



Understanding Treaty

- Treaty is a verb, not a noun.
- I once heard from an Indigenous negotiator that Canada deals with modern Treaty negotiations as if they were divorce proceedings; lawyers are involved as details are hammered out in some sort of agreement that will settle things once and for all, so that both sides can move on separately with their lives.
- An Indigenous perspective sees Treaties as relationships that are constantly evolving. Filled with agreement and disagreement, times of intense love and cold distance; a relationship is always a work in progress. Never static, relationships require constant communication, attention and respect. Familial love is found at the centre of most Treaties.
- When Treaties are seen only through the lens of a European language, they are reduced to simple contracts rather than the living familial relationships they were intended to be. As Bruce Morito explains in *An Ethic of Mutual Respect: The Covenant Chain and Aboriginal-Crown Relations*:

Understanding the lifeworld or mindset of one's allies could only be accomplished to a certain degree, partly because of psychological limitations in the human capacity to make foreign cultures intelligible without knowing the other's language. Both parties would have lacked the ability ... to detect and automatically interpret nuances in the behaviour and speech of others.

- It was with words used to describe family relationships that Europeans and Indigenous Peoples began to sort out their interactions with one another. The problem that immediately emerged was that the meanings of the words — different depending on the language and culture employing them — bore little resemblance to the relationship they were intended to explain. For example: the Anishinaabe concept of fatherhood, an equal relationship within the family that involved protection and generosity, bore no resemblance to its European counterpart, that which was based in a male-dominated, hierarchical society.
- Referencing the Crown as “Mother” or “Father” was not an act of submission; instead, it was a declaration by an Indigenous Nation that they were equal members of the same family as their “brothers,” the British subjects they were encountering in their territory.
- The difference between breaking a contract (an action associated with a penalty such as a fine) and breaking a Treaty (the destruction of a family relationship, which is irreparable) is dramatic.