



The background features a historical map of the James Bay region, showing various geographical features and treaty boundaries. Labels on the map include "SALYEAUX and SWAMPY CREEES 1873 TREATY 5", "ADHESION TO TREATY 9 P.C. 921, MAY 30<sup>TH</sup> 1929", "TREATY 3 OJIBWAYS 1873", "ROBINSON-SUPERIOR TREATY 60 OJIBWAYS 1850", and "OJIBWAYS AND CREEES JAMES BAY TREATY 1905 AND 1906". A photograph of several men, likely treaty signatories, is overlaid on the map. The men are dressed in formal attire of the late 19th century, and one man in the center is holding a document. The map also shows "LAKE SUPERIOR" and "JAMES BAY".

# TREATIES IN CANADA

## EDUCATION GUIDE

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“The words ‘as long as the sun shines, as long as the waters flow downhill, and as long as the grass grows green’ can be found in many treaties after the 1613 treaty. It set a relationship of equity and peace.”

— Oren Lyons, Faithkeeper of the Onondaga Nation’s Turtle Clan

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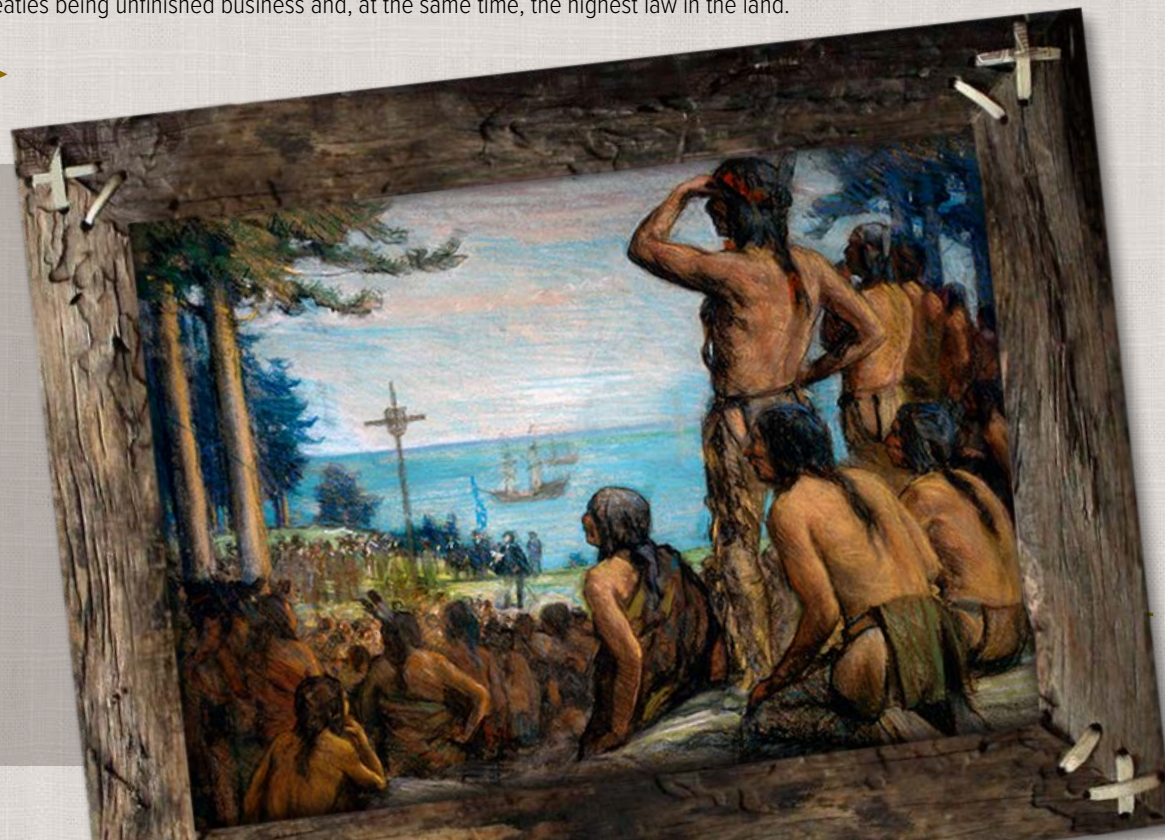
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## INTRODUCTION: TREATIES BETWEEN CANADA AND INDIGENOUS PEOPLES

Beginning in the early 1600s, the British Crown (later the Government of Canada) entered into a series of treaties with Indigenous nations in Canada. The treaties were intended as formal agreements to encourage peaceful relations and to specify promises, obligations and benefits for both parties. Indigenous peoples wanted to protect their traditional lands, resources, and ways of life, while ensuring peace and friendship, and eventually receiving support as they shifted to a new reality in the mid-19th century. Today, everyone agrees that First Nations peoples agreed to share some of their land and resources in return for material support. But the terms of this exchange would ultimately be understood differently by the parties involved. This difference in interpretation is rooted in differing worldviews, with distinct concepts of land ownership. First Nations peoples had (and still have) a relationship with the land that informed their politics, spirituality and economy. Europeans, on the other hand, saw the land as purely productive and often as something to be exploited. Europeans began to impose artificial borders that do not line up with the traditional lands or **jurisdictions** of Indigenous peoples, which span territory that spreads across provincial lines and is located in both present-day Canada and the United States. Coupled with a language barrier and contrasting methods of knowledge transmission (oral versus written), misunderstandings multiplied. Many contemporary Indigenous peoples look to their elders as the highest authorities on the spirit and intent of the treaties because elders are schooled in the oral histories.

While the broad philosophy of treaties is generally similar (setting the terms for how to relate to each other), each treaty is a unique agreement with unique circumstances. Treaties were created to define the respective rights of Indigenous nations and colonial governments. Though many treaties pre-date Confederation, they are living documents (much like Canada’s Constitution) and their interpretation is continuously re-examined and debated by Canadian and Indigenous lawmakers to this day. In addition, treaties continue to be negotiated. In 1982, when the *Constitution Act* was passed, treaty rights were recognized and affirmed by Canada’s Constitution. The Aboriginal rights and title specified by the *Constitution Act* is the backdrop to the ongoing legal battles that result from treaties being unfinished business and, at the same time, the highest law in the land.

Jacques Cartier Erects a Cross 1534, George Agnew Reid, 1916 (courtesy of Library and Archives Canada / Acc. No. 1990-329-4).



## HISTORICAL CONTEXT

The activities included in this Guide have been developed in line with the **Historical Thinking Concepts** developed by Dr. Peter Seixas, including an examination of the **ethical dimension**. Students and historians are often required to make judgments when studying history, but it is important to consider historical context. This involves considering what society and attitudes were like in the past. When trying to understand people’s motivations or beliefs, historians and students of history must balance this awareness of past beliefs while working to avoid excusing people’s actions as resulting solely from their historical context.

## MESSAGE TO TEACHERS

Activities and discussions related to Indigenous peoples’ history in Canada may evoke an emotional response from some students. The subject of treaties can bring out strong opinions and feelings, as it includes two worldviews. It is critical to acknowledge that Indigenous worldviews and understandings of relationships have continually been **marginalized**. This does not make them less valid, and students need to understand why different peoples in Canada might have different outlooks and interpretations of treaties.

It is important that the classroom climate encourages students to relate to one another in positive, respectful and supportive ways. Establish ground rules for class discussions that demonstrate respect of privacy, diversity, and for the expression of differing viewpoints. Should any concerns arise, inform an administrator or counsellor and ensure that students know where to go for help and support.

Finally, to avoid the problems of misrepresentation in past efforts to teach about Indigenous peoples, it is recommended that teachers augment the activities in this Guide with teaching resources written from the perspective of Indigenous peoples.

We hope that education is a step toward reconciliation, and that the Guide will assist you in teaching this important subject in Canadian history.

## NOTE TO EDUCATORS

Accommodations for Special Education, ELL and ESL students are included under the appropriate sections, and identified as “modifications.”

## THE ORAL TRADITION

Indigenous societies in North America have long trusted the oral transmission of stories, histories, lessons and other knowledge as a way of maintaining a historical record, documenting agreements, and sustaining cultures and identities. In some cases, oral transmission is supplemented by wampum belts, pictographs, petroglyphs, birchbark scrolls, and designs woven into clothing. The oral tradition has demonstrated accuracy in some cases, when compared to written traditions. This has been illustrated in recent teamwork between Indigenous knowledge holders and Western scientists, such as during the discovery of the lost **Franklin expedition**.

Oral tradition has been central to Indigenous interpretations of treaties. Indigenous understandings of treaties are often based not on a given document’s legal language, but on the spirit and intent of what was discussed—often in Indigenous languages—at the time of treaty negotiations. Western thought tends to value the written word in legal tradition, and until recently, oral societies were characterized as peoples without history because they were effectively erased by Western historians. Wampum belts were sometimes exchanged as a record of the treaty, and this was frequently accompanied by ceremonial customs, such as smoking sacred pipes (calumet) to solemnize the agreements, or exchanging gifts. It is the spirit and intent of treaty negotiations that create the binding and sacred nature of a treaty, not the written language.

(Adapted from <http://indigenousfoundations.arts.ubc.ca/home/culture/oral-traditions.html> and from *the Canadian Encyclopedia*.)

Petroglyphs in Petroglyph Park, near Nanaimo, British Columbia, 1967 (courtesy of BC Museum and Archives / image I-21971-141).

For a comprehensive overview of **treaties** in Ontario, visit the Government of Ontario’s website. Further educational activities and resources are available on *The Canadian Encyclopedia*.

## KEY TERMS AND DEFINITIONS

**Aboriginal Title:** the inherent right of Indigenous peoples to land or territory; the Canadian legal system recognizes title as a collective right to the use of and jurisdiction over a group’s ancestral lands

**Assimilation:** the process by which a person or persons acquire the social and psychological characteristics of another group; to cause a person or group to become part of a different society, country, etc.

**Cede:** to give up power or territory

**Infer:** to deduce or conclude from evidence and reasoning rather than from explicit statements

**Jurisdiction:** the domain over which the legal authority of a court or other body extends; the official power to make legal decisions and judgments

**Marginalize:** to treat a person, group, or concept as insignificant or peripheral; to relegate to an unimportant or powerless position within a society or group; to push people to the edge of society by not allowing them a place within it

**Signatory:** a party that has signed an agreement, especially a person, group or organization that has signed a treaty

**Sovereignty:** supreme power or authority; the authority of a state to govern itself or another state

▲ The signing of Treaty 9. Still from “Naskumituwin (Treaty)” *Heritage Minute*.



# TIMELINE

## PRE-CONTACT INDIGENOUS TREATY MAKING

Treaties are made between diverse Indigenous nations long before the first settlers arrive. Some nations' foundational treaties are with the land and the creatures we share the land with, such as the Anishinaabeg. Others (e.g., the Haudenosaunee) use treaties to bind nations in a confederacy.

### 1613 TWO ROW WAMPUM

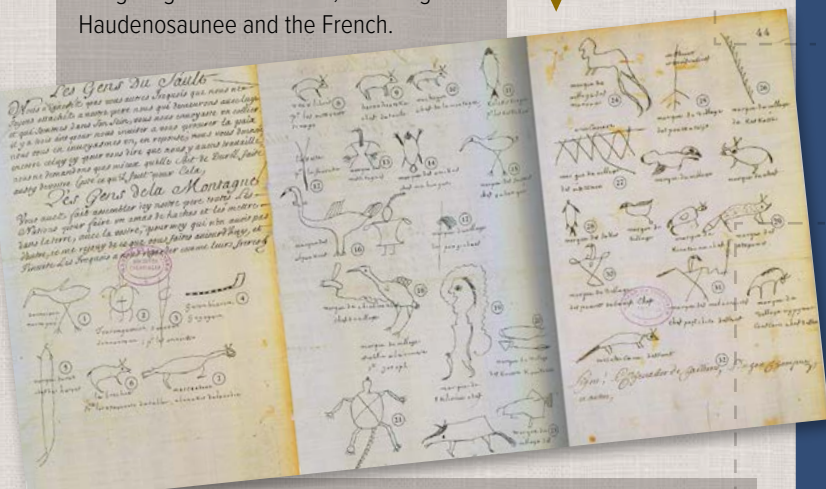
This is among the first well-recorded treaties. The Haudenosaunee extend the Two Row Wampum to the Dutch. The treaty binds them together in respect for autonomy, peace and friendship.

1600

### 1701 THE GREAT PEACE OF MONTREAL

Despite numerous treaties during early contact, conflict emerges. This agreement brings together 40 nations, including the Haudenosaunee and the French.

Great Peace of Montreal treaty, showing pictogram marks of First Nations signatures.



### 1725-1779 ATLANTIC PEACE AND FRIENDSHIP TREATIES

This series of treaties between the English, Mi'kmaq and Maliseet peoples seeks to end long-term conflict. The treaties recognize Indigenous land rights, while providing the British with limited land access.

1800

### 1850 ROBINSON-HURON AND ROBINSON-SUPERIOR TREATIES

European settlers seek more land northwest of the Great Lakes by negotiating treaties.

Cree examining map with surveyor, Fishing Lake, Saskatchewan. Map shows boundaries covered by adhesion to treaty, August 1907 (courtesy of Glenbow Archives / NA-3454-30).

### 1534-1600 EARLY TRADE RELATIONS

First Nations establish local trade relationships with Europeans through gift exchange systems.



1500



Champlain Trading with the Indians, CW Jefferys, 1911 (courtesy of Library and Archives Canada / Acc. No. 1972-26-1457).

### LATE 1600s COVENANT CHAIN

Expanding their influence among European powers, the Haudenosaunee bring the English into their alliance with a series of treaties collectively known as the Covenant Chain.

1700

### 1763 THE ROYAL PROCLAMATION

England emerges as the dominant colonial power after France's defeat in the Seven Years' War. To encourage peace with Indigenous nations, King George III recognizes their sovereignty west of the eastern British colonies and begins a new era of treaty making.

### 1764 THE TREATY OF NIAGARA

24 First Nations accept the Proclamation and translate it into their own diplomatic terms. Others reject the treaty and continue their conflict with the British in Pontiac's War.



Indian Affairs Minister Jean Chrétien jokes as Billy Diamond, chief of the Grand Council of the Crees, signs an agreement for the continuing construction of the James Bay power project, November 14, 1974 (courtesy of The Canadian Press).

### 1923 WILLIAMS TREATIES

The Anishinaabeg of southern Ontario seek redress for a blank treaty signed in 1787, and Canada responds with a new deal. The Williams Treaties would arguably be the worst treaties ever negotiated in Canada.

### 1973 THE CALDER CASE

One of the first treaty rights court cases to reach the Supreme Court. Nisga'a Tribal Council President Frank Calder argues that if no treaty had been made, his nation should still have title to their land. Although the Nisga'a do not win their case, the Supreme Court acknowledges the existence of **Aboriginal title**. This opens the door for other Indigenous rights cases.

### 1974 FIRST "MODERN TREATY"

In northern Quebec, the Cree and Innu are successful in using outstanding land claims to block the province's efforts to exploit hydroelectric power. The James Bay and Northern Quebec Agreement is the first treaty in the modern era to include Indigenous self-government.

### 1990-1995 CONFLICT ON THE LAND

In the early 1990s, despite the emergence of a claims system and codified Indigenous rights, violent land disputes erupt at Oka, Québec; Gustafsen Lake, British Columbia; Ipperwash, Ontario; and elsewhere. These clashes lead to military interventions into First Nations communities, and deaths on both sides.

### 1999 CREATION OF NUNAVUT

The most dramatic modern treaty is the creation of a new territory in Canada. The Inuit seek land rights, self-government, and a place in Canadian Confederation.



Nunavut's first premier, Paul Okalik, speaks at the inaugural celebrations in Iqaluit, April 1, 1999 (courtesy of The Canadian Press/ Tom Hanson).

2000

### 2012 IDLE NO MORE MOVEMENT

A movement begins in response to federal legislation that activists fear will further erode treaty rights. Sustained national protests are held across the continent (and globally) to defend Indigenous lands. Today, the struggle to see treaties honoured continues.

### 1923 LEAGUE OF INDIANS OF CANADA

The narrow interpretation of treaties leads First Nations to establish the League of Indians of Canada to advocate for land rights.

1900



Frank Calder talks to media in Ottawa, February 8, 1973 (courtesy of The Canadian Press/Chuck Mitchell).

1973

### ESTABLISHMENT OF LAND CLAIMS SYSTEM

In response to the Calder Case and Indigenous activism, the federal government creates two processes for redress: one for First Nations to argue treaties that have not been honoured, and another for cases where no treaties exist.

### 1982 ABORIGINAL RIGHTS IN THE CONSTITUTION

With the patriated constitution, "recognition of existing aboriginal and treaty rights" is included in Section 35. While just a vague and brief passage, it will be the beginning of a new era of land rights activism through the courts.



Two protesters guard a barricade near the entrance to Ipperwash Provincial Park, Ontario, September 7, 1995 (courtesy of The Canadian Press/Moe Doiron).

Canadian soldier Patrick Cloutier and Saskatchewan Native Brad Laroque come face to face in a tense standoff at the Kahnésatake reserve in Oka, Quebec, on September 1, 1990 (courtesy of The Canadian Press/ Shaney Komulainen).

### 1999 NISGA'A FINAL AGREEMENT

After more than 20 years of negotiations, the legacy of Frank Calder is a treaty for the Nisga'a.



BC Premier Glen Clark and Nisga'a Tribal Council President Joe Gosnell shake hands after signing the Nisga'a Final Agreement in Terrace, British Columbia, April 27, 1999 (courtesy of The Canadian Press/Nick Procylo).

### 2003 LAND CLAIMS AGREEMENTS COALITION OF CANADA

In response to implementation delays and failures, Indigenous signatories of every modern treaty form a lobby group to demand that Canada honour the agreements.

### 2004-2007 "THE DUTY TO CONSULT"

Indigenous title and rights cases continue to be heard in the Supreme Court. In a series of decisions, the Supreme Court rules that any time community rights will be affected by development, the community must be consulted and their concerns addressed.

## HISTORICAL SIGNIFICANCE: TIMELINE ACTIVITY

- Each of the events selected for the timeline is important for exploring the significance of treaties in Canada. Select 5 events from the timeline that you feel are central in representing the legacy of treaties in Canada.
- Rank the events you selected, with the most significant event at the top. In your notes, create a chart like the one below to explain the significance and legacy of the top 5 events you selected.
- Identify any changes on the timeline that are intended to improve the enduring legacy of Indigenous treaties. Look at the changes you identified. Which change do you feel is most significant? For whom?
- Identify two perspectives or events that should be included on the timeline and justify your choices.

**NOTE TO EDUCATORS** In helping students determine the historical significance of a given event, refer to the criteria provided by [The Historical Thinking Project](#).

### // MODIFICATIONS

Students can review the timeline, choose 5–10 difficult words, and write their own definitions. Next, have students pick 3 entries from the timeline and rewrite them in their own words. Ask them to explain why they think these events are important in the history of treaties.

The Two Row Wampum (*Kaswentha*) records the agreement made in 1613 between the Haudenosaunee and the Dutch. Both sides agreed to respect each other's cultures and to never interfere in each other's affairs (courtesy of Six Nations Legacy Consortium and Six Nations Public Library [vitacollections.ca/sixnationsarchive/2687087/data?n=3](http://vitacollections.ca/sixnationsarchive/2687087/data?n=3)).

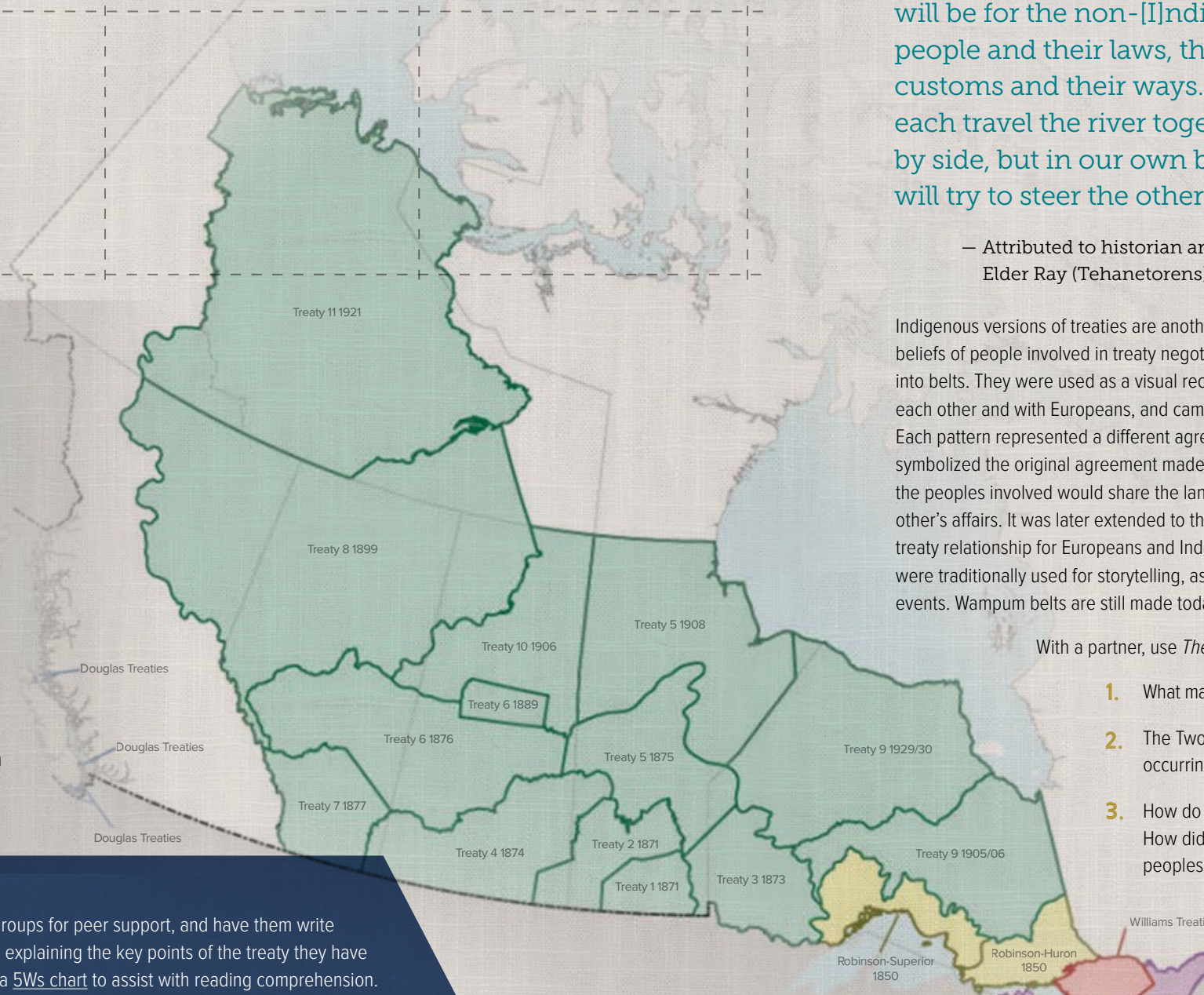
EVENT	ESTIMATED NUMBER OF PEOPLE AFFECTED	DEPTH OF IMPACT How significant was this event? How deeply has it affected the people involved?	DURATION OF IMPACT How long has the impact of this event lasted?
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## TREATY RESEARCH ACTIVITY

- Select a treaty (consider your local area if you live in a treaty territory). Working in a group, conduct some research and identify 3 people or events from the time of the treaty's negotiation that might have had an impact on its creation.
- What was going on in the area that might have had an impact on the treaty-making process? Use the research you did in Question 1 to think about what motivated your particular treaty. What was the process of making the treaty?
- It is often said, "We are all treaty people." Have a class discussion. Ask: How universal is this statement? What makes you a treaty person today? Who benefits from the treaty you are researching, and how?

### // MODIFICATIONS

Place students in strategic groups for peer support, and have them write short point-form paragraphs explaining the key points of the treaty they have selected. Have them fill out a [5Ws chart](#) to assist with reading comprehension.



## PRIMARY SOURCE ANALYSIS: WAMPUM BELT

"These two rows will symbolize two paths or two vessels, travelling down the same river together. One, a birch bark canoe, will be for the Indian people, their laws, their customs and their ways. The other, a ship, will be for the non-[I]ndigenous people and their laws, their customs and their ways. We shall each travel the river together, side by side, but in our own boat. Neither will try to steer the other's vessel."

— Attributed to historian and Mohawk Elder Ray (Tehanetorens) Fadden

Chiefs of the Six Nations reading Wampum belts, 1871 (courtesy of Library and Archives Canada/Electric Studio/C-085137).

Indigenous versions of treaties are another primary source that can grant us insight into the thoughts and beliefs of people involved in treaty negotiations. Wampum are shell beads strung together and woven into belts. They were used as a visual record representing the agreements Indigenous peoples made with each other and with Europeans, and came to be associated with treaty making between the two groups. Each pattern represented a different agreement and held different significance. The Two Row Wampum symbolized the original agreement made between the Haudenosaunee and the Dutch. It represented how the peoples involved would share the land, with respect and friendship, and without interfering in each other's affairs. It was later extended to the British and the Anishinaabeg, and came to represent an ideal treaty relationship for Europeans and Indigenous peoples in general. Strings of wampum were traditionally used for storytelling, as ceremonial gifts, and for recording important events. Wampum belts are still made today for ceremonial, political, and personal reasons.

With a partner, use *The Canadian Encyclopedia* to research the importance of the Two Row Wampum. Take notes on your findings.

- What makes the wampum an important piece of evidence when exploring the legacy of Indigenous treaties in Canada?
- The Two Row Wampum was created in 1613. Research the purpose behind its creation. What other events were occurring in North America at the time? Brainstorm a list of significant events and figures at that time.
- How do these events help you understand why the belt holds such importance for the Haudenosaunee people? How did the events affect what the wampum means? Did it affect relationships between Europeans and Indigenous peoples around treaty negotiations?

Historical treaties in Canada. Map show treaties negotiated between 1725 and 1930 (licensed under the Open Government Licence – Canada, courtesy of Natural Resources Canada). <http://geogratis.gc.ca/api/en/nrcan-mcan/ess-sst/7ac840d4-638c-575e-9b77-e44c02b5dbdc.html>

### // MODIFICATIONS

Assign the reading ahead of time, and ask students to identify 5–8 key words and create their own definitions.

Have students summarize the article using the [5Ws chart](#).

Students may work in pairs to complete these activities.

## PRIMARY SOURCE ANALYSIS: THE ROYAL PROCLAMATION

The Royal Proclamation of 1763  
(courtesy of Library and Archives  
Canada/13-26/no. 1386632).

In 1763, King George III issued the Royal Proclamation, declaring British **sovereignty** in North America after France's defeat in the Seven Years' War. The proclamation established a colonial government in the lands France handed over to Britain, and declared British ownership of North American lands.

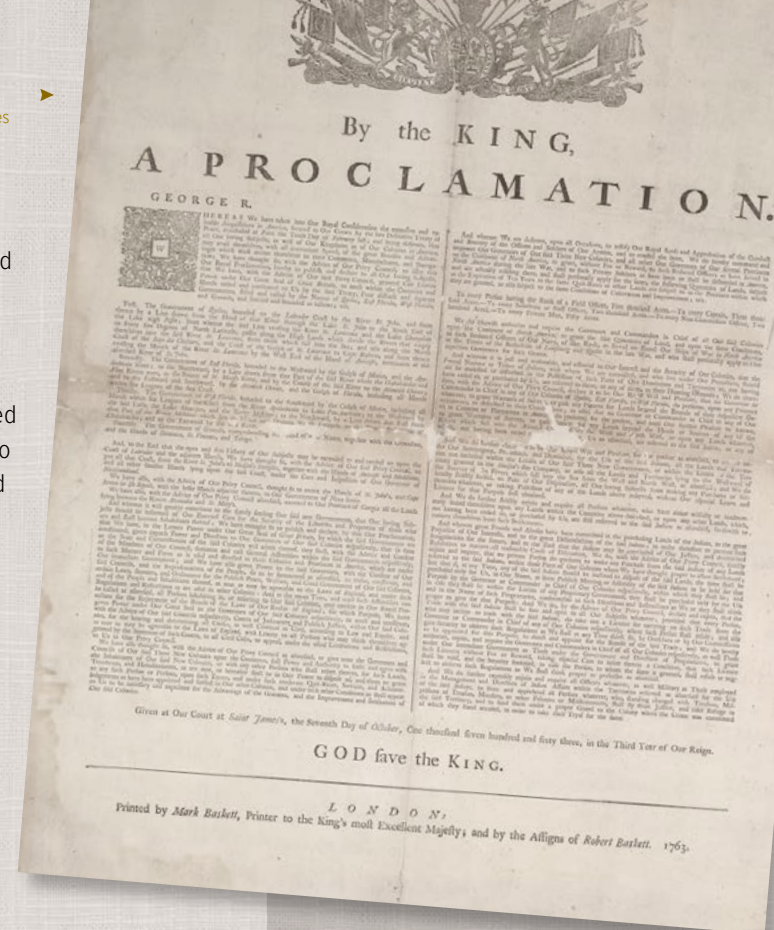
The document also outlined a model for Indigenous rights and title to the land. It established a framework for negotiating treaties with Indigenous peoples, and encouraged Indigenous groups who were formerly allied with the French — and those in the West — to accept British rule. It sought to earn this loyalty by recognizing that lands legally belonged to Indigenous peoples unless a treaty was created to transfer control to the British. The Proclamation became an important and controversial legal document, resulting in acceptance by some Indigenous nations, and renewed conflict among others.

With regards to Indigenous rights, the Proclamation states clearly that Indigenous people reserved all lands not **ceded** by or purchased from them:

**"And whereas it is just and reasonable, and essential to Our Interest, and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds."**

Despite this recognition of Indigenous rights, King George also claimed ultimate control over the land, and declared the British Crown the supreme authority over future negotiations with Indigenous peoples in British North America.

Locate the full text of the [Royal Proclamation of 1763](#) through the Indigenous and Northern Affairs website.



// **MODIFICATIONS** Ask students to focus on Question 1 and answer in a point-form paragraph.

Working in partners or groups of three, answer the following questions, then discuss as a class.

- The Royal Proclamation is a primary source document. To help you analyze the document, consider the following questions:
  - What type of document is this?
  - Who created the document?
  - When, where, and why was it written?
- What are the key statements outlined in the Royal Proclamation stating what must happen or be done for Indigenous peoples?
- Why is this a valuable source to examine when considering the history of Indigenous treaties in Canada? Whose perspectives are included? Whose are left out? Why would people studying history find a document like this useful in analyzing the past?

George MacMartin (seated, back row centre) and the Treaty 9 Commission at Fort Albany, August 3, 1905 (courtesy of Library and Archives Canada/PA-059549).

**TEACHER TIP** Because the text was written in 1763, the key points of the Royal Proclamation might be difficult for students to comprehend without additional information. *The Canadian Encyclopedia* offers an explanation of the provisions offered to Indigenous peoples. There are also a number of annotations available online which students can use to accompany their analysis of the document.

Primary source documents are often written in language that students may find inaccessible. You can facilitate understanding through creating a word wall or a mini-lesson exploring vocabulary. This may be beneficial to ESL–ELL students, students with lower literacy levels, and the class as a whole.

**CONSIDER** When analyzing a primary source, specific words, sources, symbols, images and dates may offer useful details.

For more information on reviewing primary sources, please see "A Guide to Primary Sources using the Memory Project" on *The Canadian Encyclopedia's* Learning Centre.



## UNCOVERING THE NUMBERED TREATIES

The Numbered Treaties are sometimes called the Post-Confederation treaties. Between 1871 and 1921, the Canadian government made 11 treaties with First Nations to bring Indigenous peoples and their lands under federal jurisdiction.

With Treaties 1 to 7, negotiated between 1871 and 1877, the government put its policies of control and **assimilation** of Indigenous peoples into action. This included defining reserves. Treaties 8 to 11, made in the late 19th and early 20th centuries, addressed a growing demand for natural resources and agricultural land.

As a result of the agreements made under these treaties, all the land from northern Ontario and as far west as the Rocky Mountains was ceded to the government. This includes all of Manitoba, Saskatchewan, and Alberta, as well as northern Ontario, northeastern British Columbia, part of Yukon and much of the Northwest Territories.

Indigenous communities and the Canadian government had different understandings of what the treaties intended to achieve. Many were ready to make treaties as a way of protecting their ways of life from the increasing immigration of settlers on their traditional territories. Resources that had sustained Indigenous communities across Canada were rapidly disappearing, and the treaties seemed to many people to be a way of ensuring survival.

In this activity, you will be asked to look at primary documents related to one of the Numbered Treaties. If you live within the territory covered by one of the treaties, you may want to choose that treaty for your investigation.



▲ Treaty 1 with the First Nations of Manitoba. From a sketch in *L'Opinion Publique*, September 14, 1871 (courtesy of Glenbow Archives / NA-47-41).

- Working in pairs or in small groups, read the terms of the treaty as it was written at the time of signing. One place to find the text is at the Indigenous and Northern Affairs Canada website. Go to the [Treaty Texts](#) page and scroll down to find the treaty you are studying. Go to the link and look for the Articles of the treaty. These are transcripts of the original documents.

**TEACHER TIP** Students can examine the primary source text, or an article about the treaty from *The Canadian Encyclopedia*. The [5Ws chart](#) for the questions is available for download at *The Canadian Encyclopedia* Learning Centre.

- Work together to fill out the [5Ws chart](#).
- If you could go back in time, what questions would you like to ask the Indigenous chiefs who signed the documents by marking an X on the paper? Is there any way to find out their perspectives on the treaties? Think about causes that might have led various Indigenous groups to make treaties. Based on their reasons for making treaties, create a list of the consequences that might have affected — or continue to affect — those who signed.

### GEORGE MACMARTIN (1844-1923)

George MacMartin was a treaty commissioner for the Government of Ontario for Treaty 9. His role was to protect the Government of Ontario's interests in natural resources of the North as reserve lands were determined. In recent years, the diary MacMartin kept during this time has been the subject of great interest and debate, as it appears to chronicle the oral promises made during the treaty-making process, which do not agree with promises in the Treaty 9 document and written records from the other commissioners, Duncan Campbell Scott and Samuel Stewart.

### GEORGE SPENCE (1887-1984)

George Spence, a member of the Albany Band, grew up on the land around James Bay. He was a hunter by trade, and served in World War I. He was married to Alice Spence and the couple had three children: Frederick, Marius and Anna. Spence was part of the Cree community that gathered at Fort Albany in 1905 for the making of Treaty 9.

## CASE STUDY: TREATY 9

Treaty 9 (or the James Bay Treaty) was signed between 1905 and 1906, with additional lands added in 1929–1930 to cover all of northern Ontario. For the first time, the Government of Ontario was a treaty **signatory** along with the federal government. In the *Heritage Minute* ‘Naskumituwin’ (meaning an agreement between two people, or a treaty, in Cree), Rosary Spence recounts the making of Treaty 9 as it was told to her by her great-grandfather George Spence, a historical witness to the signing in Fort Albany.

Like many treaties, the historical record on Treaty 9 remains in dispute.

For this exercise, work in pairs or small groups to explore two accounts of the treaty-making process: the Indigenous oral account and the written diary. Read the excerpts below from the Treaty 9 document, and the diary of treaty commissioner George MacMartin. Watch the *Heritage Minute* and listen to Rosary’s story. You can read more about Treaty 9 on *The Canadian Encyclopedia*.

### EXCERPT FROM TREATY 9 DOCUMENT

“And His Majesty the King hereby agrees with the said Indians that they shall have the right to pursue their usual **vocations** of hunting, trapping and fishing throughout the **tract** surrendered as heretofore described, subject to such regulations as may from time to time be made by the government of the country, acting under the authority of His Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.”

Duncan Campbell Scott presents Treaty 9 to the Cree representatives. Still from “Naskumituwin (Treaty)” *Heritage Minute*.



### KEY TERMS AND DEFINITIONS

**Admonition:** counsel; cautionary advice; a piece of advice that is also a warning to someone about their behaviour

**Oration:** a formal public speech, particularly for a special occasion

**Tract:** a specified or limited area of land

**Vocation:** A job; an occupation for which a person is especially suited, trained, or qualified



▲ Sharing around the fire. Still from “Naskumituwin (Treaty)” *Heritage Minute*.

### EXCERPT FROM THE DIARY OF GEORGE MACMARTIN

July 25 [1905] “As promised them a feast was prepared and when all was in readiness at 7 p.m. every member of the Band served with currant bannocks, tea, pipes and tobacco, they announced that they had chosen — Wm [William] Whitehead as chief, Wm Coaster and Long Tom Ostesama as Councillors.

Chief White-head then delivered an **oration**, in [which] he said, pointing up and down the river that they were being cornered by not being allowed both banks of the River for miles to fish and hunt on but that they must accept what was offered from these who had given them presents and provided a feast for them.

When it was explained to them that they could hunt and fish as of old and they were not restricted as to territory, the Reserve, merely being a home for them where in which no white man could interfere, or trespass upon, that the land was theirs for ever; they gladly accepted the situation, and said they would settle the reserve question later on. The flag was then presented to the chief with the **admonitions** as usual.

The feast over, about 9:30 p.m. the chief and his councillors came to our quarters saying that they wanted both banks for 50 miles down river as a hunting reserve. Again it was put forcibly before them, that it was a home for them that was being provided & not a hunting preserve and that they could hunt wherever they pleased. They signified their assent.”

▲ Blind Chief Missabay addressing the assembly after the James Bay Treaty signing ceremony, Osnaburgh House, July 12, 1905 (courtesy of Archives of Ontario/Duncan Campbell Scott Fonds/reference code C 275-1).

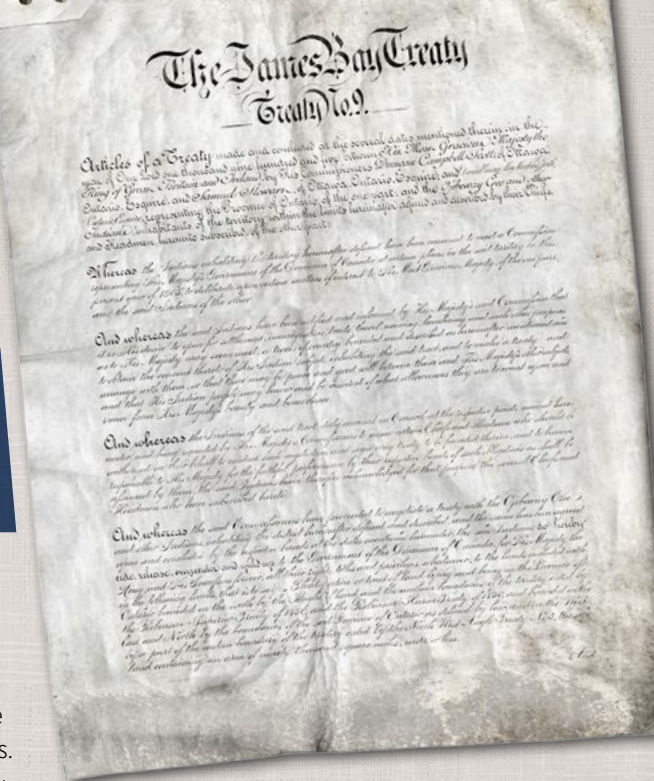
## CASE STUDY: TREATY 9 (CONTINUED)

1. Summarize each source (treaty document, MacMartin’s diary, Rosary Spence’s account as told in the *Heritage Minute*). What story does each one tell? Are they similar?
2. What evidence do these sources provide about the 1905 treaty-making process?
3. As a class, compare and contrast the perspectives offered by these stories.

### // MODIFICATIONS

Watch the “Naskumituwin (Treaty)” *Heritage Minute* with students. Have them write down (in a format of their choosing) their reaction to the *Heritage Minute*. If you like, watch it again. Have students retell the story in their own words.

Front page of the James Bay Treaty (courtesy of Archives of Ontario/Articles of James Bay Treaty [Treaty No.9]/RG 1-653). ▶



## IDLE NO MORE

The process of treaty making has built-in flaws, given the differing perspectives, intentions, and worldviews of those who sought to make treaties. Indigenous people in Canada have consistently tried to bring attention to the differences present during the treaty-making process. Discontent with consequences of the treaties has traditionally been expressed with a history of discussion, debate, and in some cases protest. In 1990, the Oka Crisis was triggered by the proposed expansion of a golf course onto traditional Mohawk burial grounds and resulted in a 78-day standoff between Mohawk protesters, Québec police and the Canadian military. The Ipperwash Crisis of 1995 emerged after repeated requests from Kettle and Stony Point First Nation for the return of land in and around Ipperwash Provincial Park, which had been appropriated in 1942 by the federal government. A number of reserves have used the blockading of railroads and bridges to express their dissatisfaction during land disputes. And beginning in 2012, the Idle No More movement has called attention to First Nations’ treaty rights throughout Canada through a series of protests that spanned the nation.

Idle No More, originally a protest against the federal government’s introduction of Bill C-45, continues the spirit of resistance against unfair treaty terms and the imposition of laws that run counter to Indigenous rights and treaty terms. The proposed *Jobs and Growth Act* affected more than 60 Acts, including the *Indian Act*, the *Navigable Waters Protection Act* (changed to the *Navigation Protection Act*), and the *Environmental Assessment Act*. Idle No More activists argued that the changes made it easier for the government and big business to push through projects such as oil pipelines without strict environmental assessment, while simultaneously diminishing the rights and authority of First Nations.

The idea that began with an exchange of emails quickly grew into a national — and even international — protest movement. In 2012 and 2013, the Idle No More movement grabbed media headlines as Indigenous and non-Indigenous people held rallies, teach-ins, round dances and protests across the country.

▶ Dancers rally on Parliament Hill during an Idle No More gathering in Ottawa, Ontario, on January 28, 2013 (courtesy of The Canadian Press/Sean Kilpatrick).



## IDLE NO MORE (CONTINUED)

Imagine you have been asked to make a movie about the Idle No More movement. You will create a piece that explains your plan for the movie. You can write a movie pitch, craft a storyboard, or create a script or screenplay. It should outline the major themes, ideas, or scenes you will include in the movie.

1. Research the origins of Idle No More. Who were the people who started it? Why did they start it? Was there a specific event that was a trigger for the events that followed? In what ways do you think the legacy of treaties motivated or inspired the Idle No More movement?

Here are some questions to help you get started on your project. In developing your script, think about:

- What is the role of women in the Idle No More movement?
- What is the role of youth?
- What are some of the consequences of the movement?
- Is there any personal or local content you can include?
- Have you or has anyone you know been involved?
- Has an Idle No More event taken place in your community?

► Idle No More demonstrators protest at the base of the Ambassador Bridge in Windsor, Ontario, January 16, 2013 (courtesy of The Canadian Press/ Geoff Robins).



Here are some places to begin your research:

YouTube: search for videos taken during some of the protests and flash mobs

*The Canadian Encyclopedia* article: Idle No More  
[thecanadianencyclopedia.ca/en/article/idle-no-more](http://thecanadianencyclopedia.ca/en/article/idle-no-more)

*The Canadian Encyclopedia* article:  
The Journey of Nishiyuu (The Journey of the People)  
[thecanadianencyclopedia.ca/en/article/the-journey-of-the-people](http://thecanadianencyclopedia.ca/en/article/the-journey-of-the-people)

Idle No More: [idlenomore.ca](http://idlenomore.ca)

► Idle No More protesters demonstrate in Toronto on January 16, 2013 (courtesy of The Canadian Press/Aaron Vincent Elkaim).

2. Think about the point of view of your movie. Who will be telling the story? Who is the protagonist of your story? Will it be told from one point of view, or from several points of view?



Think about how to tell your story from an original point of view. As an example, read the story *The Walk* by Robert McCue. *The Walk* takes a unique perspective and shows an imaginative interpretation of one Idle No More event. You can find it on the [Aboriginal Arts & Stories](http://AboriginalArtsAndStories.com) website. Consider: how does the choice of narrator in this story add to its meaning and significance? Brainstorm some ideas for your movie's point of view, taking inspiration from this story.

3. Develop your movie project. Here are some suggestions to help you develop your ideas:
  - a. What is the storyline of your movie? What will you include in the beginning, middle and end?
  - b. What is the big idea, theme, or main message you want to get across in your movie?
  - c. What is your point of view? Do you bring any biases to your movie making?
  - d. Who is the audience for your movie?
  - e. What are some relevant images and sounds you could include in the movie?
  - f. How will your movie portray the historical significance of the Idle No More movement?
  - g. What is the title of your movie?
4. Present your movie project to the class.

### // MODIFICATIONS

As a class or in groups, discuss the origins of Idle No More, checking with students for understanding. Instead of writing a script, students can create a storyboard or a comic strip, using educational software such as Bitstrips for Schools or pencil and paper.