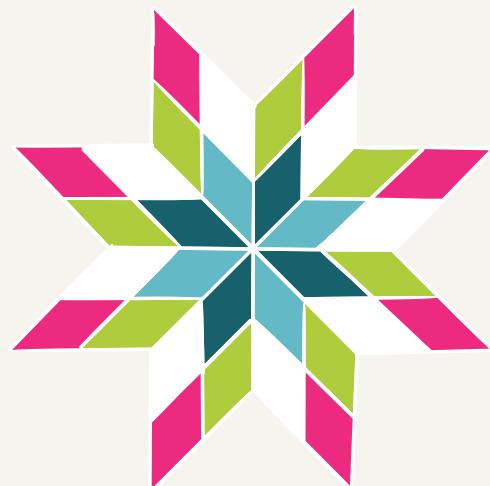
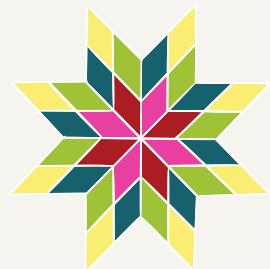


THE YELLOWHEAD INSTITUTE TREATY MAP

Education Guide



The Yellowhead Treaty Map features the art piece "Proclamation" by Michelle Sound (Cree and Métis), commissioned by Yellowhead Institute.

ARTIST STATEMENT

An image of the Royal Proclamation of 1763 is ripped, demonstrating the colonial violence that the Crown and governments have inflicted on Indigenous people. While the Royal Proclamation recognizes Indigenous rights and title in so-called Canada and encourages the signing of nation-to-nation treaties, it was written without input from Indigenous people and was not created for our benefit. The ripped image represents the damage that colonial laws and broken treaties have caused, including our ability to fully access our territories and communities. The rips in the document are mended with beadwork, caribou tufting, and porcupine quills, showing the survival of our ancestors, our stories, and our culture. Indigenous people continue to assert our sovereignty and connection to the land regardless of government legislation. Save The Kin.



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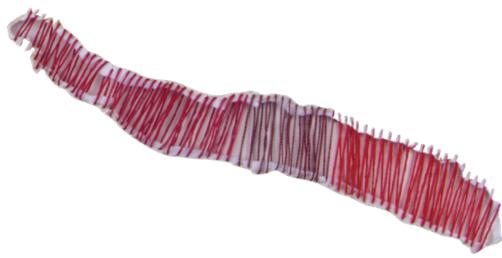
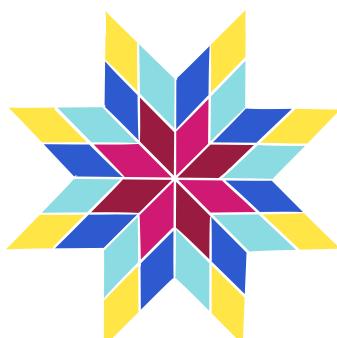


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WHY THE TREATY MAP EDUCATION GUIDE?

The Yellowhead Treaty Map is an accessible resource for teaching and learning about Indigenous perspectives on treaties in Canada. With treaty descriptions of every Canadian treaty since 1763, the Map provides an opportunity for users to engage with the various perspectives, nuances, and disputes that characterize the nature of treaties in an ongoing atmosphere of conflict. That said, it can be difficult to know where to start. This education guide equips educators and students with tools to make the most of the map, with learning resources and example teaching exercises.

WHAT IS THE TREATY MAP?

Despite treaties being among the “highest laws of the land”, they remain deeply misunderstood, mal-interpreted, and obscured in dominant Canadian society. The Yellowhead Treaty Map is an intervention, attempting to re-centre them in our collective relationship. It describes the context, negotiation process, and terms of treaties — as well as the implications of failing to honour them. The Map depicts three eras of treaty-making: Pre-Confederation (1763-1867), Confederation-Era (1867-1921), and so-called “Modern” Treaties (1975-Present). It also includes descriptions of Indigenous diplomacy and an overview of non-treaty lands.

That being said, treaties are contentious. They are frequently the subject of court cases, land claims, re-interpretation, and re-negotiation. There are a variety of perspectives, nuances, and very real boundary disputes that accompany each treaty, and we recognize that the Treaty Map does not capture it all. In this sense, the Treaty Map is an introduction to treaty history in Canada.

USING THIS TREATY MAP EDUCATION GUIDE

The Treaty Map Education Guide includes 9 exercises designed to encourage critical and creative thinking on the interpretation and implementation of treaties in Canada.

The Guide is designed primarily for educators working in Grade 8 through to post-secondary education. To that end, it has been organized by audience (from introductory exercises to advanced), primarily for those facilitating group learning. That said, we encourage individuals to adapt any of the exercises for independent study. Each exercise includes preparation, assignment options, and learning objectives.

We also encourage educators to adapt these assignments to their own context and assign evaluation criteria. The Guide is meant to be flexible for a variety of learning environments and scenarios — take this simply as a starting point.

The activities are designed to centre Indigenous perspectives on treaties and on the broader historical and contemporary context on the Indigenous-state relationship.

All assignments start with The Treaty Map, though some require additional research and/or resources.



A NOTE ON QUALIFICATIONS AND PROTECTING INDIGENOUS STUDENTS

It is important to note here that certain qualifications are required to facilitate many of these exercises. Virtually any educator can operationalize the introductory ones. However, to ensure accurate representation and the additional knowledge required, advanced exercises should only be undertaken by those with lived experience or education on Indigenous issues in Canada.

We also recognize this Guide may be used in Indigenous, non-Indigenous, or mixed settings. We strongly encourage educators to ensure that Indigenous students in mixed settings are insulated from misrepresentation or racism from their peers (this is especially true for the Treaty Simulation). If you are not qualified to manage these situations and protect Indigenous students, we oppose proceeding with any assignment that may harm them.

ABOUT TREATIES IN CANADA

Treaties in Canada have always been about relationships, but they are often framed in the broader discourse as long-ago artifacts or historical documents that affirm the surrender of lands. From an Indigenous perspective, treaties are about sharing, reciprocity, mutual respect, and diplomacy. In this sense, treaties are not only the primary institution structuring the emergence of this country, Canada, but also reflect the intersection of Canadian and Indigenous worldviews on relationships to land, law, culture, society, and governance.

But like treaties themselves, these understandings of those relationships have shifted and changed through time. For this reason, Yellowhead thinks of treaties as divided by “era”—each distinct in its context, negotiation, and implementation.

Indigenous people have been making treaties for thousands of years. However, the process of treaty-making between Indigenous peoples and the Crown began formally through the framework established by the Royal Proclamation of 1763. The Proclamation—and subsequent 1764 “Twenty-Four Nations-Belt” negotiated at Niagara—marked a turning point from Indigenous-led treaty making to a new framework established by the English. The Proclamation empowered England with a framework to erase Indigenous-controlled land and transfer it to the Crown. Yet, simultaneously, it recognized Indigenous people as “nations” with rights to the land, compelling the need for treaties. This complicated transition is captured in Michelle Sound’s “Proclamation” artwork, featured on the Treaty Map site.

A major intervention of the Yellowhead Treaty Map is the amplification of Indigenous perspectives on treaties in each of the “eras” captured in the map. This Education Guide takes the work further, equipping educators with resources to mobilize Indigenous perspectives in classrooms, lecture halls, or seminar spaces, and help balance the narrative of treaties in Canada.

EXERCISE 1

Your Home on Native Land

Suggested Learner Level
Grades 8-10

CONTEXT

Wherever Canadians find themselves, they are on Indigenous lands. Whether urban or rural, treaty or non-treaty, every inch of Canada is part of the traditional territories of one (or multiple) Indigenous peoples, which are often covered by treaties. Yet, many have limited awareness of that fact. We teach the Canadian geography of provinces, territories, and municipalities. Treaty geography should be a part of that conversation.

ASSIGNMENT

Choose one of the following formats:

Research Report (Individual or Group)

- Answer the three key questions in a three to five-page report with citations.

Reflective Narrative

- Draft a personal narrative exploring the concept of "home" in relation to the treaty (500-750 words).

Visual Annotation Project

- Create a screenshot or print of the treaty shape and annotate with historical and significant places to Indigenous and Canadian communities, building out a graphic representation of treaty relationships.

KEY QUESTIONS

01
Which treaty (or non-treaty area) are you currently located in?

02
How did it come to exist in light of the treaty's negotiation?

03
What is your community's current relationship to the treaty?

LEARNING OBJECTIVES

Students will:

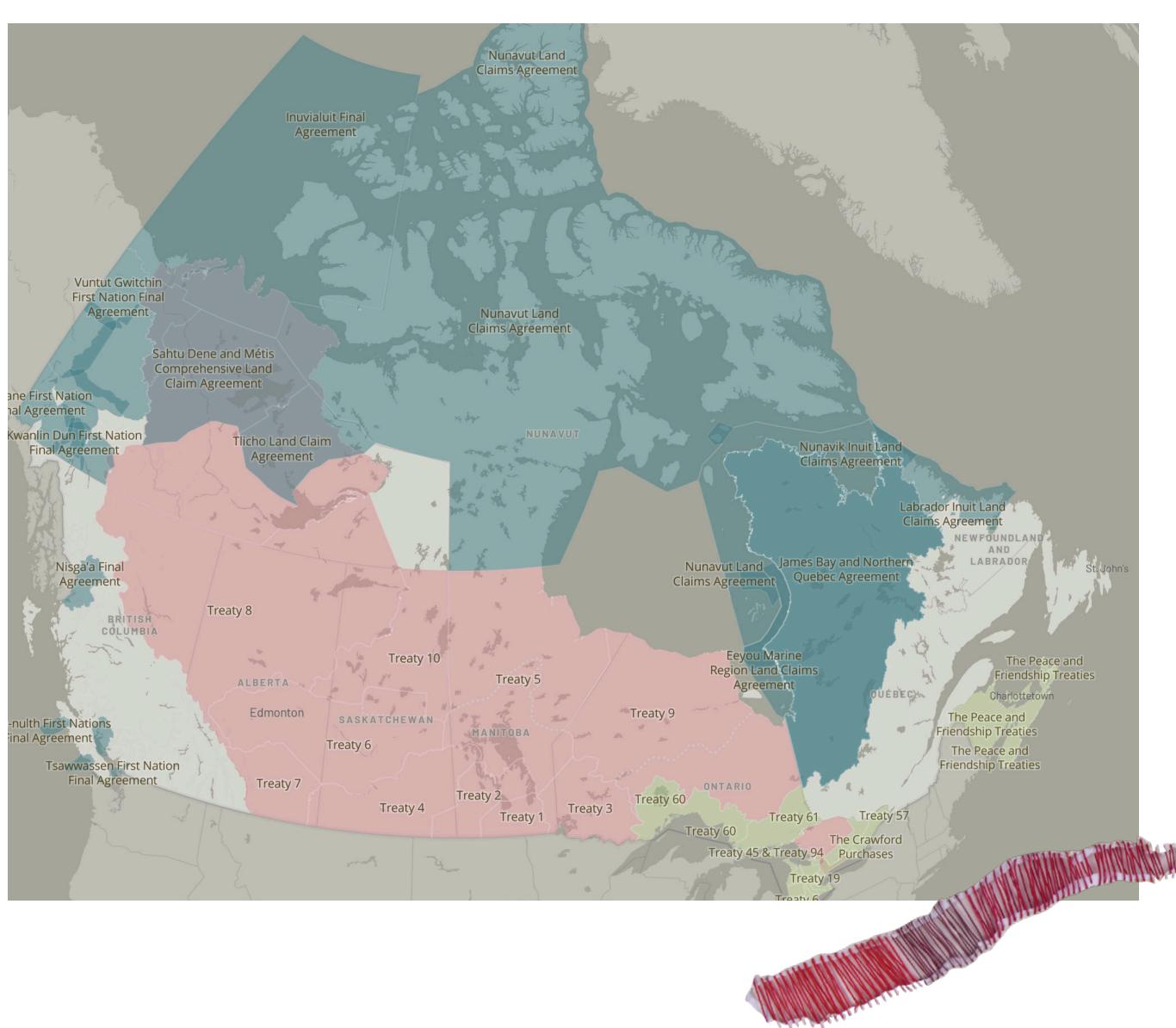
- ≈ Locate and identify their home, school, or workplace on the Yellowhead Institute Treaty Map;
- ≈ Recognize which treaty (or non-treaty area) applies to their location;
- ≈ Understand the historical context of the treaty's negotiation, including Indigenous and Crown perspectives;
- ≈ Analyze how their community came to exist within the treaty framework (or absence of a treaty);
- ≈ Evaluate their community's present-day relationship with that treaty, including any ongoing responsibilities, disputes, or reconciliation efforts;
- ≈ Reflect on the meaning of treaties as living agreements that continue to structure relationships between Indigenous and non-Indigenous people.





TIPS FOR EDUCATORS

- ≈ The Treaty Map intentionally excludes municipalities so educators will need to cross-reference the Treaty Map with local landmarks beforehand and help students with this navigation;
- ≈ Do some preliminary research to identify important sites to Indigenous people in your area to compare and contrast concepts of "home" for students.
- ≈ Consider inviting a local Indigenous expert to provide context beyond what's on the map and demonstrate the ongoing presence of Indigenous people in your area. If not available, find resources (videos, websites, etc.) that highlight Indigenous presence.



EXERCISE 2

Treaty Scavenger Hunt

Suggested Learner Level
Grades 8-10

CONTEXT

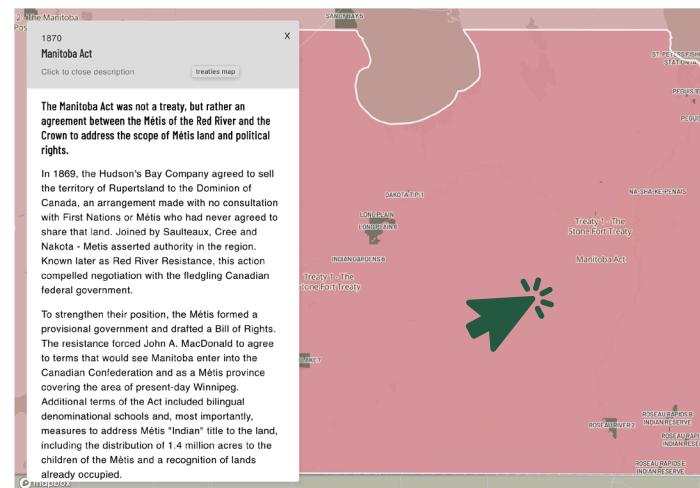
Four eras of treaty-making diplomacy created dozens of treaties across Canada. While there are similarities among these treaties, each is unique in its own way. To challenge the narrative that treaties are all the same and to reinforce the local, political, and culturally specific nature of individual treaties, the Treaty Map aims to convey treaty complexity. This assignment asks students to review multiple treaty descriptions to find a specific treaty and identify what makes it unique.

PREPARATION

Before the assignment, instructors should identify a treaty (or multiple treaties) they want students to find and develop clues sufficient to distinguish it from other treaties. Clues should consider various factors which may include the Nation(s) involved, the era, the region, contemporary issues, and/or context as portrayed in the treaty description.

EXAMPLE:

Region of Canada	Central Canada (or the Prairies)
Indigenous Nation involved	Métis
Political context	Westward expansion; led directly to the creation of a new province
Contemporary issues	Unresolved land claims and ongoing uncertainty of Métis rights



In this case, the clues would lead students to the Manitoba Act. Educators can focus on a single treaty in each era or multiple treaties across the entire map. This could also be an individual or group assignment.

LEARNING OBJECTIVES

Students will:

- ≈ Review multiple treaty descriptions to gain a broad understanding of distinct treaties;
- ≈ Compare and contrast themes and trends within numerous treaties;
- ≈ Build research skills needed to identify a specific treaty;
- ≈ Understand the similarities and differences of distinct treaties across regions and eras;
- ≈ Develop critical thinking skills through deductive reasoning.



ASSIGNMENT OPTIONS

In-Class Competition

- Designate 30-45 minutes for a “Treaty Scavenger Hunt” quiz, asking students to identify the correct treaty and explain why they chose this specific treaty.

Research Assignment

- Allow students to spend time reviewing the Treaty Map to identify the answer with an accompanying short report explaining:
 - ≈ How they found the treaty (research process);
 - ≈ What they learned about the diversity of treaties (three to five key insights);
 - ≈ Connections to other treaties they discovered.



TIPS FOR EDUCATORS

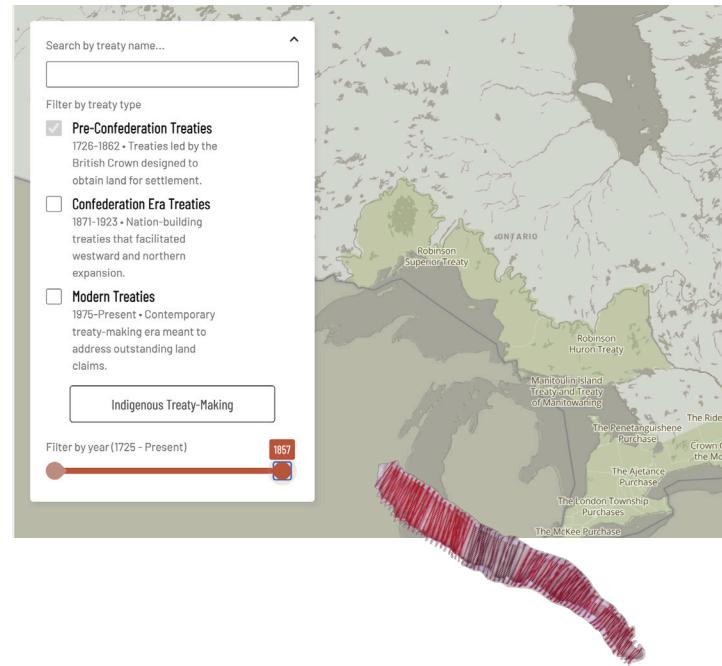
- ≈ Some work will be required to choose a treaty and you will have to test your clues, ensuring they lead to just one treaty and that students have clear enough clues to lead to the treaty;
- ≈ Clues can be scaled to varying difficulty for levels of learners;
- ≈ Consider building in checkpoints so that students receive the second clue after solving the first;
- ≈ Keep a “hint bank” ready for any students or groups that struggle.

CONTEXT

The Treaty Map demonstrates that treaties embody living agreements and ongoing relationships. Though treaty responsibilities can be enacted in new ways throughout time, they remain active and alive, making them central to understanding unfolding conflicts, debates, and decisions around land and political authority. This exercise requires the selection of recent news coverage of a current conflict between an Indigenous nation and a government or corporate body, to be examined through the lens of The Treaty Map.

KEY RESEARCH QUESTIONS

1. What is the main source of the conflict?
2. What are the relevant treaty terms and responsibilities to the dispute?
3. What are the perspectives of the treaty rights holders on the issue?
4. How is the conflict being covered in the news (context, framing, legal analysis, etc.)?
5. How does the historical context of the treaty relate to the present day dispute?
6. What could honouring the treaty look like in this conflict?



ASSIGNMENT OPTIONS

Expanded Treaty Map Entry (short analysis)

→ Write 300 - 500 words expanding the relevant treaty map entry with a thorough description of the current day violation. The entry should integrate 3-4 additional sources to gain further insight into the dispute and answer the research questions above.

Analytical Essay

→ Write a short paper using 5-8 additional sources to answer a selection of the research questions. This may require further research into the relevant treaty terms being discussed, using the Treaty Map as a starting point.

Mini-Documentary

→ Aiming to correct or expand on the coverage, use video clips / news coverage to create a presentation or film covering the conflict and the treaty's relevance. In addition to a detailed background and review of the issue, include a 3-5 minute analysis answering the research questions.



LEARNING OBJECTIVES

Students will:

- ≈ Identify the relevance of treaties in understanding current conflicts;
- ≈ Describe a treaty's ongoing legal implications through the application of its historic context to a present day issue;
- ≈ Reflect on how Indigenous-Canadian land disputes are covered in the news media and the consequences.



TIPS FOR EDUCATORS

- ≈ In the case that a conflict taking place within non-treaty land is chosen, the student should utilize the Treaty Map's general education on treaties to articulate why the absence of Treaty is significant in this dispute. The Indigenous treaty making layer, About page, and FAQ page are helpful resources.
- ≈ Through news sources, students will likely confront conflicting perspectives on the dispute. The objective of the assignment is to use the current dispute to investigate the relevant treaty more closely as a source of law, rather than establish a personal position on the conflict itself.

EXERCISE 4

Indigenous Diplomacy

Suggested Learner Level
Grades 10-Post-Secondary

CONTEXT

As the Treaty Map illustrates, Indigenous Nations' political, cultural, economic, and social institutions governed their participation in diplomacy. These diplomatic practices emerged long before settlers arrived and resulted in what we now consider treaties. The principles that structured these relationships were then extended to the first treaties with the Dutch, English, and French (and later to Canadians) reflecting each era of treaty-making in Canada. Examine the Indigenous Diplomacy layer of the map and one to three treaties from each era to identify how Indigenous institutions, practices, and principles persisted through time.

ASSIGNMENT

Analytical Report (Individual or Group)

→ Review the Indigenous Diplomacy layer closely and examine subsequent layers to identify relevant treaties, drawing out:

- ≈ Institutions (e.g., language, governance, law)
- ≈ Principles (e.g., mutual respect, autonomy, sharing)
- ≈ Practices (e.g., gift-giving, trade, ceremony)



ADDITIONAL QUESTIONS FOR ADVANCED ANALYSIS (POST-SECONDARY LEVEL)

01
Based on Indigenous approaches to early treaties, how likely is it that they accepted concepts of “surrender”?

02
In what ways has Indigenous diplomacy remained consistent throughout the eras of treaty-making?

03
What kind of contemporary treaty implementation can we imagine if it is based on Indigenous diplomacy?

LEARNING OBJECTIVES

Students will:

- ≈ Identify examples of Indigenous diplomacy;
- ≈ Recognize the cultural, legal, and relational principles guiding Indigenous diplomatic practices;
- ≈ Compare Indigenous diplomacy to the formalized treaty processes introduced by colonial officials;
- ≈ Describe Indigenous governance systems and protocols used in diplomacy and explain how these traditions informed or clashed with colonial treaty-making;
- ≈ Reflect on the continuity of Indigenous diplomatic traditions today;
- ≈ Evaluate the impact of colonial interpretations on treaty implementation.



Our oldest stories are about relationships with the deer, the moose, and the beaver, among others.

The treaty between the Anishinaabe and the deer and the moose sought to repair the harm from overhunting; the treaty with the beaver was about knowledge exchange around childcare. Each ascribed agency and self-determination to these animals, treaties between equals designed to promote sharing, respect, and mutual autonomy.

TIPS FOR EDUCATORS

- ≈ This assignment requires a more significant degree of knowledge on behalf of the Instructor. Consult the Treaty Map bibliography (Indigenous Diplomacy section) to complete any necessary pre-research;
- ≈ This exercise will challenge students' existing knowledge of "diplomacy". Consider providing examples of diplomatic protocols from students' own backgrounds to illustrate the diversity of approaches;
- ≈ Consider comparing and contrasting Western vs. Indigenous diplomatic language and concepts to demonstrate the unique but also similar approaches to conflict and peace.



CONTEXT

The phrase “We are all Treaty People” is often used to remind Canadians that treaties were not one-sided promises made to Indigenous people, but mutual agreements that include shared responsibilities. However, many Canadians are unaware of their obligations under those treaties. This assignment invites students to examine specific treaty negotiations to understand what was promised, how those commitments have (or have not) been upheld, and what it means to live ethically in a treaty relationship today.

RESEARCH ACTIVITY

Students should choose one treaty from the Treaty Map and conduct a detailed review of:

- ≈ Historical context of the treaty (when, where, and why it was negotiated);
- ≈ The commitments made by both Indigenous Nations and the Crown (including oral agreements, written terms, and implied responsibilities);
- ≈ Who was excluded in the historical record (e.g. Indigenous women, queer, Two-Spirit people);
- ≈ The status of those commitments today;
- ≈ Contemporary land claims, court cases or disputes related to the treaty.

KEY RESEARCH QUESTIONS

1. What did both parties commit to in the treaty?
2. Were these commitments fair or equitable at the time?
3. Has the Crown (or its successors) honoured these commitments?
4. How were Indigenous women or Black Indigenous people represented?
5. What might treaty responsibilities look like in contemporary Canada?
6. What does this research suggest about the phrase, “We are all Treaty People”?
7. How can individuals and communities actively honour treaty relationships today?

LEARNING OBJECTIVES

Students will:

- ≈ Understand that treaties were mutual agreements with obligations from all parties;
- ≈ Analyze primary and secondary sources related to a specific treaty;
- ≈ Evaluate historical and contemporary interpretations of treaty responsibilities;
- ≈ Develop a nuanced understanding of what it means to live on treaty land as a non-Indigenous or Indigenous person today;
- ≈ Articulate personal and collective responsibilities under treaty relationships;
- ≈ Propose actionable steps for honouring treaties in contemporary contexts.



EXERCISE 5 // ARE WE ALL TREATY PEOPLE?

ASSIGNMENT OPTIONS

Analytical Essay

- Choose one or a combination of the questions above and write a short paper (1500-2000 words) or presentation summarizing findings and responding to the research questions. Include a minimum of eight sources, with at least three Indigenous authors.

Debate or Dialogue

- Organize a class debate around the question, “Are we all Treaty People?” Students can choose which “side” to debate or be assigned a group. Submit written position papers (750 words) before the debate. Prepare five-minute opening arguments and three-minute rebuttals (or as class time permits).

Creative Project

- Create a visual, digital, or narrative representation of what mutual treaty responsibility could look like in contemporary Canada. Options include: short film (10-15 minutes), website, or graphic novel (10-15 pages). Include a 1000-word artist’s statement explaining creative choices.



TIPS FOR EDUCATORS

- ≈ Support students by considering written and oral commitments in treaties and imagining what a contemporary expression of that support may be. [Health care in Treaty Six](#) is a good example to work with.
- ≈ Students can often come with misconceptions about the tax dollars that Indigenous people receive from governments – and this misconception may impact the execution of the assignment. Be prepared to correct those views before the assignment begins (see Yellowhead’s Cash Back Red Paper).
- ≈ If considering a debate, the point above is all the more important. But for a debate, be sure to create a rigid framework for discussion and expectations of respect.



CONTEXT

The Treaty Map centers Indigenous perspectives on treaties but as students read the descriptions of the treaty negotiations, they may notice the absence of Indigenous women. Given that Indigenous nations generally created political and institutions that required Indigenous women's leadership, this is a glaring omission. Women in Haudenosaunee politics appointed and dismissed hereditary chiefs; among the Anishinaabe, they served as warriors and diplomats, and Sharon Venne notes that among the Cree, "as long as the rivers flow" is a reference to childbirth, connecting treaties to motherhood. So, how can we explain their absence from the historic record?



ASSIGNMENT OPTIONS

Treaty Map Search

- Searching The Treaty Map, students should work to catalogue any instance that Indigenous women (or non-Indigenous women for that matter) appear in a description. Paired with the "Methods and Limitations" of the "About" section of the Map, host a class discussion attempting to explain the absence of Indigenous women in treaty negotiations.

*Note to Instructors: the best example on The Treaty Map is the Between the Lakes Purchase.

Profile of Wabaminoosikwe

- What can we learn from the Indigenous women that do appear in the Treaty Map (Biiwaanag, Wabaminoosikwe, Waakanoogikwe, Mary Simon, etc.)? Students should find gender representation in the Treaty Map and draft an assignment that more fully describes those women's roles in Indigenous governance and treaty making.

Pursue additional research to draft a 500-1000 word report on a profile of a woman involved in treaty negotiation; their role in leadership and contributions to treaty negotiations.

Explaining the Absence

- Moving to a more advanced discussion, students can use the Treaty Map as a starting point to explore the structural and discursive strategies of settler colonialism that work to exclude Indigenous women (and for that matter, queer individuals) from diplomacy.

Relying on additional research, students should explore the role of gender in Indigenous (e.g. Dene, Mi'kmaq, Cayuga, etc.) governance. Pair that with the type of narratives in the Treaty Map and write an argumentative argument explaining the absence. Possible explanations can range from:

- 1) Colonial institutions and attitudes that explicitly excluded Indigenous women from politics;
- 2) The misogyny of the historical record itself (i.e. the men who filtered and drafted the historical record),
- 3) The adoption of patriarchy within Indigenous communities,
- 4) All of the above or additional explanations.

Essays should be a minimum of 2000 words and include 15-20 sources, the majority from Indigenous women.



TIPS FOR EDUCATORS

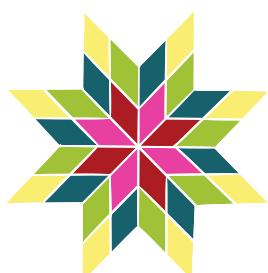
- ≈ This assignment requires educators to be able to communicate the gender politics among Indigenous people prior to contact. It will require some pre-research;
- ≈ There is an opportunity to link this assignment to broader discussions of gender in Canadian society more generally but also to compare and contrast visions of equity and self-determination;
- ≈ Importantly, gender inequity is present in contemporary Indigenous societies. Educators should be able to explain how this process unfolded through colonization (i.e. the imposition of gender norms).



LEARNING OBJECTIVES

Students will:

- ≈ Describe the role of women (and or gender more generally) in the historic governance practices of Indigenous nations;
- ≈ Identify the mechanisms that resulted in the structural exclusion of Indigenous women from treaty diplomacy;
- ≈ Explain how the historical record can be mobilized in the service of colonial objectives;
- ≈ Consider the contemporary consequences of the historical marginalization and erasure of Indigenous women.



CONTEXT

Understanding Canadian history is possible through the lens of treaties. Treaties can reveal the history of colonization. If, as the Treaty Map points out, treaties have been a tool of dispossession, they were one strategy among many to displace and marginalize Indigenous people. Through an overview of treaties in a specific “era”, students can discern the timeline of the legal, political, and social frameworks of colonization more generally and how these have harmed Indigenous people while benefiting Canadians.

ASSIGNMENT OPTIONS

Students (individuals or groups) will be assigned one treaty era to study comprehensively:

Pre-Confederation Treaties (pre-1867); Numbered Treaties (1871-1921); or Modern Treaties (1975-present)

Research Paper / Argumentative Essay

- Research the Treaty Map in a specific era to identify elements of broader federal policy and law. These might relate to war, infrastructure development, establishment of provinces, assimilation policies and gender discrimination in policy or legislation, inquiries, or court cases.

Pursue additional secondary research to elaborate on the timeline of colonization in the specific era.

Length: 2000 words with a minimum of 10 sources.

Group Presentation Project

- Working together over the course of a semester, research the assigned Treaty Map “era” to identify the same elements of federal policy described above, supplemented with additional research.

Culminate in a 30-45 minute presentation with visual aids and handouts.

Timeline Analysis

- Identifying key dates in the history of colonization (1763, 1867, 1951, 1982), use the “slider” option on the Treaty Map legend to move through specific timeframes.

Review these treaties associated with key dates to make connections between treaties and federal policy or federalism itself. Create an annotated timeline with at least 15 significant events.





LEARNING OBJECTIVES

Students will:

- ≈ Conduct close reading of a variety of treaties to develop a deeper understanding of their specific Treaty Era;
- ≈ Link this understanding of treaties with the broader structural forces of dispossession and how treaties reflect and reinforce colonial policy and law;
- ≈ Link historic and contemporary Federal policy back to treaty diplomacy;
- ≈ Reflect on the historical circumstances that gave rise to the various Crown approaches to treaty-making;
- ≈ Contextualize treaties as part of a broader strategy to dispossess Indigenous people;
- ≈ Critically evaluate the evolution of treaty-making as a colonial tool.



TIPS FOR EDUCATORS

- ≈ Consider an additional one-pager describing what is happening in Canada more broadly in these eras to help get students started;
- ≈ Start the assignment with a tutorial on the Treaty Map legend, noting how to use the slider to find their Treaty Era (and also noting that provincial boundaries populate as you travel through time. This is an important lead for students).
- ≈ Be prepared to explain to students that important events in Canadian history can simultaneously be problematic as considered through the lens of colonization. What does this reveal about how we commemorate history?

CONTEXT

In significant portions of Canada — predominantly British Columbia, but also regions of the North, Quebec, and the Maritimes — no treaties exist between Indigenous Peoples and the Crown. This absence of treaties raises fundamental questions about land ownership, sovereignty, and the legitimacy of Canadian occupation of these territories. This assignment explores the complex legal, political, and ethical dimensions of living on lands Indigenous people have not agreed to share and examines how Indigenous Nations are asserting their rights through alternative forms of diplomacy outside the treaty framework.

ASSIGNMENT

Using the Treaty Map as a starting point, students will select one non-treaty region to investigate in depth:

- ≈ British Columbia (excluding Treaty 8 area and Douglas Treaties)
- ≈ Yukon (pre-modern treaty areas)
- ≈ Northwest Territories (Dehcho region)
- ≈ Quebec (excluding James Bay and Northeastern Quebec Agreement areas)
- ≈ Maritime provinces (areas not covered by Peace and Friendship Treaties)



ESSENTIAL QUESTIONS

- 01 What does it mean to live on unceded territory?
- 02 How do Indigenous Nations assert sovereignty without treaties?
- 03 What are the legal and ethical implications of occupying land without Indigenous consent?
- 04 How might alternative forms of agreement reshape Indigenous-Crown relations?
- 05 What responsibilities do non-Indigenous Canadians have on unceded lands?

INVESTIGATION FRAMEWORK

Historical Context (Why No Treaties?)

Research and document the original Indigenous Nations and their territories against the emergence of colonial history specific to the region and explain the reasons treaties were never negotiated.

Legal Landscape

Document the key court cases affecting the region (e.g. Delgamuukw, Tsilhqot'in, Haida Nation) and any Aboriginal title claims in progress.

Current Status Analysis (Still no Treaties?)

Map and analyze which Indigenous Nations claim the territory, including any overlapping or disputed claims, the current population (Indigenous and non-Indigenous), and major municipalities and developments on unceded land with specific attention to economic activities (e.g. resource extraction, tourism, and urban development).

ASSIGNMENT OPTIONS

No Treaty Map

- Individually or in small groups, create a digital map (using Canva, MapBox, ArcGIS StoryMaps or similar platform) to layer historical, contemporary, and legal information.
 - ≈ Include Indigenous place names and territorial boundaries;
 - ≈ Maps should have at least 15 data points with detailed annotations (embedded in the map or as a separate assignment) and bibliography;
 - ≈ Include a 1000 word reflection on what this mapping reveals about occupation without consent.

A New Treaty Framework Report

- In a part research, part speculative reflection paper, students can work to create a new treaty framework.
 - ≈ Drawing on the Indigenous Diplomacy layer of the Treaty Map paired with their knowledge of the Nations included in non-treaty areas, students should create principles for a new treaty relationship;
 - ≈ Students will then propose a new approach to treaties based on the investigation areas above;
 - ≈ Students could conclude with a reflection on what this kind of relationship could yield for the future;
 - ≈ Reports should be 2500-3000 words and include a minimum of 25 sources.



LEARNING OBJECTIVES

Students will:

- ≈ Understand the geographic distribution and historical reasons for non-treaty areas in Canada;
- ≈ Analyze alternative forms of Indigenous diplomacy and rights assertion;
- ≈ Evaluate the effectiveness of different approaches to establishing Indigenous rights without treaties;
- ≈ Critically examine their own relationships to unceded territory;
- ≈ Develop informed perspectives on sovereignty and consent in non-treaty contexts;
- ≈ Imagine new and unique approaches to the future of the collective relationship.



TIPS FOR EDUCATORS

- ≈ Begin the assignment reviewing current events relating to Aboriginal title; in particular, the Cowichan decision and response from the city of Richmond, to provide the context and gravity of the situation;
- ≈ Review organizations like the Union of BC Indian Chiefs (UBCIC) to understand why First Nations are less interested in modern treaties in these areas;
- ≈ Consider what the exercise of Aboriginal title might mean for both Canadians living and working in those areas and Indigenous people.

CONTEXT

This immersive simulation places students in the role of contemporary treaty negotiators addressing unresolved commitments from historical treaties (i.e. a Specific Land Claim). Through evidence-based argumentation, students will adopt specific treaty perspectives and apply them to the complexity of treaty interpretation, the challenge of reconciling different worldviews, and the ongoing nature of treaty relationships. This assignment emphasizes that treaties are not merely historical documents but living agreements requiring continuous negotiation and implementation.

PREPARATION

- ≈ Instructors must do the work of identifying one treaty (or multiple treaties) from The Treaty Map with outstanding commitments and obligations and undertake research (ideally four to five sources) for students to start pursuing their research and inform their negotiation.
- ≈ Divide students into a number of groups corresponding to class size (consider running multiple negotiations with large classes) that will include Crown and Indigenous representatives. Specific roles may include negotiators, lawyers, political officials (Chief and MPs) and community members (youth, Elders, or related parties). Additional roles could include media, industry, treasury board, etc.
- ≈ There should also be a mediation panel that includes students but is led or overseen by Instructors or TAs. There should also be students assigned to secretary roles for all teams and the simulation itself.

Prior to the Simulation, all teams should investigate:

- ≈ **Historical Context:** Drawing on The Treaty Map, consider the original treaty negotiations and signatories; oral promises versus written text discrepancies; historical implementation (or lack thereof); previous attempts to address outstanding issues.
- ≈ **Legal Framework:** Indigenous law and relevant court cases (e.g., R. v. Badger, Mikisew Cree, Grassy Narrows), Constitutional provisions (Section 35), UN Declaration on the Rights of Indigenous Peoples (UNDRIP), etc.
- ≈ **Contemporary Context:** Current socio-economic conditions in affected communities; existing programs addressing treaty obligations; political climate and government priorities; public opinion and media coverage.



ESSENTIAL QUESTIONS

- 01**
What evidence could the Crown present to illustrate the treaty commitments have been upheld?
- 02**
In contrast, what evidence could Indigenous negotiators use to demonstrate they have not?
- 03**
What are the legal and ethical implications of occupying land without Indigenous consent?
- 04**
How — if it is possible — can a resolution be found?
- 05**
What might the political and economic implications of that resolution be?

EXERCISE 9 // THE TREATY SIMULATION

TEAM-SPECIFIC PREPARATION

Indigenous Negotiation Team

- ≈ Compile evidence of unfulfilled commitments;
- ≈ Document community impacts of non-implementation;
- ≈ Calculate economic losses from unfulfilled promises;
- ≈ Gather testimonies from community members (real or constructed based on research);
- ≈ Research Indigenous approaches to dispute resolution and argumentation.

Crown Negotiation Team

- ≈ Compile evidence of fulfilled commitments;
- ≈ Prepare cost-benefit analyses of potential solutions;
- ≈ Research federal/provincial jurisdictional issues;
- ≈ Identify precedents from other treaty settlements;
- ≈ Prepare briefing on fiscal constraints and competing priorities.

Mediation Panel:

- ≈ Study successful mediation techniques in Indigenous-Crown disputes;
- ≈ Research both Indigenous and Western dispute resolution methods;
- ≈ Prepare mediation ground rules incorporating both traditions;
- ≈ Develop evaluation criteria for proposed solutions (justice, fiscal responsibility, etc).

SIMULATION SCHEDULE

The Simulation would ideally unfold over a series of weeks and might resemble the following format (plan for in-class preparation time, two to three weeks prior to the simulation):

Day One Agenda - Introductions

- ≈ Introduction from mediators (15 mins)
- ≈ Initial Positions (30 minutes, 15 minutes each)
- ≈ Identifying key issues and collaborative creation of agenda (1 hour)

Day Two Agenda - Evidence

- ≈ Indigenous team presents evidence of unfulfilled commitments (30 minutes)
- ≈ Crown team presents evidence of fulfilled commitments (30 minutes)
- ≈ Clarification questions and rebuttals (30 minutes each)
- ≈ Mediator-facilitated discussion of evidence gaps (30 minutes)

Day Three Agenda - Negotiation and Settlement

- ≈ Indigenous representatives present their proposal for settlement (20 minutes)
- ≈ Crown response to the proposal (20 minutes)
- ≈ Facilitated negotiation on specific items (40 minutes)
- ≈ Progress assessment by mediators (10 minutes)
- ≈ Crown counter-proposal (15 minutes)
- ≈ Indigenous response (15 minutes)
- ≈ Mediators deliberation and final proposal (30 minutes)
- ≈ Crown and Indigenous responses (5 minutes each)
- ≈ Signing of Memorandum of Understanding (MOU), including future matters of negotiation (30 minutes)

Instructors or facilitators can adjust the schedule based on their circumstances, making time for team preparation between rounds and integrating space for additional roles.

In addition to the Simulation itself, there are a number of possible written assignments that can be submitted, such as annotated bibliographies of research, formal research reports from each perspective, and/or de-brief assignments that outline what was learned during the simulation.



LEARNING OBJECTIVES

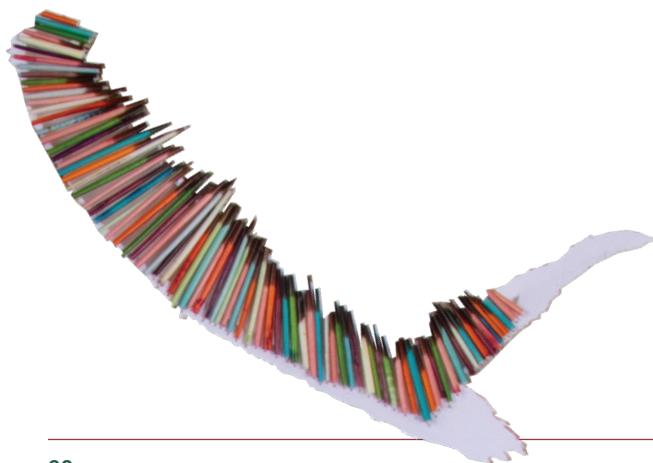
Students will:

- ≈ Analyze the gap between treaty promises and implementation through primary and secondary sources;
- ≈ Develop negotiation and diplomatic skills in a cross-cultural context;
- ≈ Understand the complexity of resolving historical injustices within contemporary legal and political frameworks;
- ≈ Evaluate the economic, political, and social implications of various resolution strategies;
- ≈ Experience the challenges of reconciling Indigenous and Crown interpretations of treaty obligations;
- ≈ Navigate the practical challenges between realistic and just solutions to outstanding treaty commitments.



TIPS FOR EDUCATORS

- ≈ This assignment is a significant organizational undertaking. Be sure to create A) a realistic agenda, B) a file organizing students into their respective roles, and C) a resource bank of relevant documents for each team;
- ≈ During the simulation, work will also be required to keep teams on track while enforcing time limits and allowing them to caucus, as needed – all the while assessing their performance;
- ≈ In terms of evaluation, consider marks for individual and group work as well as preparation and execution.



ADDITIONAL YELLOWHEAD RESOURCES RELATED TO TREATIES

A YELLOWHEAD BRIEF

- The “Cows and Plows” Treaty Settlement: Overview and Implications

SPECIAL REPORT

- COVID-19, the Numbered Treaties & the Politics of Life

FACTSHEET

- An Annotated Guide to the (Mal)-Interpretation of Confederation Era Treaties in Canada

SPECIAL REPORT

- Treaty Interpretation in the Age of Restoule

Visit yellowheadinstitute.org to explore all of our resources, including Special Reports, Briefs, Land Back Online Course and Community Resource Library.

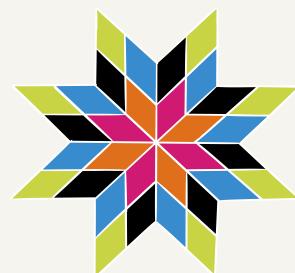
FUTURE ADDITIONS TO THIS GUIDE

Yellowhead hopes to expand this Treaty Map Education Guide and encourages pitches for exercises from Indigenous educators to do so.

Please write to info@yellowheadinstitute.org for more details.

ABOUT YELLOWHEAD INSTITUTE

Yellowhead Institute is an Indigenous-led research and education centre based in the Faculty of Arts at Toronto Metropolitan University. The Institute privileges Indigenous philosophy and amplifies Indigenous voices that provide alternatives to settler colonialism in Canada today. Rooted in community networks, Yellowhead offers critical and accessible resources to support the reclamation of Indigenous land and life. In 2022, the Institute launched Yellowhead School, which embodies Yellowhead’s commitment to training, mentoring, and learning from the next generation of Indigenous leaders.



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