

## The Royal Proclamation and Historic Treaties

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The Royal Proclamation came after 150 years of ritualized interactions between indigenous people and Europeans. These interactions took place for commerce, such as with the fur trade, and for military purposes. European traders had to carry out indigenous ceremonies, such as the formal welcome at the trading post to be able to participate in trade with Native suppliers.

Ceremonies, which were required to create kinship, constituted a kinship-making protocol. Ceremonies included speech making, sharing of presents, feasting and smoking the pipe. Kinship was renewed by the re-enactments of these ceremonies on a regular basis, especially when people had not seen each other for a period of time.

From a First Nations' perspective, an economic partnership was also a military alliance. Treaties were both for trade and military partnerships. For example, Sir William Johnson, a successful fur trader, married Mohawk clan matron Molly Brant, and understood the importance of ceremony to maintain the relationships with indigenous peoples. He became the head of the Indian Department in 1755, advocating for the Royal Proclamation and taking copies of the Royal Proclamation to all the indigenous peoples.

The warrior-ally tradition was again maintained by Shawnee Chief Tecumseh, who worked early in the 19<sup>th</sup> century to forge an alliance of western nations against the Americans. Captain Joseph Brant, Thayendanegea, was another leader who was successful in forming effective relationships with the British. Through the use of ceremonies, he helped secure Mohawk support for Britain in the American revolutionary war. In the end, Indigenous leaders and peoples were betrayed by the British when they signed the Treaty of Paris with the Americans.

With the establishment of the Royal Proclamation a new relationship was established with indigenous peoples. It created a formula for how you could acquire Indian lands and for the making of treaties. For a time, treaty negotiators, schooled by Sir William Johnson, were taught to follow Indian protocol. The territorial treaties negotiated in Upper Canada until the war of

1812 focussed on the areas along waterways where immigrants wanted to settle. Indigenous ceremonies were prominent with these treaties.

The practice of using ceremonies was eroded after 1812 with the tidal wave of immigrants that arrived. By the time the Robinson Huron treaty was negotiated, the Johnson model of forging strong relationships through ceremony was over. From this time, a 'civilization policy' (a policy of aggressive assimilation) was pursued. There was an attempt to push First Nations into agriculture. In this changed relationship, ceremony and the rhetoric of family were absent.

After 1867, Sir John A. Macdonald initiated making treaty-making, through the prairies, and northern Ontario to secure peaceful access to land for settlers who intended to practice agriculture. Ceremony still flourished in areas where the Hudsons Bay company dominated, and in these areas, government was drawn back into adopting ceremonial practices for treaty-making. However, the government saw treaties as mechanisms to purchase lands while First Nations saw them as covenants of mutual aid and support involving the Creator.

From 1899 -1921, treaty making was refocused on access to natural resources. Duncan Campbell Scott, the chief federal commissioner of Treaty 9 wanted "to get rid of the Indian problem." Wishes of First Nations were ignored and oral promises were not noted in the written version of Treaties. This was especially clear with Treaty 9, the James Bay Treaty. Except for the Williams Treaty (1923), Treaty 11 marked the last of the historical treaties.

These treaties strayed far from the nation-to-nation approach of the Royal Proclamation. Moving forward, if we can't have the letter of the Royal Proclamation, we could have the spirit or ethic of the Royal Proclamation in our treaties.

### **Questions:**

*Tony Hall:*

We want to resuscitate the Johnson era. How do we resuscitate the Royal Proclamation in our dealings?

*Answer:* Historians have to educate the Canadian public. So far we have not done a good job of this. We have to do a better job with education, so that our children and grandchildren can understand Aboriginal and Canadian history and address the issues. For example, in Saskatchewan the government has made a treaty curriculum mandatory in the schools.

*Chief of Nipissing Nation:*

With the Robinson Huron Treaty of 1850, the treaty obligations were broken in the first 3 years. A surveyor cut out land for a power dam and we lost 106,000 acres. We need to educate people about treaties and promises that were made, like that we could hunt and fish, and that we did not cede our waters or islands.

*Chief Nelson, Manitoba, Grand Chief:*

One thing that was missing in the discussion was that treaties were signed under duress. They were signed when families were starving.