

Treaty Day



What is the Treaty Relationship?

In Mi'kmaw worldview, the original treaties establish relationships among all beings, even all existence. They are commitments to live in ways that honour and support all life—people, plants, animals, and even elements like water, soil and rocks. These treaties pre-date the arrival of Europeans in Mi'kma'kik and are as old as Mi'kma'kik itself.

The Peace and Friendship Treaties between the Mi'kmaq and the Crown were extensions of the original treaties—at least from Mi'kmaw perspectives. They were agreements that established how the Mi'kmaq and the British were going to live in Mi'kma'kik together peaceably. They addressed issues such as Mi'kmaw rights of hunting and gathering, how (some) disputes would be settled, the free movement of the Mi'kmaq, and where British settlements could occur.

Most of all, the treaties established the treaty relationship itself, which both parties committed to in perpetuity. In the words of the treaties, the agreements that framed the relationship were to live on in 'their heirs and the heirs of their heirs forever.'

Sometimes people think the Peace and Friendship Treaties are about land (as many treaties have been and are today). However, the Peace and Friendship Treaties are not about land. No land was ceded by the Mi'kmaq in these agreements. This is why land acknowledgements speak of 'unceded territory.'

Treaty Day

Treaty Day marks one of the most visible and inclusive events honouring the treaty relationship between the Mi'kmaq and the Crown. It is a day in which learners (and educators!) can participate, activating their own understandings about being treaty people.

As explained in the Treaties level overview, Treaty Day was first envisioned and agreed upon between the Mi'kmaq and the Crown in the 1752-53 Treaty (see excerpt below). However, this commitment to renew friendship was lost during the Treaty Denial period. It wasn't until 1986 that Kji-Saqmaw Donald Marshall Sr. invited all Mi'kmaq and the Crown to again honour Treaty Day. Since then, Treaty Day has been celebrated annually in Halifax. It is a time when people come together to become reunited and in some cases reacquainted with each other.

WHAT DID THE 1752-53 TREATY SAY ABOUT TREATY DAY?

It's true that Treaty Day started with the 1752-53 Treaty, and even marked October 1st as the day to renew the friendship between the Mi'kmaq and the Crown. Take a look:

That to cherish a good harmony and mutual Correspondence between the said Indians and this Government His Excellency Peregrine Thomas Hopson Esq. Capt. General & Governor in Chief in & over His Majesty's Province of Nova Scotia or Acadie Vice Admiral of the same & Colonel of One of His Majesty's Regiments of Foot hereby promise on the part His Majesty that the said Indians shall upon the First Day of October Yearly so long as they shall Continue in Friendship Receive Presents of Blankets, Tobacco, some Powder & Shot, and the said Indians promise once every year upon the first of October to come by themselves or their Delegates and Receive the said Presents and Renew their Friendship and Submissions.

What Happens at Treaty Day?

Treaty Day follows a similar set of events every year, allowing for particular aspects of the treaty relationship to be highlighted and honoured.

A typical schedule includes:

- A cultural showcase on the night before Treaty Day.
- A flag raising ceremony at Government House.
- A church service at St. Mary's Cathedral Basilica.
- A Veterans' Parade of Honour at the Parade Square.
- A Flag-raising Ceremony at Grand Parade.
- An Awards Ceremony and remarks that includes a feast.

These elements of the celebration allow the Mi'kmaq and the Crown to acknowledge important aspects of the treaty relationship. The day also allows people to come together to reflect on the current state of the treaty relationship. It is a touchstone for both the Mi'kmaq and the Crown to reflect upon their own actions, as well as the actions of the other, in sustaining this important friendship.

The LEs in this section are designed for learners to participate in Treaty Day even if they cannot attend the events taking place in Halifax. The LEs can be augmented, of course, with in-person visits to Halifax or by watching live streams of the day's events.

For many Mi'kmaq, Treaty Day is a time to give thanks for the Peace and Friendship Treaties and for the generations who worked to keep the treaty relationship alive. The two treaty partners still exchange gifts, and renew their commitments for friendship for future generations.



Kji-Saqmaw Donald Marshall Sr. (front right) leads the 1988 Treaty Day parade in downtown Halifax with Mayor Ron Wallace (front left). (Courtesy of Micmac News vol. 18, no. 10, October, 1988, p. 3)

The Kji-Keptin's Treaty Day Speech

Each year the Kji-Keptin of the Sante' Mawio'mi gives a speech at Treaty Day. This is a very important moment in the relationship between the Mi'kmaq and the Crown. In the speech the Kji-Keptin reflects on the state of the treaty relationship over the preceding year and looks forward to the future. The speech is part of the honest and respectful sharing that is part of any healthy relationship.

The speech honours the roles of both orality and leadership in the Mi'kmaw culture. Kji-Keptins are great orators, and their speeches are a key part of the oral traditions of the Mi'kmaw Nation. Many Mi'kmaq (and others) know that there would be no Treaty Rights and no treaty relationship without Mi'kmaw oral tradition. It is this oral tradition that has kept the treaty relationship alive since the 1700s when the Peace and Friendship Treaties were signed. Educators and learners can find more about the importance of this speech, and consider what it means to take care of the treaty relationship this way in LE RR4: Etlita'suwaltultimk.



Kji-Saqmaw Ben Sylliboy (second from left) and Kji-Keptin Antle Denny (end right) participate in the flag-raising ceremony on Treaty Day in Halifax, 2012. (Courtesy of Len Wagg, Communications Nova Scotia, October 1, 2012)

MI'KMAQ

WIKEWIKU'S 2021 HISTORY MONTH OCTOBER 2021

Exploring Treaties and Treaty Relationships

When we speak, Spirit is present.

Ceremony and Consensus

For generations ceremony and Spirit have been present as we entered alliances and treaties with other Nations.

Sacred were and are, sovereignty representatives of their communities. Treaties were not only after land-use, commerce, justice, families and communities. They gathered with traditional and other histories, Spirit was witnessed for their people. The most important decisions were recorded in witness balls and carried by oral histories. Always, our agreements seek to protect relationships and our ways of life.

Renewal and Reconciliation

Treaties are alive because of Mi'kmaq oral histories.

From 1868 onward the Supreme Court of Canada has affirmed the Peace and Friendship Treaties. Multiple decisions have recognized the precedence of Treaty Rights, impacting natural resources, health, education, justice, economic development, and culture. Today, the governments of Nova Scotia and Canada work together with the Mi'kmaq to determine how to implement Treaty Rights. It is not always easy, but the Treaty relationship is a priority.

There would be no Treaty Rights without oral histories.

Denial and Damage

Shortly after the last treaty was signed in 1775, the British used population growth and military strength to overwhelm Mi'kmaq. With the emergence of Canada as a nation, the Crown's efforts to control Mi'kmaq and other Indigenous groups grew. The policies of this new nation led to what we call "Treaty Denial." They damaged Mi'kmaq people and culture. Treaty Denial efforts were directed at the heart of communities — land, culture, women and children. They include the creation of the Indian Act, the policy of Residentialization, and the Indian Residential Schools.

Despite these obstacles, Mi'kmaq continued to hunt, fish and gather. There provided limited opportunities to sell goods or find other work. Above all, people depended on their families. With the treaties denied in courts and ignored elsewhere, oral histories alone kept the treaties alive.

...their heirs and the heirs of their heirs forever...

Peace and Friendship

As British settlement advanced in Mi'kma'ki, both nations turned to treaty-making to establish peace and friendship that was to endure forever.

This Peace and Friendship Treaties are not equal land — they are agreements about how to live together in Mi'kma'ki. Throughout the 1700s, particularly when violence occurred, how treaties were sought to implement the treaty relationship.

The treaties are living documents signed without oral dates. The time frame of the agreements is "their heirs and the heirs of their heirs forever."

Chain of Treaties

The 1725 Treaty laid the foundation for subsequent treaties in 1726, 1729, and 1730, creating a "Chain of Treaties." The Colonial Clerk of Quebec states the treaties covering the Mi'kmaq region have not been as well as agreements on how they would be applied to all the treaties. The Mi'kmaq preferred to be before the British in their settlements, but they did not come or give up other rights. Treaties were witnesses. 1750 had 10 treaties, 1753 established Treaty Day, 1760 had the agreement of 1761 and 1762.

There were also other treaties signed during the 1700s, such as the Treaty of Friendship in 1710 and the Treaty of 1775. Both documents whether the Mi'kmaq would ally with the newly formed United States or with the British.

The 1725 Treaty

1725-28: What became the first Peace and Friendship Treaty between the Mi'kmaq and the British was negotiated in October in 1725. The treaty was signed by Mi'kmaq and representatives of all European Powers in June 1725 and by others until 1728.

1762-63: The Treaty of 1762, led by Jean Baptiste Cope and General Rogers of Nova Scotia, allowed peace and continued hunting, fishing, and trading rights. It was signed by the Supreme Court in the 1920s, James Mackenzie Justice case. One of the conditions was that peace and Friendship Treaty 1762, this day has been observed as Treaty Day.

1763-65: The Treaty of 1763, signed by the Supreme Court in the 1920s, James Mackenzie Justice case. One of the conditions was that peace and Friendship Treaty 1762, this day has been observed as Treaty Day.

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Indigenous Services Canada | Fisheries and Aquaculture Canada | The Confederacy of Mainland Mi'kmaq | Native Council of Nova Scotia | Union of Nova Scotia Mi'kmaq

Treaty Day was officially established with the 1752-53 Treaty. The 2021 Mi'kmaq History Month poster is a great resource for exploring this treaty and many others. Educators can also revisit the Treaties level of *Roots of Reconciliation* to prepare for Treaty Day!