

NOVEMBER 2021

OVERVIEW

A YELLOWHEAD INSTITUTE RED PAPER

Treaty Future

TREATY-MAKING in Canada is older than the country itself. From the treaties Indigenous people made amongst themselves and those with early settlers, to the confederation-era treaties that allowed for the settlement of the country: the story of this place is, in many ways, the story of the treaty. Regrettably, treaties have been interpreted narrowly and are often used to dispossess. Despite this, so-called "modern" treaties emerged in the 1970s and continue to be negotiated into the present. These are a different variety of treaties, comprehensive in scope, often including provisions for self-government, and requiring long-term inter-governmental relations. But similar to the earlier confederation-era treaties, the lack of implementation is becoming a challenge.



A critical area where there is a lack of implementation is around lands and resources. Even as the modern treaties presume to "settle" disputes around land tenure, clashes often emerge around land use planning, hunting economies, and resource development, among other issues. These conflicts are disputed in courts or on the land.

But this provokes the question: are modern treaties strengthening Indigenous relationships to land, or, weakening that link?

COMMUNITY GATHERINGS

Answering this question, Yellowhead Institute, supported by the Modern Treaty Implementation Research Project proposes to work with five communities in modern treaty contexts to host small gatherings over the winter of 2021-2022 in Northern and Pacific Indigenous communities.

Each of the gatherings will be two days, with one of them being on the land. Land-based days will offer the chance for dialogue to emerge outside of the typical research boardroom setting. A second day will allow for facilitated but open-ended conversation on specific questions around modern treaty implementation, with a focus on land.

Gatherings will require research ethics agreements and be supported by research assistants hired from each of these communities, who might also join an editorial board for the project. These researchers, as well as the gathering participants will be compensated for their time and labour.

Finally, a Zoom "accountability" workshop will be held after the report is drafted and before the release of the project to ensure community input is accurately represented.

PARTNERS AND SCHEDULES

While there are over a dozen modern treaties, five case studies based on pre-existing Yellowhead and Modern Treaty Implementation Research Project relationships but also unique aspects of these treaties relating to land, will animate the core of the Red Paper. Visiting communities located within those treaties will take place over the course of the Winter and Spring 2021-2022.

Early Winter	Nunatsiavut Government	Nain, Labrador
Mid-Winter	Maa-Nuulth First Nations	Port Alberni, BC
Early Spring	Vuntut Gwich'in Government	Old Crow, YK
Mid-Spring	Nunavut Tunngavik Inc.	Iqaluit, NU
Late-Spring	Tlicho Government	Behchoko, NWT

ABOUT YELLOWHEAD INSTITUTE RED PAPERS

The community gatherings will help shape and inform Yellowhead's flagship research project, the Red Paper. Yellowhead Institute Red Papers aim to follow a tradition of agenda-making reports by Indigenous people – like the 1970 original – that contributes to important conversations within and outside our communities.

Prioritizing Accessible Tools & Resources

While the Red Paper will include a report (to be released in late Fall 2022), we also envision creating a suite of accessible tools and resources, as identified by workshop participants, in order to ensure the translation and sharing of the knowledge and possibilities for on-the-ground action. These could include dynamic and visual forms of knowledge dissemination such as videos, interactive maps/website, comics, and creative data visualization.

Yellowhead Red Papers:

Land Back (2019)

Cash Back (2021)

WHO WE ARE

Yellowhead Institute

Yellowhead Institute generates critical Indigenous policy perspectives. Based in the Faculty of Arts at X University in Toronto, Ontario, Yellowhead is Indigenous-led, privileges Indigenous philosophy and is rooted in community networks. The Institute offers critical and accessible resources for communities in their pursuit of self-determination, including Red Papers on Land Back and Cash Back. Yellowhead also aims to foster education and dialogue on Indigenous governance among Indigenous peoples and Canadians.

The Modern Treaties Implementation Research Project

This national, five-year project, funded by the Social Sciences and Humanities Research Council, will fund research examining how Treaties are implemented in Canada. The MTIRP is guided by academics and Indigenous governments, who share co-leadership of research themes. This partnership hopes to generate evaluative and practical research by assessing and rethinking approaches to treaty implementation.

THE TREATY TEAM | CONTACT INFO

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In addition to this core team, there will be a group of advisors, collaborators and coordinators from each community.