
TREATIES BETWEEN FIRST NATIONS AND CANADA (BRITISH CROWN)



First Sunday of Advent
November 28, 2021

A treaty is a solemn covenant negotiated between two or more nations that create mutually binding obligations. First Nations peoples have been making Treaties for thousands of years. Treaties were mainly peace Treaties that established the land or territory that nations would share. They were covenants with other First Nations to share lands for trapping, hunting, or gathering purposes.

Europeans also made Treaties among themselves for thousands of years before they first crossed the Atlantic Ocean. Afterward, most of their Treaties with European Nations involved settlements of territorial disputes such as land transactions. When the British and French fought over land in what is now eastern Canada called the Seven Years' War, they were fighting over land that did not belong to either of these countries. The Treaty of Paris ended that war and the British laid claim to the land. Chief Pontiac of the Ottawa Nation fought with the British because he held the position that the land in their territory belonged to their nation. Pontiac did not win, however when King George III of Britain issued the **Royal Proclamation, 1763**, it recognized and established that First Nations had **Aboriginal Title** to the land in their territories. It also established that the British Crown had to enter into nation-to-nation Treaties to access land in First Nations' territories. The Royal Proclamation, 1763, is significant to First Nations Peoples because it recognizes the nationhood of First Nations. The Courts in Canada recognized it as the Magna Carta of Indigenous rights.

Many Treaties were made between First Nations and the British Crown between 1725 and 1867 called Pre-Confederation Treaties. These were mainly peace and friendship Treaties. After the creation of Canada in 1867, Canada made more treaties with First Nations mainly the Numbered Treaties 1 - 11 in what is now western Canada. The map [Location of Historical Treaty Boundaries](#) in Canada identifies the Pre and Post-Confederation Treaties made in Canada with First Nations.

The Numbered Treaties 1 - 11 between 1871 and 1921 were made in what is now known as the prairies, and Western and Northern Canada. Canadian (British Crown) Treaty commissioners were instructed to secure access to the land. First Nations Peoples wanted to ensure their physical, cultural, and spiritual survival. They wanted to guarantee that they would be able to hunt, fish, trap, and govern themselves.

Treaties are the foundation of Canada. Without these Treaties, Canada would not exist as we know it. Treaty promises were made by both parties, however, First Nations have endeavoured in good faith to honour all their promises to Canada while many of Canada's promises to the First Nations Peoples have not been fulfilled.

First Nations believe that Treaties are sacred covenants and were intended to create an on-going relationship with Canada (British Crown) and newcomers. The First Nations-to-Crown relationships were to last "as long as the sun shines, the grass grows, and the waters flow". As stated by the Office of the Treaty Commissioner, "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."

There are unceded territories in Canada that are not covered by Treaties, such as Newfoundland and Labrador, Southern Quebec, and British Columbia. Land claims and self government negotiations regarding some of these areas are ongoing.

For Reflection

1. What do you understand about Treaties between First Nations and Canada (British Crown)?
2. Why are Treaties made between First Nations and Canada important today?
3. How important are these Treaties to walking with Indigenous Peoples on the path to truth and reconciliation?
4. Can you think of a time when you made a covenant or agreement with someone? What makes them work, and what are the individual responsibilities?