

Treaty Essential Learnings

WE ARE ALL TREATY PEOPLE



FIELD TEST DRAFT

 Office of the
Treaty Commissioner

Treaty Essential Learnings: We Are All Treaty People

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The Office of the Treaty Commissioner would like to acknowledge and thank Saskatchewan artist, Adrian Roy McKenzie, for his work, *Buffalo Trail*, found on the cover page. Adrian is a Cree artist from Red Earth First Nation, currently residing in Saskatoon.

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PREFACE

Welcome to the *Treaty Essential Learnings: We Are All Treaty People*. The *Treaty Essential Learnings* document is a reference guide to understanding the foundational aspects of the “Teaching Treaties in the Classroom” program.

The *Treaty Essential Learnings* document is provided by the Office of the Treaty Commissioner (OTC), with the support of our partners; the Federation of Saskatchewan Indian Nations, Government of Canada, and the Government of Saskatchewan. Together with its partners, OTC has developed an education program to build greater harmony in Saskatchewan by improving the understanding of the treaties and the unique living relationship that was built between First Nations peoples and the Crown.

The *Treaty Essential Learnings* attempt to provide an unbiased presentation of the treaties and the treaty relationship that was created between First Nations peoples and the Crown. Understanding the treaty relationship will enable all students to develop the capacities needed to function as responsible members of society.

The *Treaty Essential Learnings* are defined as those basic topics, concepts and understandings of treaties and the treaty relationship that students would be expected to learn through the provincial education system, K-12. They are not objectives or expected outcomes; rather they are the topics from which objectives and outcomes are formed. The intention is to provide a snap shot of the topics that should be covered by the teachers. The TELs are organized into the following six groups:

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

It is the hope of OTC that this document will instill a significantly greater understanding of the importance of treaties and their role in the building of this country.



Honourable Bill McKnight, P.C.
Treaty Commissioner

ACKNOWLEDGEMENTS

Treaty Essential Learnings: We Are All Treaty People was prepared through the following process. The contribution of the following people is gratefully appreciated. Although we acknowledge these contributions, the Office of the Treaty Commissioner (OTC) presents this as its document and recognizes that these individuals may not endorse the content contained herein.

1. A long list of ideas was generated by Elder Alma Kytwayhat and other OTC staff using the Office of the Treaty Commissioner Treaty Resource Kit as a source.
2. The list was grouped, expanded and categorized by OTC staff.
3. The grouped list was reviewed and improved by teachers and consultants at two writing workshops on November 28 – 29 and December 6 – 7, 2005. This resulted in Draft No. 1, dated December 12, 2005. Teachers in attendance were:

November 28 - 29 (Saskatoon)

Anesia Boutin, Gull Lake School Division
Diane Cote, Tiger Lily School Division
Gayle Weenie, Saskatoon Greater Catholic School Division
Glenn Lafleur, Northern Lights School Division
Jennifer Hingley, Saskatoon Public School Division
Leda Corrigan, Northern Lights School Division
Linda Greyeyes, Sask. Rivers School Division
Michelle Van Houwe, Saskatoon Greater Catholic School Division

December 6-7 (Regina)

Alyx Williams, Intern
Azalea Parisien, Buffalo Plains School Division
Andrea Hnatiuk, York School Division
Bev Buchan, Regina Catholic School Division
Joanna Landry, Regina Catholic School Division
Judith Stewart, York School Division
Lori Whiteman, Saskatchewan Learning
Sarah Longman, Regina Public School Division
Sharon Poitras, Regina Public School Division
Susan Beaudin, File Hills Qu'Appelle Tribal Council
Wendy Gervais, Regina Catholic School Division

4. OTC staff made additions to the materials generated at the writing workshops and presented the draft *Treaty Essential Learnings* and K-6 activities to the Treaty Learning Network Gathering of Elders and Teachers on March 2 and 3, 2006. The feedback was generally positive and many useful suggestions were made for improvement.
5. In collaboration with the OTC, FSIN hired Greg and Brenda Stevenson to incorporate the feedback and to enhance the document. This process resulted in another draft document dated March 2007.
6. Wes George, an Indigenous People Rights Specialist, and Jocelyn Gagne of the Public Legal Education Association of Saskatchewan commented on the paper in early 2008.
7. Throughout the spring of 2008, there were a number of individuals with interest in and knowledge of the treaties who contributed to the information and accuracy of this document. These are as follows: Harry Lafond, Jennifer Heimbecker, OTC; Brenda Green, Ministry of Education; Lori Whiteman, Ministry of Education; Gladys Christiansen, Federation of Saskatchewan Indian Nations; Elder Alma Kytwayhat and Angela Pinay, Saskatoon Greater Catholic School Board; and Elder Dr. Danny Musqua.

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EXECUTIVE SUMMARY

The Office of the Treaty Commissioner, with its partners, has embarked on an education program to build greater harmony in Saskatchewan by improving the understanding of the treaties and the treaty relationship. With this in mind, the OTC has set about the task of identifying a set of Treaty Essential Learnings (TELs). The TELs are those topics, concepts and understandings of treaties and the treaty relationship that students should be expected to know by the end of Grade 12. The Treaty Essential Learnings are organized into the following:

TREATY ESSENTIAL LEARNING #1: THE TREATIES introduces the treaties and answers the questions: who, what, where, when and why. To become familiar with the intentions of treaties there is need for a better understanding of the implications of the treaties. This learning will introduce the treaty partners of the numbered treaties that cover Saskatchewan.

TREATY ESSENTIAL LEARNING #2: THE TREATY RELATIONSHIP continues from the treaties to emphasize that the treaties established a new relationship. The treaties outlined how this relationship was to be honoured and maintained for peace and good order. Both parties to the treaties agreed to responsibilities which would nurture the treaty relationship.

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 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 will lead to a more informed perspective of the treaty-making era.

TREATY ESSENTIAL LEARNING #4: WORLDVIEWS gives the reader 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.

TREATY ESSENTIAL LEARNING #5: SYMBOLISM IN TREATY-MAKING explains the significance of the objects and actions used in treaty-making. The meanings of the symbols are explained.

TREATY ESSENTIAL LEARNING #6: CONTEMPORARY TREATY ISSUES is a compilation of some of the issues that have arisen since the time of treaty-making. If the reader has a good understanding of the first five treaty essential learnings they will have enough knowledge to make the connection to the contemporary issues. This greater understanding will equip the reader to make accurate observations of the treaty relationship.

TREATY ESSENTIAL LEARNING #1



Treaties between the First Nations peoples and the British Crown are the building blocks in the creation of the country of Canada¹ and provide for peace and good order for all people in Canada.²

These treaties are agreements, voluntarily entered into by both parties, which provide for peaceful relations between the two nations. They 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 and common laws) of the First Nations peoples and the written traditions (laws) of the Crown, who represented the newcomers.

The treaties were based on the First Nations peoples’ principles: “Miyo-wîcêhtowin” (“Getting along with others”), Wîtaskêwin (“Living together on the land”) and Pimâcihowin (“Making a living”).³ Treaties were to provide both sides with the means of achieving survival and socio-economic stability, anchored on the principle of mutual benefit.⁴

To gain a comprehensive understanding of the treaties, their nature and significance, it is important to understand: who the treaty parties were; why, when and where they were entered into; the pre-treaty developments; the intended benefits; and that International Law defines, protects and recommends achievable ways of implementing treaties. A better understanding is gained through the following:

1. THE TREATY PARTNERS. The indigenous peoples/nations are considered to be the original inhabitants of North America. They were sovereign nations and exercised their powers to negotiate and agree to international arrangements. For thousands of years prior to contact, the land that is now Saskatchewan was occupied by diverse groups of First Nations peoples. They are known as the Cree, Dene, Saulteaux, and Dakota, Lakota and Nakota. These were the original inhabitants of the lands that make up Saskatchewan. The Dakota and Lakota peoples in Saskatchewan have not entered into treaty, therefore the First Nations treaty parties are the Cree, Dene, Saulteaux and Nakota nations.

The second treaty partner is the Crown of Great Britain, now in Right of Canada. At the time of treaty negotiations in Saskatchewan, the Queen of Britain had representatives, known as lieutenant governors, who would assist treaty commissioners in negotiating with the First Nations peoples. The Queen understood the First Nations peoples to be sovereign and independent nations with full title and occupancy of the land, therefore, it was appropriate to enter into treaties to fully acknowledge their title to the land.

The Creator is considered a witness to the treaties. It is to the Creator that the promises were made, therefore the agreements were considered sacred. One of the primary objectives of the treaty process was to have the First Nations peoples' relationship with the Creator recognized and affirmed.⁵

2. DEFINITION OF TREATIES. The treaties were foundational agreements entered into for the purpose of providing the parties with the means of achieving survival and stability, anchored on the principle of mutual benefit.⁶ Treaties are solemn agreements between two or more nations that create mutually binding obligations.⁷ The Supreme Court of Canada stated: "What characterizes a treaty is intention to create obligations, the presence of mutually-binding obligations and a certain measure of seriousness."⁸

3. FIRST NATIONS PEOPLES TREATY-MAKING. Prior to treaty-making between First Nations peoples and the newcomers, the 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 British Crown that would allow for *Witaskêwin* ("living together on the land").⁹ The primary reason for internal treaties was to allow for equitable and fair access to resources. When the First Nations peoples entered into treaty with the British Crown they assumed that the same type of relations would follow.¹⁰

4. PRE-CONFEDERATION TREATIES. Prior to Confederation in 1867, peace and friendship treaties were established between First Nations peoples and the newcomers. The history of the treaty process between First Nations peoples and newcomers to Canada began in the early 1700s in Eastern Canada. These early treaties were signed between the British government and First Nations peoples, and

asked for the peaceful settlement of English people on First Nations lands. In reality, the early treaties were not equitable in nature because the British arbitrarily required First Nations peoples to relinquish jurisdiction of their lands and in return they only committed minimal reciprocal arrangements.

5. ROYAL PROCLAMATION, 1763. The *Royal Proclamation* of 1763 established certain legal and political principles upon which the treaty-making process was founded.¹¹ First Nations peoples were recognized as sovereign “nations,” therefore, before settling on the land, newcomers were required by law to negotiate treaties.

6. FIRST NATIONS (ABORIGINAL) COMMON LAW RIGHTS. First Nations peoples have common law rights which are specific to them because of their historical occupancy of the lands. The *Royal Proclamation* of 1763 is the historic expression of this common law right. The British Crown acknowledged these rights and required newcomers to respect these rights as a rule of law before the land was opened up for settlement. Treaties were made to deal with First Nations peoples’ rights.

7. CANADIAN CONFEDERATION, 1867. Canada officially became a country independent of the monarchy of Britain at Confederation in 1867. At this time, the *British North America Act, 1867* outlined how the new Government of Canada would share its powers with the provinces. In the *Royal Proclamation* of 1763, First Nations peoples were recognized as sovereign peoples, therefore at Confederation, the Government of Canada took full responsibility for “Indians, and lands reserved for Indians.”¹² The new government launched two waves of treaty-making, the first opened the prairies for farming and the railway; the second opened the North for mining and logging. From the Government of Canada’s perspective, land was the central impetus for negotiating the treaties.¹³

8. TREATY ADHESIONS. Treaty adhesions were signed because some First Nations bands were not present at the original treaty negotiations. For example, Little Pine was not present at the Treaty 6 negotiations at Fort Pitt or Fort Carleton in 1876; however, Little Pine did adhere to Treaty 6 in 1879 at Fort Walsh. The treaty adhesion process was just as significant as the original treaty process. Adhesions were signed with First Nations peoples throughout the areas referenced 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.

Treaty adhesions are sacred agreements that created an ongoing relationship with the British Crown, just as the original treaties did.

http://www.otc.ca/ABOUT_TREATIES/FAQs/#4

9. THE NUMBERED TREATIES. From 1871 to 1921, treaty commissioners met with First Nations peoples throughout northwestern Ontario and the southern prairies, and were instructed to secure access to the land. First Nations peoples living on the prairies, weakened by the loss of the buffalo and new diseases, believed that treaties would ensure their physical, cultural and spiritual survival, and sought guarantees to enable them to continue to hunt, fish and govern themselves. First Nations peoples’ understanding of the numbered treaties is that they were not separate treaties but one treaty with numbers attached to signify the areas being treated with. Treaties 1 through 11 were negotiated across Western and Northern Canada. Treaties 2, 4, 5, 6, 8 and 10 completely cover the area that is now Saskatchewan.

Treaty 2 (1871), covers a small area of southeastern Saskatchewan but is primarily in the province of Manitoba. This treaty was negotiated in lower Fort Garry and agreed to in 1871 at Manitoba House. It is important to note that even though Treaty 2 is a part of Saskatchewan, there are no Treaty 2 First Nations peoples in this province who adhere to that particular treaty.

Treaty 4 (1874), **Treaty 5** (1875) and **Treaty 6** (1876) were negotiated with the First Nations peoples of southwestern Canada, including parts of what is now southern Saskatchewan. With the disappearance of buffalo herds, 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; they therefore agreed to share their lands in exchange for the Queen's benevolence and protection.

Treaty 8 (1899) and **Treaty 10** (1906) were negotiated in northwestern Canada, including parts of what is now northern Saskatchewan. First Nations peoples in these areas requested treaties due to the declining fur prices and game. However, since the land was largely unsuitable for agriculture, the government was not interested in making treaty until the discovery of gold in the Klondike, which brought an influx of miners to the area and led to hostilities between First Nations peoples and the miners. Treaties 8 and 10 were then negotiated.

10. MODERN TREATIES. After the numbered treaties were agreed to, there were still many First Nations groups that were not included in any treaties, prompting the parties to formulate modern treaties. Modern treaties include the 1975 James Bay and Northern Quebec Agreement and the 1993 Nunavut Treaty.

11. THE TREATY-MAKING PROCESS. The Crown and First Nations peoples each practised their own customs in sanctioning the treaties. The Crown had lawyers and government officials, and the First Nations peoples had spiritual leaders, women, chiefs and headmen. 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, 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. An exception to this occurred during the signing of Treaty 4 where ceremonial practice was less evident than the other treaties.¹⁴

12. TREATIES ARE 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.

"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."

Elder Norman Sunchild in *Treaty Elders of Saskatchewan*. p. 7.

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 the other. First Nations peoples were guided by the Creator and the newcomers were guided by the Queen of Britain.

13. TREATY OBLIGATIONS. Treaties create obligations and duties for the treaty partners. After negotiations, both the Crown and the First Nations 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 influx of settlers and occupation of their lands, and agreed to protect their existence as distinct societies.

14. 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 migrating 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 recognizes and affirms “existing Aboriginal and treaty rights.”¹⁵

15. TREATIES ARE SUPPORTED BY INTERNATIONAL LAW. The treaties are international in status, responsibility, duty and application. Treaties are recognized and supported by international law as documents which support, uphold and confirm First Nations’ universal and international status as peoples. Treaties were negotiated on a nation-to-nation basis, therefore they are international in nature.¹⁶

16. THE BENEFITS FOR NEWCOMERS. As a treaty settlement, the Crown believed they were to receive: 1) peaceful access to lands for settlement, farming, railways and development; 2) peaceful settlement in the West; 3) minimal costs for westward expansion and prevention of costly wars with First Nations peoples; and 4) protection for Western lands by stopping American expansion, as well as other benefits.

17. THE BENEFITS FOR FIRST NATIONS PEOPLES. As a treaty settlement, First Nations peoples believed they were receiving: 1) physical survival of their nations; 2) peaceful relations with the newcomers through ongoing equitable relations; 3) respect for cultural and spiritual survival as distinct nations by the preservation of their distinctive traditions and institutions; and 4) a transition to a new lifestyle by learning different technologies within education, economics and health, as well as other benefits.

18. THE PROVISIONS OF TREATY. The treaties are not frozen in time and are understood to be evolving to suit the conditions of the day. They are, however, also unchangeable. In matters of interpretation Canada’s Supreme Court has ruled that interpretations of treaty shall be made in favour of the intended beneficiaries: First Nations peoples. The most common provisions of the written treaties for First Nations peoples and the newcomers can be found in the following chart:

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

There was an increase in the number of settlers arriving on the land and moving further west. This led to a decline in the number of buffalo which threatened the First Nations peoples' way of life. They therefore pressured the lieutenant governor for a treaty. As in Treaties 1, 2 and 3, deteriorating buffalo herds, declining fur prices and new diseases had deepened the hardships.^A During this time, the U.S.A. followed a belief of "manifest destiny," in which the Americans wanted to expand wherever lands were unsettled. This was a threat to Canadian lands as the West was not yet settled.

PROVISIONS FOR FIRST NATIONS PEOPLES	PROVISIONS FOR NEWCOMERS
Annuities (\$5/person, \$15/headmen, \$25/chief) Chief and headmen – suitable clothing every 3 years Reserves Agricultural implements Schools and a teacher The right to hunt/fish/trap	Avoided war with First Nations peoples (US had costly wars with the First Nations that resulted in the loss of many human lives) Westward expansion of settlement Alleviated some of the threat of US expansion by settling on the land

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

The First Nations peoples were experiencing the negative effects of the influx of settlers. The lack of animals contributed to famine. The government wanted to open up Lake Winnipeg as a transportation route and the shore for settlement.

PROVISIONS FOR FIRST NATIONS PEOPLES	PROVISIONS FOR NEWCOMERS
Same provisions as above	Lake Winnipeg was free for navigation Shore was opened up for settlement Land was opened up for settlement and development

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.

PROVISIONS FOR FIRST NATIONS PEOPLES	PROVISIONS FOR NEWCOMERS
Same provisions as above with the addition of: Relief from famine and pestilence The medicine chest	Construction of telegraph lines Peaceful settlement and development further west

TREATY 8 (1899) AT LESSER SLAVE LAKE

The Canadian government was not interested in negotiating treaties with these First Nations peoples because unlike the land in other treaties, this land was not good farmland. However, with the discovery of gold in the Klondike, the government soon pursued treaties as did the First Nations peoples. The First Nations peoples disallowed miners on the land until a treaty was negotiated and agreed to.

PROVISIONS FOR FIRST NATIONS PEOPLES	PROVISIONS FOR NEWCOMERS
Same provisions as above	Peaceful access to the land Transportation routes

TREATY 10 (1906) AT ILE A LA CROSSE

This land was largely unsuitable for agriculture and government interest differed significantly. First Nations peoples in this region were experiencing falling fur prices, starvation and encroaching miners.^B The government was slow to respond as they did not need the land. As in Treaty 8, the discovery of gold encouraged the government to negotiate a treaty. Protecting the way of life and securing livelihood was the focus and primary concern for Treaties 8 and 10.^C

PROVISIONS FOR FIRST NATIONS PEOPLES	PROVISIONS FOR NEWCOMERS
Same provisions as above	Peaceful access to the land

^A Office of the Treaty Commissioner. "Statement of Treaty Issues: Treaties as a Bridge to the Future." October 1998. p. 21.

^B *ibid.* p. 24.

^C *ibid.* p. 26.

TREATY ESSENTIAL LEARNING #2

THE TREATY RELATIONSHIP

An illustration of a herd of bison running across a plain. The bison are depicted in various stages of a trot, moving from left to right. The background is a simple, light-colored landscape with small tufts of grass. The illustration is rendered in a muted, earthy brown color.

Treaties established what is commonly referred to as a “brother-to-brother” relationship between the First Nations peoples and the newcomers. “It was decided long before the newcomers arrived that the First Nations peoples would treat them as relatives, as brothers and sisters.”¹⁷

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.”¹⁸

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.¹⁹

Treaties were intended to create a lasting relationship between First Nations peoples and the newcomers. In this Treaty Essential Learning, three important concepts are presented: the importance of the treaty relationship, the fact that we are all treaty people, and the importance of the spirit and intent of treaties. The treaty relationship will be understood after addressing the meaning of the following:

1. THE TREATY RELATIONSHIP. When the parties entered into the treaties it was understood this action created a new relationship between the First Nations and the newcomers — the treaty relationship; a relationship in which the parties expect to resolve differences through mutual discussion and decision; a relationship which is perpetual and unalterable. It embodies mutual benefit, mutual respect, reciprocity and mutual responsibility. It reflects the honour of the First Nations and the honour of the Crown and supports the trust-like, non-adversarial brother-to-brother relationship.²⁰

2. WE ARE ALL TREATY PEOPLE. Treaties are beneficial to all people in Saskatchewan. 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 freedoms. Today, there are misconceptions that only First Nations peoples are part of the treaties, but in reality, both parties are part of treaty. All people in Saskatchewan are treaty people.

3. THE SPIRIT AND INTENT OF TREATIES. The spirit and intent of treaties is critical to understanding the relationship between the two nations. 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. “Spirit and intent” refers to the sacredness of the treaties, which was not recorded in written form. Relying on the written word alone is not sufficient because of the oral history component that is the First Nations peoples’ perspective. Both the Crown and the First Nations peoples intended to 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 relationship.

According to First Nations peoples’ natural laws, all creation lived in balance and harmony and when the newcomers came to Turtle Island (the First Nations’ term for 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—this is why treaties are “living documents.”

4. 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. A part of the First Nations’ intent and purpose is currently being lost with the loss of First Nations peoples’ languages. First Nations languages express certain beliefs that are significant to these agreements, and English words and terms do not clearly articulate the same meanings.

5. TREATIES ARE A SACRED COVENANT. First Nations peoples recognize the Creator as supreme. They depend on provisions from the created earth and they believe certain events are sacred. They believe the treaty-signing process was sacred because it included certain ceremonies such as the smoking of the pipestem. The treaties were also sealed with official signatures and handshakes from both parties.

6. TREATIES ARE FOREVER. When the treaties were signed, they were perceived by both signatories as permanent agreements. First Nations leaders and officials for the British Crown acknowledged the permanency of the treaties and knew the pledges would affect their people's lives for generations.

7. 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 amounts of immigrants coming to the new land.

Newcomers and First Nations peoples built their relationship on 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 in the agriculture industry. The establishment of the treaties was intended to create a bridge to the future for First Nations peoples and newcomers alike.

8. BROTHER-TO-BROTHER RELATIONS. First Nations peoples saw the treaty arrangement as a partnership in which the two parties would 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 and the rivers flow.

TREATY ESSENTIAL LEARNING #3



THE HISTORICAL CONTEXT OF TREATIES

The treaties were negotiated among many other historical events.

This Treaty Essential Learning provides a chronological review of events, relationships and policies that influenced treaty negotiations and implementation.

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

Many events had an impact on the treaties and their implementation. A better understanding of the treaties and their historical context may be gained through the following:

1. PRE-CONTACT FIRST NATIONS TREATIES (PRE-1400s). First Nations peoples believe the Creator placed them on Turtle Island (North America) and they have occupied it 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 that promoted living in balance and harmony with the natural environment.

First Nations peoples have a long history of making treaties with other First Nations peoples to consolidate alliances and share resources within each other's 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 because it was a way to ratify the agreements. The agreements were made in the best interest of all parties involved.

2. FUR TRADE ALLIANCES (1600s). The fur trade period is important to understanding the treaty-making process because the newcomers observed the protocols of trade that were already set by First Nations societies. The fur traders realized they had to follow that protocol if they wanted success in their commerce. Trust relationships were established during these trade alliances, which set the precedence for the treaty-making process of the late 19th century between the newcomers and First Nations peoples. Because First Nations peoples were already trading within North America, these trading systems included the newcomers.

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

Royal Commission on Aboriginal Peoples. 1996.

Volume 1, Part 1, Chapter 5, p. 3.

Trade between them was one of mutual benefit—newcomers desired the furs and food that the First Nations peoples could provide, 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 British Crown during the treaty-making period.

3. THE ROYAL PROCLAMATION OF 1763. In October 1763, the Crown under King George III issued a *Royal Proclamation* to address the grievances the First Nations peoples had regarding the encroachment of their traditional lands and the respect they wanted for their land rights. It was also issued as a result of the terms agreed to in the Treaty of Paris, which France and England signed on February 10, 1763 to put an end to the Seven Years' War in Europe and to settle their territorial disputes in North America. The defeat of the French affected relations between the First Nations peoples and the British because First Nations peoples believed that once Britain gained control of North America, they would stop the flow of settlers encroaching upon their land. This never happened. The *Royal*

Proclamation set up formal guidelines for treaty-making with the First Nations peoples. It stated that First Nations land could only be acquired by the Crown through purchase or treaty, preventing individual settlers from purchasing land. The Crown wanted to ensure that the settlement of the western territories was done peacefully and orderly. In effect, the *Royal Proclamation* placed a legal obligation on the Crown to enter into public negotiations with First Nations peoples to obtain their traditional hunting and living grounds. From the First Nations peoples' perspective, the proclamation is significant because it recognizes the First Nations peoples as **nations** — "... the several Nations or Tribes.... with whom we are connected."²¹

The Order-in-Council stated: "... upon the transference of the territories in question to the Canadian government, the claims of the Indian tribes to compensation for land required for the purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with Aboriginal people."

Rupert's Land and North-Western Territory Order, 1870
Appendix 11, No. 9

The *Royal Proclamation* of 1763 did not directly apply to the North-West Territories (the prairies) but it did set the precedent for the treaty negotiations during the late 19th century (the Numbered Treaties). After the purchase of Rupert's Land from the Hudson's Bay Company in 1870, the British government passed an Order-in-Council requiring Canada to follow the British Crown's treaty-making policy with First Nations peoples.

4. 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 history of the treaty process in Canada began in the early 1700s in Eastern Canada. The British government asked the First Nations peoples not take up arms against the English, to not ally with the French and to allow peaceful settlement of the English people on their lands. These early treaties were not specifically land treaties and were not equitable in nature because First Nations peoples relinquished land while the British government only committed minimal reciprocal arrangements.

In 1850, a new strategy for the treaty process was established. The British government began negotiating in public forums with more than one First Nations band in order to access larger land areas. The new model negotiated by William B. Robinson was a prototype for the treaties negotiated after Confederation. The characteristics were not new in British government but together they set precedence.²² The following points are precedents set by the Robinson Treaties:

- 1) They were the first treaties to provide for the setting aside of reserve lands in exchange for the title to the remaining Indian lands.
- 2) They used annuities rather than lump payments, so that every year, in perpetuity (or as long as the treaty lasted), Indians would receive a certain amount of money per person.
- 3) They allowed the Indians the right to hunt and fish over the ceded territory, so that they could continue to make a living. This applied only as long as the lands were unoccupied by government or private enterprise and thus subject to other regulation.

Peggy Brizinski.
Knots in a String. p. 160.

5. THE BRITISH NORTH AMERICA ACT (BNA), 1867. The *British North America Act* was a statute enacted on March 29, 1867 by 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 different levels of government. The *BNA, 1867* is significant to First Nations peoples because it gave the federal government the constitutional responsibility and jurisdiction over “Indians, and lands reserved for Indians.”²³ As a result, the Government of Canada has jurisdiction over and responsibility for First Nations peoples in Canada. First Nations leaders were not consulted when this act was negotiated.

6. POST-CONFEDERATION WESTERN EXPANSION (POST-1867). The newly independent Canadian government followed the precedent set by the British in the Robinson treaties. There was a vast expanse of First Nations land in the western prairie provinces (the North-West Territories). In 1858, prior to Confederation, 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 set out to develop a nation and to build a transcontinental railroad to help unite the country. The rich natural resources attracted industries so 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. To accommodate them, First Nations land had to be accessed. Thus the negotiation of the numbered treaties began in order to provide a way for First Nations peoples and the newcomers to live together in peace. Both the Crown and First Nations peoples had other compelling reasons to enter into treaty with each other.

Confederation was the union of the colonies of British North America to form the country of Canada. On July 1, 1867, the provinces of Ontario and Quebec (Upper and Lower Canada), Nova Scotia and New Brunswick united to form the Dominion of Canada.

<http://en.wikipedia.org/wiki/Confederation>

Canada was facing external pressures from the United States, which wanted to extend its borders northward; the Canadian government feared First Nations peoples would ally with the U.S. and cause further conflict. The American government hired professional hunters to kill off the buffalo in order to force First Nations peoples into submission through starvation, and by the mid-1870s, buffalo herds were becoming more and more difficult to find.

First Nations peoples were compelled to sign treaties because they were suffering hardships as a result of increased settlement, diminishing buffalo herds and high mortality rates due to disease. They sought peace and protection of their way of life and hoped the treaties would protect their livelihood.

7. THE TREATIES THAT COVER SASKATCHEWAN (1874-1906). During the 1800s, the British Crown negotiated five treaties with the Cree, Dene, Saukteaux, and the Nakota peoples in the territory that is now the Province of Saskatchewan. The numbered treaties covering Saskatchewan are: Treaties 4, 5, 6, 8 and 10. While the province also includes a portion of the Treaty 2 boundaries in the southeast, there are no Treaty 2 First Nations peoples in Saskatchewan.

8. FEDERAL FIRST NATION LEGISLATION, 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 in 1876 to 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.

9. THE INDIAN ACT, 1876. In 1876, after Confederation, the Government of Canada arbitrarily passed the first *Indian Act* as part of its authority under the *BNA*, 1867, 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's* full title is *An Act to Amend and Consolidate the Laws Respecting Indians*. The *Indian Act* was created to guide Canada's 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 caused poor relations among the First Nations peoples, the Canadian government and the other people of Canada. The act included: defining who "Indians" were; enfranchisement of First Nations peoples; administering reserve lands; managing sale of timber; administering band monies; determining the processes of leadership selection (through chief and council elections); regulating intoxicants; and prohibitions on certain activities, mainly of a cultural nature, restricting women's involvement in land negotiations and giving First Nations peoples no power to enforce laws on the reserve. There have been many amendments to the *Indian Act*.

10. THE DAVIN REPORT, 1879. Nicholas Flood Davin was commissioned by Prime Minister Sir John A. Macdonald to write a report that became known as the *Davin Report*. The formal title is *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 school system in Canada.

11. RESIDENTIAL SCHOOLS, 1880s. Shortly after the *Davin Report* was submitted, the first residential school was established. In 1883 and 1884, residential schools opened in Qu'Appelle, High River and Battleford, Saskatchewan. In many instances, children were forcibly taken from their families to attend the schools, with the goal of assimilation.

12. THE DEPARTMENT OF INDIAN AFFAIRS (DIA). In 1880, the Department of Indian Affairs was created as a branch 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 the lives of First Nations peoples.

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."²⁴ The "implementation of the *Indian Act* made it clear that the government regarded itself as the guardian of Indian minors."²⁵ Today, this 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 Indian and Northern Affairs Canada (INAC).

13. THE PASS SYSTEM. The pass system forced First Nations peoples to obtain consent from the Indian agent before leaving the reserve. The pass system was a result of the North West Rebellion²⁶ of 1885, because the government thought First Nations peoples violated the peace pact called for in the treaties. The government also wanted to control First Nations peoples' activities. It was not a law, but was rather a practice of the Indian agents to inhibit mobility of First Nations peoples. This pass system interfered with First Nations peoples' cultural life.

Because of the restrictions on travel they could not easily practise traditions that took place at different geographic locations. With the ceremony ban already in place, this was yet another obstacle for the First Nations peoples. The 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 Resistance of 1885 and persisted as a policy on the prairies until the mid 1930s, remaining in practice until the mid-1950s.

14. THE PERMIT SYSTEM. First Nations peoples could not sell agricultural produce without a permit from the Indian agent. Violators would be fined or jailed.

15. AMENDMENT TO THE INDIAN ACT, 1884. The ceremonies of Potlatch and Tamanawas Dance were prohibited. Those found participating in these activities were sentenced to a jail term of 2-6 months. This prohibition was in place for 75 years. The ban was lifted in 1959.

16. AMENDMENT TO THE INDIAN ACT, 1895. Traditional dances and customs were prohibited. The ban was lifted in 1933.

17. AMENDMENT TO THE INDIAN ACT, 1927. Legal assistance for First Nations peoples was made illegal. The ban was lifted in the amendments to the *Indian Act*, 1951.

18. NATURAL RESOURCES TRANSFER ACT (NRTA), 1930. This act encompassed agreements with Manitoba, Saskatchewan and Alberta, transferring the administration of natural resources and the control of Crown lands from Canada to the province.²⁷ In accordance with the words of various Elders from across the region, the First Nations have never relinquished rights to, or interests in, the resources at the time of treaty or any time thereafter. It remains then, that the First Nations continue to hold an interest, via Aboriginal title, in the resources that the Province of Saskatchewan now purports to own and control under the constitutional authority of the *NRTA*.²⁸

19. AMENDMENT TO THE INDIAN ACT, 1951. In 1951, revisions were made to the *Indian Act*. First Nations women could now take part in land decisions. If a First Nations woman married a non-First Nations man, 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 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 apply its laws on reserve lands.

20. FEDERATION OF SASKATCHEWAN INDIAN NATIONS (FSIN). In 1958, First Nations organizations around Saskatchewan joined to form the Federation of Saskatchewan Indians, now known as the Federation of Saskatchewan Indian Nations (FSIN). This organization's mandate was to protect treaties and treaty rights. The FSIN represents 74 bands across Saskatchewan. Chiefs and councillors from each band are the FSIN representatives.

21. HAWTHORN REPORT, 1966. In 1964, the government commissioned a study to review the situation of First Nations peoples in Canada. It wanted to understand the difficulties of the First Nations' 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 that First Nations peoples be treated as "citizens plus," where in addition to the ordinary rights and benefits of citizens, they would have access to special rights as charter members of the Canadian community.

22. THE WHITE PAPER, 1969. In response to the *Hawthorn Report*, the federal government of Canada proposed the abolition 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.

23. THE RED PAPER, 1970. In response to the 1969 *White Paper*, this document proposed the *Indian Act* be reviewed but not repealed, that treaty and land promises be upheld, that Indian status is essential to identity and culture, and 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."

24. CONSTITUTION ACT, 1982 AND THE CHARTER OF RIGHTS AND FREEDOMS. On one hand, the Canadian Constitution protects the treaties. On the other hand, the division of law-making powers between the federal and provincial governments causes conflicting responsibilities and makes it difficult to fully implement the treaty commitments. The federal government has a fiduciary responsibility to First Nations peoples where it is the Crown's responsibility to make decisions in the best interests of the First Nations peoples. The federal government inherited this responsibility in Section 91(24) of the Constitution: "Indians, and lands reserved for Indians."²⁹

25. THE PENNER REPORT, 1983. Submitted in 1983 to the House of Commons, 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 possess an inherent right to self-government and that these powers should be fully restored to First Nations peoples. Neither the provinces nor the federal government endorsed the Penner approach.

26. AMENDMENTS TO THE INDIAN ACT, 1985. Bill C-31 passed and all women and their children who lost their status after marrying out could regain their status. The alcohol ban was lifted. Bands could determine membership but still could not grant Indian status, which is still left to the federal government to decide.

27. THE MEECH LAKE ACCORD AND ELIJAH HARPER. In the attempt to amend the *Constitution Act*, Prime Minister Mulroney and the eleven 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 mostly held in private with no public consultation. At the time, Elijah Harper was a Manitoba member of parliament who opposed the amendments mainly because the federal and provincial 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.

28. ROYAL COMMISSION ON ABORIGINAL PEOPLES (RCAP), 1996. The federal government appointed an independent commission to study and recommend solutions to some of the problems experienced by Aboriginal peoples. The commission reported that there were high incarceration rates, high usage of drugs and alcohol, and the numbers for employed and educated Aboriginal peoples were very low. The federal government understood that its relationship with Aboriginal peoples had been damaged because of past policies of assimilation and acculturation. They hoped that *RCAP* would have some solutions to help alleviate the situation. *RCAP* presented over 400 recommendations. However less than ten of those recommendations have been implemented.

29. THE LAST RESIDENTIAL SCHOOL CLOSES, 1996. The Gordon Residential School was the last federally run residential school to close in Saskatchewan.

30. PRIME MINISTER HARPER APOLOGIZES, 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 language. 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." <http://www.ainc-inac.gc.ca/rqpi/apo/pmsh-eng.asp>. Accessed 21/07/08.

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

"First Nations Agenda for the Creation of a Treaty Implementation Policy"
Harold Cardinal and Alan Pratt paper, January 2001.

TREATY ESSENTIAL LEARNING #4

WORLDVIEWS

Understanding the First Nations peoples' traditional worldview 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.

These treaties are permanent, but are also dynamic in that they adapt for implementation and reflect the current realities of the newcomers and First Nations peoples.

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 parties had their own worldviews which shaped their understanding of the treaty relationship. Saskatchewan is made up of a variety of First Nations peoples, all with different worldviews. Perceptions about treaties differ between the parties because of worldviews. To understand how First Nations peoples perceive the treaties, one must carefully examine their worldviews, cultures and traditions, and compare these worldviews to those of the newcomers.

Keeping in mind the diversity of worldviews, it should be understood that all perspectives are not captured in the following Treaty Essential Learning. It is equally important to note that these are only brief overviews and not precise explanations.

1. THE FIRST NATIONS PEOPLES. First Nations peoples were the recognized land keepers (First Nations peoples do not believe that anyone can “own” the land) of North America.

The name “First Nations” replaced the words “Indian” and “native” during the 1970s. The 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 heritage, language, cultural practices and spiritual beliefs. The Inuit have always had their own identity, and, after newcomer contact, the Métis developed their own cultural identity. In Saskatchewan, First Nations peoples prefer not to be placed in the “Aboriginal” category; they want to preserve their distinctive identity as First Nations peoples, who, with their diversity, 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.

Teaching Treaties in the Classroom p. 470.

There is a diversity of First Nations peoples in Canada. As of December 2007, Indian and Northern Affairs Canada report there are 615 First Nations (bands) across the country; the total Status Indian population is 778, 050, with approximately 56% living on reserves.³⁰ Approximately 48% are under the age of 24. There are around 50 First Nations languages within 12 linguistic groups and 6 major cultural regions: Woodland, Iroquois, Plains, Plateau, Pacific Coast, Mackenzie and Yukon River. Each First Nation maintains its own unique customs, cultural practices and spiritual beliefs.

As of 2006, there are 74 First Nations bands in Saskatchewan, made up of 90,720 First Nations peoples, approximately 55% are under 25 years of age.³¹ There are five First Nations languages: Cree, Saulteaux, Nakota (Assiniboine), Dakota (Sioux) and Dene.

2. THE CIRCLE AND ITS COMMONALITY IN FIRST NATIONS TRADITIONAL WORLDVIEWS.

There is diversity among the many First Nations peoples in Canada, though they share commonalities that form a worldview. This view of the world is the framework for how First Nations

First Nations people believe that all things are inter-related. Everything is part of a single whole. Everything is connected, in some way, to everything else. It is only possible to understand something if we understand how it is connected to everything else.

"Four Worlds Development Project." p. 26.

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 concept of the circle is a fundamental shared view for all First Nations peoples.

The circle concept is important because it represents the life cycle and the unity between creation and the Creator. Everything in life revolves in a clockwise circular manner. The circle represents a harmonious

relationship with nature and with all living things, which are our relatives. All things are connected and "equal" because there is no beginning and no end. The First Nations peoples' common worldviews are formulated by interrelated components such as spirituality, values, knowledge, culture, oral traditions, language, technology and the natural world. These influential components comprise social, economic and belief systems.



"We have a beautiful tradition and a holistic view of the universe that makes us who we are. In our circle, we need the old and the young, the old to teach and the young to keep the tradition alive. Nothing really dies out in a circle, things might get old and wear away but they renew again, generation after generation. That is what the circle is about."

Elder Dr. Danny Musqua

COMPONENTS OF FIRST NATIONS TRADITIONAL WORLDVIEWS

<i>Spirituality</i>	The Creator is the ultimate spiritual entity and giver of all life. He created the universe and all creation has a spiritual connection.
<i>Values</i>	Natural laws are built on respect and humility and govern all relationships for balance and harmony.
<i>Knowledge</i>	A lifetime journey, knowledge is conveyed through experiential learning and oral teachings; it requires the use of mind, heart, body and spirit.
<i>Culture</i>	The First Nations' culture includes all aspects of life and is manifested through practice and customs. First Nations peoples live a life of balance and harmony with the Creator and the creation.
<i>Oral Traditions</i>	First Nations history and knowledge was orally transmitted by "keepers" who recollected the events they saw, heard or took part in.
<i>Language</i>	First Nations languages utilize traditional terms, with concepts that are difficult to translate in another language.
<i>Governance</i>	First Nations governments varied according to their particular needs as defined by their unique economic, social and environmental conditions.
<i>Natural World</i>	The Creator put the First Nations on the land and told them to care for Mother Earth. All creation is inter-dependent and equally important.

2.1. SPIRITUALITY. Elders continue using oral traditions to teach the relationship between one Creator and all creation (human beings and the natural world), which meets the First Nations 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 and imprinted in the soul from the first moment of existence, maintaining a spiritual connection to the Creator and all creation. First Nations peoples use these laws as a guide for living in harmony and balance with all of creation.

First Nations peoples were always very close to nature

"... The Creator sets out the laws that governs our relationship(s) ... sets out all the ways by which to understand who is God and what He is, and how He created the universe, and how we come from our Creator through a circle of life, and how we return there again."

Elder Dr. Danny Musqua
Treaty Elders of Saskatchewan. p. 30.

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 believed the Creator's protective hand was on North American First Nations peoples throughout history, and that the Creator protected them from cultural and physical harm.

The Sacred Circle

The sacred circle is a powerful source within First Nations cultures. The life force of all existence moves in a clockwise circular manner, representing wholeness and continuity. The earth and planets, the cycle of the four 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.

Inter-Dependency

First Nations peoples believe all creation is inter-connected. No part of creation is independent; we need 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 dependency on one another.

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 British Crown, First Nations peoples understood that 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 First Nations history, there was widespread peaceful co-existence among North American First Nations peoples; at times, however, tribes did war with one another, mostly over territorial hunting grounds. The belief and attitude that all life is sacred guided First Nations peoples in their war strategies, and prevented annihilation; cultural or physical genocide was not an option. First Nations peoples also respected the earth and its provisions, only taking what was necessary from the environment without destroying it.

First Nations peoples have a spiritual conviction that continually guides them to live life with appreciation and respect. They continue to live this conviction in spite of the negative circumstances in which they find themselves. For them, the world has become a much more complex global village to live in, and, in desperation, some find themselves taking formerly unacceptable actions in order to survive. Those offenders are not in harmony and balance with life, but with training, and personal and spiritual development, they can bring themselves back into synchronization with the Creator, with society and with the natural world, and rid themselves of the fatalistic worldview they may have developed.

Ceremonies

The Creator provided a system for First Nations peoples to show their appreciation and spiritual connection. 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 what it provides.

One of the key ceremonies that embodies the spiritual beliefs of First Nations peoples on the prairies is the “pipe ceremony.” The pipe ceremony is considered a very sacred ritual because it is used to address 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.

Protocol

First Nations peoples demand that rules and protocol be followed when practising certain ceremonies and customs. Protocol pertains to conduct and behaviour. Following protocol ensures that lines of communication are open, trust is established and support is cultivated by those who perform the observances. The observance of protocol ensured a proper ceremony to gain the Creator’s favour, ensuring 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 peoples’ understandings of the 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 its own set of rules to follow for its particular ceremonies and events. Consultation is essential to ensure proper protocol is followed.

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

First Nations peoples’ values differ from dominant societal values because they do not focus on individualism, materialism or domination. The contrast exists because First Nations peoples’ values were focused on survival and existence in a natural setting where they viewed life as a positive experience.

First Nations peoples’ traditional values remained intact for thousands of years before newcomer contact and provided cohesion and structure to First Nations societies. After contact, the cultural synthesis of First Nations peoples with 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: they could not adjust to the assimilation policies enforced by the federal government and, as a result, the values and traditional lifestyles of First Nations peoples deteriorated. Today, there is an ardent appeal from First Nations Elders to return to the teachings and

practices of traditional values in order to restore a lifestyle of harmony and balance through consistent reinforcement by Elders and parents.

The following are universal values that First Nations peoples deem imperative for a successful and productive life. These are the values passed down through generations by Elders and teachers. They are life preparation teachings that build good character and skills needed to manage both positive and negative life experiences.

- **LOVE:** One of the most important and underlying traditional values is love, which has sub-values such as self-respect, respect for others and creation, caring, sharing, kindness, patience, and forgiveness. Since time immemorial, First Nations peoples have shared their love with their families, with their children and with others because it promoted happiness, cooperation, security, good relationships and, ultimately, a rewarding continuity of life. First Nations peoples placed much worth on the value of love because it eliminated strife, hatred, selfishness and jealousy.
- **CONNECTION TO THE PAST:** An underlying criterion to the First Nations peoples' beliefs and way of life is the value placed on connecting to the past as they look to the future. Tradition is important to First Nations peoples, and although they cannot completely return to their traditional lifestyle, knowledge of their history and culture offers clarification of their identity, and continues to provide a sense of security and pride.
- **WISDOM:** Because of their life experience, Elders are revered as wise teachers and advisors. Respect is given to the Elders, who have much knowledge and insight concerning their histories, families, songs, customs, practices, prayers and religion. Today, traditionally-trained Elders provide the strongest ancestral connection to a traditional way of life.
- **RESPECT:** The virtue of respect is highly regarded because First Nations peoples realize that life is precious and that all creation must be shown high regard and treated with reverence. The Creator provided creation as a means of enjoyment and sustenance, and created humans to be companions to each other. Societal stability and environmental well-being depend on positive relationships and mutual respect.
- **SOCIAL EQUALITY:** The Creator made every person in the world equal; no group is more important than another. Historical First Nations societies existed in a communal setting where the group's needs were paramount to the individual's needs. Individual members realized the needs of others were just as important as their own; selfishness was not acceptable because of the need for social interaction and communal sharing. The environment was harsh, therefore daily chores and responsibilities 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. First Nations peoples keep their families close and honour their family members even beyond death. Members of families help one another and young people need to realize that their family

members will assist them in times of need; they should always honour and respect them, even in spite of personality conflicts. The family institution is a place to share acceptance and security, and learn cooperation.

- **PRIDE:** First Nations Elders have stressed that young people be proud of who they are. The Creator made diverse peoples and interconnected them within creation; without the diversity of cultures, the world would be ordinary and unappealing.

First Nations are proud and recognize one another. Today, First Nations peoples still have strong ties to each other and to their communities. The strength of these ties on their character does not allow them, for the most part, to be comfortable outside of their setting and social context. Their seemingly isolated nature may be a reaction to the subtle ethnocentrism of the dominant society.

- **NATIONALISTIC PRIDE:** The 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 in spite of the external obstacles colonialism imposed. 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 Saskatchewan, First Nations peoples are made up of four distinct nations: Cree, Saulteaux, Dene and Oçeti Sakowin (Dakota, Lakota and Nakota) .
- **CULTURAL APPRECIATION:** First Nations peoples place great value on their cultural distinctiveness and artistic expressions. For centuries, First Nations peoples gathered together to show appreciation for their cultural practices through a socialization process, including events like pow-wows and other 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 lives, 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. The First Nations still practise this sacrificial character today, as shown by their devotion to family and relatives.
- **BRAVERY:** First Nations men regarded personal bravery as a highly honoured part of their character. Bravery was required in all aspects of life because of the men's role within the community as providers, hunters and warriors. Bravery was an esteemed goal desired by all men within the tribe. Not only was bravery a highly respected quality, but the harsh environment demanded courageous people to fulfill their roles and responsibilities to their respective tribes.
- **HONOUR:** Children were encouraged to develop good listening skills and were taught to respect, honour and obey parents and Elders. Obedience, placidity, patience and the ability to remain quiet are considered good qualities which will help children develop into responsible, mature adults. Men were concerned about social status; a main goal was to

become a member of a warrior society because it was the most prestigious of the various men's associations. To be eligible, men had to earn status through demonstrations of fighting and hunting prowess.

- **SHARING AND COOPERATION:** The traditional First Nations concept of sharing was greatly practised because of the communal setting of tribes. People needed each other to survive. Sharing material possessions, knowledge and survival skills displayed an honourable character because it gave a person a sense of pride and self-worth to assist those who were in need for various reasons. The First Nations believe the Creator supplied the necessary resources, talents and gifts to live on this earth and were happy to share with others; they felt the Creator gave them an obligation to conduct themselves in this manner. Today, most First Nations still carry out this attitude of sharing, though they have only limited material possessions. They believe those who do not share with others are not living in harmony with the wishes of the Creator, and may end up unhappily self-centered. Ultimately, the First Nations shared the land, which was a major part of their existence and survival, because they thought the newcomers possessed the same attitude of sharing.
- **PEACE-MAKING:** First Nations peoples believe that peace means caring for people, animals and the environment, and also means realizing that certain actions have an effect on all living things. This is one of the main objectives of living a lifestyle of harmony and balance.
- **HUMILITY:** The traditional character of First Nations peoples has been one of humility coming from a life of modesty. Primarily, they do not think themselves better or more important than others; a conceited and flamboyant character was almost nonexistent because humility was more honourable. Humility is a quality derived from the concept of egalitarianism and equality; the socialization process of First Nations promoted this type of character. From early childhood, First Nations peoples are taught that negative experiences and occurrences are not to be made public but with an attitude of humility, they should "hold it within."
- **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, the 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 peoples for thousands of years. The process of education is a lifelong quest requiring patience, introspection, mistakes, 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 of life's necessary lessons.

The traditional education process within the First Nations culture has always focused on human experience as the best teacher. The learning process is a personal journey requiring the use of the

heart, mind, body and spirit. Behaviour, attitudes and worldview are best learned through the observation of others and nature and the instilling of values essential to developing into successful, productive members of society.

Traditional Teaching Styles - Passing Along the Knowledge

As mentioned earlier, First Nations peoples are diverse across the country. Each particular tribes has its own worldview, which also means they have their own teaching styles. Knowledge is passed on from generation to generation using various teaching methods.

Traditionally, the First Nations practised teaching 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 custom; however, a universal process resulted and was carried out through various stages. Historically, legends and stories were passed down through generations, thus promoting the values and skills of one generation to the next. These stories, rich in symbolism and metaphor, provided different meanings and lessons at 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 Medicine Wheel teachings)

The Circle of Life is a journey. The journey begins at birth and moves on to childhood, adulthood, parenthood and from there becoming a grandparent and perhaps 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 (Medicine Wheel) is represented by stones placed in a large circle with more stones placed inside the circle, making lines that represent the four directions while other spokes in the wheel represent stories of life and creation. The Circle of Life (Medicine Wheel) 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 the First Nations. The teachings create a holistic foundation for human behaviour and interaction, and are used to teach a lifestyle of peace and harmony by promoting healthy minds, bodies, spirits and emotions. These teachings are comparable to Western European thought in the areas of psychology and human development because they address the same concepts

"We were very careful, we had our own teachings, our own education system — teaching children that way of life was taught by the grandparents and extended families; they were taught how to view and respect the land and everything in creation. Through that, the young people were taught how to live, what the Creator's laws were, what the natural laws were, what the First Nations' laws were... the teachings revolved around a way of life that was based on their values..

Elder Pete Wakaha
Treaty Elders of Saskatchewan. p. 6.

The Medicine Wheel
Saulteaux (Ojibway)



of philosophy. Traditional teachings state that the Creator of all humans created different peoples and placed them on different lands around the world (Mother Earth).

“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 of the other person. This leads to a more respectful relationship. Treaties were meant to create good relations among all people. In the First Nations’ beliefs system, everything and everyone is connected and inter-connected within the Circle of Life. Through treaty, the First Nations included the Crown and the newcomers into this Circle. “...the Circle has been widened to accept the Crown.”³²

The Teachings on Successful Living - Saulteaux (J. Ironeagle, O. Brass)

Each First Nation had a theory of how to obtain skills for a successful life. The Plains Ojibway (the Saulteaux) taught a concept that included four dimensions: spirituality, knowledge, friendship and growth. The spiritual dimension covers areas pertaining to personal existence and the necessities for physical survival. The knowledge dimension covers life skills and the natural world through formal and informal learning. The friendship dimension covers personal social development. The growth dimension refers to the development of a person’s potential, much like Abraham Maslow’s model of self-actualization.

The Seven Disciplines – Saulteaux (Elder Dr. Danny Musqua)

The First Nations use seven disciplines to facilitate learning:

1. *Prayer* Praying helps develop and nurture the link to the spirit, the primary source of knowledge and survival.
2. *Meditation* Meditation allows one to become aware of knowledge as it exists in its purest form, such as the interpretation of dreams and visions. Distractions can hinder introspection.
3. *Fasting* Fasting is necessary for learning, healing and personal development. Fasting reawakens the spirit through denial and ritual, which is a process of suffering that brings personal development.
4. *Benevolence* The practice of kindness, sharing and cooperation is essential for survival. The sharing of food, shelter, knowledge and survival skills facilitates a better life.
5. *Parenting* Parenting is a great responsibility because as a role model, parents impart knowledge and skills to the next generation. Parenting skills come from the “seven fires.”
6. *Learning* This refers to the lifelong process of growth and development. In order to learn, one must pay attention and garner as much information about the world through relationships with others, especially with old people. Learning involves

observation, evaluation, analysis and query. The First Nations use tools such as ceremonies, rituals and knowledge. Language is important because it contains the history of origins and way of life; without knowing the language, meanings are lost.

7. Teaching Teaching means to transmit or express knowledge of survival through the understanding and respect of relationships in all aspects of nature.

The Seven Levels of Life [forms] - Saulteaux (Elder Dr. Danny Musqua)

Some First Nations believe that the Creator has created seven levels of life so there is a balance in life. The Creator is present in all the levels and people are taught to revere all living things because they are intertwined and make up life as one whole existence. The seven levels are:

1. the fish kingdom: all water life
2. the plant kingdom: all life is dependent on plants
3. the four-legged and two-legged creatures
4. the crawling creatures
5. the insect world
6. the bird kingdom
7. kingdom of man.

Tipi Teaching (Saskatchewan Indian Cultural Centre)

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 formulate the First Nations' worldview, and provide teachings for behaviour and a positive character. Storytellers used 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. We learn by their behaviours and their reminders, so that we know what is right and what is wrong.

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. Our actions will make our ancestors happy in the next world.

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 who 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 lifeblood 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 is "health for a balanced caring of the body, mind, emotions and 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.

Twelve Principles of Indian Philosophy in *The Sacred Tree, Student Book*. Four Worlds Development Press. Reprinted with permission.

1. Wholeness. All things are interrelated. Everything in the universe is a part of a single whole. Everything is connected in some way to everything else. It is therefore possible to understand something only if we can understand how it is connected to everything else.

2. All of creation is in a state of constant change. Nothing stays the same except the presence of cycle upon cycle of change. One season falls upon the other. Human beings are born, live their lives, die and enter the spirit world. All things change. There are two kinds of change. The coming together of things (development) and the coming apart of

things (disintegration); both of these kinds of change are necessary and are always connected to each other.

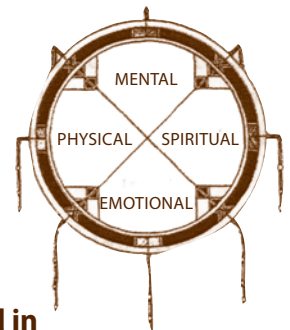
3. Changes occur in cycles or patterns. They are not random or accidental. Sometimes it is difficult to see how a particular change is connected to everything else. This usually means that our standpoint (the situation from which we are viewing the change) is limiting our ability to see clearly.

4. The seen and the unseen. The physical world is real. The spiritual world is real. These two are aspects of one reality. Yet there are separate laws which govern each of them. Violation of spiritual laws can affect the physical world. Violation of physical laws can affect the spiritual world. A balanced life is one that honours the laws of both dimensions of reality.

5. Human beings are spiritual as well as physical.

6. Human beings can always acquire new gifts, but they must struggle to do so. The timid may become courageous, the weak may become bold and strong, the insensitive may learn to care for the feelings of others and the materialistic person can acquire the capacity to look within and to listen to their inner voice. The process human beings use to develop new qualities may be called “true learning.”

7. There are four dimensions of “true learning.” Four aspects of every person’s nature are reflected in the four cardinal points of the medicine wheel. The four aspects of our being are developed through the use of our volition. It cannot be said that a person has totally learned in a whole and balanced manner unless all four dimensions of their being have been involved in the process.



8. The spiritual dimension of human development may be understood in terms of four related capacities. First, the capacity to have and to respond to realities that exist in a non-material way, such as dreams, visions, ideals, spiritual teachings, goals and theories. Second, the capacity to accept those realities as a reflection (in the form of symbolic representation) of unknown or unrealized potential to do or be something more or different. Third, the capacity to express these non-material realities using symbols such as speech, art or mathematics. Fourth, the capacity to use this symbolic expression to guide future action — action directed toward making what was only seen as a possibility into a living reality.

9. Human beings must be active participants in the unfolding of their own potentials.

10. The doorway through which all must pass if they wish to become more or different than they are now is the doorway to the will (volition). A person must decide to take the journey. The path has infinite patience; it will always be there for those who decide to travel it.

11. Anyone who sets out on a journey of self-development (i.e. makes a commitment and then acts on that commitment) will be aided. There will be guides and teachers who will appear, and spiritual protectors to watch over the traveler. No test will be given that the traveler does not already have strength to meet.

12. The only source of failure on a journey will be the traveler's own failure to follow the teachings of the Sacred Tree.

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 on 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.

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 political and family systems.

According to some social scientists, all global cultural societies display three basic characteristics of their culture:

- 1) culture is "learned"
- 2) culture is a "shared system" held in common by the society
- 3) culture is an "integrated whole" in which all parts affect each other and contribute to the group.

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 four First Nations groups within Saskatchewan; Cree, Dene, Sauteaux and Dakota, Lakota and Nakota. Each contains diversity within. Each has its own culture, language, history and traditions. All First Nations cultures share 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 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 is 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

Elders are described as people with a lot of energy from life experiences, having the will and power to share their knowledge with others. Elders are a source of history and wisdom in accordance to

their First Nation's perspectives, which are central to cultural learning. Those who strive for balance in a relationship with the Creator, the natural world and others seek the guidance of the Elders. The Elders' roles and functions include being spiritual advisors, mentors and role models to everyone.

All First Nations possess rich sources of oral history and information pertaining to their peoples and the lands...the Elders [are] the custodians of that knowledge and pass it on.

Treaty Elders of Saskatchewan. p. 24.

The Role of Women in Relation to the Treaties

In the traditional Plains First Nations 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 their common ability 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 but rather to give their support to the process as they were viewed as the strength of the community. 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. 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 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 potential. Children must feel valued and respected in order to become accomplished, dynamic individuals and contribute towards a meaningful existence.

The Buffalo

At the time treaties were being signed, the primary concern for the First Nations leaders was the existence and survival of their people. The signing of the treaties occurred during a time of starvation for First Nations peoples, making them physically, emotionally and spiritually weak. They knew they were facing death and extinction. In fact, thousands of First Nations peoples across the prairies were perishing because of starvation and disease.

The plains bison were a major resource that sustained life amongst the Plains First Nations. At the time of treaty signing, a main concern for First Nations peoples was the declining number of buffalo herds, their main source of food, clothing and lodging. Without the buffalo, the First Nations knew their entire tribes would perish. The chiefs, representing their First Nations, brought this concern to the Crown representatives. The chiefs asked the Crown for a plan to preserve the buffalo; Lieutenant 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. An

important chief within Treaty 6 refused to sign the treaty because he said his people were being “lured into a trap.” He thought the 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 peoples 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 or articulated. During treaty signing, certain implications and intentions were misunderstood because of both language and cultural barriers.

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

“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 [are] how a people, a culture, thinks.”

L. Keeshig-Tobias.
Stop Stealing Native Stories. p. 71.

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

Although First Nations peoples now use the written word to record events, oral traditions and oral histories remain strong and continue to be used in First Nations communities. Elders are cautious in what they share because in the past, their beliefs and stories have been misrepresented by the written word and videos. They are also concerned about copyright issues because they say no one can own oral histories and stories. However, Elders do share their oral history to bring about good relations between their people and others.

Characteristics of Oral Tradition³³

Oral tradition transmits the First Nations’ worldviews, including the values, beliefs and the “essence” of the nations.

Oral tradition requires the ability to listen and understand.

Oral traditions are repetitious so teachings can be understood and will not be lost.

Oral traditions encompass values, customs, beliefs, traditions, songs, ceremonies, history and information about events.

Oral traditions are still practised 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.

Oral traditions were shared only if they imparted accurate information.

Oral traditions follow strict laws of respect.

2.7. GOVERNANCE.³⁴ First Nations peoples originally had certain areas of traditional authority over their own people that the chiefs and headmen retained at the time of treaty-making. Responsibility for children and for the well-being of families was vested in chiefs and headmen and retained by the First Nations. Similarly, Treaty First Nations 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 expected to retain responsibility for the transmission 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. The First Nations expected to retain both the authority and the capacity to govern their own people according to their laws and their systems of justice. They would respect the laws of the Crown and, in return, the Crown would respect the authority of the First Nations in matters of governance over their own lands and people.

The First Nations had been practising their own forms of government for thousands of years prior to the arrival of newcomers to Canada. Their 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).

The political structure for the First Nations was formed because of strong kinship connections that influenced social and economic interaction. Their world consisted of “small scale” societies, usually close family and relatives, which had a strong influence on a person’s position within society. Political leaders were expected to be wise, charitable and egalitarian rulers. The leadership position was somewhat flexible because members followed a leader who was better suited to lead them in the task at hand. Usually the “situational leader” was a married Elder who was a superior hunter, a generous man, a skilled orator or a good negotiator.

In First Nations societies, a chief and an informal council of Elders—chosen for their leadership abilities—oversaw 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 the ritual smoking of the pipestem. 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.

Colonial governments gradually weakened the First Nations' government structures and their authority over their own communities through the establishment of discriminating laws and coercive policies aimed at assimilating the First Nations peoples into the dominant, non-First Nations society. First Nations societies and cultures have changed over several generations as a result of European contact. Eurocentric, individualistic philosophies have affected First Nations communities as well as individuals; there is, therefore, a constant struggle to re-learn the old ways and philosophies in many areas.

2.8. NATURAL WORLD. The traditional teachings of the First Nations peoples of the prairies state 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.

Mother Earth

The Saskatchewan First Nations each have a special word in their respective languages that means "Mother Earth." The earth has a special place within their beliefs because it is the source of all life. As First Nations peoples pray, they thank Mother Earth because she is the bearer of all life; they give great reverence to the earth and to the wonders of life coming from her. Other life forms such as animals, birds and plants are considered "brothers" to human beings. According to the First Nations' beliefs, the four elements: the sun, rain, wind and air, are interdependent of all things.

3. THE TRADITIONAL WORLDVIEWS OF SASKATCHEWAN FIRST NATIONS.

3.1. CREE HISTORICAL WORLDVIEW³⁵

Spiritual Beliefs: Creation is the beginning point of all things, and everything is related and connected to the Creator. A person's spirituality, or inner soul, is connected to creation. The Creator gave the nations their spirituality and a way to pray. The following guiding principles are important ingredients to a good life: respect, gentleness, kindness, honesty, fairness and cleanliness.

Political Beliefs: The Creator gave humans laws and various forms of governments, according to their cultures, to provide guidance for them and for their environments. The duties and responsibilities of leadership are formulated from the natural laws, ceremonies and traditions, which guide all life and relationships. Through positive spiritual leadership, strong and vibrant societies are protected, nurtured and maintained. Unity, security and good relations are stressed among one another; harmony and peace should guide nations in their decision-making.

Economic Beliefs: The Creator, through the land, supplies all the needs of people. Sharing is important and everyone has a role in the survival of a nation. Hard work and motivation are important to success.

3.2. DENE HISTORICAL WORLDVIEW³⁶

Spiritual Beliefs: Survival is one of the most important factors of the First Nations' way of life because they still respect and live off the land. In order to survive, people must have respectful relationships with: the Creator, each other, the land, animals and the spirit world. All things are connected; one element cannot survive without the other. The Creator provided the land and water

to use respectfully; the Dene express thanks to creation for its provision. The wolf is their spiritual animal.

Political Beliefs: The Dene believe their culture is unique because the Creator gave them a unique language. Their spiritual practices shape their survival skills, which in turn, grant strength and meaning to their existence and enable them to live off the land. Unity is a very important concept regarding the survival of the Dene nation; they believe that uniting with other First Nations in sharing and exchanging skills will allow them to hold on to their lands and preserve their culture.

“Land is what we need to survive, water to quench our thirst, and good clean air to breathe and plants to nourish our poisoned bodies. Do not destroy the land for economic greed!”

E. Hay.
Saskatchewan Indian Cultural Centre. 2002.

Economic Beliefs: The Creator gave the Dene a vast territory (the northern part of Canada) to protect and the land for provisions for life. They live day-by-day as the caribou does; they do not plan for the future. The concept of sharing builds a strong nation, but waste and exploitation are believed to bring bad luck and are not tolerated. They respect hardworking people.

3.3. SAULTEAUX HISTORICAL WORLDVIEW³⁷

Spiritual Beliefs: The Creator, “Kitsi-manito” (Great Spirit) created all things, which are all inter-related and depend on one another for survival. One of Kitsi-manito’s laws states that all living things have a “spirit” such as trees, animals and even rocks; these objects should be treated with respect and not be corrected by man.

Political Beliefs: Kitsi-manito is greater than all governments. The ability to lead is a gift given by Kitsi-manito to help people govern themselves. He provides gifts and laws which allow the Saulteaux people to live in peace and harmony with nature and with other tribes.

“Survival itself is a direct result of the gifts that Kitsi-manito and Mother Earth provide for the children (people) of the land.”

A. PeeAce. Yellowquill First Nation.
Saskatchewan Indian Cultural Centre.

Economic Beliefs: Mother Earth gives people (her children) everything they need to exist. Everyone is responsible for contributing to the survival of their nation. One of the Kitsi-manito’s 12 philosophies is “sharing” to ensure that everyone is provided with the necessities for existence. Laziness and idleness are disapproved of because they threaten prosperity and harmony.

3.4. DAKOTA, LAKOTA AND NAKOTA HISTORICAL WORLDVIEW³⁸

Spiritual Beliefs: All life begins with and exist because of Wakan Tanka (the Great Spirit). He is a great mystery, comprised of many aspects. All things on earth are connected because they have a common ancestor. Mitakuye Oyasin “we are all related” or “all of my relations” is the foundation of the Dakota, Lakota and Nakota worldview. To maintain survival, a goal is for everyone to be good relatives and look after the earth and one another. The sacred pipe and ceremonies were given by the Great Spirit and are important for communication with Him.

“Those who would give generously and not count the cost were respected among the Oçeti Sakowin [Dakota, Lakota and Nakota peoples]. To be called ‘stingy’ was the worst insult. Human relationships were more highly regarded than material things.”

D. Speidel.
Saskatchewan Indian Cultural Centre.

Political Beliefs: The Great Spirit created many nations and gave each a territory, a language, a way of life and a way to govern itself. All nations are equal; no nation has a right to exert control over another. Each camp had their own chief who facilitated consensual decision-making within the council of men that was made up of all heads of households within the camp. A leader was perceived to be like a father, and was judged by his generosity and his ability to give good council and influence fair decision-making.

Economic Beliefs: The earth and the buffalo should be treated with respect because of the dependency they had on them; man should live in harmony with the earth and with each other. They believed in individual ownership and respected individual property rights: women were the owners of the tipi, household items and dogs; men owned horses, weapons and tools. Only Wakan Tanka could assign territories, no one had the right to declare ownership of the land. A person’s status was not judged by the number of possessions they owned but by his acts of bravery and generosity, such as “give-aways” and service to others. Those who were generous were publicly honoured and were sometimes assigned leadership positions.

4. BRITISH (WESTERN) WORLDVIEWS.³⁹ Within man’s human development, he has always searched for a higher power to fill a spiritual void. In this search, man began formulating various religious beliefs and rituals that resulted in the major religions currently existing in the world.

Spiritual Beliefs: In the 1800s when the First Nations signed treaties with Great Britain, Great Britain held to a form of Christianity. The British believed God was the ultimate spiritual entity, who created the universe and all life on earth. They believe there are God-given laws, written in the Holy Bible, which are rules to live by. They practise ceremonies and rituals to celebrate important events such as baptism, confirmation, marriage and death, as well as Christian holy days such as Christmas and Easter.

Political Beliefs: The British believed that God is greater than all governments and practised a form of monarchy in which there was no separation of church and state. They believed that Kings and Queens, as heads of state, were both political and spiritual rulers.

Their form of government, under their monarchy, consisted of an elite society, usually male-dominated, who were the governing officials. An elected assembly (parliament) imposed laws for an orderly society to protect the rights of individuals and to provide them with freedom within the limits of the law.

Economic Beliefs: In the 1800s, the world powers were extending their dominion over smaller, weaker nations under a policy of colonization. Some of these nations were at war with one another because they were in pursuit of new lands and territories that would benefit their mother nation’s economy. A major motive for pursuing additional land was the influence of a culture of wealth and status of aristocracy in Britain. At the time, British classism was the norm. The monarchy (Queen

Victoria) held political power into the early 1900s and, at the time of treaty-signing with the First Nations, the monarchy, or the Crown, was the official government of the day.

Since European contact, some First Nations peoples have made Christianity their primary source of spirituality. With the rise of Christianity among First Nations, there has been a fundamental change in the overall way many First Nations think, and view the world and life as a whole.

The divine right of kings is a European political and religious doctrine of absolutism. It states that a monarch owes his rule to the will of God, not to the will of his subjects, parliament, the aristocracy or any other competing authority. This doctrine continued with the claim that any attempt to depose a monarch or to restrict his powers ran contrary to the will of God.

Wikipedia
http://en.wikipedia.org/wiki/main_page
Accessed July 19, 2008.

TREATY ESSENTIAL LEARNING #5

SYMBOLISM IN TREATY-MAKING

Both the British Crown and the First Nations people 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 of both the First Nations and the Crown. To understand treaties, one must appreciate the treaty-making process and therefore the significance of the symbols and the symbolism of the actions of both the First Nations and the Crown. Often what was deemed to be standard practice by one party took on a special significance to the other. Some of the practices of particular importance are:

1. THE MEANING OF THE PIPESTEM. Please note: It is essential that an Elder is brought in for this teaching. However, here is a brief 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)

The smoking of the pipe signifies two important conditions for the participants:

1. they are pledging a solemn covenant or are in agreement
2. they must then speak the ultimate truth

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 Nation leaders witnessed the treaty commissioner responsible for negotiating Treaties 3 to 6, 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 the First Nations.

2. THE HANDSHAKE. A handshake between the treaty commissioner and leaders of the First Nations also took place following the signing of the treaties. To the First Nations peoples, 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 as a form of pledge and agreement to the important terms, and the 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 the two parties:

“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.”

Lieutenant-Governor Alexander Morris.
The Treaties of Canada. p. 199.

*“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.”*

3. TREATY SUITS AND TREATY MEDALS. The Crown promised to provide suits of clothing to the First Nations’ chiefs and headmen, which were worn in most chief and council meetings up until

the 1960s. These treaty uniforms/suits symbolize the solidarity of two nations united and the solidarity of the brother-to-brother relationship. Also, acts such as these were a way of showing respect and honour that endorsed the First Nations' leadership and their right to govern their people.

4. UNION JACK – FLAGS. The Union Jack flag is a symbolic reminder of the treaties because they were signed under the British flag.

5. TREATY DAY CELEBRATIONS. Treaty day celebrations are still a very significant part of many Treaty First Nations peoples' lives. First Nations bands in Canada who signed treaties continue to honour the treaty relationship by having special events on their treaty day. The Government of Canada issues a promised annuity payment to each band member (\$5 to members, \$15 to councilors and \$25 to the chief).

6. PASKWA'S PICTOGRAPH. In 2007, an artifact came to public attention. The Paskwa Pictograph was created by Chief Paskwa and depicts treaty negotiations and treaty payments up until 1883. It also depicts Chief Paskwa's understanding of the treaty and the provisions that were given to the First Nations peoples of Treaty 4. This was a historical finding as it is the only one of its kind known to exist which portrays the First Nations accounts of the time of treaty-making.



*Image courtesy Lorne Carrier, S.O.M.
Organizational Manager
Aboriginal Tourism Association of Saskatchewan.*

TREATY ESSENTIAL LEARNING #6

CONTEMPORARY TREATY ISSUES

There continue to be many present-day issues that are being addressed through ongoing dialogue between First Nations peoples and the Government of Canada. It is the hopes of both parties that these issues be resolved so that the treaties can be fulfilled.

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

This Treaty Essential Learning explores a number of contemporary issues which are on the public policy agenda. Colonization and domestication processes used by Canada denied First Nations peoples the full-range of rights that First Nations peoples are due. The contemporary issues affect treaty implementation. Some of the contemporary issues include the following:

1. LANDS IN DISPUTE. When the 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,” lands First Nations peoples are trying to recover as promised in the treaties. The term “land claims” implies that the First Nations are asking for new lands when, in fact, the lands are already theirs. How can you claim what is already yours? The term used for the purpose of this document is therefore “lands in dispute.”

In the 1960s, the First Nations demanded a settlement process for outstanding treaty land entitlement. The “land claims” that the First Nations demanded were twofold:

- 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
- to appropriate lands that were promised in treaties but were never secured.

Assertions of outstanding commitments remained largely unconsidered by government well into the 20th century.⁴⁰ In the early 1970s, the federal government initiated a policy, which was the first mechanism to deal with the settlement of First Nations land disputes. The federal government acknowledged its responsibility to meet its lawful obligations and the Office of the Claims Commission was established to handle incoming claims from the First Nations. The Office of the Claims Commission considers two general types of claims:

a. Specific Land Claims are claims based upon problems that the First Nations experienced as a result of the allocation and administration of lands promised in treaties, the *Indian Act* or the disposition of First Nations lands due to theft, etc. Specific land claims ordinarily come from First Nations groups living in the provinces (as opposed to the territories) and most settlements consist of land and/or financial compensation.

b. Comprehensive Land Claims are claims based upon the Canadian government’s recognition of Aboriginal Title where the First Nations did not sign treaties, thereby never officially sharing their land.

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).⁴¹

Since June 2007, First Nations peoples have been working closely with the federal government to develop a new approach to resolving specific land claims. The *Specific Claims Tribunal Act* is a result of this work. This new legislation is intended to 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 may be an important and positive step in the treaty relationship.

2. TAXATION. When the treaties were agreed to, Treaty First Nations peoples were exempt from paying federal and provincial taxes. This has evolved over time and now Treaty First Nations are only exempt from paying taxes on reserve land. There is a common misconception that First Nations peoples do not pay any taxes, which many people think is unfair. The fact of the matter is that only when making purchases on-reserve are First Nations peoples exempt from the provincial sales tax (PST) and the goods and services tax (GST).

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 the First Nations' 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 based on how the First Nations were structured pre-contact. They are firm that they never agreed to give up their rights to govern their own people. However, the federal government has interpreted the treaties differently and maintains that when the treaties were agreed to, First Nations peoples agreed to live under the laws of the newcomers.

The 1980s were a significant period for First Nations peoples in Canada. Prior to its ratification in 1982, First Nations peoples lobbied the federal government to have their treaty rights included in the new *Constitution Act*. After negotiations with the federal and provincial governments, agreements were made on the wording of Section 35 of the *Canadian Constitution Act, 1982* 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..."⁴²

Section 35 provides guarantees and protection of aboriginal and treaty rights in relation to the *Charter of Rights and Freedoms* and confirms the *Royal Proclamation* of 1763. 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*, particularly those recognized by the *Royal Proclamation* of 1763.

Self-government is something that First Nations peoples have always possessed pre-contact and post-contact. Self-determination is the ability to govern as you choose. International law has confirmed 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 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 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 the First Nations' self-government, the inclusion of treaty rights in the Canadian *Constitution Act*, 1982 represents a defining moment in Canadian First Nations policy because First Nations now have unique constitutional status.

4. RACISM. Racism is a reality for many First Nations peoples in Canada. There are many forms of racism. Institutional racism, also known as systemic racism, often 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.⁴³ Examples of this type of racism are the misrepresentation of First Nations peoples in the media, barriers to employment and 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 peoples. As of 2008, less than 1% of Canada has been attributed to First Nations peoples in the form of reserves. To put it into perspective: Canada's size is almost 4 million square miles and less than 1% of that land has been designated for First Nations peoples. The *Indian Act* is generally viewed as a discriminatory and racist policy that continues to govern all aspects of the First Nations' livelihoods. 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 have been virtually no advancements made by governments, lending institutions or investors who hold the power and ability to alleviate the poor socio-economic conditions.

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 hinders racism by allowing more accurate perspectives of reality. With education and an accurate understanding of treaties, we can begin to alleviate the racism that exists.

5. EDUCATION. The First Nations had their own systems of education based upon their values and traditions. First Nations education systems transmitted knowledge, language, values and skills to First Nations citizens. They enabled individual citizens to develop personal and interpersonal skills so 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, the First Nations were aware of the new economy and new forms of livelihood the Europeans were bringing. The Treaty First Nations asked for the introduction of the various forms

of education to augment their own education systems; they knew their existing education system sustained them but they also knew that they were making a transition into a new era and wanted to better understand the new immigrant society.

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. The controversy over education is the extent to which, or whether or not, post-secondary education is a part of the treaties. From the First Nations' perspective, treaties are dynamic and adapt to the situation of modern times for implementation purposes.

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

From the perspective of the Treaty First Nations, implementation of the treaty relationship in a contemporary context would involve the First Nations' control over their own educational system. 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 the Treaty First Nations to participate as equals in the broader economy.

6. REPARATIONS FOR PAST INJUSTICES – RESIDENTIAL SCHOOLS. In 1998, the federal government and the churches who administered the First Nations' residential schools extended a formal recognition to the First Nations for the physical and sexual abuses that occurred at their 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."⁴⁴ The tremendous intergenerational impacts continue to exist because the school system was a colonial system of social engineering where the First Nations' children and family rights were almost completely ignored.

Many First Nations peoples today experience both the 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 school system are nation-wide and not confined to just 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 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.⁴⁵

The federal government implemented a 10-year, \$172 million initiative to work with aboriginal people to preserve, revitalize and protect aboriginal languages and cultures for all aboriginal people, at the same time reinforcing Canada's commitment to address the full range of impacts stemming from the Indian residential schools system.⁴⁶

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.

7. THE STATUS ISSUE (CITIZENSHIP AND THE INDIAN ACT). A key challenge for the First Nations in moving toward self-government is the issue of the First Nations' citizenship and the impacts of the registration sections of the *Indian Act*. Determining citizenship is a key function of any government. Currently, it is the federal government that determines the membership of First Nations groups as well as the citizens of Canada. First Nations peoples do not determine their own citizens or members.

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 *Declaration on the Rights of Indigenous Peoples* confirms and upholds that principle of international law. This gives support to First Nations peoples' right to develop and define their own citizenship, confirming the nation-to-nation status of the treaties.

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

8. ECONOMIC CONDITIONS. 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 400+ recommendations made, only 7+ were actually 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.⁴⁷

The *Saskatchewan Treaty Land Entitlement Framework Agreement* (TLEFA) was brought about to resolve the outstanding treaty land issue in Saskatchewan and to calculate the total land compensation value owed to each First Nation. Funds (approximately \$446 million) were allocated to the First Nations for the unsettled claims, allowing them to make land purchases. The TLEFA permitted the First Nations to enter into agreements with municipalities to purchase land with the intention of formal reserve status designation. These parties realized the potential for economic development through the acquisition of urban property.

10. FIRST NATIONS PEOPLES AND THE CRIMINAL JUSTICE SYSTEM. The annual report of the Canadian Human Rights Commission in March 1994 indicated that the treatment of aboriginal people in Canada was the country's greatest human rights problem.

Aboriginal peoples are still at the bottom of the social and economic ladder, no matter which indicator you look at. Failure to achieve a reasonable solution to this problem can only continue to tarnish Canada's reputation and accomplishments.

The relationship between First Nations peoples and the justice system is unacceptable and is consistently failing First Nations peoples when they seek justice in the courts. First Nations peoples have often encountered human rights abuses when dealing with police and the criminal court system.

11. THE INDIAN ACT. In most of the contemporary issues previously mentioned, the *Indian Act* has played a role in 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 were to have peaceful relations and were to continue their ways of life. The *Indian Act* has affected the treaty relationship because of its paternalistic nature, created to control every aspect of First Nations peoples lives. It is an impediment to treaty implementation.

Most First Nations peoples experience low standards of living on-reserve, with such things as: lack of clean water, substandard housing, overcrowding, and drug and alcohol abuse. This is the reality for many First Nations peoples and the issues need to be addressed to make a positive change in these conditions.

12. THE WAY FORWARD: THE FIRST NATIONS FACE THE 21ST CENTURY. All Canadians need a constant reminder that the First Nations gave up a lifestyle and livelihood, and 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, the First Nations are experiencing a sub-standard lifestyle.

As the 21st century begins, the First Nations are building a positive future for themselves. In spite of colonization, the First Nations have persisted in their identities and are building a brighter future for their coming generations.

ENDNOTES

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- ³ Cardinal, Harold and Walter Hildebrandt. *Treaty Elders of Saskatchewan*. Calgary. University of Calgary Press. 2000. p. viii.
- ⁴ OTC. p. 67.
- ⁵ Office of the Treaty Commissioner. *Treaty Implementation: Fulfilling the Covenant*. Saskatoon. 2007. p.16.
- ⁶ OTC. *Statement of Treaty Issues: Treaties as a Bridge to the Future*. p. 87.
- ⁷ Indian Claims Commission: The Facts on Claims, in *The Facts: What are Treaties?* 2000.
- ⁸ R. V. Sioui. 1990. 70 D. L. R (4th) p. 427.
- ⁹ OTC. *Treaty Implementation: Fulfilling the Covenant*. p. 19.
- ¹⁰ OTC. p. 19.
- ¹¹ OTC. p. 21.
- ¹² *Constitution Act, 1982*, Section 91(24).
- ¹³ OTC. p. 18.
- ¹⁴ Ray, Arthur J., Jim Miller and Frank Tough. *Bounty and Benevolence: a History of Saskatchewan Treaties*. Montreal. McGill-Queen’s University Press. p. 107.
- ¹⁵ *Constitution Act, 1982*, Section 91(35).
- ¹⁶ Federation of Saskatchewan Indian Nations. *Treaty Implementation Principles*, 2008, p. 9.
- ¹⁷ OTC. p. 18.
- ¹⁸ Morris, Alexander, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories*. Toronto. 1880. Reprinted Coles Canadiana Co. 1971. p. 202.
- ¹⁹ OTC. *Statement of Treaty Issues*. p. 67.
- ²⁰ OTC. *Treaty Implementation: Fulfilling the Covenant*. pp. xix-xx.
- ²¹ *Royal Proclamation, 1763*
- ²² Ray, Arthur J., Jim Miller and Frank Tough. p. 61.
- ²³ *Constitution Act, 1982*, Section 91(24).
- ²⁴ Ray, Arthur J., Jim Miller and Frank Tough. p. 202.
- ²⁵ Price, R.T. *Legacy: Indian Treaty Relationships*. Plains Publishing Inc. Edmonton. 1991, p. 64.

- ²⁶ The “North West Resistance of 1885” is commonly called the “North West Rebellion” or the “1885 Rebellion.” Métis people believed they were defending their land and resisted attacks by the Canadian government and army.
- ²⁷ Government of Saskatchewan. “Glossary.” <http://www.fnmr.gov.sk.ca/community/glossary/>
- ²⁸ Federation of Saskatchewan Indian Nations. *Natural Resources Transfer Act*. <http://fsin.com/landsandresources/nrtransferagreement.html>.
- ²⁹ *Constitution Act*, 1982. Section 91 (24)
- ³⁰ “Registered Indian Population by Sex and Residence 2007.” Indian and Northern Affairs Canada. <http://www.ainc-inac.gc.ca/pr/sts/rip/rip07-eng.pdf>. Accessed July 24, 2008.
- ³¹ “Aboriginal Identity.” *Sask Trends Monitor*. January 2008. Vol. XXV. No. 1. pp. 4-5.
- ³² OTC. *Treaty Implementation: Fulfilling the Covenant*. p. 19.
- ³³ OTC. *Teaching Treaties in the Classroom*. p. 497.
- ³⁴ OTC. *Statement of Treaty Issues: Treaties as a Bridge to the Future*. p. 40.
- ³⁵ OTC. *Teaching Treaties in the Classroom*. p. 486.
- ³⁶ OTC. p. 487.
- ³⁷ OTC. p. 489.
- ³⁸ OTC. p. 490.
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- ⁴⁰ Butt, Emma and Mary C. Hurley. Law and Government Division. “Specific Claims in Canada” Library of Parliament, 1 April 2006, p. 1. Available online: <http://www.parl.gc.ca/information/library/PRBpubs/prb0618-e.htm>.
- ⁴¹ Butt, Emma and Mary C. Hurley. p. 4.
- ⁴² *Constitution Act*, 1982. Section 91(35).
- ⁴³ Wikipedia, “Institutional Racism.” http://en.wikipedia.org/wiki/Institutional_racism. Accessed July 24, 2008.
- ⁴⁴ The Canadian Bar Association. “Residential School Claims.” 2002. Available online: <http://www.cba.org/cba/resolutions/2002res/residential.aspx>. Accessed July 24, 2008.
- ⁴⁵ Health Canada. “First Nations and Inuit Health.” October 2007. Available online: http://www.hc-sc.gc.ca/fnih-spni/services/indiresident/healing-guerison_e.html. Accessed July 24, 2008.
- ⁴⁶ Indian Residential Schools Resolution Canada. “Information Sheets”. Available online: <http://www.irsr-rqpi.gc.ca/newsroom-eng.asp?action=info-adr-framework-2003>. Accessed July 24, 2008.
- ⁴⁷ Western Economic Diversification Canada. “Urban Reserves in Saskatchewan.” 2007. Available online: http://www.wd.gc.ca/rpts/research/urban_reserves/intro_e.asp. Accessed July 24, 2008.

GLOSSARY

The following definitions were taken from various sources including: “Definitions” (Indian and Northern Affairs Canada, March 2000), *The Canadian Oxford Dictionary*, *Saskatchewan Education Curriculum Guides*, *Indian Claims Commission*, *Knots in a String* (Peggy Brizinski, 1993), *Treaty Elders of Saskatchewan* (Cardinal and Hildebrandt, 2000), Federation of Saskatchewan Indian Nations, Saskatchewan Indian Cultural Center and various Internet sites.

Aboriginal peoples: The descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal people: Indian[*see First Nations*], Métis and Inuit. These are three separate peoples with unique heritages, languages, cultural practices and spiritual beliefs.

Aboriginal rights: Those rights which Aboriginal peoples have because of their status as Aboriginal people in their own land.

accommodation: A convenient arrangement; a settlement or compromise.

adhere: To behave according to; follow in detail; to give support or allegiance.

adhesion: An addition made to a treaty when a new band signs onto an existing treaty; the new band then comes under the treaty rights and gives up its rights to all but reserve lands. Individuals also adhere to treaty by accepting annuities.

agreement: The act of agreeing; a contract legally binding the contracting parties.

Anishinabé: A Saukteaux term describing themselves as the First People that came down from the Creator; coming down to be man.

annihilation: To completely destroy; defeat utterly; make insignificant or powerless.

annuity: An annual payment. Most treaties provided for annual payments, paid in perpetuity to each treaty Indian.

Assembly of First Nations (AFN): The Assembly speaks for First Nations peoples all across Canada, working with the federal government on political, social, economic and healthcare issues.

assimilation: Becoming part of another society; adapting to the society and taking on the characteristic or quality.

authority: The source of power of individuals and organizations that hold positions of high status by virtue of such conditions as legal appointments, high education, job situation and experience.

autonomous: Having self-government, acting or existing independently or having the freedom to do so.

Band: A group of First Nations peoples for whom lands have been set apart and money is held by the Crown. Each band has its own governing band council, usually consisting of one or more chiefs and several councillors. Community members choose the chief and councillors by election or sometimes through traditional 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.

belief: What is held to be true; something believed; opinion.

British North America Act, 1867 (BNA, 1867): Canada’s original Constitution, supplemented later by additional laws. It was the Charter of Confederation for the British colonies, and established the powers of the federal government, the provinces and the territories.

Canadian Confederation: The federal union of provinces and territories forming Canada, originally including Ontario, Quebec, New Brunswick and Nova Scotia, and subsequently expanding to include the present provinces and territories.

Constitution Act 1982: The Constitution of Canada created and repatriated from Great Britain in 1982, wherein the *Charter of Rights and Freedoms* guarantees specific rights and freedoms for Canadian citizens.

cede: Give up one's rights to or possession of.

cession: The act of ceding; a giving up, as of territory or rights, to another. The underlying principle of cession is that it is based on consent, usually acquired through negotiated agreements such as treaties.

citizen: A person who lives in a given place, such as Saskatchewan or Canada, and has both a formal and informal relationship with other people in that place.

citizenship: The fact of being a citizen of a country; the qualities considered desirable in a person viewed as a member of society, the exercising of rights, privileges and responsibilities as a member of a particular society.

colonization: The act or policy of colonizing; to bring settlers into a country; to make a country into a colony.

constitution: The body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed.

contract: A written or spoken agreement between two or more parties, intended to be enforceable by law, a document recording this.

covenant: An agreement between God and a person or nation.

Creator: The First Nations believe in a Great Spirit or God who was the Creator of all things. This spirit was often referred to as the Creator in the First Nations languages.

Cree: The European name for the First Nations living in central Canada. The Cree were divided into three main groups: the Plains Cree, the Woodland Cree and the Swampy Cree.

Crown: The monarch, especially as head of state; the power or authority residing in the monarchy. This term denotes the British government, as led by the monarchy.

cultural diversity: Most commonly refers to differences between cultural groups, although it is also used to describe differences within cultural groups, (e.g. diversity within the Cree culture includes Plains Cree, Woodlands Cree and Swampy Cree). Underlying current usage is an emphasis on accepting and respecting cultural differences through the recognition that one culture is not intrinsically superior to another.

culture: The customs, history, values and languages that make up the heritage of a person or people and contribute to that person's or peoples' identity. 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.

custom: A tradition that is passed from one generation to another.

Dakota: A term used by a Dakota- (Assiniboine) speaking person in reference to the Oçeti Sakowin (Dakota, Lakota and Nakota Nations) that means "those who consider themselves to be kindred."

Denesûliné [Dene]: The Athaspaskan-speaking peoples of northwestern Canada. This is their own name for themselves, "the people."

diversity: The state or quality of being diverse or different. Within an ethnic group, each member of the group has unique qualities and characteristics, making the group diverse. Diversity includes difference in gender, age, skills, knowledge, attributes, physical characteristics, education, etc. A situation that includes representation of multiple (ideally all) groups within a prescribed environment.

Elder: A person who has earned the right to be recognized as an Elder in his/her community and/or in other First Nations communities. Most have variety of special gifts they have acquired and earned. These Elders have the ability to pass on traditional teachings and provide spiritual guidance.

entitlement: The allotment of reserve land due to a band under treaty; an outstanding entitlement means that the band did not get all of the reserve land that it should have.

entrenched: To safeguard (rights, etc.) by constitutional provision; provide for the legal or political perpetuation of.

European: A native or inhabitant of Europe, a person descended from natives of Europe.

Euro-Canadian: A Canadian of European origin or descent.

Eurocentricism: Label for all the beliefs that presume superiority of Europeans over non-Europeans (Laliberte et al., 2000, p. 568)

Federation of Saskatchewan Indian Nations (FSIN): Since its inception more than 50 years ago, the FSIN has provided strong and constructive First Nations government. The FSIN represents Saskatchewan First Nations and more than 96,000 First Nations citizens in this province.

First Nations: A collective term used to refer to the original peoples of North America. It is important to recognize that there are many different nations within the First Nations, each with their own culture, language and territory. Other descriptions of "First Nations" include the following: 1) usually used to refer to a politically autonomous band under the *Indian Act*, a nation of First Peoples; and 2) a term that came into common usage in the 1970s to replace the word "Indian." Although the term "First Nation" is widely used, no legal definition of it exists. Among its uses, the term "First Nations peoples" refers to the descendants of the original inhabitants of Canada. The term "First Nation" has also been adopted to replace the word "band" in the name of communities.

fiscal: Pertaining to financial matters; related to public revenue, taxes.

fur trade: The system of trade between the Europeans and First Nations peoples in Canada. The fur trade was dominated for the most part by the Hudson's Bay Company.

governance: The act or manner of governing; the office or function of governing.

Hudson's Bay Company: A British trading company chartered in 1670 to carry on the fur trade with the Indians of North America. The Hudson's Bay Company played a great part in the exploration and development of Canada's Northwest.

Indian: A person who is registered as an Indian or is entitled to be registered as an Indian under the *Indian Act*. A term that describes all the Aboriginal people in Canada who are not Inuit or Métis. Indian peoples are one of three groups of people recognized as Aboriginal in the *Constitution Act*, 1982. There are three definitions that apply to Indians in Canada: Status Indians, Non-Status Indians and Treaty Indians. The use of the term "Indian" has declined since the 1970s, when the term "First Nation" came into common usage.

Indian Act: Canadian legislation first passed in 1876 and amended many times since then; defines an Indian in relation to federal obligation and sets out a series of regulations applying to Indians living on reserves.

Indian Reserves: A tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band.

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.

influence: The power credited to individuals or an organization that uses persuasion, rational arguments, emotional appeals, rewards and/or bribes.

inherent: A God-given right, existing in someone or something as a permanent characteristic or quality. Also, from Saskatchewan Ministry of Education's *Native Studies 30 June 1997 curriculum guide*: A right which exists outside of the Constitution (of Canada) and does not have to be granted through agreements.

imperialism: A policy of acquiring dependent territories or extending a country's influence over less developed countries through trade or diplomacy; the domination of another country's economic, political or cultural institutions; the creation, maintenance or extension of an empire comprising many nations and areas, all controlled by a central government.

integration: The integration occurring between the late 1960s to the 1980s; this period replaced the previous segregation era as First Nation children were sent to nearby urban centres in search of better opportunities.

Inuit: People living mainly in Northern Canada, Greenland, Alaska and eastern Siberia, who are the original inhabitants of the Arctic; the Eskimo people.

jurisdiction: Administration of justice; legal or other authority.

kinship (as it relates to the treaties): The kinship which is embodied in the treaty relationship consists of three characteristics: First, the principle of mutual respect, and the duty of nurturing and caring describes the kind of relationship that would exist between mother and child. Second, the principle of non-interference describes the relationship of brothers. Third, the principle of non-coercion, happiness and respect describes the relationship of cousins.

Lakota: A term used by a Lakota-speaking person in reference to the Oçeti Sakowin (Dakota, Lakota, Nakota Nations) that means those who consider themselves to be kindred.

language: The method of human communication, either spoken or written, using words in an agreed way; the language of a particular community or nation.

language/dialect: A form of speech peculiar to a particular region; a subordinate language form with non-standard vocabulary, pronunciation or grammar (e.g. the Plains Cree word for "the people" is *nêhiyawak*, the Swampy Cree word is *nêhinawak* and the Woods Cree word is *nêhithawak*).

Madakota: A term most frequently used by a Dakota-speaking person to identify him or herself as being of Oçeti Sakowin (Dakota, Lakota, Nakota) ancestry.

Malakota: A term most frequently used by a Lakota-speaking person to identify him or herself as being of Oçeti Sakowin (Dakota, Lakota, Nakota) ancestry.

Manakoda: A term most frequently used by a Nakota-speaking person to identify him or herself as being of Oçeti Sakowin (Dakota, Lakota, Nakota) ancestry.

Métis: People born of, or descended from, both European and First Nations parents. A distinctive Métis Nation developed in what is now southern Manitoba in the 1800s, and the descendants of these people later moved throughout the prairies. There are also many other groups of mixed ancestry people who consider themselves Métis.

Nakota: One of the Oçeti Sakowin sub-groups, the Nakota occupied large areas of Saskatchewan. The Nakota (sometimes called Assiniboine) retained their own hunting territory and are recognized as a separate nation.

Nation: Community of people of mainly common descent, history, language, etc. forming a State or inhabiting a territory. 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.

Native: A person born in a specified place; a local inhabitant; a member of an Indigenous people of a country, region, etc. as distinguished from settlers, immigrants and their descendants.

Nêhiyawak [Nêhiñawak, Nêhithawak]: A Cree term describing the People of the Four Directions.

Non-Status Indian: An Indian person who is not registered as an Indian under the *Indian Act*. This may be because his or her ancestors were never registered or because he or she lost Indian status under former provisions of the *Indian Act*.

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 share vast tracts of land.

Oçeti Sakowin: The political organization of the Dakota, Lakota and Nakota peoples. Oçeti Sakowin is the term used in their language to refer to their historical and ongoing social and political brotherhood. The Dakota, Lakota and Nakota have often been erroneously referred to as Sioux, Assiniboine or Stoney. There are four dialects of the language which are spoken in Saskatchewan: Isanti (Dakota), Ihanktonwan (Nakota), Hohe (Nakota) and Titonwan (Lakota).

Office of the Treaty Commissioner (OTC): The OTC was created by the Federation of Saskatchewan Indian Nations and the Government of Canada to facilitate treaty discussions between the Government of Canada and the First Nations.

Oral history: The art of passing on the history, values and beliefs of the First Nations from one generation to the next through the spoken words of people who have knowledge of past events and traditions. Knowledge based on the experience of the person speaking, usually recollections of events the person saw, heard of or took part in.

Oral tradition: 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.

Note: First Nations oral tradition has been labeled as myths, fables, legends and stories. However each of these terms conceal the true meaning of oral tradition. For instance, the term “myth” is derogatory and is associated with fantasy and untruth. It is also assumed that the events in stories never took place. In oral tradition, it is clear that the events addressed did take place and are very real in the mind of the storyteller, who follows centuries of protocol for passing this information on.

policy: A definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions.

power: The ability to carry out decisions.

Reinstated Status Indians: This includes people who regained their status on the Indian register as per the Bill C-31 amendment made to the *Indian Act* effective April 17, 1985. They are required to make further application to specific bands, usually the band from which they were enfranchised, to receive band membership. In reference to this group of people, the term Status Indian is sufficient.

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.

Saulteaux: Sometimes called the Ojibway, these First Nations were latecomers to what is now Saskatchewan, settling primarily in southern areas through alliances with the Nakota (Assiniboine) and Cree.

segregation: The separation or isolation of a race, class or ethnic group by enforced or voluntary residence in a restricted area, by barriers to social intercourse, by separate educational facilities or by other discriminatory means.

self-determination: The freedom of a people to decide their own allegiance or form of government.

self-government: Government by its own people; self-control.

Status Indian (First Nation): Three definitions are as follows: 1) an Indian person who is registered as an Indian under the *Indian Act* and thus recognized by the federal government as an Indian and accorded the accompanying rights, benefits and restrictions of the *Indian Act* and related policies; 2) Status Indians who are registered or entitled to be registered under the *Indian Act*. The act sets out the requirements for determining who is Status Indian; and 3) a commonly used term applied to a person who is registered as an Indian under the *Indian Act*; a Registered Indian is a person who, pursuant to the *Indian Act*, is registered as an Indian or is entitled to be registered as an Indian.

society: A social community; the customs and organization of an ordered community.

solemn: Serious and dignified, formal; accompanied by ceremony, especially for religious purposes, grave, sober, deliberate; slow in movement or action (a solemn promise).

sovereign: Characterized by independence or autonomy, especially having the rights; concerned with or pertaining to independence or autonomy; the right to rule without any external control. Ultimate jurisdiction or power. Claiming sovereignty for the First Nations means governing themselves without any external control.

sovereignty: The absolute and independent authority of a community, nation, etc.; 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.

sovereignty (First Nations perspective): The Creator gave the First Nations:

- The land on the island of North America ("Turtle Island," the Peoples' Island).
- A way to communicate with Him for guidance and to give thanks.
- Laws, values and principles that described the relationships and responsibilities they possessed to and for the lands given to them.
- An interconnectedness among the sacred ceremonies, teachings and beliefs among the First Nations.
- Spiritual philosophies, teachings, laws and traditions that provided a framework for the political, social, educational and cultural institutions, and laws that allowed them to survive as nations from the beginning of time to the present.
- The "gifts" they needed to survive both spiritually and materially, given to them through their special relationship with the Creator. These gifts are the life-sustaining and life-giving forces represented by the sun, water, grass, animals, fire and Mother Earth.
- Relationships that symbolize and represent the existence of a living sovereign First Nations circle (humans, plants, animals, land, etc.).

spirituality: A devotion to spiritual things; a spiritual quality.

state: A sovereign political community organized under a distinct government recognized and conformed to by the people as supreme and having jurisdiction over a given territory; a nation.

stereotype: A generalization about a group of people; to label a person because they belong to a certain group.

surrender: To give up possession or control of (something) to another, especially on compulsion or demand; to relinquish, yield.

surrender claim: An agreed-upon transfer of Indian land to the Government of Canada, usually for money. Under the *Indian Act*, reserve land can only be sold to the federal government, which may then sell or lease the land on behalf of the Indian band or First Nation.

territory: An area that has been occupied in regard to use or jurisdiction.

tradition: The handing down of beliefs, opinions, customs, stories, etc. from parents to children.

treaties: Solemn agreements between two or more nations that create mutually binding obligations.

treaty: Formally concluded and ratified agreement between states; an agreement between individuals or parties, especially for the purchase of property.

Treaty First Nation: A person who obtained treaty rights through treaty negotiations. Specifically, leaders and members of the First Nations who negotiated treaty and passed on their treaty rights to their children, with exception to the *Indian Act* legislated situations.

Treaty Indian: Three definitions are as follows: 1) an Indian person whose forefathers signed a numbered treaty in which land was exchanged for certain listed payments, such as money, tools, and health and educational benefits. The term is often used in the prairie provinces synonymous with "Status Indian"; 2) a First Nation whose ancestors signed a treaty with the Crown and as a result are entitled to treaty benefits. Non-treaty Indians do not receive the same benefits; and 3) Indian people or descendants of Indian people who entered into treaties with the Crown or Canadian government.

Treaty Land Entitlement (TLE): A specific area of claims concerning fulfillment of the guarantee of reserve land in the Numbered Treaties.

Treaty rights: Rights that are provided for in the treaties made between the First Nations and the British Crown or the Government of Canada.

trust obligations: The obligations of the federal government to act in the best interests of Indians when acting on their behalf on a trusteeship capacity. These obligations, which are rooted in the treaties and the *Indian Act*, are akin to those exercised by one country to another that has been made a protectorate of the first.

values: The ideals and standards set by a society.

worldview: A comprehensive view or philosophy of life, the world and the universe. Worldview can be described as a philosophy or view of life that shapes how we interact and respond to the world around us. Our own worldview influences, shapes and interprets what we experience, and provides us with a sense of vision for the future.

yield: Give up, surrender, concede; comply with a demand for.

APPENDICES

A. Treaty Misconceptions and Facts

B. Map of “Location of Historical Treaty Boundaries in Canada”

C. Map of “Treaty Boundaries, Location of the First Nations and Treaty Sites in Saskatchewan”

TREATY MISCONCEPTIONS AND FACTS

MISCONCEPTIONS

Treaties are simple land transactions.

Treaties have no relevance today; they are part of the past.

Treaties benefit only the First Nations.

The written text of treaty is all that a person needs to understand treaties.

The First Nations' leaders did not understand the treaty process because they were uneducated.

FACTS

The treaties are permanent, legally-binding, solemn agreements between the Crown and First Nations peoples of Canada. In addition to land, the treaties create a fundamental political relationship, establishing obligations and expectations on both sides. This relationship includes the principles of peaceful co-existence and mutual benefit.

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. We all live under the rule of law, so treaties must be honoured. There is no expiration date on the treaties; they were intended to be enduring. The leaders who negotiated the treaties spoke about “children yet unborn” because they wanted the agreement to reflect the changing realities for the generations to come.

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 the First Nations and the Government of Canada saw treaties as a viable means of defining how everyone could live together for the good of all.

While the federal government relied on written documents, the First Nations relied on oral traditions regarding the “spirit and intent” of treaties. The First Nations believe the written documents do not capture the spirit and intent of the treaties from the First Nations’ perspectives.

At the time of treaty signing, the First Nations’ 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 people.

The First Nations did not have civilized societies and when the Europeans came to North America, they taught the indigenous people how to survive in this environment.

When Europeans arrived in North America, they found the First Nations had well-developed societies with their own forms of commerce, government, education, spirituality, technologies, etc., with a similar conceptual base. The First Nations lived in harmony with nature for thousands of years, making them perfect environmentalists. They taught the Europeans essential survival skills because the newcomers found it difficult to exist in the harsh conditions; in fact, some would not have made it if it hadn't been for the First Nations peoples.

Treaties are a thing of the past or are "frozen in time."

Treaties are living agreements and were meant to last as long as the sun shines and rivers flow.

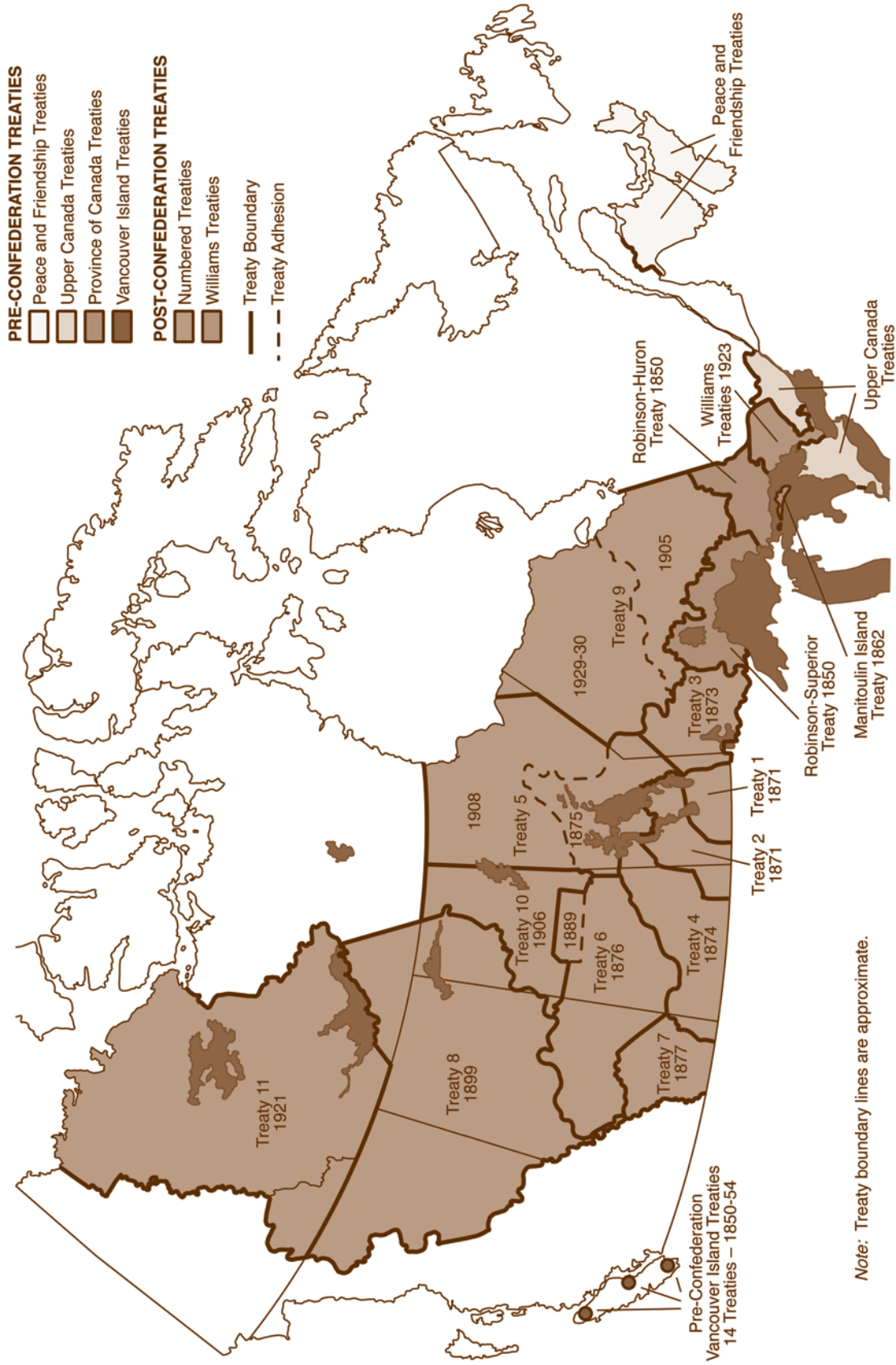
Treaties gave newcomers full access to resources.

When treaties were agreed to, First Nations agreed to only the depth of a plow.

Only the First Nations are treaty people.

We are all treaty people.

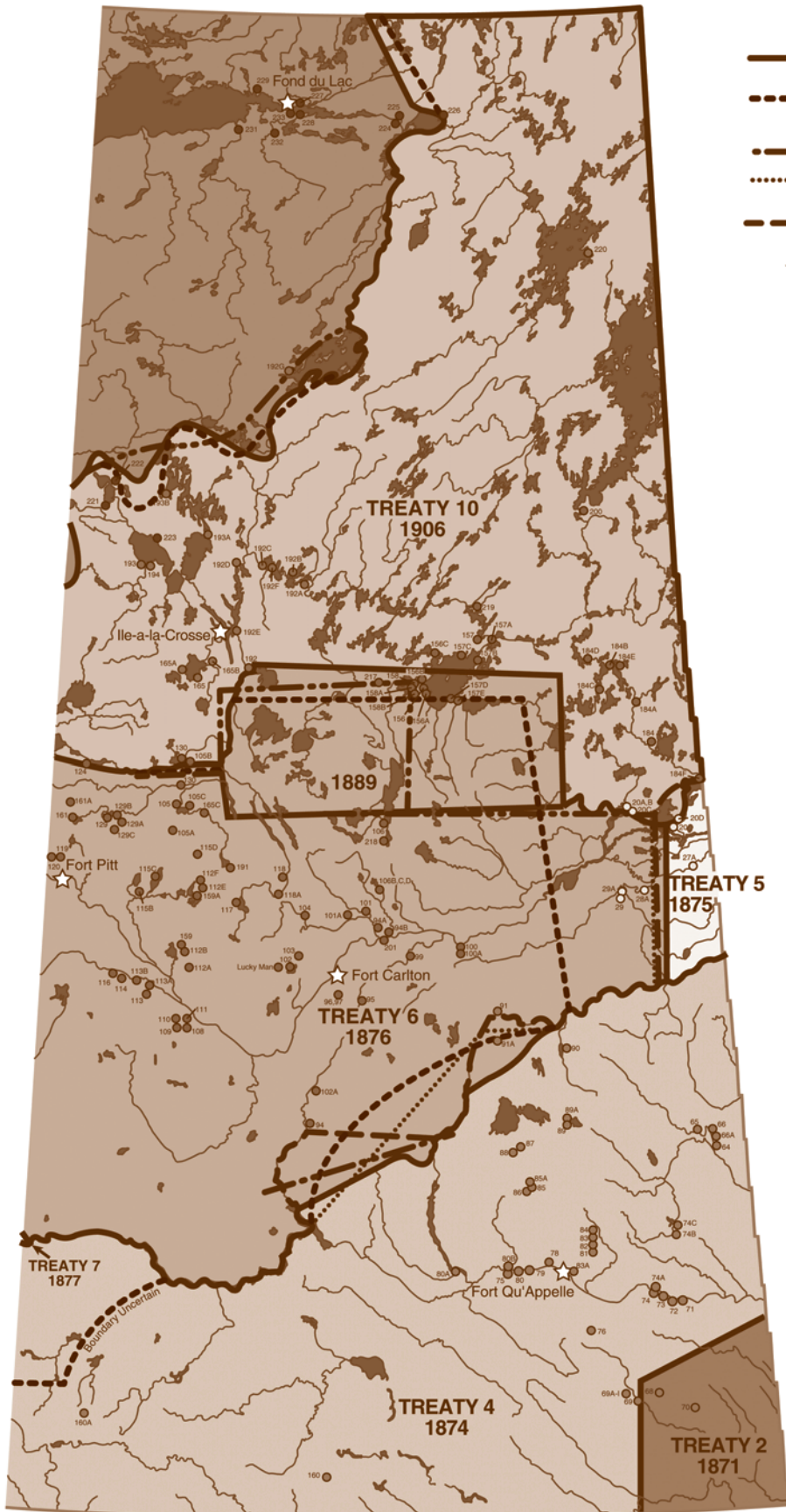
Location of Historical Treaty Boundaries in Canada



Note: Treaty boundary lines are approximate.

This map is based on information taken from the Geo Access Division maps.
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Treaty Boundaries, Location of First Nations and Treaty Sites in Saskatchewan



VARIATIONS IN DEPICTED TREATY BOUNDARIES

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- Map of the Dominion of Canada, 1908. Department of the Interior, 1908.
- Map Showing Mounted Police Stations...during the Year 1880 also Boundaries of Indian Treaties... Dominion of Canada, 1888.
- Map of Part of the North West Territory. Department of the Interior, 31st December, 1877.

☆ TREATY SITES

RESERVE INDEX

NO.	NAME	FIRST NATION
20	Cumberland	Cumberland House
20 A	Pine Bluff	Cumberland House
20 B	Pine Bluff	Cumberland House
20 C	Muskeg River	Cumberland House
20 D	Bedr's Point	Cumberland House
27 A	Canot River	The Pis
28 A	Shoal Lake	Red Earth
29 A	Canot River	Red Earth
34	Cote	Red Earth
35	The Key	Cote
66	Keeseekeoose	Keeseekeoose
66 A	Keeseekeoose	Keeseekeoose
68	Pheasant Rump	Pheasant Rump Nakota
69	Ocean Man	Ocean Man
69 A	Ocean Man	Ocean Man
70	White Bear	White Bear
71	Ochawewaceo	Ochawewaceo
72	Kahkewetahaw	Kahkewetahaw
72 A	Cowessess	Cowessess
74 B	Little Bone	Sakimay
74	Sakimay	Sakimay
74 A	Sheshnep	Sakimay
74 C	Minochraik	Sakimay
75	Piapot	Piapot
76	Asaindome	Asaindome
78	Standing Buffalo	Standing Buffalo
79	Piapot	Piapot
80	Muskegpetung	Muskegpetung
80 A	Laet Mountain Lake	Commony Head
80 B	Hay Lands	Commony Head
81	Pespekkis	Pespekkis
82	Chenase	Chenase
83	Star Blanket	Star Blanket
83 A	Waspi Moose Toosis	Star Blanket
84	Little Black Bear	Little Black Bear
85	Muskegkewan	Muskegkewan
85 A	Muskegkewan	Muskegkewan
86	Gordon	Gordon
87	Day Star	Day Star
88	Poor Man	Poor Man
89	Fishing Lake	Fishing Lake
89 A	Fishing Lake	Fishing Lake
90	Yellowquill	Yellowquill
91	Krasin	Krasin
91 A	Krasin	Krasin
94	White Cap	Moose Woods
94 A	Walpaton	Walpaton
94 B	Walpaton	Walpaton
95	Che Arrow	Che Arrow
96	Beardy's & Okemasis	Beardy's & Okemasis
97	Beardy's & Okemasis	Beardy's & Okemasis
99	Muskody	Muskody
100	James Smith	James Smith
100 A	Cumberland	James Smith
100 B	Sturgeon Lake	Sturgeon Lake
101	Sturgeon Lake	Sturgeon Lake
102	Muskeg Lake	Muskeg Lake
102 A	Asimakanseeekan Asky	Muskeg Lake
103	Mitsimasi	Mitsimasi
104	Atahkakooop	Atahkakooop
105	Meadow Lake	Flying Dust
105 A	Meadow Lake	Flying Dust
105 B	Glade Lake	Flying Dust
105 C	Meadow Lake	Flying Dust
106	Montreal Lake	Montreal Lake
106 B	Montreal Lake	Montreal Lake
106 C	Little Red River	Lac la Ronge
106 D	Little Red River	Lac la Ronge
108	Red Pheasant	Red Pheasant
109	Mosquito	Mosquito-Gritzzy Bear's Head
110	Grizzly Bear's Head	Mosquito-Gritzzy Bear's Head
111	Lain Man	Lain Man
112	Mosomish	Mosomish
112 A	Mosomish	Mosomish
112 B	Mosomish	Mosomish
112 C	Mosomish	Mosomish
112 D	Mosomish	Mosomish
112 E	Mosomish	Mosomish
112 F	Mosomish	Mosomish
113	Sweetgrass	Sweetgrass
113 A	Sweetgrass	Sweetgrass
113 B	Sweetgrass	Sweetgrass
114	Poundmaker	Poundmaker
115 B	New Thunderchild	New Thunderchild
115 C	New Thunderchild	New Thunderchild
115 D	Thunderchild	Thunderchild
116	Little Pine	Little Pine
116 F	Lucky Man	Lucky Man
117	Witchekan Lake	Witchekan Lake
118	Big River	Big River
118 A	Big River	Big River
119	Siskatootch	Siskatootch
120	Makook	Onion Lake
124	Shigwad	Shigwad
129	Makwa-Sangahewan	Makwa-Sangahewan
129 A	Makwa-Sangahewan	Makwa-Sangahewan
129 B	Makwa-Sangahewan	Makwa-Sangahewan
129 C	Makwa-Sangahewan	Makwa-Sangahewan
156	Lac la Ronge	Lac la Ronge
156 A	Potato River	Lac la Ronge
156 B	Kitsaik	Lac la Ronge
156 C	Sucker River	Lac la Ronge
157	Stanley	Lac la Ronge
157 A	Stanley	Lac la Ronge
157 B	Old Fort	Lac la Ronge
157 C	Four Portages	Lac la Ronge
157 D	Fox Point	Lac la Ronge
157 E	Fox Point	Lac la Ronge
158	Little Hills	Lac la Ronge
158 A	Little Hills	Lac la Ronge
158 B	Little Hills	Lac la Ronge
159	Saulteaux	Saulteaux
159 A	Saulteaux	Saulteaux
160	Wood Mountain	Wood Mountain
160 A	Nakawak	Nakawak
161	Nakawak	Nakawak
161 A	Nakawak	Nakawak
165	Canoe Lake	Canoe Lake
165 A	Canoe Lake	Canoe Lake
165 B	Canoe Lake	Canoe Lake
165 C	Canoe Lake	Canoe Lake
184	Amisk Lake	Peter Ballantyne
184 A	Birch Portage	Peter Ballantyne
184 B	Pelican Narrows	Peter Ballantyne
184 C	Sandy Narrows	Peter Ballantyne
184 D	Woody Lake	Peter Ballantyne
184 E	Miron Lake	Peter Ballantyne
184 F	Sturgeon Weir	Peter Ballantyne
191	Chase Lake	Peter Ballantyne
192	Chase Lake	English River
192 A	Elak Dase	English River
192 B	Knee Lake	English River
192 C	Dipper Rapids	English River
192 D	Wapachewauk	English River
192 E	Ile a la Crosse	English River
192 F	Prinseau Lake	English River
192 G	Creo Lake	English River
193	Peter Pond Lake	Peter Pond Lake
193 A	Churchill Lake	Sirch Narrows
193 B	Tumor Lake	Sirch Narrows
194	Tumor Lake	Sirch Narrows
200	Southern	Peter Ballantyne
201	Opaweskoakan	Peter Ballantyne
217	Morn Lake	Lac la Ronge
218	Bittern Lake	Lac la Ronge
219	Grandmother's Bay	Lac la Ronge
221	La Loche	Clearwater River
222	La Loche	Clearwater River
223	La Loche	Clearwater River
224	Chicken	Black Lake
225	Chicken	Black Lake
226	Chicken	Black Lake
227	Fond du Lac	Fond du Lac
228	Fond du Lac	Fond du Lac
229	Fond du Lac	Fond du Lac
231	Fond du Lac	Fond du Lac
232	Fond du Lac	Fond du Lac
233	Fond du Lac	Fond du Lac