

## Additional Resources for Teachers: Colonization and Canada

*For many non-Indigenous teachers, we understand this can be a challenging topic to navigate. We believe that having Indigenous voices guide these discussions is vitally important, and MARL encourages teachers to reach out to Indigenous organizations and community groups who are available to facilitate in classrooms. With that said, we identify the need for the role of educator to not always fall on Indigenous peoples, and desire to honestly and meaningfully provide education surrounding colonialism and its impacts in Canada, while not implying we are experts on this topic. We hope that the following resources are helpful for teachers who would like assistance in navigating these topics meaningfully.*

### Table of Contents

Websites and Literature.....	2
Activities.....	7
Introduction to treaties in Canada.....	17
Treaties background information.....	18



## The Canadian Encyclopedia

This online encyclopedia offers insights on social conditions of Indigenous Peoples in Canada including areas such as housing, employment, health, justice and family.

<http://www.thecanadianencyclopedia.ca/en/article/native-people-social-conditions/>

## âpihtawikosisân

âpihtawikosisân, a Métis woman from Alberta living in Montreal who created this blog focusing on debunking myths to familiarize people with specific Indigenous topics. Entitled *Indigenous Issues 101*, her blog is organized by different headers and subtopics on a range of subjects, from Specific Myths or Misunderstandings to Thoughts about Language/Culture and Elsipogtog.

<http://apihtawikosisan.com/aboriginal-issue-primers/>

## Report of the Special Rapporteur on the Rights of Indigenous Peoples in Canada

A report submitted in 2014 by James Anaya, the Special Rapporteur on the rights of Indigenous Peoples, outlines the human rights situation of Indigenous peoples in Canada based on information gathered from various sources as well as in cooperation with the government of Canada. The report outlines various human rights concerns as well as provides recommendations.

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/075/09/PDF/G1407509.pdf?OpenElement>

## The Indian Act in Plain English

Nora Loreto, an activist and writer based in Québec City lays out the Indian Act in comprehensive, plain English. This was done to assist Canadians in understanding the colonial relationship between Indigenous people and the Crown, while removing confusing legal jargon.

<https://noraloreto.ca/the-indian-act-in-plain-english/>

## Daniel Schwartz: “How does native funding work?”

This article published by CBC in 2013 explores the complicated and often misunderstood issue of funding to Indigenous communities.

<http://www.cbc.ca/news/canada/how-does-native-funding-work-1.1301120>

## Health Canada

The website lists the drinking water advisories that are in place in First Nations communities across Canada with exception to British Columbia.

<http://www.hc-sc.gc.ca/fniah-spnia/promotion/public-publique/water-dwa-eau-aqep-eng.php>

This site answers questions about water and wastewater in relation to First Nations communities in Canada.

<http://www.hc-sc.gc.ca/fniah-spnia/promotion/public-publique/water-eau-eng.php>

## *John Steckley: Learning from the Past: Five Cases of Aboriginal Justice, de Sitter: Ontario, Canada*

This book outlines five different case studies of Canadian Indigenous people who have faced injustice in the Canadian justice system. This book outlines what happened in each case as well as explores what has happened since investigations occurred.

Available for purchase from:

<http://www.desitterpublications.com/learningfromthepast.html>

## The Truth and Reconciliation Commission of Canada

This website has links for the TRC report and findings, to the National Centre for Truth and Reconciliation and more.

<http://www.trc.ca/websites/trcinstitution/index.php?p=905>

## Assembly of First Nations - Quality of Life Fact Sheet

This *quick facts* sheet from 2011 provides facts as well as context on issues concerning First Nations communities. An excellent source of statistical facts.

[http://www.afn.ca/uploads/files/factsheets/quality\\_of\\_life\\_final\\_fe.pdf](http://www.afn.ca/uploads/files/factsheets/quality_of_life_final_fe.pdf)

## University of Manitoba – Debunking Myths

The Aboriginal Student Centre at the U of M published this pamphlet full of myths and facts to debunk misconceptions about First Nations Peoples.

[http://umanitoba.ca/student/indigenous/media/28\\_Myths\\_and\\_facts.pdf](http://umanitoba.ca/student/indigenous/media/28_Myths_and_facts.pdf)

## University of Alberta – Debunking Myths

Chelsea Vowel, a Métis author and educator unpacks five misconceptions about Indigenous peoples.

<https://www.ualberta.ca/newtrail/spring-2017/features-dept/exposing-five-myths>

### Joanna Smith: “First Nations Financial Transparency Act: median salary for a chief is \$60,000”

An article published by The Star in 2015 that analyzes the salaries of First Nations chiefs.

<https://www.thestar.com/news/canada/2015/02/07/first-nations-financial-transparency-act-median-salary-for-a-chief-is-60000.html>

### Tim Fontaine: “Some Inflated Thoughts About Treaty Payments”

An article published in *Media Indigena*, clearly explains what treaty money is, how much it is and refers to Jean Allard in reference to what that amount would translate to today with interest and inflation and the idea of direct payment.

<http://www.mediaindigena.com/tim-fontaine/issues-and-politics/some-inflated-thoughts-about-treaty-payments>

### Native Women’s Association of Canada

This website brings together 13 Native women’s organizations across Canada to protect, recognize, promote and defend their Native ancestral laws, spiritual beliefs, language and traditions. There are current updates and a live Twitter feed for up to date information.

<https://nwac.ca/>

### Aboriginal Youth Opportunities (AYO!)

AYO!, a youth-led organization in Winnipeg’s North End, aiming to provide young people with opportunities for leadership and community development.

<http://www.ayomovement.com/>

### Got Bannock?

A grassroots cause to feed the hungry, the homeless, the less fortunate on the cold streets of Winnipeg.

[www.gotbannock.ca](http://www.gotbannock.ca)

### First Nations Child & Family Caring Society of Canada: Shannen’s Dream

A Wealth of resources for teachers and students that aim to bring reconciliation to the classroom.

<http://www.fncaringsociety.com/shannens-dream-school-resources>

### Elizabeth Comack, Lawrence Deane, Larry Morrisette, and Jim Silver: *Indians Wear Red*

A look at Aboriginal street gangs and the context that produced them. This book touches on racialized poverty and colonized spaces.

<https://fernwoodpublishing.ca/book/indians-wear-red>

### Lorna Standingready's Story

Kaitlin Bardswich shares the story of residential school survivor Lorna Standingready.

<http://kaitlinbardswich.ca/category/truth-and-reconciliation-commission/>

### Racial Equity Tools

A source of curriculum and different ways of educating on racial equity.

<https://www.racialequitytools.org/home>

### Kairos Canada

An educator's resource on the blanket exercise, a teaching tool to share the historic and contemporary relationship between Indigenous and non-Indigenous peoples in Canada.

<http://kairosblanketexercise.org/>

### First Nations Education Steering Committee

FNESC is a controlled collective organization focused on advancing quality education for all First Nations learners. A BC based organization that creates curriculum and other resources.

<http://www.fnesc.ca/>

### Groundwork for Change

This site is meant to support people who are asking questions and looking to learn more about Indigenous-settler relations in Canada in respectful and useful ways.

[www.groundworkforchange.org](http://www.groundworkforchange.org)

### Decolonizing Together

This article written by Harsha Walia challenges readers to consider moving beyond a politics of solidarity towards a practice of decolonization.

<https://briarpatchmagazine.com/articles/view/decolonizing-together>

## Housing Discrimination

This is a research study done in Thompson and Winnipeg, outlining the experiences of racism and discrimination that Indigenous peoples experience when trying to access housing.

[http://apr.thompsonbooks.com/vols/APR\\_Vol\\_1Ch6.pdf](http://apr.thompsonbooks.com/vols/APR_Vol_1Ch6.pdf)

## Indian Status: 5 more things you need to know

This article by the CBC dispels commonly held myths around First Nations and status cards.

<http://www.cbc.ca/news/indigenous/indian-status-5-more-things-you-need-to-know-1.3109451>

## Ally Bill of Responsibilities

Lynn Gehl outlines 16 actions that individuals take on when they are seeking to become allies to Indigenous peoples.

[http://www.lynngehl.com/uploads/5/0/0/4/5004954/ally\\_bill\\_of\\_responsibilities\\_poster.pdf](http://www.lynngehl.com/uploads/5/0/0/4/5004954/ally_bill_of_responsibilities_poster.pdf)

## 12 Days of Reconciliation with Indigenous Peoples

To celebrate the release of the Truth and Reconciliation Commission's Report, Indigenous Corporate Training put together 12 actions to take to live reconciliation with Indigenous peoples.

[https://www.ictinc.ca/blog/12-days-of-reconciliation-with-indigenous-peoples?utm\\_content=26062157&utm\\_medium=social&utm\\_source=twitter](https://www.ictinc.ca/blog/12-days-of-reconciliation-with-indigenous-peoples?utm_content=26062157&utm_medium=social&utm_source=twitter)

## This Reconciliation is for the Colonizer

Blogger, *Indigenous Motherhood* critiques the kind of reconciliation taking place in Canada right now.

<https://indigenusmotherhood.wordpress.com/2017/06/13/this-reconciliation-is-for-the-colonizer/>

## Interactive map of Indigenous territories

An interactive map of North America that outlines traditional lands occupied by various Indigenous nations, as well as information language groups.

<http://www.native-land.ca/>

## Colton Boushie Case Study Activity

*Time:* 15 minutes

*Age:* Grades 9-12

*Materials:*

One copy of CTV article for each student

*Instructions:*

Introduce the activity: Colton Boushie was a young man from Red Pheasant First Nation in Saskatchewan who drove onto a farm to ask for help with a flat tire on August 9, 2016 and who was fatally shot. Explain that they are going to read his story in a bit more detail, and then discuss some questions as a small group.

Arrange students in groups of 3 or 4, ask them to read the news article in their booklet, and answer the questions in their small group.

Allow about 10 minutes for conversations to occur, then discuss in larger group.

Small group questions and suggestions for discussion in larger group:

*Why do you think it is a problem when the RCMP issues incorrect information in their public release about suspecting that the men in the truck were being investigated for theft? Do you think this influences how people see the story and shooting? [By implying that theft might have occurred, it provides a reason why the man would have shot Colten (other than pure racism) and puts Colten and his friends at fault. May make it easier for people to say “they deserved it”.]*

*What do you think could have been done differently by the man on the farm? By the RCMP? By the media? [The farmer who shot Colton could have responded more calmly and without any bias. The RCMP should have made sure that all the information that they released was correct, and the media could have covered this more widely.]*

*What does this say about the types of lives that are valued most in our society? How can we ensure that people’s stories are told with dignity and respect even when they are no longer alive? [We often see the lives of white people valued more than the lives of people of colour (including Indigenous people). This is also reflected in the way that our justice system works: when white people are the victim of crimes, the sentence is more likely to be longer than if the victim was a person of colour. When we are talking about people after they die, we can make sure that we are framing them as the person that they would want to be remembered as: Colten’s family remembering him as a family man who assisted in the community rather than somebody who might have been on the farm for stealing and who deserved to be shot.]*

## **“First Nations man fatally shot on Sask. Farm was looking for help with flat tire: cousin”**

By Jennifer Graham in Regina, CTV News. Published Friday August 12, 2016.

BIGGAR, Sask. -- Racial tensions are flaring in Saskatchewan after the fatal shooting of a First Nations man who relatives say was just looking for help with a flat tire.

Colten Boushie, 22, was killed Tuesday after the vehicle he was in drove onto a farm in the rural municipality of Glenside, west of Saskatoon.

Boushie's cousin, Eric Meechance, said he and three other friends were also in the car, heading home to the Red Pheasant First Nation after an afternoon spent swimming at a river.

But Meechance said they had a tire blow out and that's how they ended up at the farm.

"That guy just come out of nowhere and he just smashed our window," said Meechance.

Meechance said they tried to drive away, but ended up colliding with a parked car. He then ran for safety as gunshots rang out.

"Running is probably what saved all of our lives, you know, because if he's going to shoot one, he's probably would have shot us all," he said.

"He wasn't shooting to scare us. He was shooting to kill."

Gerald Stanley, 54, is charged with second-degree murder. He is to make his next court appearance in North Battleford on Aug. 18.

Meechance said Boushie was a hard worker, mowing lawns and cutting wood to earn money.

A GoFundMe page has been set up to raise \$10,000 to help Boushie's family cover funeral expenses.

Another GoFundMe page has been set up to help Stanley's wife. The hope is to raise \$35,000.

That page has been set up by someone who said they live in the area. It says "much of the farming community around us who know this family know they (are) loving and deserving of some help through a difficult time."

First Nations leaders say the RCMP news release about the shooting was biased.

The first police news release said that people in the car had been taken into custody as part of a theft investigation.

Chief Bobby Cameron of the Federation of Sovereign Indigenous Nations said the RCMP statement "provided just enough prejudicial information" for people to draw the conclusion that the shooting was somehow justified.

"The messaging in an RCMP news release should not fuel racial tensions," he said.

Chief Clint Wuttunee of the Red Pheasant First Nation said the media's initial portrayal of the event, based on the RCMP release, made the incident sound like a crime was about to be committed by the passengers in the car.

The FSIN wants a review of the RCMP's communication policies and writing guidelines.

National Chief Perry Bellegarde, with the Assembly of First Nations, said he was particularly disturbed by "racist, derogatory comments" about the incident on social media. It's a stark reminder of "how much work we have to do to eliminate racism and discrimination," he said.

"In too many ways, this is a sad day for Saskatchewan," he said in a statement.

Robert Innes, a University of Saskatchewan indigenous studies professor in Regina, said the situation shows the community divide.

"You can see that the racial tension is basically a tinder box in Saskatchewan," said Innes.

Speaking generally, Innes said some farmers are blaming First Nations people for rural crime. Their mentality is to protect their property, he said.

"So there's this real fear and contempt towards indigenous men by many white people, to the point where they will shoot before asking questions."

Innes said indigenous people are angry that Boushie was killed.

He notes that some Caucasians are angry that the young people were even on the farm and believe Stanley is being railroaded by political correctness.

"A lot of people who are talking on social media are happy that the person was shot and killed and believe it was justified. That, to me, is kind of disturbing in a lot of ways."

## Indians Wear Red Discussion Activity

*Time:* 15 minutes

*Age:* Grades 9-12

*Materials:*

Excerpt from *Indians Wear Red* on PowerPoint, written on board, or printed out for each student to read

Copy of questions for students to discuss in small groups

*Instructions:*

Ask students to get into small groups (5-6 people), read the excerpt and discuss the questions together

Acknowledge that there might be words in this excerpt that the students don't know – ask them if there are words they need defined once they read through. Below are suggested conversation points in response to the questions the students will be discussing in their small groups.

“Colonialism has also produced Aboriginal street gangs... The prevalence of Aboriginal street gangs in Winnipeg's inner city constitutes a form of resistance to colonialism, albeit one that has had negative consequences.” P. 17 (*Indians Wear Red: Colonialism, Resistance, and Aboriginal Street Gangs* by Elizabeth Comack, Lawrence Deane, Larry Morrissette, & Jim Silver)

1. Why do you think people join street gangs? What are the positive things that gangs provide for people?
  - A sense of community and family, support, money, sense of belonging, sense of *identity*, they provide things that colonialism has taken away.
  - Since colonialism has tried to strip people of these things, some Indigenous people are able to find these things through street gangs.
2. How do you think street gangs can be a form of resistance or reaction to colonialism?
  - (What is mentioned in previous question) as people seeking certain things that have been stripped by colonialism
  - Most significantly, gangs might be an attempt to recreate an identity for people, because colonialism was an attempt to completely wipe out an identity, it is a form of resisting this assimilation, and creating a new kind of identity
3. Do you think if government and law enforcement viewed gangs in this way (as a result of colonialism) it could lead to a better understanding and ultimately a decrease in gang activity? Why or why not?
  - Leave this mainly up to students to discuss
  - Emphasize the importance of understanding history in order to better understand current and future events (and how understanding colonialism provides us with a lot of insight)
  - Discuss how attempts to be “tough on crime” have not been successful because they are simply a reactionary punishment rather than an attempt to address deeper issues

## Understanding Colonialism Squares Activity

*Time:* 10 minutes

*Age:* Grades 7-12

*Materials:*

Copy of Bingo sheet for each student

### *Instructions*

Before this activity can occur, students must have had at least a preliminary introduction to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Report of the Special Rapporteur on the Rights of Indigenous Peoples in Canada, as well as colonialism in Canada.

Suggested introduction:

### **United Nations Declaration on the Rights of Indigenous Peoples**

- Explain what the UN is (an intergovernmental organization that aims to promote peace and cooperation amongst nations), explain that UNDRIP is a declaration made up of 46 articles developed by the UN. The Declaration sets out the individual and collective rights of indigenous peoples, as well as their rights to culture, identity, language, employment, health, education and other issues.
- **Ask:** why do you think Indigenous people need a special declaration? Explain how colonialism has had a detrimental impact on Indigenous populations all over the globe, resulting in severe power imbalances and many cultures are at risk of being completely lost. UNDRIP seeks to solve larger issues that impact people worldwide, while promoting the preservation of Indigenous culture.
- In 2016, after being one of only four nations to vote against adopting UNDRIP in 2007, Canada finally officially adopted and promised to implement UNDRIP fully. It isn't an easy process though – implementing UNDRIP will be a highly complicated process that will need to weave its way into the Canadian Constitution while also reforming legislation that is in place right now that discriminates against Indigenous people (ex. Indian Act).

### **Report of the Special Rapporteur on the Rights of Indigenous Peoples in Canada**

- Explain that this report was produced in 2014 after Canada had signed onto UNDRIP (but hadn't yet agreed to implement it into law), and it is supposed to remind the government of what they had signed onto and keep them accountable. It assessed the conditions for Indigenous peoples in many different areas in Canada and gave recommendations for what Canada can do to improve the conditions.
- Explain what a special rapporteur is: an expert hired to study and produce a report on their area of expertise in another country, his name is James Anaya. The report made it pretty clear that the state of Indigenous people in Canada is not great and made numerous recommendations for Canada to improve the conditions for Indigenous peoples.
- **Ask:** What recommendations would you make?

Using knowledge gained from the discussions today, walk around the room and find people who can answer the questions in the squares. Try to get answers from as many different people as possible.

<p>What is colonialism?</p>	<p>Name a country (not Canada) where colonialism has occurred</p>	<p>What was one result of colonialism in Canada?</p>
<p>When did Canada sign onto UNDRIP?</p>	<p>Define Indigenous people</p>	<p>What is one question you have after today?</p>
<p>Name a right that UNDRIP protects</p>	<p>What is one goal of colonialism?</p>	<p>What is a special rapporteur?</p>
<p>Name the international human rights organization that works towards peace</p>	<p>What is the point of a recommendation from a special report?</p>	<p>What does UNDRIP stand for?</p>

## Misconceptions about Treaties Activity

*Time:* 10 minutes

*Age:* Grades 5-12

*Materials:*

One large piece of paper for each small group

Markers

*Instructions:*

Split students up into small groups of about 4 or 5 people. Provide each group with a large piece of paper and markers to use to brainstorm. Explain that sometimes misconceptions about treaties and treaty-making lead to promoting negative attitudes and behaviours toward Indigenous peoples. Ask the groups to reflect for a few minutes on the first question:

1. What are some general stereotypes or common beliefs that might be wrong about treaties and the treaty-making process? (Examples: *treaties only apply to Indigenous people, Indigenous people get everything for free because of treaties*)

Allow them about 3 minutes to brainstorm on their sheet answers to this question. Ask them to then consider this question:

2. Why do you think individuals have misconceptions about treaties? (*lack of knowledge about treaty negotiations, it's not talked about in mainstream very regularly*)

Allow students another 5 minutes or so to brainstorm reasons why people hold misconceptions.

In the larger group, ask the groups the following questions, asking small groups to draw from what they had written down.

- Do you think it is possible for people to change their opinions on things? What needs to be done for this to occur?
- How does learning about the treaties assist in promoting positive relationships between Indigenous peoples and other Canadians?

*Debrief:*

Explain to students that it is often misunderstandings about what has happened historically that result in racism and prejudice, so this is very important for tackling issues that we see in Canada today.

## Alien Treaty Activity

*Time:* 30 minutes

*Age:* Grades 7-12

*Materials:*

Large map of Canada (printed or projected on screen)

*Instructions:*

Explain that we are going to play an activity to help us better understand the process of treaty making in colonial nations. Explain to the students that there are aliens who have been circling the Earth and who are interested in moving to Canada, and bringing the rest of their foreign population with them eventually.

Ask the group if any students speak a language other than English. Ask these students to leave the room. This group should be approximately a quarter of the size of the larger group. If not enough students speak another language, arbitrarily pick other students to join them in order to have an adequate group division. These will be the “aliens”.

Show the students who remained in the classroom a map of Canada. Remind them that the aliens are the ones who are trying to gain access and control to all of this land which is their home. When the aliens return to the classroom, they will be aggressively trying to convince the students in the class to allow them access to all of the land, but the students in the classroom want to try as hard as they can to keep control of as much of Canada as possible. Tell them that they have 5 minutes to discuss which provinces they want to keep within their control, and how they will convince the aliens to let them do so. They are only able to keep three provinces/territories total, so they need to make a clear case for why they want what they want. They also have to appoint one person to be the communicator, and only that person can speak with the aliens. These students should not be aware of the fact that the aliens will not be communicating with them in English.

Explain to the ‘aliens’ in the hallway that they are going to enter into the classroom and hear from the students what parts of Canada they should allow the Canadians to live on. Instruct the aliens to only speak in the language that they know that is not English once they are in the classroom, making communication with the Canadians impossible (if there are alien students who do not speak another language, ask them to act like they can’t hear the Canadians when they are speaking). Instruct them to listen to what the Canadians have to say, but then only discuss amongst themselves in different languages what THEY want out of the map. Instruct them to be very resistant to anything that the group inside the classroom presents to them.

Allow the aliens to enter the room once both groups are ready, and allow them to try and communicate for a couple minutes. Ask the aliens to leave the room after about five minutes have gone by.

Instruct the Canadians that they need to do better this next round to get the aliens on board with their plan. Encourage them to try different communication techniques to achieve the outcome that they want. This time though, many in the group are sick and are less able to support the leader to explain to

the other group what areas of Canada they would like to keep. Tell them to play this up by coughing or leaning on each other for support.

The aliens should come into the room and do what they did the first round, and this time they should try to steal some of the Canadians and bring them into their group.

Ask the aliens to leave the room.

Instruct the Canadians that if they do not make a deal after 1 minute of the aliens being in the room this next time, then half of their population is going to die, and after 3 minutes then all of their population is going to die, so they must agree to something quickly.

Instruct the aliens to try to communicate (not in English), that they want the Canadians on the tiniest section of Canada that they can point out (possibly a northern island), and that the aliens will live in the rest of the land. At the one-minute mark, ask half of the Canadians to 'die' (lay down/leave the group). At the three-minute mark, if they have not come to a conclusion yet, tell them that the activity is over.

### *Debrief*

*Aliens:* how did it feel to be in your position? What made you feel this way?

*Canadians:* how did it feel to be in your position? What do you wish could have been different?

Do you think that this was an effective way to engage in a treaty agreement? Discuss what could have been different about it for it to be a better process. Explain that this was an attempt to explain how many of the treaty negotiations occurred in Canada when it was first being settled by Europeans. Discuss how each of these relate to what occurred historically in Canada:

*Language barrier:* in this example the inability to communicate fully made it really tough. In Canada, this was often the case, that the agreements of the treaties were not explained adequately to the Indigenous peoples. Another challenge is the fact that Indigenous communities traditionally communicated via oral tradition. Having the actual details of the treaty written, and requiring a signature was unusual for Indigenous communities. In some cases, there were translators, but they were often unable to properly communicate in English or the Indigenous language, which meant that effective communication could not occur.

*Power imbalances:* Even though the Canadians were the ones who were already living on the land, and the aliens were the outsiders, they felt that they had the power to control the population on the land. When European settlers first came to what is now known as Canada, Indigenous peoples had been living on that land for thousands of years – yet the colonizers felt they had the power to take over the land.

*Destructive actions:* In our activity, the aliens brought sickness to the Canadians, and tried to steal people, and ultimately would have caused enough harm that the Canadians all died if they had not reached an agreement. In reality in Canada, settlers brought sicknesses with them that Indigenous peoples had never been exposed to before, which resulted in serious loss of population.

Indigenous children were also removed from homes and placed in residential schools at an incredibly high rate, and parents were threatened if they did not allow their children to leave. This was all

occurring as treaties were being arranged, leading to confusion about what the European colonizers were actually going to be able to offer the Indigenous populations.

## Introduction to Treaties in Canada

In order to continue to build a more knowledgeable and respectful community, the people of Canada and Indigenous peoples must understand their common history. They need to take action to renew the treaty relationship based on fair dealing, trust and respect.

The people of Canada can benefit from learning more about the historical events associated with the making of treaties and the mutual benefits and responsibilities of the parties.

Provide map of Canada with treaties on it

**Ask:** What treaty territory we are on right now? If students are from outside Winnipeg, what treaty land they are from?

In what is now Canada, Indigenous people were beginning to suffer hardship as a result of increased settlement, commercial harvesting of buffalo and other wild game, and high mortality rates due to diseases. Indigenous peoples wanted peace and protection of their way of life. The Indigenous leaders recognized that their way of life was collapsing and wanted to retain their cultural lifestyles and traditions. They thought this would be accomplished through the treaty-making process.

The first treaties that were signed were in Eastern Canada, called Peace and Friendship Treaties designed to secure peace and promote trade. They were written in English and most times were not translated in writing or speech for Indigenous peoples who did not speak English. They were often very short and reflected common law principles (the types of laws that existed for the British settlers).

After this came the eleven numbered treaties, negotiated across NW Ontario, the prairies, and parts of BC, YK, NWT. These treaties required Indigenous peoples to surrender the rights to their land in exchange for treaty rights (things like education, or hunting and fishing tools).

After signing a treaty with the Crown, an Indigenous person did not automatically become a citizen under Canadian law. To become a Canadian citizen, an Indigenous person had to give up the rights that had been promised in the treaty. Under the enfranchisement sections of the *Indian Act* there were provisions that resulted in the involuntary loss of status for many people.

Federal legislation was changed in 1960, and all Indigenous peoples were given the right to vote and were granted Canadian citizenship. This means that they could be both Canadian citizens and Treaty First Nation citizens. Today, all Canadians enjoy rights and with these rights comes the responsibility to understand and uphold the treaties.

The motives of the Canadian Government were relatively clear. The government's approach to treaties was motivated by wanting it to be done at the cheapest possible cost and the systematic elimination of Indian title to lands that would accommodate the settlement of the west.

From the 1920s to today, various policies have been put in place by the Canadian government to influence how Indigenous peoples' treaty rights are allowed to be pursued.

In 1982, section 35 was added to the Constitution Act that said that aboriginal and treaty rights should be respected for Indigenous peoples in Canada. Aboriginal rights are the activities, practices and

traditions of the indigenous peoples of Canada that are essential to the distinctive cultures that were here before contact.

Indigenous leaders in Canada are questioning why we don't amend federal and provincial law to reflect section 35, ultimately arguing that Indigenous people are not better off since section 35 has been introduced, but saying that it is possible for this to change.

*Adapted from materials from the Office of the Treaty Commissioner. Further teacher resources are available at <http://www.otc.ca/>*

## Treaties in Canada Background Information

### Numbered Treaties

The numbered treaties in Canada are agreements made between the Crown and Indigenous peoples; they were usually an exchange of ancestral lands for various payments and promises. This was extremely prevalent in Canada between the years 1701-1982, and still affects us to this day. The Crown used treaties as a way to secure the fur trading territory and transform it into a place where the new immigrants from Europe could settle. The First Nations believed that the treaties had potential to satisfy the needs of the community and foster mutual respect and understanding between themselves, the Crown and all people of Canada. Indigenous people had been using treaties as a way of securing the exchange of goods and services, years before the Canadian government came along.

Canada has 11 numbered treaties, the first started on August 3<sup>rd</sup>, 1871 in what was Lower Fort Gary and Fort Alexander and now is Southern Manitoba and Saskatchewan, see figure 1 and 2. All of the treaties had the same basic principles, some varying a bit near the later treaties. The First Nations people would receive: limited reserve land, farming tools, education and monetary compensation. The Canadian government would receive: land rights, promise of peace, law and order, and restricted use of alcohol on reserves. Later on, the First Nation's would be granted the right to fish and hunt on land that had been succeeded but wasn't being used by the Canadian government for resource extraction or settlement. The Canadian government had protection of all their land that was being used for resource extraction and settlement as they agreed upon in the treaties. Some services that the Canadian government supplied on more recent treaties were: schools, healthcare and the ability to build and maintain infrastructure on reserves, with the caveat that Canada was able to control all of these additives.

### The Numbered Treaties

Treaty	Signed On	Location (Present name)	Nations Signed
1	3 August 1871	Southern Manitoba and Saskatchewan	Chippewa Tribe & Swampy Cree Tribe

2	21 August 1871	Southern Manitoba and Saskatchewan	Chippewa Tribe of Indians
3	3 October 1873	Southeastern Ontario	The Saulteaux Tribe of the Ojibbeway Indians
4	15 September 1874	Southern Saskatchewan	The Cree and Saulteaux Tribes
5	20 September 1875	Central-Northern Manitoba	The Saulteaux and Swampy Cree Tribes
6	28 August 1876	Central Saskatchewan and Alberta	The Plain and Wood Cree Tribes
7	22 September 1877	Southern Alberta	The Blackfoot Blood, Piegan Sarcee, and Stony
8	8 July 1899	Northern Alberta and the Northeast corner of BC	The Cree Beaver, and Chipewyan
9	6 November 1905	Northern Ontario	The Ojibway
10	7 November 1906	Northern Saskatchewan	The Chipewyan and Cree
11	27 June-22 August 1921	Western North West Territories	The Slave, Dogrib, Loucheux, and Hare



Figure 1.

Many First Nations groups have stated that they signed these treaties because at the time it became their only option if they wanted to survive, although not all Indigenous people felt this way. Hunting and food supplies became scarce with the trade between new immigrants and agriculture; so aboriginal peoples became more dependent on food rations from the government. These agreements ended up having a lot of negative effects for Indigenous peoples. Many were displaced to designated reserve lands, which were often in very poor conditions for farming, their freedom of movement was restricted and they became confined to their reserves.

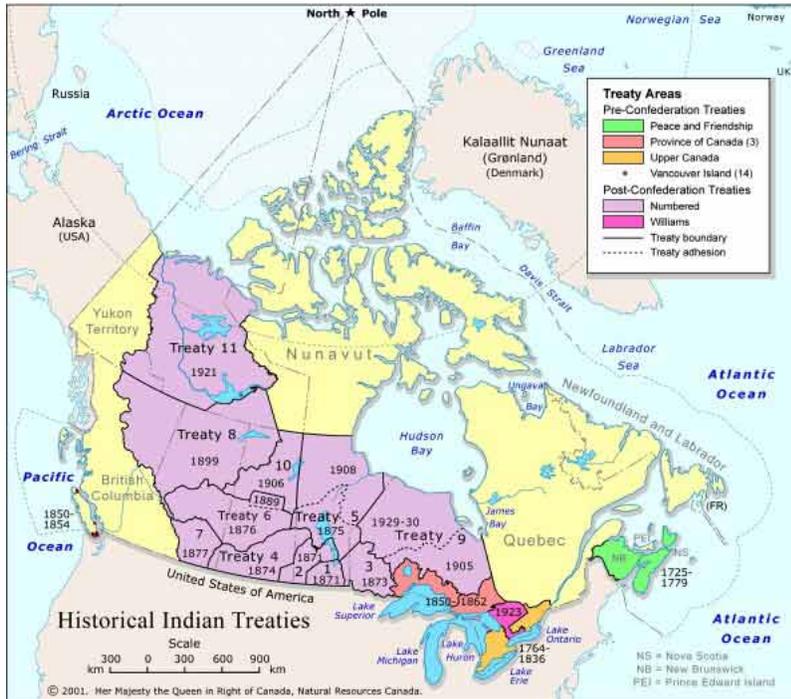


Figure 2.

Although it may not get talked about as often as it should, treaties are still very relevant today. The Treaty Relations Commission of Manitoba’s campaign slogan is “We are all Treaty people”. The Commission’s goal with this slogan and campaign was to remind people that as much as treaties are about a set of obligations and exchange of goods, they also define the relationship between our government and Indigenous peoples, as well as all of the people who have settled here. If you buy or use any property in Manitoba, you are exercising your treaty right. Treaties are forever, and so are our relationships with one another. This is exemplified by the TRC of Manitoba’s use of Alexander Morris’ quote from 1873, “As long as the sun shines, the grass grows and the rivers flow,” when describing the longevity of treaties.

There continues to be land claims across Canada in two categories. Comprehensive land claims mean that land that does not have specified ownership, usually the Metis and Inuit who did not sign treaties at that time. Specific land claims occur when Indigenous people say that the Canadian government has not honoured their promises to give up certain land, and/or has mismanaged First Nations’ funds or government employees have committed fraud.

## **Modern Treaty Relations**

Current leader of the Canadian government, Prime Minister Justin Trudeau, has stated “No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership.” But the government proves differently through their actions such as approving the Site C Dam, and the two percent funding cap on First Nations programs. The Site C Dam is said to flood more than 100 kilometres of river valley and impact 13,000 hectares of agricultural land-including flooding 3,800 hectares of farmland in the Agricultural Land Reserve. It is an 8.8 billion dollar BC Hydro project. The Treaty 8 people that live in the area have explicitly stated they do not agree with this project and that is goes directly against the Liberal government’s goal of reconciliation. Similarly, deciding not to eliminate the two percent funding cap, the cap means that despite inflammation and an increasing population, funding for First Nations programs, specifically post secondary education, will only increase 2% each year. With less funding for education, less Indigenous people are able to go to school. This form of oppression is a way the government maintains control over Indigenous lives.

## **Legal Documents Pertaining to Indigenous Peoples**

The Indian Act, although it also deals with the relationship between the Crown and Indigenous peoples, varies greatly from any treaty that has been signed. It was not a mutual agreement built on trust and understanding, rather a way for the Canadian government to control Indigenous peoples way of life. It sought to replace the traditional political system they used, by creating a detailed process for selection of chiefs and councils. The act imposed upon Indigenous nations a type of grouping called a “band” as well as attempting to define who was legally entitled to be called an “Indian” in Canada. In the Indian Act in 1867 the definition of “Indian” and who was eligible to obtain a status card was any male person of Indian blood reputed to belong to a certain band, any child of such person, and any woman who is/was lawfully married to such person. If a status Indian woman married a non-status man, she would lose her status and her ability to pass on her status to her children. Additionally, being a status Indian in that time meant a few things: not being able to own land or vote, having to get permission to leave your reserve, and having your status revoked if you enfranchised, graduated university, became a Christian minister or achieved “professional designation” as a doctor or lawyer. Canadian citizens who are currently hold Status receive: some funding for on-reserve housing, coverage of health care that may not be covered under other plans/programs, and ability to apply for financial aid through Aboriginal Affairs and Northern Development.

Within the Constitution Act, 1982, is section 35, which recognizes Indigenous rights in Canada. It guarantees that Aboriginal peoples must be consulted on any future amendments to sections 91(24), 25, 35 and 35.1 but doesn’t prevent amendments to these sections without Aboriginal consent. It also doesn’t give Aboriginal peoples any power to veto the proposed changes, or give them a role in any other amendments that might indirectly affect them or their rights. While the Charter is in the Constitution, it forms part I of it, and section 35 is in part II, so technically it falls outside of the charter and is not considered a charter right.

Despite the fact that treaties outlined Indigenous rights to certain land and fishing and hunting territories, a lot of promises made were broken, which left people struggling for food and land that they should have had. Under the Indian Act, it was illegal for “Indians” or lawyers to pursue land claims in court or to collect/receive money for this purpose, from 1927 to the last major overhaul in 1951. It wasn’t until this time that Indigenous people started (reluctantly) asserting their Aboriginal and Treaty rights in court, and even then it was defendants in hunting and fishing harvesting charges. In order to launch major lawsuits to advocate for their rights, it requires expert and historical evidence, which is very expensive and is beyond the means on almost all Aboriginal groups and individuals, unfortunately. Manitoba Indigenous peoples have stated that they attained certain rights through the various treaties they signed, but gained greater legal status in 1982 after the Constitution Act, 1982 was created and section 35 recognized and affirmed existing treaty rights. This prohibited any more unreasonable parliamentary interference with those rights.

### **Moving Forward**

Treaties need two parties to agree in order to exist; there needs to be trust and proper provisions set in place. Unfortunately in the case of many Canadian treaties, one party has benefitted exponentially more than the other, that party being the Canadian government. As a result of this, we continue to have to resolve issues that should have been fixed a long, long time ago. Since 1973 there has been 200 land claims settled in Canada, and there is currently 100 being negotiated nation-wide. The Liberal government has now said they are putting their focus and funds into reconciliation with Indigenous peoples in order to continue to work on and build relationships for future generations.