



We Are All Treaty People

Excerpt

by Elder Dr. Duke Redbird

I am often asked “What does We Are All Treaty People mean to you?” My answer was and still is, let us first examine what we mean by the word ‘treaty’ and explore together the dictionary definitions of the word.

According to the Oxford Dictionary a treaty is:

1) A formal agreement between two or more sovereign nations

and/or

2) A formal agreement between people, especially for the purchase of property at a price agreed between buyer and seller.

When you have two completely opposing definitions of the same word, it’s called a contronym and it opens the possibility of deception, fraud, and intentional misrepresentation. The Indigenous signers of treaties, whether between themselves or Europeans, understood the word treaty to mean ‘a formal agreement between two or more sovereign nations’. The European colonial military authorities assured the Indigenous people that the treaties they were negotiating were agreements between sovereign nations. However, when the treaties were translated by the civil authorities representing the Government of Canada, the translators deliberately used the second definition: ‘A formal agreement between people, especially for the purchase of property at a price agreed between buyer and seller’.

This was a deliberate subterfuge to swindle the autonomous Indigenous lands from the Indigenous people.

We all learn in the Canada History textbooks of the great deeds of heroes like Sir Issac Brock, Tecumseh, and the soldiers and warriors who fought to keep the Niagara Peninsula under the governorship of British North America. However, what is not highlighted or revealed in the textbooks is the fact that when the peace treaty was signed between the Americans and the British at the Treaty of Ghent in the Netherlands, the Indigenous people were not invited to the treaty table. As a result of being excluded, the Indigenous people who helped win the war for the British, lost sovereignty over their own lands.

The Treaty of Ghent took place in 1815. The irony here is that, 200 years earlier, the Dutch had made a treaty with the Indigenous people called the Two Row Wampum in 1613. And they made no mention of that when the British and Americans signed the Treaty of Ghent in the Netherlands. They did not ask why their Indigenous allies were not at the table. The Dutch at that time had agreed to share the land and resources with the Indigenous Peoples - each in their own canoe - and would not interfere with each other's way of life. Consider that even before 1613 the Haudenosaunee and Anishinaabe peoples had already made an agreement amongst themselves called A Dish with One Spoon. A Dish With One Spoon is a treaty that has been respected between Indigenous Peoples of Turtle Island for over 1000 years. It describes a treaty for sharing hunting territory among two or more nations. One spoon signifies that all Peoples sharing the territory are expected to limit the resources they take and leave enough for others, for the continued abundance and viability of Mother Earth into the future.

There has been much talk recently about a much maligned, and rightly so, "Doctrine of Discovery". It was a document issued by Pope Nicholas V and pronounced by Pope Alexander VI that was used by European monarchies in order to legitimize the colonization of lands outside of Europe. The fact

that King Charles II of England in 1670 was a practicing Protestant and Defender of the Anglican Faith, did not stop him from using a Catholic document to legitimize the theft of the territory known as Rupert's Land in British North America, and claiming it for the Crown.

What's not taught in our classrooms is that 89% of the land in Canada is called 'Crown Land' and has been inherited by the present monarch, King Charles III who is also Canada's Head of State. Only 11% of Canada is privately owned. The Crown land is administered on behalf of the Crown (i.e. King Charles III) by various agencies or departments of the government of Canada. The Canadian Act has no provision for any Canadian to own physical land in Canada. Canadians can only own an interest in the Crown's estate. I'm sure this is not widely known by society, and it is certainly not taught in the classrooms of our schools. I wonder if the real estate agents that sell all the properties in Canada inform their clients that what they purchased is usage rights. They control how it is used, and by whom. They can transfer those rights to another (by selling it) but at the end of the day, it's still legally owned by the Crown.

I propose that the Indigenous Nations of Turtle Island use the equivalent of the Canadian "Notwithstanding Clause" (since it's Christmas) to disavow the legitimacy of the theft of Indigenous Sovereignty by the nefarious double dealing of the Canadian government since 1867. King Charles III could rectify the past wrongs of his ancestors and return all Crown Lands to the jurisdiction and autonomy as identified in the United Nations declaration of the Rights of Indigenous Peoples.