nations, 2007, p.2).

The Canadian government said that while it supported the spirit of the declaration, it contained elements that:

*would not be feasible within the Canadian context ... provisions on lands and resources, recognition of indigenous legal systems, and self-government, among others, would not be able to be applied in Canada without jeopardizing our current legal and policy frameworks for addressing Aboriginal issues* (AANDC, 2009, p.202).

However on March 3, 2010, in the Speech from the Throne, the Governor General of Canada announced that the government was moving to endorse the declaration.

*We are a country with an Aboriginal heritage. A growing number of states have given qualified recognition to the United Nations Declaration on the Rights of Indigenous Peoples. Our Government will take steps to endorse this aspirational document in a manner fully consistent with Canada's Constitution and laws* (Government of Canada, 2010, p.10).

On November 12, 2010, Canada formally endorsed the declaration and acknowledged it as although not legally binding, stating it “as an important aspirational document is a significant step forward in strengthening relations with Aboriginal peoples” (AANDC, 2010).

**38. The Apology, Prime Minister Harper (2008).** On June 11, 2008, Prime Minister Stephen Harper offered a full apology, on behalf of all Canadians, for the Indian residential school system. The apology was made in the Canadian House of Commons. In it, the Prime Minister recognized, among other things, that the policy of assimilation was wrong, that the consequences of the Indian residential school policy were profoundly negative, and that the policy has had a lasting and damaging impact on Aboriginal culture, heritage and languages. The Prime Minister said: “*The Government of Canada sincerely apologizes and asks for the forgiveness of the Aboriginal peoples of this country for failing them so profoundly ... We are sorry*” (AANDC, 2008).

The Apology was acknowledged by First Nations leadership as a step forward to reconciliation and healing. However, there were mixed reactions to The Apology from residential school survivors themselves.

**39. Truth and Reconciliation Commission of Canada (TRC) (2008).** The TRC was established by the government of Canada. The mandate of the Commission is to learn the truth about what happened in residential schools and to inform all Canadians about what happened. Specific outcomes of the TRC include a complete historical record on the policies and operations of residential schools, a complete public record including recommendations to the parties of the *Indian Residential Schools Settlement Agreement*, and to establish a national research centre as a lasting legacy (The Truth and Reconciliation Commission, 2008).



**40. Treaty Day at the Manitoba Legislature**

**(12 May 2010).** A proclamation declaring May 12<sup>th</sup> as Treaty Day at the Manitoba legislative assembly was signed to encourage and promote understanding of the significance of Treaties to all Manitobans. The event was held in partnership between the Province of Manitoba, The Treaty Relations Commission of Manitoba, The Assembly of Manitoba Chiefs and Aboriginal Affairs and Northern Development Canada (Province of Manitoba, 2010).

*Understanding the Treaty relationship between First Nations and the Crown is fundamental to living in Manitoba and Canada . . .*

(Premier Selinger, Province of Manitoba, 2010)

*Treaty implementation is critical to the survival of Treaty First Nations and to their recognition as nations with inherent sovereign legal personality and powers.*

(Cardinal and Pratt, 2001)

## **PART FOUR: Treaty Essential Learning #4: Worldviews**

Understanding the different worldviews of First Nations peoples and the Newcomers is an integral part of understanding the Treaties and the differing perspectives of the Treaties. First Nations peoples believe the Treaties are based upon specific understandings of the relationship between the Creator, human beings, and the earth; they view the Treaties as permanent, sacred agreements to be honoured forever. The Anishinaabeg concepts of “Agowidiwinan” (putting things together, bringing things together, is the word used for Treaties), “aadizookaanan” (means tell it as a story, referring to the oral tradition), and “aanikoobijigewin” (link the past and future, referring to the importance of generations and the oral tradition) are foundational concepts to Treaties and First Nations peoples oral tradition (Assembly of Manitoba Chiefs, Council of Elders 2011). These concepts are shared among in the languages of the First Nations who continue to reside in present-day Manitoba. First Nations peoples in Manitoba believe that the First Nations peoples languages are the source of all understanding linked to the Treaties and the Treaty relationship.

First Nations peoples believe that these permanent documents, called Treaties, are also dynamic “living documents” in that they adapt for implementation, they change to reflect the current realities of the Newcomers and First Nations peoples. Like the sun, the grass and the water, the Treaties are to remain in the hearts and minds of all peoples of this land now called Canada for “as long as the sun shines, the grass grows and the water (rivers) flows” (AANDC, 2007, p.202). These words were used by past leadership of First Nations and the Crown representatives to describe their respective understanding of Treaties in perpetuity.

First Nations peoples are reliant upon oral tradition to pass on their traditions and knowledge from generation to generation and believe the Creator is a vital part of all life including interactions with other societies. Newcomers were reliant on the written word and also had their own belief system. Therefore, interpretations of the Treaties vary due to the differing worldviews of the participating nations.

At the time of Treaties, the two nations had their own worldviews which shaped their understanding of the Treaty relationship. Like any other province in Canada, Manitoba is made up of a variety of First Nations peoples all with different worldviews. However, a commonality to the Anishinaabe (Ojibway), Anishininwak (Oji-Cree), Dakota, Dene, and Nehowak/Ininiwak (Cree) is that the Creator is integral to all life. To understand how the First Nations peoples of Manitoba perceive the Treaties, one must carefully examine their worldview, values, cultures and traditions and compare this worldview to that of the Newcomers.

The Assembly of Manitoba Chiefs, Council of Elders who is representative of the First Nations peoples' languages was instrumental in dialoguing and sharing their worldview perspectives. It is their understandings of the languages, as the source of their respective oral traditions that has guided the writing of these perspectives that is intended to provide a better understanding of how First Nations peoples in Manitoba view their world.

**1. The First Nations Peoples.** Because of their connection to the land and the continent of North America, First Nations peoples have become recognized by each other and many other peoples as stewards of North America (sometimes referred to as Turtle Island). First Nations peoples maintain a worldview that they belong to the land that the Creator gave to them since time immemorial. By placing the First Nations on the land known as North American (Turtle Island), they were given their teachings of how to live with Creation around them. This included the responsibility of being stewards of these lands. Contrary to the western worldview that nations of people can own land by laying claim to it or individuals can own land by purchasing it, the First Nations peoples' traditional worldview maintains that no one person can "own" the land.

During the 1970's, the term 'First Nations' replaced the words 'Indian' and 'Native'. First Nations who signed Treaties with the Crown are known as 'Treaty First Nations'. The contemporary term 'Aboriginal' is used to classify three distinct and separate groups: the First Nations, Inuit, and Métis peoples. However, each group self-identifies as a separate people with their own unique and distinct heritage, language, cultural practices and spiritual beliefs. For example, the Dene have always had their own identity; similarly after Newcomer contact, the Métis developed their own cultural identity as new peoples. In Manitoba, First Nations peoples prefer not to be placed in the 'Aboriginal' category; they want to preserve their distinctive identity as First Nations peoples and with their collective diversity, they make up a 'family of nations'.

***Worldview:** A comprehensive view or philosophy of life, the world, and the universe.*

***It is the view of life that shapes how people interact and respond to the world around them; it influences, shapes and interprets what people experience and provides them with a sense of vision for the future.***

(OTC, 2008, p.470)

In Canada, there is a diversity of First Nations peoples. Aboriginal Affairs and Northern Development Canada report as of 2006, there are 615 First Nations (or bands) across the country; the total Status Indian population is 623,780, with approximately 62% living on reserves (Canadian Heritage, 2010). Approximately 48% of the population is under the age of 24. There are around 50 First Nation languages within 12 linguistic groups and 6 major cultural regions (Woodland, Iroquois, Plains, Plateau, Pacific Coast, Mackenzie, and Yukon River). First Nations languages, inclusive of the Government of Canada's term "Aboriginal

languages” are recognized as being critical to the maintenance and transmission of cultural identity.

In Manitoba, as of 2006, there are 64 First Nations communities; inclusive of 101,815 First Nations peoples identified by Census Canada as registered Indians (Statistics Canada, 2006). There are five First Nations languages: Anishinaabe (Ojibway), Anishininiwak (Oji-Cree), Dakota, Dene and Nehowak/Ininiwak (Cree). Each First Nations peoples maintain that their languages are the source of their own unique customs, values, cultural practices, teachings, and spiritual beliefs. In Manitoba, some of the First Nations peoples’ concepts are similar and are shared teachings across the nations.

**2. The Circle and its Commonality in First Nations Worldviews.** There is diversity among the many First Nations peoples in Canada; however, they share commonalities that form a worldview. This view of the world is the framework for how First Nations peoples interpret reality which in turn, forms ideologies and is expressed in a way of life. The diverse views are specific to particular First Nations groups but the circle is a fundamental commonality across all First Nations peoples.

The circle concept is important because it represents the Circle of Life: the life cycle and the unity between the Creator and all Creation. Everything in life revolves in a clockwise circular manner, beginning in the East, the direction of the sun and the beginning of each new day. The circle represents a harmonious relationship with nature and with all living things. First Nations peoples’ often use the phrase “All My Relatives” as an acknowledgement that all things in Creation are connected, inter-dependent, and ‘equal’ because there is no beginning and no end.

The First Nations peoples’ common worldview is formulated by inter-related components that make up the worldview such as spirituality, values, knowledge, culture, oral traditions, language, governance and the natural world.

## COMPONENTS OF FIRST NATIONS TRADITIONAL WORLDVIEWS

|                        |  |
|------------------------|--|
| <i>Spirituality</i>    | The Creator is the ultimate spiritual entity, giver of all life, The Creator of the universe and all creation. The spiritual connection with the Creator includes communications through ceremony, dreams, visions, and ``ka ke se mowin`` (prayer from the heart).  |
| <i>Values</i>          | Natural laws are built on respect and humility and govern all relationships for balance and harmony. First Nations peoples` values include the concept of reciprocity, the act of giving and receiving, which contributes to maintaining balance and harmony. It is part of the spirit and intent of all actions.  |
| <i>Knowledge</i>       | Knowledge is a lifetime journey, conveyed through experiential learning and oral teachings; it requires the use of mind, heart, body and spirit.   |
| <i>Culture</i>         | First Nations peoples` culture includes all aspects of life and is manifested through practice and customs. Culture is a way of life. First Nations peoples live a life of balance and harmony with the Creator and all of Creation.   |
| <i>Oral Traditions</i> | First Nations peoples` history and knowledge is orally transmitted by `keepers` who recollected the events which they saw, heard or took part in. It is part of the concept of `aadizookaan(ag)` (a story).  |
| <i>Language</i>        | The Creator gave each of the First Nations their own languages, which are unique and distinct onto themselves. First Nations believe that their first languages are the source of all understanding; it is the beginning place of the oral tradition. First Nations believe that there are four levels of understanding, each with their own language: everyday language that is spoken; language of ceremony with sacred words such as pipe; language of the deeper voices of the spirit world through ceremony such as the shaking tent; the language of dreams and visions; and the language of translation and interpretation. |
| <i>Governance</i>      | First Nations peoples` traditional governments varied according to their particular needs as defined by their unique economic, social, political and environmental conditions. First Nations peoples` traditional leadership also varied according to the special skills, knowledge, and gifts of different individuals who were called upon at different times to serve the people. The Anishinaabe teachings associated with the seven principles of nationhood are part of the teachings that give guidance to governance and leadership.   |
| <i>Natural World</i>   | The Creator put First Nations on the land and told them to care for Mother Earth. All Creation is inter-dependent and equally important. First Nations peoples special relationship with all of Creation stems from this spiritual connection, which is often expressed by the term ``all my relations``.  |

## **2.1 SPIRITUALITY**

Oral traditions and Elders continue to teach the relationship between one Creator and all Creation (human beings and the natural world), which meets their spiritual and physical needs. Throughout history, First Nations peoples knew their role within Creation and respected their relationship with the Creator.

### ***The Natural Laws***

The Creator placed First Nations peoples on this land in North America and gave them natural laws to live by. The natural laws are innate, existing in the mind, imprinted in the soul from the first moment of existence and are spiritually connected to the Creator and all Creation. Traditionally, First Nations peoples have used these laws as a guide for living in harmony and balance with all of Creation.

Traditionally, First Nations peoples were always very close to nature and were dependent upon the Creator and all Creation. They knew the Creator protected and watched over all Creation and they were always confident that as part of Creation, they were safe from harm. First Nations peoples believe the Creator's protective hand was on North American First Nations peoples throughout history, and the Creator protected them from cultural and physical harm.

### ***The Sacred Circle***

The Sacred Circle is a powerful source within First Nations people's cultures. The life force of all existence is moving in a clockwise circular manner, representing wholeness and continuity. The earth and planets, moons, the cycle of the seasons, and the life cycle of all living forms (plants, insects, the winged and water life forms, the two- and four-legged animals, and human beings) all move in a circular motion. Human life begins in the womb, then ends and returns to the Creator; yet life continues on with the next generation. The Anishinaabe concept of ``aanikoobijigewin`` or "aanikoobijiganag" - the linking together of the past, present, and future, is a term that extends to generations and the sacred circle of life.

### ***Inter-Dependency***

First Nations peoples believe all Creation is inter-connected. No part of Creation is independent; everyone needs one another to survive. Though distinct and separate, all 615 First Nations in Canada are connected as one whose main objective is to nurture, protect and heal their people. When the Treaties were agreed to, First Nations peoples knew they had a connection to the Newcomers through inter-dependency on one another. The Treaty

making process is an example of how relationships were formed to maintain the balance and harmony of the inter-dependency with all peoples.

First Nations peoples believe all life is sacred and that humans are spiritual beings. Relationships formed between humans are reverent. When the Treaties were signed with the Crown, First Nations peoples understood the agreements were made with this belief and that all parties appreciated and respected the Creator as well as each other.

### ***Harmony and Balance***

Many First Nations peoples maintain a high level of spirituality that allows them to live in harmony and balance with the Creator, with each other and with the natural world. Throughout history, there was widespread peaceful co-existence amongst North American First Nations peoples; however at times, nations did war with one another mostly over infringements on territorial hunting grounds. The beliefs and attitudes that all life was sacred guided the First Nations peoples through their war strategies which prevented annihilation; they did not view cultural or physical genocide as an option. As well, First Nations peoples respected the earth and its provisions and only took what was necessary from the environment without destroying it.

First Nations peoples live with a spiritual conviction that continually guides them to live life with appreciation and respect. Although some First Nations peoples have and continue to suffer the impacts of colonization and acculturation such as cultural loss, language loss, disconnection from family and community; resiliency has contributed to the recovery of many First Nations' individuals, communities, and nations from the impacts and challenges of colonization.

### ***Ceremonies***

The Creator provided a system for First Nations peoples as a means to show their appreciation and spiritual connection by gifting them with their own first language. The Creator also gave First Nations their own teachings and ceremony as a means of communication with the Creator and the spirit world. Ceremonies, which take place according to the sacred circle concept, are carried out in recognition of certain life achievements and events which have special significance. Ceremonies are a means of showing respect and gratitude to the Creator, to others and to the natural world for their provision.

One of the key ceremonies that embody the spiritual beliefs of First Nations peoples on the prairies is the 'pipe ceremony'. The pipe ceremony is considered a very sacred ceremony because it is used to communicate with the Creator. At the time of Treaty signing, the smoking of the pipe was done in recognition of the Creator, to ask for guidance and to acknowledge that the act of signing the Treaties was a solemn pledge between two nations: First Nations peoples and the Crown. First Nations peoples understood the

implication of raising the pipe during the Treaty signing ceremonies and expected the promises would be upheld and honoured for time immemorial. The smoking of the sacred pipe was undertaken with great seriousness and respect which included acknowledgement of all seven directions that included the four cardinal directions (east, south, west and north), Mother Earth, the Creator, and the individual person. This acknowledgement in practice was a demonstration of respect for all of Creation.

### ***Protocol***

First Nations peoples expect that rules and protocol be followed when practicing certain ceremonies and customs. Protocol pertains to conduct and behavior. Following protocol ensures that lines of communication are open, trust is established and support is cultivated by those who perform the observances. Observance of protocol ensured a proper ceremony to gain the Creator's favor to ensure the survival and safety of the people. At Treaty time, First Nations peoples followed protocol to the highest degree which allowed them to enter into the agreement. The solemnity and seriousness of the new arrangement was witnessed by the Creator to safeguard First Nations people's understandings of Treaty. These protocols have been established for many centuries and were given by the Creator as a means of devotion and observance. Each First Nation has their own set of rules to follow for their own ceremonies and events. Consultation is essential to ensure proper protocol is followed.

Protocol was an important part of the Treaty making process among both the First Nations peoples and the Crown. The protocols of the pipe ceremony, gift exchanges, and feasting were important parts of the historical Treaty making processes that strengthened relationships. It was a protocol that was initially practiced during early contact with the Fur Traders which influenced the Crown and First Nations people's relations during the Treaty-making era (Miller, 2009).

### **2.2. Values**

First Nations peoples' traditional values are derived from the Creator's natural laws and from their worldview. The systemic values developed over time within the communal lifestyle and continue to provide direction and guidance to their societies.

First Nations peoples' traditional values were intact for thousands of years before Newcomer contact and provided cohesion and structure to First Nation societies. After contact, the cultural synthesis of First Nations peoples and the dominant Newcomers took its toll on the continuation of First Nations peoples' traditional values and lifestyle. The acculturation process had a negative effect on First Nations peoples because they could not adjust to the assimilation policies that were enforced by the federal government and as a result, the First Nations peoples' values and traditional lifestyles deteriorated.

Today, there is an ardent appeal from the Elders to return to the teachings and practices of the traditional values in order to restore a lifestyle of harmony and balance through consistent reinforcement by Elders and parents.

There are seven sacred teachings that are generally accepted as universal values among First Nations peoples, which are associated with an animal that embodies these teachings and values. These teachings have become the values that are used to prepare for living a good life and continually renewed through a spiritual connection with the Creator.

- **LOVE:** The value of love teaches that the Creator is one's first love, as the Creator of all things, the giver of life. This value is expressed through the love of oneself, which can then be extended unconditionally to others. The Eagle represents the teaching of love as the Eagle is the one that flies the highest of all creatures to be closest to the Creator.
- **RESPECT:** The value of respect teaches that life is the most precious gift from the Creator. Each person has been given the responsibility to value and respect their own life, taking all precautions to ensure that it is treated with the utmost care. Through respect for oneself, comes respect for other peoples, respect for all the other orders of Creation, and respect for the responsibility that First Nations peoples have to create and maintain healthy relationships with all Creation. Respect is embodied by the Buffalo, through its sharing of its life to provide for the people. The Buffalo was the most important animal to the survival of First Nations peoples. It provided food, shelter, clothing, and utensils for daily living.
- **WISDOM:** Wisdom is a gift from the Creator that is given to those who have used the seven teachings in their daily walk throughout their life journey. The accumulated life experience provides insight to understanding the complexities of Creation and relationships with others. Communities come to know and respect the Elders who carry such bundles of wisdom and knowledge. The beaver is the animal that teaches wisdom by using what he has been given to sustain life.
- **TRUTH:** The value of truth is demonstrated by respecting the natural laws that the Creator provided to First Nations peoples and remaining faithful to them. The turtle is the animal that carries the seven sacred teachings on its back.
- **HUMILITY:** Humility is demonstrated by recognizing and acknowledging that there is a higher power than man, known as Creator. This teaching was given to the First Nations peoples. The

same teaching was given to other peoples who call the Creator by the name they were given. This respect for the Creator and other beliefs in a higher power is part of the teaching about humility, to know that all peoples received their teachings from the Creator. Being considerate of others is a way to demonstrate this humility as well as providing service to family, community, and the nation. The wolf is the animal that carries this teaching.

- **COURAGE:** The value of courage teaches about the importance of having mental and moral strength and fortitude to live life according to the natural laws, the way the Creator intended life to be lived. Courage carries great strength in times of adversary and gives strength to those who embrace the teaching. The bear is the animal that embodies this teaching.

*(The Sharing Circle, n.d.)*

First Nations peoples have embraced these traditional teachings and integrated them into daily living. These values have grown to embody social values that are intrinsic to a family and community of peoples, reflective of the diversity that exists. These teachings include:

- **SOCIAL EQUALITY:** The Creator made every person in the world equal; no group is more important than others. Historical First Nations societies existed in a communal setting where the groups' needs were paramount to the individuals' needs. The environment was harsh therefore daily roles were performed by all members of the group. Everyone's role was of equal importance because it added to the efforts of survival.
- **FAMILY:** Family has always been an integral part of First Nations society. The family institution is a place to share acceptance and security and learn cooperation. Traditional teachings about family extend to a deeper understanding, that we are all part of the greater family of Creation. These teachings are part of the value of reciprocity and respect which are important to maintaining balanced and harmonious relationships.
- **PRIDE:** First Nations Elders have stressed to young people to be proud of who they are. The Creator made diverse peoples and inter-connected them within Creation; without the diversity of cultures, the world would be ordinary and unappealing.

First Nations are proud and recognize one another because they are similar people of color. Today, First Nations still have strong ties to each other and to their communities, which are part of First Nations peoples' identity.

- **NATIONALISTIC PRIDE:** First Nations maintain a nationalistic pride as members of distinct First Nations and have unequivocally maintained their identity, culture, language and all aspects of their society. This nationalistic pride has been deeply rooted in their character because for centuries they lived and survived in a harsh environment and conquered obstacles that may have threatened their existence. In Manitoba, First Nations people are made up of five distinct nations: **Anishinaabe (Ojibway), Anishiniw (Oji-Cree), Dakota, Dene and Nehow/Ininiw (Cree).**
- **CULTURAL APPRECIATION:** First Nations place great value on their cultural distinctiveness and artistic expressions. For centuries, First Nations people gathered together to show appreciation for their cultural practices through a socialization process, such as pow-wows and social activities.
- **ALTRUISM:** The traditional First Nations outlook on life was one of unselfishness and concern for others. They believed it was honourable and necessary to sacrifice their own needs and desires, even their life, to enable the next generation to either benefit or survive to carry on their culture and traditions. They placed other people's needs before their own. Today, First Nations still practice this sacrificial character as shown in their devotion to family and relatives.
- **PEACE-MAKING:** First Nations people believe that peace means caring for people, animals and the environment and realizing that certain actions affect all living things. They believe this is one of the main objectives of living a lifestyle of harmony and balance.
- **LEADERSHIP:** First Nations Chiefs and leaders were an integral part of society; they were given positions of leadership because of their wisdom and good character. When the Treaties were signed, First Nations viewed their leaders as courageous individuals who were making important, practical decisions for the future of all people in Canada.

### 2.3 KNOWLEDGE

Knowledge has been orally transmitted through generations of First Nations people for thousands of years. The process of education is a lifelong quest requiring patience, introspection, learning by trial and error, sacrifices and spirituality. The acquisition of knowledge starts during childhood and continues until death; it is conveyed through experiential learning and oral teachings. Family members are involved in passing on skills and wisdom; however, it is the Elders who generally serve as the primary instructors for life's necessary lessons.

## ***Traditional Teaching Styles – Passing Along the Knowledge***

As mentioned earlier, First Nations peoples are diverse across the country. The particular nations have their own worldviews which also means they have their own teaching styles. Knowledge is passed on from generation to generation using various methods of teaching.

Commonly First Nations practiced learning methods that allowed young children to learn from family and Elders. Because of the various cultural-linguistic groups, the style of teaching varied according to each tribal and family customs; however a universal process resulted and was carried out through various stages. Historically, legends and stories were passed down through generations which promoted the values and skills to the next generation. The stories, rich in symbolism and metaphors, provided different meanings and lessons to different stages of life.

It is important to note that some of the teachings outlined below are contemporary teachings and are not traditional as such.

### ***Circle of Life***

The Circle of Life is a journey. The journey begins at birth and moves on to being a child, woman/man, parent and then to grandparent and perhaps on to an Elder. There is no beginning and no end to the spirit only to the body that has been loaned to us from Mother Earth.

The Circle of Life is depicted on the land in circular stone formations placed in a large circle with more stones placed inside the circle making lines representing the four directions while other spokes in the wheel represent stories of life and Creation. The locations of these rock formations are considered sacred sites by First Nations and are not always knowledge in the public domain. The Elders continue to retain this knowledge in the oral tradition. Although most of these types of rock formations are located in Saskatchewan and Alberta; there is archeological evidence of such formations in southern Manitoba, on the west side of Lake Manitoba (Buckner, 1990). These formations have come to be referred to as Medicine Wheels in the mainstream. First Nations in Manitoba continue to use the term 'circle of life'.

The Circle of Life teachings included all the knowledge and teachings that humans need to live and exist in Creation and are some of the oldest teachings known among First Nations peoples. The teachings create a holistic foundation for human behavior and interaction and are used to teach a lifestyle of peace, harmony, and balance by promoting healthy minds, bodies, spirits, and emotions.

## **“Good Relations”**

Since all humans are children of the Creator, we are all related. Respect and kindness nurture good relationships and people must observe and listen to one another in order to gain a better understanding about the other person. This leads to a more respectful relationship. Treaties were meant to create good relations amongst all people. In First Nations beliefs systems, everything and everyone is connected and inter-connected within the Circle of Life. Through Treaty, First Nations included the Crown and the Newcomers into this Circle. “...the Circle has been widened to accept the Crown” (OTC, 2007, p 19).

### ***First Nations Teachings & Practices***

The following are excerpts from a publication entitled *First Nations Teachings and Practices*, by the Manitoba First Nations Education Resource Centre (2008). These excerpts highlight basic traditional teachings and practices that still exist among some of the First Nations peoples in Manitoba. Elders who carry the knowledge of these particular teachings and practices continue to be a resource to those who want to learn more about First Nations peoples cultures.

- ***Conduct at Ceremonies:*** There are different basic protocols and practices for men and women who participate or observe traditional ceremonies. The most basic protocol and practice is for women to wear a dress or skirt and men to remove their headwear, both as demonstrations of respect.
- ***Names and Colours:*** The Circle of Life teaches First Nations that when they are born; their spirit name already exists in the spiritual realm. It is a name that is unique to the individual which is expected to be used throughout ones’ lifetime when at any ceremony or gathering. The naming ceremony of an individual is a gathering of family and friends at which time the individual receives their spirit name and colours that accompany the name.
- ***Clans and Kinship:*** Among each of the First Nations peoples, there is a system that recognizes family relations and kinship relatives from the mother’s and father’s side. One example of a formalized system is The Clan System of the Anishinaabe (Ojibway) people, given to the people by Ototemiwan, an Anishinaabe prophet. It is a system that recognizes lineage and family relations; each with their own set of responsibilities. It is a system built upon the values of equality, justice, law and order, and giving all the people a voice in governing the nations. This system reinforces the teachings and traditional laws of Anishinaabe pimatisiwin (a sacred way of life).

- **The Four Sacred Medicines:** The four sacred medicines from Mother Earth are tobacco, sage, cedar, and sweetgrass. All four medicines are part of sacred bundles for personal or ceremonial use. Of these medicines, tobacco is the main medicine as it is used for prayer, either by itself or in conjunction with the pipestem and a combination of other sacred medicines. Sage is the women's medicine and the most common medicine used to smudge people at large gatherings. Cedar has many healing properties; therefore, it has multiple purposes. Sweetgrass is referred to as Mother Earth's hair, as it comes in long blades of a sweet smelling grass. It is used in smudging ceremonies.
- **Fasting:** Fasting is a sacred ceremony practiced by people who want to seek clarity, guidance, and their purpose in life. It is a time of renewal and to re-energize ones' spirit. Fasts can be one to seven days in duration depending on what the individual is seeking.
- **Feasts and Giveaways:** Feasts are a way of individuals and whole families to express thanks for what they have been given. Giveaways sometimes accompany feasts, depending on the reason for the feast. Giveaways are gifts that the family has gathered in the previous year as part of the preparations and offerings they share with the people who have helped them in their life.
- **The Seven Stages of Life:** The seven stages of life teachings help the individual to understand what can be expected on the journey through life and the gifts that they have been given to help them on their journey, from birth to Eldership. These teachings are shared by role models who live their lives by example. These seven stages of life include:
  - (1) The Good Life (Birth and Infancy)
  - (2) The Fast Life (Adolescence)
  - (3) The Wandering Life (Young Adult)
  - (4) The Truth Life (The Married Life)
  - (5) The Planning Life (The Deciding Life)
  - (6) The Doing Life (The Busy Life)
  - (7) The Elder Life (The Teaching Life)
- **Traditional Roles:** Elders in First Nations' communities are considered Elders for their life experiences, their traditional knowledge, the lessons they have learned, and the roles they have played in their community. Traditionally, women were responsible for the family ensuring the languages, customs, and beliefs were passed on through the generations. Traditionally, men were the providers for the family and protectors of the camp and traditional territories. Traditionally, children were to listen to what they were taught and to respect everything in nature and their relationships with others.

### ***Tipi Teaching*** (Saskatchewan Indian Cultural Center,2009)

The tipi is a portable shelter. Traditionally, First Nations families dwelt in these structures fabricated from 15 long poles, whose base was set in a circle and tied at the top. The poles were covered with animal hides sewn together and pegged to the ground. They are symbolic of the traditional values that helped to formulate the First Nations worldview and provide teachings for behavior and a positive character. Storytellers would use each pole to teach the following values:

1. *Obedience*: We learn by listening to traditional stories; by listening to our parents or guardians, our fellow students and our teachers.
2. *Respect*: We must give honour to our Elders and fellow students and the strangers who come to visit our community. We must honour other peoples' basic rights.
3. *Humility*: We are not above or below others in the circle of life. We feel humbled when we understand our relationship with creation. We are so small compared to the majestic expanse of creation. "*We are just a strand in a web of life,*" and we respect and value life.
4. *Happiness*: We must show some enthusiasm to encourage others at social functions.
5. *Love*: If we are to live in harmony, we must accept one another as we are and to accept others who are not in our circle. Love means to be kind and good to one another.
6. *Faith*: We must learn to believe and trust others, to believe in a power greater than ourselves whom we worship and whom gives us strength to be a worthy member of the human race.
7. *Kinship*: Our family is important to us. This includes our parents, our brothers and sisters who love us and give us roots, the roots that tie us to the life blood of the earth. It also includes extended family, grandparents, aunts, uncles and cousins and their in-laws and children. These are also our brothers and sisters and they give us a sense of belonging to the community.
8. *Cleanliness*: We must learn not to inflict ills on others, for we do it to ourselves. Clean thoughts come from a clean mind and this comes from Indian spirituality. Good health habits also reflect a clean mind.
9. *Thankfulness*: We learn to give thanks for all the kind things others do for us and for the Creator's bounty, that we are privileged to share with others in the spirit of love.

10. *Sharing*: We learn to be a part of the family by helping in providing food or satisfying other basic needs. This is sharing responsibilities in order to enjoy them.
11. *Strength*: We must learn to be patient in times of trouble and not to complain but to endure and show understanding. We must accept difficulties and tragedies so that we may give others strength to accept their own difficulties and tragedies.
12. *Good Child Rearing*: Children are unique and blessed with the gift of life; we are responsible for their well-being, spirituality, emotionally, physically and for their intellectual development. They represent the continuity of our circle of life which we perceive to be the Creator's will.
13. *Hope*: We must hope for better things to make life easier for us, our families and the community, both materially and spiritually.
14. *Ultimate Protection*: The ultimate responsibility to achieve is "health for a balanced, caring for the body, mind, emotions and the spirit of the individual, the family, the community and the nation."
15. *Control Flaps*: We are all connected by relationships and we depend on each other. This controls and creates harmony in the circle of life.



(<http://www.flickr.com> )

## 2.4. CULTURE

The term, 'culture,' is an inclusive term because it takes into account a group's linguistic, political, social, economic, psychological, religious, national, racial and other differences. It engages certain practices based upon certain beliefs or ways of understanding the world and is a way of thinking, feeling and believing manifested through practices and customs. Culture is also the way a group's knowledge is stored up for societal continuance. First Nations peoples have a belief that they have practiced by using their languages through the oral tradition to impart their cultural teachings and practices to successive generations.

The First Nations cultural design is a plan in which their societies adapted to their physical and social environment. The physical environment includes food production, technological knowledge and skill; the social environment includes the political and family systems, such as The Clan System.

First Nations cultures express their own practices, products and knowledge and beliefs that people must live in a respectful, harmonious relationship with the Creator, with nature, with one another and with themselves. These relationships are governed by certain laws, which are gifts from the Creator and are fundamentally spiritual in nature, filling all aspects of life.

There are five First Nations groups within Manitoba; Anishinaabe (Ojibway), Anishiniw (Oji-Cree), Dakota, Dene, and Nehow/Ininiw (Cree). Each is diverse in their own culture, language, history and traditions. However, there are some similar teachings shared across First Nations cultures, such as a deep respect for the land and for nature. Local traditional systems need to be respected, accepted and celebrated.

### ***Cultural Celebrations***

A pow-wow is a social gathering; it is a celebration of singing, drumming and dancing. It is open to all people, including non-First Nations. Elders teach that there is more to pow-wows than just dancing; dancers have to live a good life based on spirituality and traditions and must realize that being good people and good leaders are more important than how they dance. If the dancers listen to the teachings, they will dance well because they are taught to take pride in themselves.

### ***The Role of Elders***

An Elder is a person with a lot of energy from life experiences and has the will and power to share their knowledge with others. Because of different life experiences, Elders will carry specialized bundles of knowledge and experience and become known, respected, and sought out to share their teachings with others.

***Elders are the “knowledge carriers of their First Nations oral history, traditions, teachings, cultures and ceremonies . . .***

(Assembly of Manitoba Chiefs, 2002)

### ***The Role of Women in Relation to the Treaties***

In the traditional First Nations Plains societies, women and men had equal status but performed different roles. Women’s primary roles included managing the home and raising children. Women were hard workers and were the source of strength in the transition from the traditional lifestyle to the post-Treaty lifestyle – they provided family cohesiveness.

Women also have a spiritual connection to Mother Earth because of the commonality with Mother Earth to bear life. It was because of this spiritual connection that women were respected and honoured. At the time of Treaty-making women were asked to share this strength in the Treaty-making process and were honoured for their contributions. They were not asked to speak rather to give their support to the process as they were viewed as the strength. Women did not sign the Treaties; this did not mean they were not

equal to men. It was understood within First Nations society, that men and women were equal.

### ***Children as Sacred Gifts from the Creator***

A gift is something that is free or unconditional. The Creator gave children to parents to raise and nurture until they grow up and can care for themselves. In the traditional First Nations family structure, babies and children are special because they guarantee a sense of security for the future. The family, including the extended family and community members, nurture and teach children important values to ensure the child grows up to have a satisfying childhood and live a long life. Children are taught that they are special human beings to help them develop their own potentials. Children must feel valued and respected in order to become accomplished, dynamic individuals and contribute towards a meaningful existence.

### ***The Buffalo and Fur Trade***

At the time the Treaties were being signed, in what is now Manitoba, the primary concern for the First Nations leaders was the existence and survival of their people. The signing of the Treaties was during an era when First Nations people's traditional territories in Manitoba were being encroached on by the ever increasing number of settlers, traders and hunters. These changes had begun to negatively impact traditional lifestyles, health, and relationships with Traders that had previously been a source of income and part of the new economy. First Nations leadership was becoming increasingly concerned as they saw their numbers being reduced by new diseases and pestilence. They began to view Treaty making as a feasible option to securing alliances and benevolence from the Crown.

The Plains bison was a major resource that sustained life amongst the Plains First Nations peoples. At the time of Treaty signing, a main concern for them was the declining buffalo herds which were the main source of food, clothing, and lodging. Without the buffalo, First Nations knew their entire nations would perish. The leadership, who represented their First Nations, brought this concern to the Crown representatives. The First Nations leaders asked the Crown for a plan to preserve the buffalo; Lieutenant-Governor Morris agreed and said the Crown would "examine the feasibility of legislating a law to help preserve the buffalo". Morris' statement enticed three additional Chiefs and headmen to sign Treaty. A foremost Chief within Treaty Six, refused to sign the Treaty because he said his people were being "lured into a trap" and thought First Nations should have more control over the land and resources than what was being negotiated in the Treaties. This Chief urged other First Nations and the Crown to establish emergency measures for preserving the remaining bison herds. Shortly thereafter, the buffalo herds were almost completely annihilated from the Prairies.

## 2.5. LANGUAGE

Language and culture are significantly intertwined and cannot be separated. Language is vital to understanding unique cultural perspectives because culture is so embedded within the language. Without the use of the language, meanings and significance are not correctly depicted nor articulated. During Treaty signing, certain implications and intentions were misplaced because of both the language barrier and the cultural barrier. The translations of English to the First Nations languages and vice versa did not guarantee that the subtleties, nuances and cultural contexts of the respective languages could be accurately captured.

## 2.6. ORAL TRADITIONS

Throughout history, different groups utilized different methods to record their histories and major events according to their resources and their environment. First Nations people used oral traditions through stories to pass on their way of life.

First Nation's history and knowledge was orally transmitted based on the experiences of the person speaking, which usually were recollections of events which they saw, heard of, or took part in. 'Keepers' or storytellers were responsible for protecting their oral history. They passed their knowledge to other individuals and retold each account exactly as it was received from its original keeper.

***Stories, you see, are not just entertainment. Stories are power. They reflect the deepest, the most intimate perceptions, relationships, and attitudes of a people. Stories, how a people, a culture, thinks.***

(Keeshig-Tobias, 1990, p.71)

Although First Nations people now use the written word to record events, oral traditions and oral histories remain strong and continue to be used in First Nations communities. The Elders are cautious in what they share because in the past, their beliefs and stories were misrepresented by the written word and the videos. They are also concerned about "copyright issues", because they say no one can own oral histories and stories. However, the Elders who carry the responsibilities of oral histories are cognizant of the boundaries around sharing their oral history and can determine when it is appropriate to share when the purpose of sharing is to bring about good relations between their people and others.

***Characteristics of Oral Tradition*** (OTC, 2002, p.485).

Oral tradition:

1. transmits the First Nations peoples worldviews, including the values, beliefs and the “essence” of the nations, and
2. requires the ability to listen and understand.

Oral traditions:

- are repetitious so teachings can be understood and will not be lost;
- encompass values, customs, beliefs, traditions, songs, ceremonies, history and information about events;
- are still practiced today by Elders who pass on important wisdom and knowledge that are invaluable to the culture, language and spirituality of their people. Elders acknowledge the source of oral history;
- were shared only if they imparted accurate information; and
- follow strict laws of respect.

**2.7. GOVERNANCE** (OTC, 1998, p. 40)

First Nations peoples originally had certain areas of traditional authority over their own people that the head spokesperson and headmen retained at the time of Treaty-making. Responsibility for children and for the well-being of families was vested in the First Nations’ leadership and retained by First Nations peoples. Similarly, Treaty First Nations peoples retained responsibility for the education of their own people in all areas except those where the Newcomers could contribute special skills and knowledge. Treaty First Nations peoples expected to retain the responsibility for the transmission of knowledge to future generations of their forms of social and cultural organization, their spiritual beliefs, and their skills and knowledge related to hunting, fishing, trapping, and gathering among other matters. First Nations peoples expected to retain both the authority and the capacity to govern their own people according to their laws and their systems of justice. Through the Treaty making process, the First Nations peoples understood that they would respect the laws of the Crown and, in return, the Crown would respect the authority of First Nations peoples in matters of governance over their own lands and people, including respect for their own lifestyles and cultural practices.

First Nations peoples have been practicing their own forms of government for thousands of years prior to the arrival of Newcomers into Canada. First Nations peoples’ governments varied according to their particular needs, as defined by their own economic, social, and geographical conditions (i.e., culture, spiritual beliefs, and ancestral lands).

In societies, a head spokesperson and informal Council of Elders, were chosen for their leadership abilities to oversee the affairs of the summer and winter camps. When several groups gathered in the summer, the oldest and most respected winter leader acted as spokesman for the combined group. As in other regions, decision making by consensus prevailed, and persuasion rather than coercion was the preferred way for leaders and Elders to implement their individual and collective wills.

Diplomacy and trade were intertwined. Gift giving was the cement of inter-nation diplomacy. Leaders of unrelated nations met and presented gifts of equal value to each other as symbolic gestures of good will. Often the exchange was a lengthy affair, which involved feasting, speech making, and uses of objects such as the ceremonial ritual of smoking of the pipestem and the calumet. Exchanges of this type were an integral part of inter-nation trade because they served to create or renew peaceful relations between groups as a prerequisite for regular commerce. These established protocols and practices became part of the Treaty making process.

## **2.8. NATURAL WORLD**

The traditional teachings of the First Nations peoples of the prairies maintain a common thread that they are one part of a 'family of nations' within the created world. All human beings are children of the Creator because it was the Creator who created different people and placed them on different lands on Mother Earth, providing them with their own set of instructions for living in harmony with all Creation.

### ***Mother Earth***

The First Nations peoples in Manitoba each have a special word in their language that means 'Mother Earth'. The earth has a special place within First Nations peoples' beliefs because it is the source of all life. First Nations peoples' prayers acknowledge Mother Earth as the bearer of all life forms. First Nations peoples have great reverence for Mother Earth and the wonders of life that she provides for the sustenance of all Creation. All life forms such as animals, birds, and plants are considered kinship to human beings. According to First Nations peoples' beliefs, the four elements, the sun, fire, wind and air, are interdependent of all things and intrinsic to the survival of all Creation.

## **3. The Traditional Worldviews of the First Nations Peoples in Manitoba**

The traditional worldviews of First Nations peoples in Manitoba are the foundations to the First Nations peoples respective way of thinking, way of life, and relationships with all of Creation. Some of the concepts are similar and shared among all First Nations peoples, and others are unique to their respective nation's worldview. It is understood that these worldviews have continued to evolve in an ever-changing world and have continued to

contribute to the sustainability of the First Nations peoples' presence in Canada. The First Nations languages remain a method of preserving and transmitting traditional cultural worldviews to all present and future generations.

Recognized and respected Elders continue to be honoured for the oral tradition gift that they have retained. First Nations peoples believe retention of First Nations peoples' languages gives authenticity to the preservation of the original teachings, values, beliefs, cultural practices, and historical knowledge which give meaning to the past, present, and future.

#### **4. British (Western) Worldviews** (OTC, 2002, p.459)

The worldview held by the Crown (British monarchy) at the time of Treaty-making, has become more commonly referred to as 'the Western worldview', originating among the European nations. The western belief system had strong links to Christianity, which formed a way of life with specific practices and teachings or instructions for living. This belief system recognized a close relationship between the higher power known as God and the monarch leadership that existed at that time. However, during the reign of Queen Victoria from 1837 to 1901, Britain became a constitutional monarchy and the power of the monarchy declined. By then parliament was well established and the concessions Queen Victoria made to separate church and state helped to further shape the monarchy. At the time of Treaty-making, this separation of church and state was already apparent.

A more in-depth study of the Western worldview would help to understand how this belief system governed the manner in which heads of state viewed their role in the expansion to the New World as the age of discovery came into being. The British along with the French, Spanish and Portuguese nations were among the early Newcomers to visit parts of the New World with the intention of discovering and claiming new lands for their monarchs.

Since European contact, some First Nations peoples have made Christianity their primary source of spirituality. With the rise of Christianity amongst First Nations peoples, the transitions to embracing Christian views and infusing them with First Nations traditions, beliefs and languages has become more evident among some First Nations peoples and communities. Given the historical relationship of contact between of First Nations peoples and Newcomers, it is to be expected that there would be some acceptance of each peoples' ways of knowing and being as both peoples moved into a relationship of co-existence.

## **PART FIVE: Treaty Essential Learning #5: Symbolism in Treaty Making**

Both Canada (Crown) and the First Nations peoples brought their sacred objects and processes to the Treaty negotiations which confirmed the nation-to-nation agreement and the solemnity of the occasion. These objects and processes were and are considered to be lasting in perpetuity and are continuous reminders that the Treaties are solemn pacts and legally-binding agreements for the two nations of Treaty. Co-existence is the pinnacle of the relationship.

Treaty making was full of traditional and cultural practices by both First Nations peoples and the Crown. To understand Treaties, one must appreciate the Treaty making process and thereby the significance of the symbols and the symbolism of the actions of both First Nations peoples and the Crown. Often what was deemed to be standard practice by one party, took on a special significance to the other. It was within this realm of mutual respect for their differences that the Treaty partners came together to find a way to co-exist.

### **1. THE MEANING OF THE PIPESTEM**

Teachers should note that it is essential that an Elder is brought in for this teaching. The following provides a brief introduction and overview of the meaning and significance of the pipestem.

The term pipestem comes from “Pipe meaning Fate” and “Stem meaning honesty”. (Elder Alma Kytwayhat on May 8, 2008).

Smoking of the pipe signifies two important conditions for the participants:

- (1) Participants are pledging a solemn covenant or are in agreement; and
- (2) Participants must then speak the ultimate truth as a partner to the solemn covenant



The smoking of the pipe is more than a handshake of friendship; it contains a spiritual connection with the Creator as a witness to the solemn oath. When the Treaties were signed, First Nations leaders witnessed the Indian Commissioner responsible for negotiating the Numbered Treaties, and Lieutenant Governor Alexander Morris, smoking the pipe and pledging certain promises and were satisfied that a good relationship was formed between them and the Crown. The use of the pipestem and tobacco during the signing of the Treaties confirmed the commitments of both the Crown and First Nations peoples.

## 2. THE HANDSHAKE

A handshake between the Indian Commissioner and First Nations leaders also took place following the signing of the Treaties. To the First Nations leaders, the significance of the handshake meant accepting the friendship extended from the Newcomers as well as accepting the negotiated terms of the Treaties. To the Newcomers, the handshake was extended to the First Nations leaders as a form of pledge and agreement to the important terms and new relationship that was formed as a result of the Treaties. In his response to the signing of Treaties with a handshake, Morris stressed a heart-to-heart feeling between them.

*My Indian brothers, Indians of the plains, I have shaken hands with you, I shake hands with all of you in my heart. God has given us a good day, I trust his eye is upon us, and that what we do will be for the benefit of his children.*

(Morris, 1971, Page 199)

## 3. TREATY SUITS AND TREATY MEDALS

Through the Treaty making process the Crown promised to provide suits of clothing to the First Nations Chief and headmen every three years. These suits were worn in many Chief and Council meetings up until the 1960s. These Treaty uniforms/suits symbolized the solidarity of two nations and the brother-to-brother relationship. Also, acts such as these were an act of respect and honour which endorsed First Nations leadership and their right to govern their people.



(<http://www.collectionscanada.gc.ca>, 2011)

The Treaty medals were symbols of the Treaty relationship: the new relationship created by the Treaties between the Crown and the First Nations peoples. The issuance of Treaty medals to Treaty signatories was a common practice throughout the historic Treaty-making period (AANDC, 2007).

## 4. UNION JACK – FLAGS

The union jack flag is a symbolic reminder of the Treaties because they were signed under the British flag, which was the flag of Canada at the time of Treaty-making.

## 5. TREATY DAY CELEBRATIONS

Treaty day celebrations are still a very significant part of many Treaty First Nations peoples' lives. First Nations peoples in Canada who signed Treaties continue to honour the Treaty relationship by having special events on their Treaty day celebrations which includes invitations for the Crown's (Canada) representatives to attend. The government of Canada issues a promised annuity payment to each First Nations member (\$5.00 to members, \$15.00 to councilors, and \$25.00 to the Chief). This annuity is symbolic of the renewal of the Treaty relationship between First Nations peoples and the Crown, now in the right of Canada.

*The value of that \$5.00 is not the economic value; it has a deeper meaning according to our Elders and the oral tradition understanding of our people. It is about the Crown's promise to our people. It is the roots of our Treaty #10 origin. That \$5.00 is important. It is a law of the land - natural laws, which is part of the respect and the exchange for sharing the land. It is part of the spirit and intent of Treaty #10.*



*Bunibonibee Cree Nation Elder receives her annual \$5 payment from the Crown at Oxford House as required under the terms of the First Nations' adhesion to Treaty 5.*

(Photo courtesy of Kevin Carlson Manitoba Keewatin, Thompson Citizen, 5 August 2009)

## **PART SIX: Treaty Essential Learning #6: Contemporary Treaty Issues**

There continue to be many contemporary issues that are being addressed through ongoing dialogue between First Nations peoples and the federal government. It is the hope of both parties that these contemporary issues be resolved so that the Treaties can be fulfilled.

Treaties between the Crown and First Nations peoples are the basic building blocks in the creation of Canada; a vision for the future should build on the recognition of the rights of First Nations peoples on the Treaty relationship.

This Treaty Essential Learning explores a number of contemporary issues which are on the public policy agenda of the government of Canada. These issues step from the colonization and assimilation processes utilized by Canada which had the effect of denying the rights of First Nations peoples. The contemporary issues affect Treaty implementation and reflect the complexities of the Treaty relationship.

### **1. LANDS IN DISPUTE**

When Treaties were agreed to there was a promise of lands that would be set aside for First Nations peoples. However, the lands were either not given or not enough was given therefore the issue of land came to the public agenda. Lands in dispute are most commonly referred to as “land claims” however the issue with this terminology is that the lands that First Nations people are trying to recover are lands that were in fact promised in the Treaties. Therefore, the term “land claims” assumes that the First Nations peoples are asking for new lands when in fact the lands in question were originally First Nations peoples lands. This raises the question, ‘how can one claim what is already theirs’. Therefore, the more appropriate term is “lands in dispute”.

In the 1960s, the First Nations peoples demanded a settlement process for outstanding Treaty land entitlement. The land claims that First Nations peoples demanded was twofold:

- (1) to return the land that was lost through illegal sales or acquisition, where reserve lands are sold without a vote of First Nations members to approve the sale; and
- (2) to appropriate lands that were promised in Treaties but were never secured.

Assertions of outstanding commitments remained largely unconsidered by government well into the 20<sup>th</sup> century (Butt & Hurley, 2006). In the early 1970s, the federal government of Canada initiated a policy, which was the first mechanism to deal with the settlement of First Nations peoples land disputes. The federal government acknowledged its responsibility to meet its lawful obligations by establishing the Office of Native Claims with the mandate to handle incoming specific claims from First Nations peoples.

*Specific Claims* are claims based upon problems that First Nations peoples experienced as a result of the allocation and administration of lands promised in Treaties, the *Indian Act*, or the disposition of First Nations lands.

Treaty Land Entitlement (TLE) relates to the fulfillment or lack of fulfillment of the reserve land promised in the numbered Treaties; thus creating an unfulfilled Treaty land obligation by Canada. *The Manitoba Treaty Land Entitlement Framework Agreement (1997)* provided a method of compensation for these unfulfilled land promises.

***The Framework Agreement settles the land debt that is owed to the First Nations peoples that did not receive all the lands that they were entitled to under the Treaties 1, 3, 4, 5, 6 and 10.***

(AANDC, 2007).

In a 1990 report, the House of Commons noted that there was an ongoing “high level of dissatisfaction with claims policies, the rate of processing was very slow and there was a recurring suggestion that the process would be more efficient if managed by a body independent of the Department of Indian Affairs and Northern Development (DIAND) and the Department of Justice (DOJ) (Butt & Hurley, 2006).

Since June 2007, First Nations peoples have been working closely with the federal government to develop a new approach to resolving specific claims. *The Specific Claims Tribunal Act* is a result of this work. This new legislation will accelerate the claims process, create an independent body to resolve claims, increase the resources for resolving claims and establish a joint committee to deal with other important claims matters. This could be viewed as a positive step in moving to reconcile and further harmonize the Treaty relationship.

## 2. TAXATION

From the First Nations peoples perspective, when Treaties were agreed to, it was understood that Treaty First Nations peoples were exempt from paying federal and provincial taxes. This has evolved over time and now Treaty First Nations peoples are only exempt from paying taxes on reserve land. There is a common misconception that First Nations peoples do not pay any taxes. The fact of the matter is that only when purchasing on-reserve are First Nations people exempt from the provincial sales tax (PST) and not exempt

from the good and services tax (GST); otherwise, when off-reserve Treaty First Nations peoples are required to pay taxes like all other Canadians.

In Treaty 8, taxation was addressed and stated that the Treaty partners were not to be subjected to any foreign taxation system. As well, the *Indian Act* states that First Nations peoples' personal property on a reserve, including income, is not subject to federal or provincial taxation. This confirmed the promise made during Treaty discussions that reserves would be tax-free.

### 3. SELF-GOVERNMENT AND THE CANADIAN CONSTITUTION ACT, 1982

First Nations peoples are trying to have their inherent right to self-govern recognized and based on how the First Nations peoples were structured before contact. The First Nations peoples are firm in that they never agreed to give up their rights to govern their own people. However, the federal government has interpreted the Treaties differently. The federal government maintains that when Treaties were agreed to, First Nations people agreed to live under the laws of the Newcomers, which in the present day, is represented by the government of Canada.

A recent significant period for First Nations people in Canada was the 1980s. Prior to the ratification of the *Canadian Constitution* signed in 1982, First Nations peoples lobbied the federal government to have their Treaty rights included in the new Constitution. After negotiations with the federal and provincial governments, agreements were made on the wording of Section 35 of the *Canadian Constitution*, to contain a clause of fundamental importance to the future of First Nations people in Canada:

**“The existing aboriginal and Treaty rights of the  
aboriginal peoples of Canada are hereby recognized  
and affirmed...”**

(Canada Constitution Act, 1982).

Section 35 provides guarantees and protection of aboriginal and Treaty rights in relation to the Charter of Rights.

Section 25 of the Charter of Rights and Freedoms ensures that 'existing' Aboriginal rights are not adversely affected by the *Charter of Rights and Freedoms*.

From the First Nations peoples perspective, self-government is something that First Nations peoples have always possessed pre-contact and post-contact. Self-determination is the ability of a nation of peoples to govern their own affairs. International law supports the view that capacity and ability belongs to First Nations peoples.

During the 1980 constitutional talks, First Nations leaders brought a longstanding self-government concern to a series of First Minister's conferences on Constitutional issues. This concern was for the control, or jurisdiction, over First Nations peoples traditional lands and resources – the same concern they had at Treaty-making.

However, little progress was made in defining Treaty and Aboriginal rights because the provincial and federal governments were reluctant to accept the nature and powers of First Nations peoples self-government. The issue of self-government is one of the largest and most significant, complex concerns facing all of Canada's First Nations communities today. In spite of the reluctance to recognize First Nations peoples' self-government, the inclusion of Treaty rights in the *Canadian Constitution (1982)* represents a defining moment in Canadian First Nations policy because First Nations peoples now have a unique constitutional status.

#### 4. RACISM

Racism is a reality for many First Nations peoples in Canada which has been experienced through the historical and contemporary acculturation process. There are many forms of racism. Institutional racism, also known as systemic racism, occurs in public institutions and private corporations. It is characterized by the systematic policies and practices that have the effect of disadvantaging certain racial or cultural groups (Wikipedia, Institutional Racism). Examples of this type of racism are the misrepresentation of First Nations peoples in the media, barriers to employment and the racial profiling by security and law enforcement workers.

Treaty rights and especially the recognition of the land rights of First Nations peoples in Canada remain central symbolic issues for most First Nations.

***As of 2008, less than 1% of Canada has been attributed to First Nations peoples in the form of reserves. To put this into perspective: Canada is almost 4 million square miles and less than 1% of that land has been designated for First Nations peoples.***

*(AANDC, 2008).*

From the First Nations peoples' perspective, the *Indian Act* is a discriminatory and racist policy that continues to govern all aspects of First Nation's livelihood. As a result, First Nations peoples continue to live and exist in sub-standard conditions with a high rate of unemployment. Although First Nations peoples occupy their reserve lands (Crown land), there has been virtually no advancements made by governments, lending institutions or investors who hold the power and ability to alleviate the poor socio-economic conditions.

Social justice is part of the education process in Manitoba that promotes anti-bias education, free from discrimination and racism. With education, students will have a better understanding of the history of First Nations peoples and their struggles throughout history. Learning about Treaties is essential to understanding racism and is also beneficial to all people of Canada. Racism hinders the pursuits of potentially healthy relationships. However, education counteracts racism by allowing people to have more accurate perspectives of reality. With education and an accurate understanding of Treaties, people can begin to alleviate the racism that exists and contribute to bringing about more social justice for Canada's First Nations peoples.

## 5. EDUCATION

Traditionally, First Nations peoples had their own systems of education based upon their values and traditions that embraced the concept of life-long education. First Nations education systems transmitted knowledge, language, values and skills to First Nations citizens. These systems enabled individual First Nations peoples to develop personal and interpersonal skills so that they could become productive citizens. Education provided each member of society with the skills and abilities needed for survival as individuals and the continuing growth and evolution of the nation as a whole.

At the time of Treaty making, First Nations peoples were aware of the new economy and new forms of livelihood that the Europeans were bringing. The Treaty First Nations peoples asked for the introduction of the various forms of education to augment their own education systems; First Nations peoples knew their existing education systems sustained them but they also knew that they were making a transition into a new era and wanted to better understand the Newcomers society. First Nations peoples realized that this would require their education systems to be open and inclusive of new knowledge and skills that could help their people move forward in the changing landscape of the land.

The education of First Nations peoples was a promise made in the Treaties. The Crown promised educational facilities and teachers to the First Nations peoples. One of the controversies over education is whether or not post-secondary education is a part of the Treaties. The federal government and the First Nations peoples disagree as to whether and how this is contained in the Treaties. From the First Nations peoples' perspective, Treaties are dynamic and adapt to the situation of modern times for implementation purposes.

First Nations peoples' worldview of education maintains the belief that education is part of the Circle of Life teachings which is based on the belief that education is a lifelong journey. This worldview embraces the continuum of education, both formal and informal and remains a responsive resource to an ever-changing world. Education is viewed as a tool to facilitate First

Nations peoples' adaptations to changes, thus contributing to their sustainability as nations of First peoples in a larger global society.

Treaty First Nations peoples require an education system which will provide their peoples with opportunities to acquire the skills and knowledge that they need in order to participate effectively in the global economy. This would require a close working partnership among the Treaty First Nations peoples in Manitoba and both the federal and provincial governments and related institutions, together with the negotiation of appropriate inter-governmental agreements.

From the perspective of Treaty First Nations peoples, implementation of the Treaty relationship in a contemporary context would involve First Nations peoples control over their own educational systems. Treaty First Nations' institutions would provide children with training in First Nations traditional livelihood, skills, languages, values, traditions, customs and history. These institutions would also provide education and training to enable Treaty First Nations peoples to participate as equals in the broader economy.

## **6. REPARATIONS FOR PAST INJUSTICES – RESIDENTIAL SCHOOLS**

With the implementation of the First Nations peoples Treaty right to schools, the history of the residential school era and its impacts on First Nations peoples has had lasting and lingering negative effects. In 1998, the federal government and the churches who administered the residential schools for First Nations children extended a formal recognition to the First Nations peoples for the physical, emotional and sexual abuses which occurred at the government sanctioned schools. The Government of Canada stated that residential schools: "left legacies of personal pain and distress that continue to reverberate in Aboriginal communities to this day" (The Canadian Bar Association, 2002. P.1). The tremendous intergenerational impacts continue to exist because the school system was a colonial system of social engineering where First Nation's children and family rights were almost completely ignored.

Many First Nations peoples today experience both emotional and spiritual effects of this system, which continues to cause dysfunction within families and individuals, and in some cases, whole communities. The intergenerational impacts of the residential schools were nation-wide and not just confined to one province or one area.

In 1996, the Royal Commission on Aboriginal People brought the residential school legacy to national attention. In 1998, in its *Gathering Strength* document, the government recognized the past injustices of residential schools with its *Statement of Reconciliation*. In 2001, the government created the Indian Residential Schools Resolution Canada to manage and resolve abuse claims. In 2006, the *Indian Residential Schools Settlement (IRS)* was approved in principle by all parties. In 2007, the *Indian Residential School*

*Settlement Agreement* was brought into effect. As of 2007, there are an estimated 90,000 residential school survivors alive (Health Canada, 2007).

The federal government implemented a 10-year initiative to work with Aboriginal people to preserve, revitalize and protect Aboriginal languages and cultures for all Aboriginal people, reinforcing at the same time Canada's commitment to address the full range of impacts stemming from the Indian residential schools system (Indian Residential Schools Resolution Canada, 2003).

On June 11, 2008, Prime Minister Stephen Harper rose in the House of Commons and, on behalf of all Canadians, apologized for the Indian residential school system and its profound negative impacts on Canada's Aboriginal peoples.

## **7. THE STATUS ISSUE (CITIZENSHIP AND THE INDIAN ACT)**

A key challenge for First Nations peoples in moving toward self-government is the issue of First Nations peoples' citizenship and the impacts of the registration sections of the *Indian Act*. Determining citizenship is a key function of any government. Currently, in effect, it is the federal government who determines the membership of First Nations groups as well as the citizens of Canada. First Nations people do not determine their own citizens.

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. Similarly, the *United Nations Declaration on the Rights of Indigenous Peoples* confirms and upholds that principle in International law. This gives support to First Nations peoples' rights to develop and define their own citizenship which confirms that nation-to-nation status of Treaties.

In 1985, the Canadian Parliament amended the *Indian Act* with *Bill C-31* to determine who is and who is not a First Nations citizen by increasing the First Nations leaders' government powers regarding membership matters. In reality, First Nations leaders may have received power to determine their membership, but *Bill C-31* holds the ultimate authority in determining who First Nations members are. In this arbitrary process, Canada continues to assert its ultimate right to determine who First Nations citizens are, thus maintaining delegated authority over First Nations peoples under the legislation of the *Indian Act*.

## **8. ECONOMIC CONDITIONS**

Despite the mutual obligations and benefits arising from the Treaty-making process by both parties, there is disparity between First Nations peoples and the majority of Canadians with respect to economic, social and cultural rights and conditions. More efforts should be made to alleviate the social and

economic deprivation of First Nations peoples by full implementation of the recommendations of the *Royal Commission on Aboriginal Peoples (1996)*. Of the four hundred plus recommendations, few have been fully implemented.

## 9. ECONOMIC DEVELOPMENT

The main purpose of creating urban reserves is for First Nations peoples to achieve a higher level of economic self-sufficiency for their communities and governments.

First Nations peoples of Manitoba began discussions with the province in the 1980's, eventually securing *The Manitoba Treaty Land Entitlement Agreement (1997)*. This Agreement details the way Canada, Manitoba and the Treaty Land Entitlement Committee of Manitoba Inc. (TLEC) have agreed to fulfill outstanding Treaty Land Entitlement (TLE) obligations in Manitoba for Entitlement First Nations (EFN's) represented by the TLE Committee.

## 10. FIRST NATIONS PEOPLES AND THE CRIMINAL JUSTICE SYSTEM

The relationship between First Nations peoples and the justice system is unacceptable and is consistently failing First Nations peoples when seeking justice in the courts. Statistics between 1987 and 2009 indicate very high incarceration levels for First Nations peoples.

Statistics Canada reported that in all provinces and territories the representation of Aboriginal adults in correction services exceeds their representation in the general population (Statistics Canada, 2009).

There is an over-representation of female Aboriginal offender population in the criminal justice system, which has increased by almost 90 percent since 2000. Aboriginal women represent the fastest growing offender group under federal jurisdiction.

***One in three federally sentenced women is Aboriginal, despite representing only three percent of the female population in Canada.***

(Findlay, 2011).

## 11. THE INDIAN ACT

In most of the contemporary issues previously mentioned, the *Indian Act* has played the common role of restricting First Nations peoples. The *Indian Act* is the law that outlines how First Nations peoples are to be administered. However, the Treaties clearly stated that the two nations would have peaceful relations and would continue their ways of life. The *Indian Act* has affected the Treaty relationship due to its paternalistic nature that was created to control every aspect of First Nations people lives. It is viewed as an impediment to Treaty implementation by First Nations.

*The Royal Commission on Aboriginal Peoples (RCAP) 1996*, challenged Canada to construct new relationships between First Nations and non-First Nations peoples, characterized by mutual respect and recognition, responsibility and sharing.

Most First Nations peoples experience low standards of living on-reserve which are manifested in a socio-economic conditions that include: lack of clean water, substandard housing, overcrowding, and drug and alcohol abuse. This is a stark reality for many First Nations peoples and the issues need to be addressed to make positive changes.

## **12. TREATIES 1 TO 11 GATHERINGS**

First Nations people's leadership who are part of the numbered Treaties 1 to 11 has been gathering since 2006 to discuss the Treaties, the Treaty relationship and the Treaty implementation process. These gatherings are part of the First Nations people's process of bringing unity to these discussions and advancing collective interests in areas impacting and affecting their memberships.

## **CONCLUSION: The Way Forward (First Nations Peoples Face The 21<sup>st</sup> Century)**

All Canadians need a constant reminder that First Nations peoples gave up a lifestyle and a livelihood. They agreed to share their land to make a transition into a new society and a different lifestyle. The transition is taking generations because not all of the Treaty promises have been fulfilled. During this transition period, First Nations peoples are experiencing a sub-standard lifestyle.

As the 21<sup>st</sup> century begins, First Nations peoples are building a positive future for themselves. In spite of colonization, First Nations peoples have persisted in their identities and are building a brighter future for their coming generations. The challenge to maintain and support this focus and momentum remains part of the ongoing renewal of the Treaty relationship with the Government of Canada (Crown) and the overall reconciliation process that will eventually lead to a more harmonious Treaty relationship.

## BIBLIOGRAPHY

- Aboriginal Affairs and Northern Development Canada. (2009). *Backgrounder – Indian Residential Schools*. Retrieved from [http://www.ainc-inac.gc.ca/ai/rqpi/nwz/2008/20080425a\\_is-eng.asp](http://www.ainc-inac.gc.ca/ai/rqpi/nwz/2008/20080425a_is-eng.asp)
- Aboriginal Affairs and Northern Development Canada. (2010). *Canada Endorses the United Nations Declaration on the Rights of Indigenous Peoples*. Ref.#2-3429. Retrieved from <http://www.ainc-inac.gc.ca/ai/mr/nr/s-d2010/23429-eng.asp>
- Aboriginal Affairs and Northern Development Canada. (2009). *Canada's Position: United Nations Draft Declaration on the Rights of Indigenous Peoples*. Retrieved from <http://www.ainc-inac.gc.ca/ap/ia/pubs/ddr/ddr-eng.asp>
- Aboriginal Affairs and Northern Development Canada. (2008). Retrieved from <http://www.ainc-inac.gc.ca/ai/rqpi/apo/index-eng.asp>
- Aboriginal Affairs and Northern Development Canada. (2008). Reports – Canada: Environment and Natural Resources, Mining and Minerals. Retrieved from <http://www.ainc-inac.gc.ca/enr/mm/pubs/can/can-eng.asp>
- Aboriginal Healing Foundation. (2006). Retrieved from <http://www.ahf.ca/publications/research-series>
- Assembly of First Nations. (n.d.). *Residential Schools – A Chronology*. Retrieved from <http://64.26.129.156/article.asp?id=2586>
- Assembly of Manitoba Chiefs. (2002). Certified Resolution, January 9. Retrieved from <http://www.manitobachiefs.com/documents/resolutions.html>
- Assembly of Manitoba Chiefs, Council of Elders. (2011). Meeting of the Council of Elders. January 27, 2011. Winnipeg, Manitoba.
- Assembly of Manitoba Chiefs, Council of Elders. (2010). Elders talk on First Nations terms used during Treaty making. March 25, 2010. Brokenhead, Manitoba.
- Buckner, A. P. (1990). *Glacial Lake Agassiz*. Manitoba History, Number 19, Spring 1990. Retrieved from [http://www.mhs.mb.ca/docs/mb\\_history/19/lakeagassiz.shtml](http://www.mhs.mb.ca/docs/mb_history/19/lakeagassiz.shtml)
- Brizinski, P. (1989). *Knots in a String*. Saskatoon: Division of Extension Community Relations, University of Saskatchewan.

Butt, E. & Hurley, M. (2006). *Specific Claims in Canada*. Law and Government Division, Library of Parliament. Retrieved from <http://www.parl.gc.ca/information/library/PRBpubs/prb0618-e.htm>.

Canada, *Constitution Act*. (1867). Section 91(24).

Canada, *Constitution Act*. (1982). Section 35.

Canada, *Manitoba Act*. (1870).

Canadian Heritage. (2010). *Government of Canada Renews Support for Aboriginal Languages Across the Country*. Canada News Centre, Government of Canada. Retrieved from <http://news.gc.ca/web/article-eng.do?m=/index&nid=581129>

Cardinal, H. & Hildebrandt, W. (2000). *Treaty Elders of Saskatchewan*. Calgary: University of Calgary Press.

Coates, K. and Morrison, W. (1986). *Treaty Research Report: Treaty 5 (1875 - 1908)*. Treaties & Historical Research Centre, Ottawa: Aboriginal Affairs and Northern Development Canada

Coates, K. and Morrison, W. (1986). *Treaty Research Report: Treaty 10 (1906)*. Treaties and Historical Research Centre, Ottawa: Aboriginal Affairs and Northern Development Canada

Covenant of the League of Nations. (n.d.) Retrieved from <http://www.firstworldwar.com/source/leagueofnations.htm>

Daugherty, W. (1983). *Treaty Research Report: Treaty One and Treaty Two (1871)*. Treaties and Historical Research Centre Research Branch, Corporate Policy, Ottawa: Aboriginal Affairs and Northern Development Canada. Retrieved from <http://www.ainc-inac.gc.ca/eng/1100100028660>

Daugherty, W. (1986). *Treaty Research Report: Treaty Three (1873)*. Treaties and Historical Research Centre, Ottawa: Aboriginal Affairs and Northern Development Canada. Retrieved from <http://www.ainc-inac.gc.ca/eng/1100100028671>

Delgamuukw v. British Columbia [1997] 3 S.C.R. 1010.

De Wolf, G. D., et al., *Gage Canadian Dictionary* (1997). Calgary: Gage Educational Publishing Co.

Doolittle, P.E. (1999). Vygotski zone of proximal development as a theoretical foundation for cooperative learning. *Journal on Excellence in College Teaching*, 8(1), 83-103.

Federation of Saskatchewan Indian Nations, (2008). *Treaty Implementation Principles*. Saskatoon: Federation of Saskatchewan Indian Nations.

Findlay, S. (2011, January). Trouble in the Big House, *McLean's*, 124(6). 20-21.

Flett, R., Mason, R., & Mason, D. (2010). Fax correspondence respecting Ten Key Treaty Terms, 24 June 2010.

Francis, D. (n.d.) Retrieved from <http://www.manataka.org/page94.html>

Government of Canada. (2010). *Speech from the Throne: A Stronger Canada. A Stronger Economy*. Governor General of Canada. March 3, 2010, Ottawa, Canada. Retrieved from <http://www.nationalpost.com/news/Full+text+Speech+from+Throne+2010/2637533/story.html>

Health Canada, *First Nations and Inuit Health*, October 2007, [http://www.hc-sc.gc.ca/fnih-spni/services/indiresident/healing-querison\\_e.html](http://www.hc-sc.gc.ca/fnih-spni/services/indiresident/healing-querison_e.html)

Herman, C, & Toutsaind-Gordon, A. (2010). Email correspondence respecting Ten Key Treaty Terms. 4 June 2010.

Indian and Northern Affairs Canada. (2007). *Historic Treaties in Canada: Solemn Words and Foundational Documents in Canadian History*. Report of J.A.J. McKenna, Commissioner, Treaty No. 10, 1907, Ottawa, Ontario.

Indian Residential Schools Resolution Canada. (2003). *Information Sheets*. Retrieved from <http://www.irsr-rqpi.gc.ca/newsroom-eng.asp?action=info-adr-framework-2003>.

Inter Caetera, (n.d). Retrieved from [http://en.wikipedia.org/wiki/Inter\\_caetera](http://en.wikipedia.org/wiki/Inter_caetera).

Leslie, John. (n.d.). Treaties, Surrenders and Agreements Essay. Retrieved at <http://www.collectionscanada.gc.ca/aboriginal-heritage/020016-3008-e.html#essay>

Keeshig-Tobias, L. (1990, January 26). Stop Stealing Native Stories. *Globe and Mail*.

Lathlin, W. (Elder). (2011). Assembly of Manitoba Chiefs Council of Elders meeting January 27, 2011. Winnipeg, Manitoba.

Linklater, D. (Elder). (2011). *Ininew Teaching*. Assembly of Manitoba Chiefs Council of Elders meetings: Brokenhead First Nation, Scanterbury, Manitoba; and January 27, 2011, Winnipeg, Manitoba.

Manitoba First Nations Education Resource Centre (2008). *First Nations Teachings and Practices*. Winnipeg: Manitoba First Nations Education Resource Centre Inc

Miller, Jim. (2009). *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. Toronto: Toronto University Press.

Minister of Indian Affairs and Northern Development. (1997). *Gathering Strength – Canada's Aboriginal Action Plan*, catalogue no. R32-189-1997E, p.4. Ottawa.

Morris, A., (1971). *The Treaties of Canada with the Indians of Manitoba and the North West Territories, including the negotiations of which they were based, and other information relating thereto*. [1880] Reprint. Toronto: Coles Publishing Co.

Newcomb, Steve. (1992). Five Hundred Years of Injustice. *Shaman's Drum*. Fall 1992. P18-20.

Office of the Treaty Commissioner (OTC) (n.d.). Frequently asked Questions. Retrieved from [http://www.otc.ca/ABOUT\\_TREATIES/FAQs/#4](http://www.otc.ca/ABOUT_TREATIES/FAQs/#4)

Office of the Treaty Commissioner (OTC). (1998). *Statement of Treaty Issues: Treaties as a Bridge to the Future*. Saskatoon: Office of the Treaty Commissioner.

Office of the Treaty Commissioner (OTC). (2007). *Treaty Implementation: Fulfilling the Covenant*. Saskatoon: Office of the Treaty Commissioner.

Office of the Treaty Commissioner, *Teaching Treaties in the Classroom, Treaty Resource Guide, Grades 7-12*, 2002. Saskatoon: Office of the Treaty Commissioner.

Pratt, D. (Elder). (2010). Assembly of Manitoba Chiefs Council of Elders meetings: March 2010, Brokenhead First Nation, Scanterbury, Manitoba; and January 27, 2011, Winnipeg, Manitoba.

Price, R.T. (1991). *Legacy: Indian Treaty Relationships*. Edmonton, Alberta: Plains Publishing.

Province of Manitoba. (2010). News Release: 12 May 2010, *Province Celebrates Treaties: Premier Selinger Signs Proclamation Acknowledging Treaties in Manitoba*. Retrieved from <http://news.gov.mb.ca/news/index.html?archive=2010-5-01&item=8465>

Ray, A. J., Miller, J. & Tough, F. (2000). *Bounty and Benevolence: a History of Saskatchewan Treaties*, Montreal: McGill-Queen's University Press.

The Royal Commission on Aboriginal Peoples (RCAP) (1996). Retrieved from <http://www2.parl.gc.ca/content/lop/researchpublications/prb9924-e.htm>

Royal Proclamation (1763). Retrieved from <http://www.bloorstreet.com/200block/rp1763.htm>

Saskatchewan Indian Cultural Center. (2009). *Cultural teachings: First Nations Protocols and Methodologies*. Saskatoon: Saskatchewan Indian Cultural Center.

Sinclair, R. (n.d.). *The Stolen Generation: The 60's Scoop*. Retrieved from <http://www.originscanada.org/the-stolen-generation/>

R. v. Sioui [1990]. 1.S.C.R. 1025.

Statistics Canada. (2006). Retrieved at [http://www12.statcan.ca/census-recensement/2006/dp-pd/fs-fi/index.cfm?Lang=ENG&TOPIC\\_ID=4&PRCODE=46](http://www12.statcan.ca/census-recensement/2006/dp-pd/fs-fi/index.cfm?Lang=ENG&TOPIC_ID=4&PRCODE=46)

Statistics Canada. (2009). *The Incarceration of Aboriginal People in Adult Correction Services, 2009*, Retrieved from <http://www.statcan.gc.ca/pub/85-002-x/2009003/article/10903-eng.htm>.

Taylor, J. (1985). *Treaty Research Report: Treaty Four (1874)*. Treaties & Historical Research Centre, Ottawa: Aboriginal Affairs and Northern Development Canada.

Taylor, J. (1985). *Treaty Research Report: Treaty 6 (1876)*. Treaties and Historical Research Centre, Ottawa: Aboriginal Affairs and Northern Development Canada.

Treaty Land Entitlement of Manitoba Inc. Retrieved from <http://www.tlec.ca/About.page>

The Canadian Bar Association (2002). *Residential School Claims*. Retrieved from <http://www.cba.org/cba/resolutions/2002res/residential.aspx>

The Truth and Reconciliation Commission of Canada. (2008). Retrieved from <http://www.trc-cvr.ca/overview.html>

The United States and Doctrine of Discovery. (n.d.) Retrieved from <http://www.manataka.org/page94.html>

Treaty Land Entitlement of Manitoba Inc. Accessed from <http://www.tlec.ca/About.page>

Treaty Relations Commission of Manitoba. (2010). Retrieved from [www.trcm.ca](http://www.trcm.ca)

United Nations (2007). *United Nations adopts Declaration on Rights of Indigenous Peoples*. Retrieved from <http://www.un.org/ga/61/news/news.asp?NewsID-23794&Cr=indigenous&Cr1>

**TREATY MISCONCEPTIONS AND FACTS**

| <b>MISCONCEPTIONS</b>   | <b>FACTS</b>   |
|---|--|
| <b><i>Treaties are simple land transactions</i></b>   | The Treaties are permanent, legal binding, solemn agreements between the Crown and the First Nations peoples of Canada. In addition to the land, the Treaties create a fundamental political relationship, establishing obligations and expectations on both sides. This relationship included the principles of peaceful co-existence and mutual benefit.   |
| <b><i>Treaties have no relevance today: they are part of the past.</i></b>                  | In 1982, when the Constitution was repatriated, Section 35 recognized and affirmed existing Treaty rights. Like other rights and freedoms that all Canadians enjoy, Treaty rights are guaranteed by the Canadian Constitution which is the primary law of the land. All Canadians live under the rule of law, so Treaties <i>must</i> be honoured. There is no expiration date on the Treaties; they are intended to be enduring. The leaders who negotiated the Treaties spoke about the “children yet unborn” because they wanted the agreement to reflect the changing realities for the generations to come. |
| <b><i>Treaties benefit only First Nations peoples.</i></b>                                  | The Treaties benefit all Canadians because they offer a unique foundation to build a harmonious future for all Canadian people. Prior to the turn of the last century, both First Nations and the Crown/Government of Canada saw Treaties as a viable means of defining how everyone could live together for the good of all.  |
| <b><i>The written text of Treaty is all that a person needs to understand Treaties.</i></b> | While the Government of Canada relied on written documents, First Nations peoples relied on oral traditions regarding the “spirit and intent” of the Treaties. First Nations peoples believe the written documents do not capture the spirit and intent from the First Nation peoples’ perspectives.   |

|   |  |
|---|--|
| <b><i>First Nations leaders did not understand the Treaty process because they were uneducated.</i></b> | At the time of the Treaty signing, the First Nation's leaders who bargained the terms of the Treaties, were formidable negotiators and understood how the Treaty rights and benefits would affect the future of their peoples. |
|---|--|

| <b>MISCONCEPTIONS</b>  | <b>FACTS</b>  |
|--|---|
| <b><i>First Nations peoples did not have civilized societies and when the Newcomers came to north America, they taught the indigenous people how to survive in this environment.</i></b> | First Nations peoples had well developed societies with their own forms of commerce, government, education, spirituality, technologies, etc., with a similar conceptual base. The First Nations peoples lived in harmony with nature for thousands of years, making them perfect environmentalists. They taught the Newcomers essential survival skills because the newcomers found it difficult to exist in the harsh conditions; in fact, some would not have stayed or survived if it hadn't been for the First Nations peoples. |
| <b><i>Treaties are a thing of the past or "frozen in time."</i></b>  | Treaties are living agreements and were meant to last as long as the sun shines, the grass grows and the rivers flow.   |
| <b><i>Treaties gave newcomers full access to resources.</i></b>  | When the Treaties were agreed to the First Nations agreed to only the depth of the plough.  |
| <b><i>Only First Nations peoples are Treaty.</i></b>   | All people in Manitoba are Treaty people. A Treaty person is anyone who benefits from Treaty agreements in Manitoba, beneficiaries of the seven numbered Treaties live, make a living, and enjoy a way of life on the land shared through Treaty making. The Treaties are intended to provide benefits for succeeding generations. Today all residents in Manitoba continue to benefit from Treaties.   |

**APPENDIX 2**

**TREATY RELATED TERMS IN THE FIRST NATIONS LANGUAGES  
IN MANITOBA**

| <b>ANISHINAABE</b>  | <b>ANISHININIW</b>                                      | <b>NEHOW/<br/>ININIW</b>  | <b>DAKOTA</b>  | <b>DENE</b>  | <b>ENGLISH</b>  |
|---|---|---|--|--|---|
| Inawemaagan(ag)<br>(relatives:<br>biological,<br>extended, adopted)   | Otinawimakanak<br>asa kakii nikan<br>majawaj            | Ka-ki-<br>nikanohtecik<br>kiwahkomakanin<br>anak  | Wichitokam<br>ya<br>(predecessor)  | Nuhelodtine<br>nutthe<br>nu tzen dails                         | <b>Relatives<br/>who have<br/>gone before</b>   |
| An ii ko bidish<br>igehwin<br><br>Aanikoobijigewin<br>(generations in<br>genealogy)<br><br>Aanikoobijigan(ag)<br>(generations in<br>genealogy i.e.<br>grandchildren,<br>grandparents,<br>ancestors) | Anikopitakanak<br>nonkom, mejwai,<br>wabank             | aneskowatesewin   | Wichoichage<br>Hekta<br>ehanna<br>(past)<br><br>Dehantu<br>(present)<br><br>Tokata<br>(future) | Yanisi hotzi<br>chu,<br>duhu tzi chu,<br>yanathe<br>hotzi dene | <b>Linking<br/>together of<br/>the past,<br/>present &amp;<br/>future<br/>(generations)</b> |
| A da so kan a<br>Aadizookaan(an)<br>(legend, traditional<br>story)<br><br>Aadizookaan(ag)<br>(legendary figure,<br>ancestor, spiritual<br>figure/being)   | Achimowin<br>(stories)<br><br>Atisokewinan<br>(legends) | Anisko-<br>acimowina (oral<br>tradition, a story,<br>our stories)<br><br>Anisko-<br>acimowin (oral<br>tradition)<br><br>Tibjimowin (our<br>stories) | Wawokaye<br>(our stories)<br><br>Woyake<br>(stories)   | Nu<br>honie/nuhey<br>atie (our<br>stories/our<br>language)     | <b>Oral<br/>tradition, a<br/>story, our<br/>stories</b>                                     |

| ANISHINAABE  | ANISHININIW                | NEHOW/<br>ININIW   | DAKOTA   | DENE  | ENGLISH   |
|--|----------------------------|--|--|---|---|
| Agoowidi' iiana<br>or<br>Agowidiwin(an)<br><br>agwi'idiwin(an)<br>(Treaties, coverage<br>in the form of a<br>Treaty) | Asitamakewin               | Asotamakewi<br>n(a) (s/he was<br>given a<br>promise)<br><br>Kechi<br>okimaswewi<br>asotamakewin<br>(royal, The<br>Queen<br>promises) | Okadakchiyapi<br>Oyate<br>wowapiyutanpi<br>(Treaty)  | Yunize<br>tsabanalya<br>dene<br>elelot'ine<br>eleltsi ni<br>erehtl isi (the<br>time people<br>built<br>relationships<br>and<br>dispersed<br>funds<br>documents) | <b>The<br/>Treaties</b>                               |
| Gidakiinaan (our<br>land)  | Kitakiinan                 | Kitaskinanaw/<br>kitaskinaw<br>or kitagi'inan  | Dakod Makochi<br>(Dakota<br>territory)   | Ni hodelyu<br>dene tzi  | <b>Our land<br/>belongs to<br/>all of us</b>          |
| Gidoondaadizimin<br>akiing (we make a<br>living from the<br>land, we get life<br>from the land)                      | Akii ni onki<br>pimahjomin | Pimaciho-<br>askiy<br>Or<br>magi'aski  | Makoche kin de<br>un taku owas<br>ichaghe ka<br>owachinunyapi<br>(we live off<br>everything that<br>grows on this<br>Land) | Didi ni hotzi   | <b>We all<br/>make a<br/>living from<br/>the land</b> |

| ANISHINAABE  | ANISHININIW   | NEHOW/<br>ININIW  | DAKOTA  | DENE  | ENGLISH   |
|--|---|---|---|---|---|
| Onak'go'nagewin<br>or<br>Onaakonigewin(an)<br>(a law, agreement<br>between parties)  | Sooniyaka awes<br>ji ke win<br>or<br>Asitamakewin<br>onajikewin | Asotamawina or<br>osihtawina<br>(Treaty promises,<br>to make) | Okadakchiya<br>pi kaghapi<br>(relationship<br>making)<br><br>Okonwanzid<br>an awacinpi<br>(Treaty<br>agreement) | Yunize<br>tsabanalya<br>dene<br>elelot'ine<br>eletsini<br>(the time<br>people<br>built<br>relationshi<br>ps and<br>dispersed<br>funds)                            | <b>Treaty<br/>making,<br/>relationship<br/>making</b> |
| Anami'aaawin<br>gide'ing onji  | Ote onji<br>ayahimiyaa  | Kisimowin/kakes<br>ewowim<br>or<br>mitewin/mitew<br>in        | Chanwashte<br>ya chekiya  | Dene tziye<br>dta yati<br>holi  | <b>Prayer<br/>from the<br/>heart</b>                  |
| Sagasedewin or<br>zagaswe'idewin<br><br>Zagaswe'idiwag<br>(participate in<br>traditional pipe<br>protocol in creating<br>policies, agreements<br>and laws) | Sakiswa,<br>piitawewin  | Ospwakani-<br>pihtwawin                                       | Channupa<br>unpe  | Not part of<br>Dene ways  | <b>Smoking<br/>the pipe</b>                           |
| Sagasedewag<br>asho'da'mayewinan<br><br>Ashodamaagewin(an)<br>(promise)<br><br>agwi'idiwining<br>ashodamaagewinan<br>(Treaty promises)                     | Soonya<br>asitimakewin  | Asotamakewin (a)  | Okadakchiya<br>pi echun pte<br>keyapi   | Yunize<br>tsabanalya<br>dene elelot<br>'ini t'ahodi<br>ni (what<br>was said<br>during the<br>time people<br>built<br>relationshi<br>ps and<br>dispersed<br>funds) | <b>Treaty<br/>promise</b>                             |

| ANISHINAABE  | ANISHININIW                      | NEHOW/<br>ININIW   | DAKOTA   | DENE   | ENGLISH                    |
|--|----------------------------------|--|--|--|----------------------------|
| Zagaaka'on(ag)<br>(medal)<br><br>Agwi'idiwini-<br>zagaaka'on(ag)<br>(Treaty Medals)  | Kinawachishikan<br>ka osawapikak | Shoni yoskaw<br><br>or<br><br>Kihokimaw-<br>osakaskwahon | Mazaska<br>wanapin   | Tzamba<br>kothede<br>tzamba/gule   | <b>Treaty<br/>medal(s)</b> |
| Gitchi-ogimaa<br>or<br>Gichi-ogimaawin<br>(The Crown,<br>government)   | Kitchi-okimawin<br>sonya okimaw  | Soniyawistikwan<br><br>or<br><br>shoniya<br>ogimaw       | Wokichonze<br>(law, government<br>or kingdom)  | K'okhi neth<br>t'ala (the<br>person who<br>is beneath<br>the main<br>leader) | <b>The Crown</b>           |
| Na ta ma gee yok<br>(helping each<br>other)<br><br>na da magewin<br>(collective)<br><br>waawiji'idiwin<br>(defence)<br><br>naadamaagewin<br>or<br>naadamaadiwin<br>(defence between<br>two or more<br>parties) | Kainatamakoyak<br>kawihchikoyak  | wicisicikemito<br>win                                    | Okodakchiyapi<br>(alliances)<br><br>or<br><br>Dakonkichiyap<br>(alliance or<br>friendship) | Atla nitzi<br>delu<br>eltzesedi  | <b>Alliance</b>            |
| Gikinawaadaki(in)<br>or<br>Akiikaan(an)<br>(area, parcel of<br>land, province)   | Okinow-winnis                    | Not available  | Makoche<br>Makobashpe<br>(Provinces of<br>Canada)  | Ni nadarelya<br>(divided<br>lands)   | <b>The<br/>Province</b>    |

| ANISHINAABE  | ANISHININIW  | NEHOWAK/<br>ININIW  | DAKOTA   | DENE  | ENGLISH   |
|--|--|---|--|---|---|
| <p>Moon ya shuk<br/>(white people)</p> <p>Moonyaa(g) (any<br/>Caucasian from<br/>Montreal)</p>   | <p>Wemitikoosiwak<br/>or<br/>Oomitikooswak<br/>(the White Man)</p> | <p>Moniyask<br/>(Montreal<br/>people)</p> <p>We<br/>mitigoshiyag<br/>(wooden<br/>boat people)</p> | <p>Ikchewichashta<br/>pi shni<br/>Washicun<br/>(white man)</p> <p>Dakota Shni<br/>(not Dakota)</p>   | <p>Tthot'ine/bal<br/>ai (white<br/>people)</p>                                    | <p><b>Non-First<br/>Nations<br/>peoples</b></p> |
| <p>Izhichikewin(an)<br/>or<br/>Gete-<br/>izhichigewin(an)<br/>(traditional<br/>protocols)</p>  | <p>Okachikewinan<br/>or<br/>isichikewinan</p>                      | <p>isicikewina</p>  | <p>Tuke ohna<br/>echunpi kte he<br/>okodakchiyapi</p>  | <p>Yati dea/yati<br/>beghade hoa<br/>(words that<br/>are there to<br/>follow)</p> | <p><b>Protocols</b></p>                         |
| <p>Mewisha onji<br/>(from a long time<br/>ago)</p> <p>nametoowin<br/>akiing<br/>(impressions of<br/>land occupation<br/>i.e. frame<br/>structures, fire<br/>pits, markings,<br/>etc)</p> | <p>Weskaj<br/>kakitanapinaniwak</p>                                | <p>Kitaski' inan<br/>or<br/>kitaskinaw</p>  | <p>Wakan tanka<br/>ded<br/>ichakhunyanpi-<br/>(the land where<br/>the Creator put<br/>us)</p> <p>Otokaya Dakod<br/>Makoche (First<br/>Lands of the<br/>Dakota<br/>Nations)</p> | <p>T'atthe<br/>t'at'u dene<br/>nene ni (the<br/>way the land<br/>was)</p>         | <p><b>Traditional<br/>Territories</b></p>       |

| ANISHINAABE   | ANISHININIW   | NEHOW/<br>ININIW  | DAKOTA                                    | DENE   | ENGLISH               |
|---|---|---|---|--|-----------------------|
| Anishinaabek<br>(Ojibway First Nations/person)                          | Nistam<br>anisinniwak<br>or<br>Kakina<br>anishiniwak<br>(all human beings, First Nations) | Anishiniway<br>or<br>anisiniwak<br>(all human beings)<br><br>Ininiwak (Cree/<br>First Nations/person) | Ikchewichas<br>htapi<br>(common man)      | Tat'ine/t'atthe<br>dene<br>(First/original people) | <b>First Nations</b>  |
| Anishinaabe(g)<br>(First Nations, human, Indigenous person)             |   |   |   |  |                       |
| Bebakaan<br>Anishinaabe(g)<br>(other First Nations, Indigenous persons) |   |   |   |  |                       |
| Gide'ing onji   | Ote onji<br>kasawenimokoyan   | Ka kisi<br>mowin<br><br>or<br><br>mitewin   | Wochante<br>Washte<br>(with a good heart) | Dene tziyeta                                       | <b>From the heart</b> |

Source: Assembly of Manitoba Chiefs, Council of Elders as per acknowledgements; including First Nations language technicians and linguists, who attended a series of technical First Nations languages gatherings in 2010-11, which were coordinated and facilitated by the Assembly of Manitoba Chiefs.

Note: There is not a standard Roman orthography for First Nations languages. As a result, there are variations in the orthography.

**GLOSSARY**

The following glossary includes general terms found in the *Treaties and the Treaty Relationship: Teachers' Guide for Grade 5 and Grade 6 (TRCM, 2011)*.

Some of the definitions have been taken from a variety of sources, including the Native Studies: Senior Years (S1-S4): A Teacher Resource Book (Manitoba Education, 1998), The First Nations Struggle to be Recognized: Teaching Treaties in the Classroom, A Resource Guide for Grade 5 (Saskatchewan Office of the Treaty Commissioner, 2008), Words First: An Evolving Terminology Related to Aboriginal Peoples of Canada (Aboriginal Affairs and Northern Development Canada); and other publications as cited with the use of footnotes.

**ABORIGINAL:** The descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal peoples: Indian (see First Nations), Métis, and Inuit. These are three separate peoples with unique heritages, languages, cultural practices and spiritual beliefs.<sup>1</sup>

**ABORIGINAL RIGHTS:** rights that Aboriginal peoples of Canada hold as a result of their ancestors' long standing use and occupancy of the land. The rights of certain Aboriginal peoples to hunt, trap and fish on ancestral lands are examples of Aboriginal rights.<sup>2</sup>

**ABORIGINAL TITLE:** a legal term that recognizes an Aboriginal interest in the land. It is based on the long-standing use and occupancy of the land by today's Aboriginal peoples as the descendants of the original inhabitants of Canada.<sup>3</sup>

**ANISHINAABE(G) (Ojibway(s)):** First Nations peoples who reside primarily in southern Manitoba and other parts of Canada and the United States. Anishinaabe is an Ojibway term used to describe an Ojibway person or other people if their First Nations ancestry is unknown<sup>4</sup>; in the Ojibway language Anishinaabe means "man lowered from the sky"<sup>5</sup>.

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<sup>1</sup> Office of the Treaty Commissioner. (2008). *Revival of the Treaty Relationship: Living in Harmony, Teaching Treaties in the Classroom, A Treaty Resource Guide for Grade 6*. Saskatchewan, page 49; Southern Manitoba First Nations Repatriation Program. (2000). *Definitions*. Retrieved at <http://www.wrcfs.org/repatriation/defn.html> ; Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>2</sup> Indian and Northern Affairs. *Terminology*. Accessed at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>3</sup> Ibid.

<sup>4</sup> Manitoba Education and Training. (1998). *Native Studies: Senior Years (S1-S4): A Teacher Resource Book*.

<sup>5</sup> Assembly of Manitoba Chiefs Council of Elders. (2009). *Council of Elders Meeting*. Winnipeg, Manitoba.

**ANISHININIW(AK) (Oji-Cree(s)):** First Nations peoples who combined both the Ojibway and Cree language and grammar into a distinct language and culture in the north-eastern part of Manitoba.<sup>6</sup>

**BAND:** A body of Indians for whose collective use and benefit lands have been set apart or money is held by the Crown, or declared to be a band for the purposes of the Indian Act. Each band has its own governing band council, usually consisting of one chief and several councillors. Community members choose the chief and councillors by election, or sometimes through custom. The members of a band generally share common values, traditions and practices rooted in their ancestral heritage. Today, many bands prefer to be known as First Nations.<sup>7</sup>

**CREATOR:** The First Nations believe in a Great Spirit or God who is the Creator of all things. This spirit is often referred to as the Creator in the First Nations languages.<sup>8</sup>

**COVENANT(S):** an agreement between God and a person or nation<sup>9</sup>

**CREE (Nehow(ak)/Ininiw(ak)):** First Nations peoples in Northern and Central Manitoba are Cree. The name “Cree” comes from the French-Canadian term *Christineaux* meaning Christians. The self-identifying term used by the Cree is *Ininiw(ak)* meaning men, or generally, the people.<sup>10</sup> In Manitoba, the Cree use both self-identifying term “*Nehow(ak)*” and “*Ininiw(ak)*”, meaning Cree person or Cree people.

**CROWN:** The monarch, especially as head of state; the power or authority residing in the monarchy.<sup>11</sup> The Crown designates two concepts, one the head of state (monarch) as well as the symbolic representation of the Government. For example, in the U.S., the equivalent term is “state”.

**CULTURE:** The customs, history, values and languages that make up the heritage of a person or people that contribute to an individual’s or people’s identity<sup>12</sup>. First Nations peoples use the term culture to refer to their traditional teachings, beliefs, history, languages, ceremonies, customs, traditions, priorities (how life should be) and stories.<sup>13</sup>

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<sup>6</sup> Manitoba Education. August 2010. *Feedback on Draft Treaty Education Teachers’ Resource Guide*.

<sup>7</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved <http://www.ainc-inac.gc.ca/eng/1100100014642>.

<sup>8</sup> Office of the Treaty Commissioner. (2008). *Revival of the Treaty Relationship: Living in Harmony, Teaching Treaties in the Classroom, A Treaty Resource Guide for Grade 6*. Saskatchewan, page 50.

<sup>9</sup> *Ibid.*

<sup>10</sup> Manitoba Education and Training (1998).

<sup>11</sup> OTC Saskatchewan (2008).

<sup>12</sup> Manitoba Education and Training (1998).

<sup>13</sup> OTC Saskatchewan (2008).

**DAKOTA:** First Nations people who live in south-western Manitoba are Dakota. The Dakota Nations are First Nations peoples of Manitoba who are recognized as Indians and are registered in Ottawa but are not Treaty Indians as they do not have a recognized Treaty with the Crown.<sup>14</sup>

**DENE:** The Athaspaskan-speaking peoples of the north-western Canada. Dene is the self-identifying term that means “the people”<sup>15</sup>. The Dene peoples in Manitoba also use the self-identifying term “Denesuline”.

**FIRST NATIONS:** A term that came into common usage in the 1970s to replace the word “Indian”, which some people found offensive. Although the term First Nation is widely used, no legal definition of it exists. Among its uses, the term First Nations peoples refer to the Indian peoples in Canada, both Status and non-Status. Some Indian peoples have also adopted the term First Nation to replace the word band in the name of their community.<sup>16</sup>

**IDENTITY:** is a term used to describe a person’s sense of self that deals with his or her feelings of worth in relation to others<sup>17</sup>. First Nations understand the term “identity” to mean a person’s self-awareness of who they are which is found in their connection to their ancestors, to the traditional territories that they came from. This self-awareness helps First Nations peoples to understand relationships to the past, present and future.<sup>18</sup>

**INDIAN ACT:** Canadian federal legislation, first passed in 1876, and amended several times since. It sets out certain federal government obligations and regulates the management of Indian reserve lands, Indian moneys, and other resources.<sup>19</sup>

**INDIAN AFFAIRS AND NORTHERN DEVELOPMENT CANADA (INAC):** is a name of the federal government department that has been delegated the jurisdictional responsibility for First Nations peoples in Canada. AANDC is the federal department responsible for negotiating and implementing Treaties, including comprehensive and specific land claims.<sup>20</sup> As of June 2011, the AANDC has undergone a new name change and is now called *Aboriginal Affairs and Northern Development Canada (AANDC)*.

**INDIAN STATUS:** an individual’s legal status as an Indian, as defined by the Indian Act.<sup>21</sup>

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<sup>14</sup> Manitoba Education and Training (1998).

<sup>15</sup> OTC Saskatchewan. (2008).

<sup>16</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>17</sup> Manitoba Education and Training (1998);

<sup>18</sup> Assembly of Manitoba Chiefs Council of Elders. (2009). *Council of Elders Meeting*. Winnipeg.

<sup>19</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>20</sup> Aboriginal Affairs and Northern Development Canada. Treaty Policy Directorate. Retrieved at <http://www.ainc-inac.gc.ca>

<sup>21</sup> Ibid.

**INDIGENOUS PEOPLE:** all inhabitants indigenous to their lands and territories, and their descendants; native or belonging naturally to a place; of, pertaining to, or concerned with the aboriginal inhabitants of a region<sup>22</sup>

**INHERENT:** a God-given right, existing in someone or something as a permanent characteristic or quality<sup>23</sup>

**INHERENT RIGHTS:** those rights that exist naturally within a people<sup>24</sup>

**ININIW (Cree):** refers to the Cree Nation's self-identifying term; also see CREE;

**INTERGENERATIONAL IMPACTS:** the effects of sexual and physical abuse that were passed on to the children, grandchildren and great-grandchildren of Aboriginal people who survived the residential school system<sup>25</sup>

**NATION:** community of people of mainly common descent, history, language, etc. A group of people with a common history, language, and culture who use a particular territory-and live upon it-and a system of governance<sup>26</sup>

**NEWCOMERS:** is term used to describe Euro-Canadian non-First Nations peoples

**NUMBERED TREATIES:** Treaties signed between 1871 and 1921, each numbered 1 to 11, throughout the North and West. All contained some rights conferred on Indians, such as reserves and annuities, and in return the First Nations agreed to cede vast tracts of land<sup>27</sup>. From the First Nations perspective, they contend that they agreed to "share" vast tracts of land.

**OJIBWAY(S) (Anishinaabe(g)):** The First Nations peoples of Southern and Central Manitoba. In Manitoba, the Ojibway people are sometime referred to as *Saulteaux*, while in the U.S. they are often referred to as *Chippewa*. The self-identifying term is *Anishinaabeg*.<sup>28</sup>

**OJI-CREE(S) (Anishiniw(ak)):** First Nations who live in Northeastern Manitoba who speak a language that combines both Ojibway and Cree grammar and vocabulary.<sup>29</sup>The self-identifying term is *Anishiniw(ak)*.

**ORAL HISTORY:** a term used to describe the art of passing on the history, values and beliefs of First Nations from one generation to the next through the

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<sup>22</sup> OTC Saskatchewan. (2008).

<sup>23</sup> Ibid.

<sup>24</sup> Manitoba Education and Training (1998).

<sup>25</sup> Aboriginal Healing Foundation. (2010). *The Indian Residential Schools Settlement Agreements. Common Experience Payment and Healing: A Qualitative Study Exploring Impact on Recipients.* The Aboriginal Healing Foundation Research Series. Ottawa.

<sup>26</sup> Ibid.

<sup>27</sup> OTC Saskatchewan (2008).

<sup>28</sup> Manitoba Education and Training (1998).

<sup>29</sup> Ibid.

spoken words of people who have knowledge of past events and traditions (Saskatchewan Office of the Treaty Commissioner, 2008); oral history, in both its content and its form, conveys the humanity, character, and the environment of (First Nations) ancestors in ways the written word simply cannot duplicate (Winona Stevenson in Jennifer Brown, 2003); evidence taken from the spoken words of people who have knowledge of past events and traditions. This oral history is often recorded on tape and then put in writing. It is used in history books and to document claims.<sup>30</sup>

**ORAL TRADITION(S):** is a term used to describe knowledge that goes back many generations. It may take the form of laws, myths, songs, stories, or fables. It may be found in place names or phrases in a traditional Aboriginal language. Weaving, masks, totem poles, carvings and other symbolic creations may be used by some First Nations to record information<sup>31</sup>. Oral traditions are distinct ways of knowing and the means by which knowledge is reproduced, preserved and conveyed from generation to generation.<sup>32</sup>

**PEDAGOGY:** the art or science of teaching; First Nations pedagogy refers to the ways of knowing, learning and teaching inherent to the traditional methods of informal and formal education.

**POLICY:** a term that refers to basic principles by which a government is guided

**PROTOCOL:** a set of principles that guide conduct and behaviours as a means to demonstrate peace, harmony, mutual respect, understanding and good relations. They are a way to have a meaningful conversation. There are also protocols that are unique to different First Nations peoples<sup>33</sup>; the ceremonial forms accepted as correct in official dealings, as between heads of state or diplomatic officials<sup>34</sup>; the etiquette of diplomacy and affairs of state; a set of rules, procedures, conventions and ceremonies which relate to relations between states<sup>35</sup>.

**RESERVE:** a tract of land, the legal title to which is held by the Crown, set apart for the use and benefit of an Indian band.<sup>36</sup>

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<sup>30</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>31</sup> OTC Saskatchewan (2008).

<sup>32</sup> Hulan, Renee and Engienbrod, Renate Ed.. (2008). *Aboriginal Oral Traditions: Theory, Practice, Ethics*. Fernwood Publishing: Black Point, Nova Scotia.

<sup>33</sup> Kakwirakeron and Dave Good. (2000). *First Nations Protocol: Working with First Nations*. Reprinted in Frontlines, published by the First Nations Environmental Network, Mi'kmaq Territory, Eskasoni, Cape Breton, Nova Scotia. Retrieved at <http://NCSEonline.org/nae>.

<sup>34</sup> Webster New World Dictionary. (1975). The World Publishing Company: New York, NY.

<sup>35</sup> Wikipedia the Online Dictionary. Retrieved at [http://en.wikipedia.org/wiki/Protocol\\_\(diplomacy\)](http://en.wikipedia.org/wiki/Protocol_(diplomacy))

<sup>36</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

**RESIDENTIAL SCHOOL SYSTEM:** In the 1870's, the federal government, partly in order to meet its obligation to educate First Nations, Métis and Inuit children, began to play a role in the development and administration of these schools. Two primary objectives of the Residential Schools system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption that Aboriginal cultures and spiritual beliefs were inferior and unequal. Indeed, some thought, as it was infamously said, "to kill the Indian in the child". Most schools were operated as "joint ventures" with Anglican, Catholic, Presbyterian or United Churches.<sup>37</sup>

**ROYAL PROCLAMATION OF 1763:** a legal document which established British ownership over all colonies in Canada and provided protection over unsettled lands belonging to the Indians.<sup>38</sup> The Royal Proclamation of 1763 was issued by King George III establishing British authority and administration over colonial lands of North America from Quebec to Florida. This proclamation outlined the administration of colonies, set firm boundaries between the colonies and First Nations lands, and established protocols for British acquisition of First Nations lands. The Royal Proclamation established that any future negotiation with the First Nations peoples was to be in done public by representatives of the British Crown, and that the final results of such negotiations would be recorded in written Treaties. The Proclamation also gave Britain the right to purchase First Nations peoples hunting and fishing grounds, but gave First Nations peoples the right to hunt and fish on these acquired lands.<sup>39</sup> The Royal Proclamation of 1763 has been labelled an "Indian Magna Carta" or an "Indian Bill of Rights".

**SELF-GOVERNMENT:** government by its own people; self-control<sup>40</sup>

**SOVEREIGNTY:** the absolute and independent authority of a community, nation; the right to autonomy of self-government; supremacy with respect to power and rank; supreme authority; a territory or community existing as a self-governing or independent state.<sup>41</sup>

**SPIRIT AND INTENT:** spirit and intent is a term referred to in the context of Treaty-making and Treaties made between the First Nations and the Canada (Crown); spirit and intent refers to the spoken words shared in the oral tradition and in the written text outlining the agreement, followed by the protocol of a pipe ceremony that accompanied Treaty-making which embraced the spirit of the

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<sup>37</sup> Prime Minister's Statement of Apology. (2008). Retrieved at <http://www.aadnc-aandc.gc.ca/ai/rqpi/apo/index-eng.asp>

<sup>38</sup> OTC Saskatchewan (2008).

<sup>39</sup> Canada in the Making. Retrieved at [http://www.canadiana.ca/citm/themes/aboriginals3\\_e.html](http://www.canadiana.ca/citm/themes/aboriginals3_e.html)

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

Creator or God as a means of sealing an accord that would last “as long as the sun shines, the grass grows and the rivers flow.”<sup>42</sup>

**SURRENDER:** A formal agreement by which a band consents to give up part or all of its rights and interests in a reserve. Reserve lands can be surrendered for sale or for lease, on certain conditions.<sup>43</sup>

**TERRA NULLIS:** a Latin term derived from Roman Law that means “land belonging to no one – no man’s land”

**TIME IMMEMORIAL:** a time so long past as to be indefinite in history or tradition. It describes a time before legally fixed dates. Time immemorial is used as a basis for custom or right.<sup>44</sup>

**TRADITIONAL TERRITORIES:** a term used by First Nations to describe large tracts and mass areas of land, including waters, used, occupied and governed by First Nations prior to the arrival of the Newcomers. First Nations continue to utilize and refer to traditional territories and lands as part of living history and spiritual connection to the past, present and future.

**TREATY DOCUMENTS AND ARTIFACTS:** Canadian heritage records in the form of Wampum, parchments, manuscripts and maps, totems, seals, signatures and stamps dating back from the 1600s to the 1990s; all are evidence of decisions that have shaped Canada and its peoples.<sup>45</sup>

**TREATY INDIAN:** A Status Indian who belongs to a First Nation that signed a Treaty with the Crown.<sup>46</sup>

**TREATY LAND ENTITLEMENT (TLE):** a specific area of claims concerning fulfillment of the guarantee of reserve land in The Numbered Treaties.<sup>47</sup> Treaty land entitlement claims are intended to settle the land debt owed to those First Nations who did not receive all the land they were entitled to under historical Treaties signed by Canada (Crown) and First Nations peoples.<sup>48</sup>

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<sup>42</sup> Hildebrant, Walter, Sarah Carter, and Dorothy First Rider. (1996). *The True Spirit and Original Intent of Treaty 7*. McGill-Queen’s University Press. Kingston, Ontario.p15.

<sup>43</sup> Aboriginal Affairs and Northern Development Canada. (2009). *Words First: An Evolving Terminology Related to Aboriginal Peoples in Canada*. Retrieved at <http://dsp-psd.pwgsc.gc.ca/Collection/R2-236-2002E.pdf>

<sup>44</sup> Manitoba Education and Training (1998).

<sup>45</sup> Library and Archives Canada. *Spirit and Intent: Understanding Aboriginal Treaties*. Retrieved at: <http://www.collectionscanada.gc.ca/what-on/treaties-exhibition/index-e.html>

<sup>46</sup> Aboriginal Affairs and Northern Development Canada. *Terminology*. Retrieved at <http://www.ainc-inac.gc.ca/eng/1100100014642>

<sup>47</sup> Ibid.

<sup>48</sup> Ibid. *Frequently Asked Questions – Treaty Land Entitlement*. Retrieved <http://www.ainc-inac.gc.ca/eng/1100100034819>

**TREATIES:** solemn agreements between two or more nations that create mutually binding obligations<sup>49</sup>; as in the Treaties negotiated and concluded between the Crown and many of Canada's First Nations.<sup>50</sup>

**TREATY RIGHTS:** rights that are provided for in the Treaties made between the First Nations and the British Crown or the Government of Canada.<sup>51</sup>

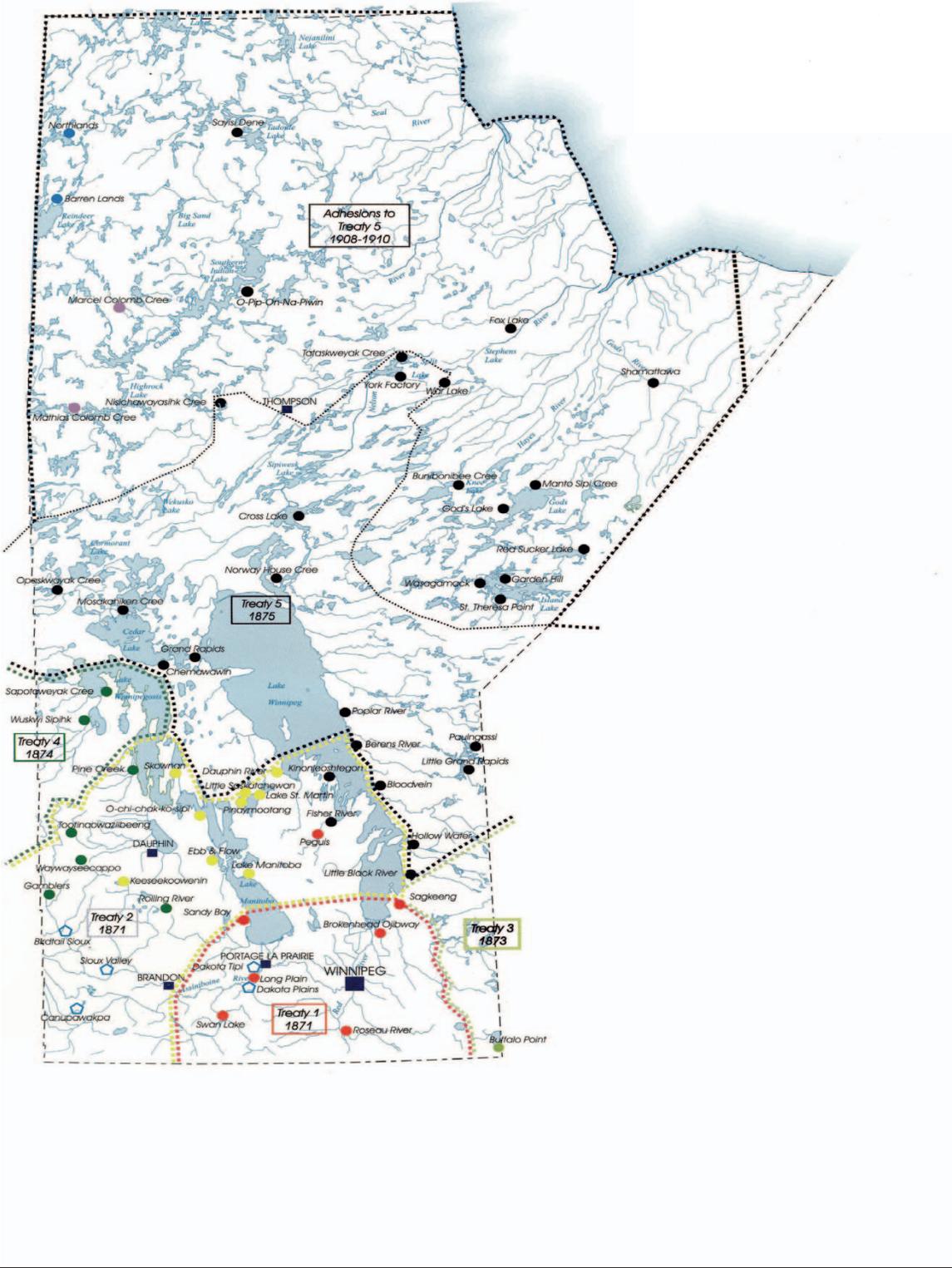
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<sup>49</sup> Ibid.

<sup>50</sup> Ibid. (2007). *Historic Treaties in Canada: Solemn Words and Foundational Documents in Canadian History*.

<sup>51</sup> OTC Saskatchewan (2008).

MAP OF TREATIES OF MANITOBA



**APPENDIX 5**

**MAP OF HISTORICAL INDIAN TREATIES**

