

Author's Address

Official Launch of **The Queen at the Council Fire: The Treaty of Niagara, Reconciliation and the Dignified Crown in Canada** hosted by the Canadian Museum for Human Rights

4:00pm

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The Canadian Museum for Human Rights

85 Israel Asper Way

Winnipeg, Manitoba

FINAL DRAFT (August 13th, 2015)

Nathan Tidridge

Commissioner Wilson, Mrs. Levy, Mr. and Mrs. Rodness, Ms. Andrew, Mr. Carney, friends . . .

I would like to begin this afternoon by acknowledging that we are in Treaty One territory, on the traditional territory of the Anishinaabe peoples and the homeland of the Metis Nation. For millennia this land here at The Forks has been a crossroads for many Nations, and I am honoured to be here with you today in the spirit of reconciliation. The chance to launch **The Queen at the Council Fire** at such an important Indigenous and Canadian location is not lost on me and I thank the Canadian Museum for Human Rights, and its librarian and acting head of collections Stephen Carney in particular, for hosting this event. I also want to thank the extraordinary Len and Suzy Rodness of Magna Carta Canada who gave me the opportunity to be here today.

I am very proud that this book launches a series being developed through a partnership between **Dundurn Press** and the **Institute for the Study of the Crown in Canada at Massey College**. This collection recognizes the tremendous contributions made by Dundurn President Kirk Howard in educating Canadians about their constitutional monarchy. Kirk is a remarkable man, and his decades of work will impact generations of Canadians.

I am also very proud that all profits generated by this book will be donated to **The Lieutenant Governor's Aboriginal Summer Reading Camps**, a program managed by Frontier College on behalf of the Office of the Lieutenant Governor of Ontario. These camps began 10 years ago, as the vision of former lieutenant governor of Ontario, and member of the Chippewas of Mnjikaning First Nation, the Honourable James K. Bartleman, and has grown from five communities in Northern Ontario to 99 communities across Canada. This summer, over 6,000 children are participating in 121 literacy camps, including 10 in Manitoba. I am happy to recognize Rhonda Taylor, Frontier College's Regional Manager for Manitoba and Saskatchewan, who is here today representing the program.

I do not have any Indigenous ancestry. However, I firmly believe in my treaty relationship with the Original People of this land. I too am a treaty person.

My approach with **The Queen at the Council Fire** has always been as a Canadian who wants to respect and honour Indigenous Peoples by trying to understand who "The Crown" is, and what happened between our communities that led to the collapse of relationships that had sustained us in these lands for centuries.

This evening we are also welcoming Magna Carta to the Canadian Museum for Human Rights. It was 800 years ago this year that a great gathering occurred along the banks of the Thames River at Runnymede, England. King John was compelled to affix his seal to a charter that would lay the foundations for what would become our constitutional monarchy eight centuries later. A relationship was redefined there on the banks of the River Thames that would eventually be carried across the ocean and through the great waterways of this land to the shores of the Niagara River in 1764, to here at The Forks - the junction of the Assiniboine and mighty Red Rivers at the very heart of this continent.

A tangible reminder of this journey exists in the cornerstone of this very museum - presented by Her Majesty The Queen in 2010, the cornerstone has embedded within it a stone taken from the ruins of the St. Mary's Priory, the place where many believe Magna Carta was sealed. It was a profound moment where The Queen became a signpost that linked us back to those ancient meadows, as well as the Treaty relationships that are bound with the Crown in these lands.

A few months ago, the Truth and Reconciliation Commission released its seminal report. Recalling over two centuries of disruptions to the relationships that had served these lands well since settlers first began arriving was the following "Call to Action":

(#45) We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown.

The report goes on to describe this as necessary in establishing what it calls "**an action-oriented Covenant of Reconciliation.**"

The original Royal Proclamation was issued in the name of King George III following the defeat of New France in 1763, and is often held up as the "Indian Magna Carta" by the Government of Canada because, near the end, after much negotiating, it recognized "Indian Nations," placing them under the protection of the Crown.

I will never forget when Justice Murray Sinclair stood up at the Indigenous Bar Association's AGM, convened in 2013 to mark the 250th anniversary of the Royal Proclamation, declaring "I love the Royal Proclamation and I hate the Royal Proclamation." He went on to point out that First Nations did not require a far-off king to tell them they existed, and that it was the Royal Proclamation that created a framework to divest Indigenous Peoples of their territories.

The King's representative at the time, Sir William Johnson, after being reminded of the Indigenous presence on the land by Pontiac, his allies and other Nations, recognized that a partnership would need to be kindled in these lands on Indigenous terms, employing Indigenous diplomacy, in order for the Royal Proclamation to be accepted. The Treaty of Niagara was the result.

The very existence of the Covenant Chain Wampum (presented by Sir William Johnson to the assembled nations near the banks of the Niagara River at the end of the great council) tells us that the settler population once "got it" because it was created by the King's Representative and presented on His Majesty's behalf. This wampum is not an Indigenous artifact, rather it is a Royal one.

When looked at holistically, the Royal Proclamation and the Treaty of Niagara can properly be seen as one of the many " Magna Cartas" that continue to live and grow in these lands. The gathering at Niagara extended the great Silver Covenant Chain of Friendship forged with the Haudenosaunee Confederacy near the east coast into the interior of this continent, bringing with it a familial relationship with the Sovereign. This relationship was supposed to inform future treaties, including the numbered treaties.

However, there was a problem.

The Crown that met at Runnymede those centuries ago was, by the 18th century, developing into something firmly rooted in such conventions as responsible government. The path begun at Runnymede pushed the Crown into the realm of the abstract - sitting at the very apex of power, but now with an asterisk and a handful of footnotes.

While the Treaty of Niagara was being negotiated, the power of King George the person was already being curtailed by the emergence of what English political writer Walter Bagehot called the Dignified Crown (the King) and the Efficient Crown (powers now exercised by elected ministers, including the prime minister).

This reality was never articulated in the treaties.

Beyond 1764 the gulf between the Dignified and Efficient Crowns grew larger in British political life and the emergence of Canada as a distinct political entity in this land added to the confusion. The 1931 Statute of Westminster legally created a distinct Canadian Crown, albeit with a shared monarch, completely independent of its British ancestor. When Elizabeth II ascended the throne in 1952 she did so as the Queen of Canada, a title formally bestowed on her by the Parliament in Ottawa the following year.

In fact, since the establishment of our treaty relationships we - I mean non-Indigenous peoples - have repeatedly reimagined the Crown in these lands without consulting, or seeking the consent of, the Nations that were bound with it. Treaty is a familial relationship, and one of the primary members of the family has been dramatically altered without consulting the others.

The Crown in Canada today is different from the one articulated by treaty negotiators. This places the representatives of the Queen in this country in very awkward positions: By virtue of their offices they become for many active treaty partners in a political system that demands they remain neutral and, above all, follow the advice of their elected ministers.

This tension is not a bad thing and points to the fact that non-Indigenous Canadians cannot hold a monopoly when it comes to defining the Crown in this land. An important point was raised by Professor Douglas Sanders when he observed in 1985 "It is common wisdom that the Queen is powerless, and as a result advisors have in the past have often tried to steer First Nations away from petitions to the Crown. By ignoring such advice and forwarding their petitions to the King or Queen or their official representatives have Indigenous Peoples initiated changes in the Canadian constitution."

What we have in these lands is two fundamentally different perspectives of the Crown in Canada. What do we do?

It is my hope that **The Queen at the Council Fire** will do a least two things to help explore what seems to be an impasse.

The first is to highlight that Her Majesty and members of the Royal Family understand, and continue to honour their unique relationships with Indigenous Peoples of this land. We need to educate Canadians about these important relationships. There are numerous examples happening right now that include the remarkable work of the Princes Charities Canada, the tireless efforts of the Earl and Countess of Wessex and a profoundly important Royal Tour by the Queen in 1973 where a Canadian official, likely Jean Chretien, was recorded saying to the British High Commissioner that "the monarchy, and the fact that, on occasions, The Queen can talk directly to the native peoples has helped to prevent in Canada anything like a direct confrontation similar to "Wounded Knee.""

The second is to remind Canadians that their official representatives of the Queen provide them with a medium with which they can reconnect with their treaty partners. There are many examples, including from contemporary Canada, that highlight the vice-regal representatives of the King or Queen polishing the chain of friendship. However, much more can be done.

Canadians need to rediscover their Crown, understanding the history and complex relationships it represents. Restoring and developing traditional meetings and councils between the Queen's representatives and Indigenous Peoples, Gift-Giving, and other protocols can be done while still operating within the constitutional restrictions that now exist for the Dignified Crown. **Maintaining the personal relationship between the Sovereign and Indigenous Peoples should be seen as a key and contemporary responsibility of the governor general or a lieutenant governor as important as their duty to ensure there is always a prime minister or premier in place.**

We are living in a very exciting time right now. There are fundamental changes being triggered in these lands. Provincial curricula are being rewritten across the country to incorporate treaty education and Indigenous perspectives in their education systems. In my home province of Ontario Indigenous perspectives have been woven into nearly every subject.

What this means is that a new generation of Canadians are being raised that will no longer tolerate the status quo. Residential schools, the "Sixties Scoop," and Missing and Murdered Indigenous Women are now part of the vocabulary of millions of young people in education systems that promote active inquiry and community engagement. Canadians are beginning to look for ways to reengage their treaty partners. With their unique ability to create community, connect with government and be seen as above the political fray, the Queen of Canada and her representatives are a way to do that. Canadians need to re-engage with its fundamental institutions to understand who they are. In his remarkable book **Harmony**, the Prince of Wales writes "To restore balance to the world, we must find the balance in ourselves."

The Magna Carta is part of our story, as is the institution it helped to shape into our modern constitutional monarchy. Launching **The Queen at the Council Fire** here with you today in the very heart of our continent at The Forks, on the shores of the Red River, it is my wish that this book helps in the effort to restore balance to our treaty relationships by educating Canadians about what is meant by “The Crown,” and challenge them to engage with our governors general and lieutenant governors in the spirit of reconciliation.

Thank you.