

## Aboriginal Political Agitation

Throughout the late 1800s and early 1900s, Aboriginals gradually began to feel that the federal government was not negotiating treaties with them on good faith. Promises that were being made orally that were not honoured, and promises made in earlier treaties were revoked in later treaties - such as the right for Aboriginals to hunt and fish anywhere on Crown land.

This eventually led to Aboriginal protest movements, starting around 1910, when groups of Aboriginals marched to Parliament Hill in Ottawa hoping to spur political change. New political organizations and alliances were forged. However, some Aboriginals felt that the only way the government would listen to them was through civil unrest and violent protest.

### The Covenant Chain

The Covenant Chain was among one of the first political affiliations that the Aboriginals had with the white man.

In the early 1600s, a series of treaties were negotiated between the Thirteen Colonies, which would eventually make up the United States, and the six-nation Iroquois Confederacy. These agreements likely originated between the Mohawk nation and the colony of New York, and were iron or silver chains that symbolized the binding of a promise. These agreements would often be re-negotiated as more financial aid to the Aboriginals was needed, and these chains would be symbolically polished to show that revisions had taken place. Other colonies, including Connecticut, Massachusetts, Maryland and Rhode Island, would later join the chain – as would the Tuscarora tribe.

However, these treaties fell out of favour by the early nineteenth century, particularly after the War of 1812. While the British and Americans had maintained strong links with their Aboriginals allies in case of war, it became apparent that such links were no longer needed as things were relatively peaceful after the War of 1812.

More and more settlers were coming into North America, and even more land was needed in the Indian Territory that the *Royal Proclamation of 1763* set aside for the Aboriginals. In fact, white settlers had been trickling into Aboriginal territories since the 1760s and 1770s anyway, and Indian Territory kept being redrawn throughout the late 1700s. Many American Aboriginals began to migrate north to British North America in response.

## The Great Peace of 1701

Another example of early treaty making between Europeans and Aboriginal peoples was the Great Peace of 1701. Over 1300 delegates of more than 40 First Nations converged on Montreal. The treaty that followed the negotiations ended almost 100 years of war between the Iroquois Confederacy and New France and its allies.

The significance of the treaty lasts to this day, as it set a precedent the use of negotiation to settle disputes between First Nations peoples and European colonial representatives in what is now Canada. It also set the foundation for the expansion of the "empire" of New France to the south and west, and ensured the neutrality of the Iroquois Confederacy in case of war between the French and English in North America. At the outbreak of the Seven Years War between British and French forces in 1756, the Iroquois Confederacy was neutral.

In August 1760, the Seven Nations of Canada – comprised of Aboriginal bands that had been domiciled in Québec – also joined the Covenant Chain to declare their neutrality after fighting alongside the French during the early part of the Seven Years War.

## A Legacy of Betrayal

There are various moments in North American history in which the rights of Aboriginal peoples were ignored. These include, but are not limited to:

- The *Treaty of Paris, 1783*, which drew British North American and United States boundaries without Aboriginal input.
- Various blank treaties signed between the Aboriginals and British in the late 1700s after the *Royal Proclamation*, where Natives signed away land rights on blank pieces of paper.
- The rescinding of the *Niagara Treaty, 1764* by Sir Francis Bond Head in 1836.
- The sale of Hudson's Bay Company lands in current-day Manitoba to the federal government in 1868 without any Métis or Aboriginal input.

As a result, Aboriginals and Métis in Western Canada were skeptical of the motives of the federal government by the 1870s. They began to block settlers and surveyors from entering the Prairies. This led directly to the first Riel Rebellion in 1869 when a band of Métis would not allow William McDougall, who was to be the first lieutenant governor of Manitoba, to enter the region.

Aboriginals felt that oral promises would not be kept during the Numbered Treaties – and had their worst feelings confirmed in Numbered Treaties One and Two when government agents told chiefs that they would receive extra money and farm animals/tools that never materialized.

Although these treaties had their advantages, some native bands had had enough of the broken promises by the mid-1870s. They began to talk to other nations about the injustices of these early Numbered Treaties. This forced the federal government and the Privy Council to reconsider and renegotiate parts of these treaties with certain bands by 1875.

Supporting documents in Early Canadiana Online:

***Treaty Number One, 1871***

URL: <http://www.canadiana.org/ECO/PageView/30387/0315>

***Treaty Number Two, 1871***

URL: <http://www.canadiana.org/ECO/PageView/30387/0318>

***Memorandum, 27<sup>th</sup> April, 1875***

URL: <http://www.canadiana.org/ECO/PageView/30387/0128>

***Privy Council Report on the Memorandum, 30<sup>th</sup> April, 1875***

URL: <http://www.canadiana.org/ECO/PageView/30387/0340>

## **Lessons Learned**

As the preceding section shows, during the period between 1867 and 1875, Aboriginals learned the following two courses of action worked when it came to getting the federal government to listen to their concerns:

- Take up arms and form blockades, as seen during the Red River Rebellion of 1870. While this course of action came with its share of tragedies and legal repercussions, the federal government was forced to offer concessions to the Aboriginals and Métis to ensure peaceful relations.
- Make peaceful political alliances with other Aboriginal nations to make their voices and their grievances heard across Canada.

For most of the twentieth century, the Aboriginals would, more often than not, pursue the second course of action.

## **More Broken Promises**

By the early 1900s, the federal government was:

- Negotiating other treaties with foreign governments without consulting the Aboriginals, such as the case of the 1916 Land Migration Act signed between Canada, U.S. and Mexico to preserve wildlife. (This act severely curtailed Native hunting rights).

- Breaking more and more treaty promises. For instance, the 1923 Williams Treaties in Ontario no longer allowed Aboriginals to hunt and fish on Crown land in segments of that province, despite allowing these activities in all of the Numbered Treaties made with Aboriginals on the Prairies and in the Canadian North.

Supporting documents:

***Williams Treaties, 1923 – Chippewa Indians***

URL: [http://www.ainc-inac.gc.ca/pr/trts/trchip\\_e.html](http://www.ainc-inac.gc.ca/pr/trts/trchip_e.html)

***Williams Treaties, 1923 – Mississauga Indians***

URL: [http://www.ainc-inac.gc.ca/pr/trts/trmis\\_e.html](http://www.ainc-inac.gc.ca/pr/trts/trmis_e.html)

In response to threats real and perceived, Aboriginals:

- Began to march on Ottawa during the 1910s (and beyond), and ask the Canadian government to seriously look into its grievances regarding broken treaty promises.
- Formed a national political association in 1919 with the League of Indians of Canada to make their concerns better heard. This was based on another organization, The Grand General Indian Council of Ontario, which existed from the 1870s to 1938.

The federal government's response to the preceding two events was mixed.

For instance, in 1922, an Aboriginal delegation asked the federal government to abolish *Indian Act* amendments and follow *Treaty Number Six*, which offered a provision for free health care to every Aboriginal, as closely as possible during future negotiations.

The government's official response was:

“Too vague. What [*Indian Act*] amendments are to be abolished? They have all been carefully thought out [by the government].”

However, the Aboriginals would not be deterred from such setbacks, and other new political associations would form, such as:

- The Native Brotherhood of British Columbia (1931).
- The Indian Association of Alberta (1939).
- The Federation of Saskatchewan Indians (1944).

## Modern Political Successes

Aboriginal political associations would become crucial during presentations between 1946 and 1948 to a joint Senate-House of Commons committee studying change to the Indian Act. This is in order to comply with the new United Nations *Universal Declaration of Human Rights*.

A new generation of Aboriginal leaders, who were more educated and vocal than many of their forefathers, emerged during the 1960s – especially in the North where big business and government was looking to exploit newly found natural resources. These Aboriginals often stepped in to force the federal government to look more closely at their environmental and land rights concerns before allowing the North to be opened for business purposes. This led to the Berger Commission in the mid-‘70s and also land claim court challenges, such as the 1973 Calder Case.

Additionally, some Aboriginals started being named or elected to Canadian federal or provincial parliaments or the Senate starting in the 1950s. These included James Gladstone, Arthur Calder and Elijah Harper. They would play crucial roles in bringing Aboriginal issues to the table, as Harper did during the Meech Lake Accord debate in Manitoba in 1990.

Aboriginals also mobilized in 1970 to oppose the federal government’s White Paper on Indian Policy, which would have reduced Aboriginal land claims and rights significantly if any of its recommendations had been enacted.

## Militant Behavior

At the same time, though, there has been a rise in militant behavior based upon the principle of civil disobedience since 1990. Some Aboriginals fear there is no other means of recourse and are afraid that they will lose various treaty, cultural and land rights to the federal and provincial governments if they do not make a stand.

These incidents include:

### **The Oka Crisis:**

In 1990, municipal leaders in the village of Oka, Québec, decided to allow construction of a golf course on sacred grounds at a nearby Mohawk reserve. This offended and angered the Mohawk people, who immediately blocked off all roads leading into their land. A Québec police officer was killed during an effort to storm the barricades. The Canadian Armed Forces were mobilized to remove the barricades and quell the dispute by force.

This crisis helped to increase the awareness of the Canadian public to the plight of the Aboriginal peoples, and led to a Royal Commission on this issue. The Commission finally released a lengthy report on its findings in 1996.

This standoff made it easier for Aboriginal militants to use non-peaceful means as they now generally found some sympathies with the Canadian public.

For more information on the Oka Crisis, visit:

- CBC News Online.  
URL: <http://www.newsworld.cbc.ca/flashback/1990/>
- the Canadian Encyclopedia Online.  
URL: [http://www.thecanadianencyclopedia.com/index.cfm?TCE\\_Version=A](http://www.thecanadianencyclopedia.com/index.cfm?TCE_Version=A)

### **Gustafsen Lake, B.C.:**

The Royal Canadian Mountain Police surrounded and arrested 18 Aboriginal traditionalists who wished to take part in a Sundance ceremony during the summer of 1995. These traditionalists were camping illegally on Crown land that had been leased to an American rancher. (Some Aboriginal leaders have called the existence of this lease into dispute.) During a tense standoff that lasted a month, at least 400 RCMP officers were called in with assault rifles, attack dogs and other weapons to secure the area.

Two RCMP officers were hit with stray bullets probably fired from the Aboriginal encampment during the standoff. However, the Aboriginal activists voluntarily surrendered when it became obvious that tensions would escalate into violence.

### **Ipperwash Provincial Park:**

A group of 30 Native protesters erected barricades in Ipperwash Provincial Park, near Grand Bend, Ontario, in September 1995. They were upset that the federal government had obtained and destroyed Aboriginal land – including a burial ground – for the building of a military training base under the War Measures Act in 1942.

The Ontario Provincial Police moved in to disperse the protesters. An Aboriginal leader named Dudley George was killed in an ensuing scuffle.

The land claim was settled in 1998 with a \$26 million agreement. Each member of the Kettle and Stoney Point First Nation received between \$150,000 and \$400,000. The land was cleaned up and returned to these Aboriginals.

Still, Native groups wanted an official government inquiry called into Dudley George's death. The Progressive Conservative government in Ontario refused to call one throughout its entire tenure between 1995 and 2003, however. It claimed it was not responsible for police actions during the raid.

For more information on the Ipperwash Crisis, visit:

- CBC News Online.  
URL: <http://www.cbc.ca/news/background/ipperwash/>
- Amnesty International Canada Online.  
URL: <http://www.amnesty.ca/stoptorture/act12.htm>
- the Canadian Encyclopedia Online.  
URL: [http://www.thecanadianencyclopedia.com/index.cfm?TCE\\_Version=A](http://www.thecanadianencyclopedia.com/index.cfm?TCE_Version=A)

### **Burnt Church:**

Aboriginal Mi'kmaq warriors and non-Aboriginal fishermen have been at odds since 1999 over the Aboriginal right to fish for lobster out of season during the fall. The non-Natives feel that if this is allowed, lobster stocks will vanish along with their livelihoods.

The situation began in September 1999 when the Supreme Court of Canada ruled that Donald Marshall, a Native fisherman, could fish out of season. He argued that treaties from the 1760s gave him the right to do so – and the Court agreed.

However, this infuriated non-Aboriginals. They vandalized or destroyed Native fishing traps in the weeks to come, and the Aboriginals retaliated by destroying white fishing boats and buildings.

First Nations leaders then came together and proposed that the federal government be given time to come to a decision. All but two of the 34 bands involved agreed. Later, the government ordered the Aboriginals to cut the number of lobster traps used on the ocean. Some of the Mi'kmaq resisted this, claiming that they already have conservation methods in place to ensure the lobster stock would not be depleted off the Atlantic coast.

In 2000, there were a series of standoffs between police and Aboriginals. Arrests were made. The federal government offered the concession of a \$2 million fishing wharf and five new modernized boats to the Natives. The Mi'kmaq rejected this, for they believed that any compromise made to the government would be a surrender of their treaty fishing rights.

Finally, in April 2002, a federal committee released a report aimed at preventing more violence. It recommended that:

- Charges stemming from one major police-Aboriginal confrontation in August 2001 be dropped.
- The federal government should compensate fishermen for their lost traps and boats.

The committee also recommended that Aboriginals should have the same season as non-Native fishermen, which meant two things:

- Aboriginals would be banned from fishing during the fall.
- Aboriginal bands would be issued fishing licenses like everyone else.

For more information on the Burnt Church Crisis, visit:

- CBC News Online.  
URL: <http://www.cbc.ca/news/background/burntchurch/>
- the Canadian Encyclopedia Online.  
URL: [http://www.thecanadianencyclopedia.com/index.cfm?TCE\\_Version=A](http://www.thecanadianencyclopedia.com/index.cfm?TCE_Version=A)

### **Other Interesting or Important Documents**

- *Indian treaties and surrenders, from 1680 to 1890, Volume I*  
URL: <http://www.canadiana.org/ECO/ItemRecord/91942>
- *Indian treaties and surrenders, from 1680 to 1890, Volume II*  
URL: <http://www.canadiana.org/ECO/ItemRecord/91943>