

BROKEN COVENANT

Documentary Discussion Guide

Broken Covenant: Documentary Study Guide

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Opposite: The Prince of Wales is presented with an eagle feather by Grand Chief David Harper. Credit: John Stillwell/PA Wire URN: 13590773 (Press Association via AP Images)

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What is the Royal Proclamation of 1763? Most Canadians have never heard of it, yet the Proclamation is a part of Canada's Constitution, and for many Indigenous peoples, it is the 'Magna Carta' of our Treaty tradition. What significance does it have today?

Join a delegation of Indigenous leaders and church guests as they journey to London, England to mark the 250th Anniversary of the Royal Proclamation and to meet with the British Crown. Discover why this old legislation matters not only to Indigenous peoples, but also to settler Canadians.

- To watch the documentary, go to www.mennonitechurch.ca/tiny/2374
- For information on the origins and implications of the Royal Proclamation of 1763, see the companion article to this study by Anthony J. Hall – "Broken Covenant? The Royal Proclamation of 1763 as Instrument for the Emancipation of Indigenous Peoples and the Liberation of Canada," found at www.mennonitechurch.ca/tiny/2376

Discussion Questions

Note to the reader: These are sample questions – too many for one session – to help guide a discussion on the documentary. If you are a discussion facilitator, choose a set of questions dealing with a specific topic, or skim through the entire list and select the ones that will spark conversation. Feel free to adapt them and add your own to make this study more relevant to your context.

Thanks to the following circle of friends who drafted the questions: Liz Carlson, Dave Driedger, Ryan Dueck, Arlyn Friesen Epp, Tim Froese, John and Betty Heinrichs, and Vic Thiessen.

Opening Reflections

1. Having watched the video, share with one another how you are feeling? What you are thinking? And why? What sticks out? What resonates? What do you disagree with?

On the Royal Proclamation of 1763

1. Were you aware of the Royal Proclamation of 1763 before viewing this documentary? If this was new, you are not alone; most Canadians have never heard of it. Why do you think that is? Are there political reasons for our lack of awareness? If you were aware of the Royal Proclamation, how did this video complement or challenge your previous understanding?
2. Indigenous and settler peoples had different motivations for Treaty-making. According to the documentary, the British wanted access to land and resources and the Indigenous (broadly speaking) wanted to ensure that the land was shared fairly and in the context of ongoing relationship. How do you respond to those statements? On what would you base your agreement, qualification, or disagreement? Do you still see these differences present today? If so, where and in what forms?
3. A common stereotype of Indigenous peoples is that their appreciation of the past is rooted in oral tradition, which – it is argued – is not as accurate as the written traditions maintained by ‘the West.’ How does this video complicate this stereotype?
4. Indigenous peoples are continually encouraged to ‘move on’ from the past; to forget historical injustices and the Treaties as well. This raises a significant problem, because most of the laws and traditions that we settlers live by have long histories (e.g., private property laws). How do we discern which histories and which laws should govern us today? How would you respond if communities or nations (backed by the threat of military/police enforcement) told you to ‘move on’ from those archaic expressions while they applied their ‘new understanding’?

On the Crown and the Canadian Government

1. Chief Perry Bellegarde and Chief Willie Littlechild remind us that the Royal Proclamation is part of the Canadian Constitution (Section 25). What does that mean to you, and why? What local and national implications can you imagine?
2. Shawn Atleo, former National Chief of the Assembly of First Nations, states that “Canada is a successor state.” How do you understand that, how does it make you feel, and what is its potential significance?
3. How did you respond when you found out that no member of the royal family would meet with this delegation? What was your reaction when you learned the reason they did not meet with the delegation? What do you think was at stake with Canada’s silence over the request to ‘OK’ this meeting? And what was at stake for the delegation?
4. Ovide Mercredi, National Spokesperson for Treaties 1-11, asserts that the promise of the Royal Proclamation of 1763 is one of peaceful coexistence in which there is equity between settler and Indigenous peoples, each having their own way of life, including their own land, culture, and languages? What do you make of this? Is this realistic in today’s Canada? Is this an ideal worth striving for even if it is not achievable? And what responsibility do our communities have to this ideal?
5. Ovide Mercredi speaks of the potential of international law being used to pressure the Canadian government into honouring the Treaties. What role do you think international law should play? What about international documents like the United Nations Declaration on the Rights of Indigenous Peoples (available for download at www.un.org), a document that Canada endorsed with qualification in 2010? In regards to Treaties, Article 37 of the Declaration states:
Indigenous peoples have the right to the recognition, observance and enforcement of Treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect Treaties, agreements and other constructive arrangements.
6. Several references were made to the importance of honoring the initial spirit and intent by which the Treaties and agreements were made, including the original understanding(s) of the Indigenous peoples. What does that mean? The Canadian government and Indigenous Nations do not agree on Treaty interpretation. The Canadian Courts are also divided. Who should discern how we understand the Treaties?

On the Church

1. Mark MacDonald, the National Indigenous Anglican Bishop, contends that the church “animated” (i.e., “provided the mojo”) for the colonial/imperial project – a project which has wreaked devastation on Indigenous lands and lives. What do you think about his statement? How do you understand the relationship between the church and Western colonialism? If you’re unable to form a judgement, what more do you need to know? Finally, how might the church, in its beliefs and practice, be animating less obvious expressions of colonialism today?
2. MacDonald asserts that the Church has a unique responsibility with respect to the Treaties for it “let First Nations see the Treaties as a ceremonial, theological,

and spiritual act.” What does that mean? Are there problems with that from an Indigenous or settler vantage point?

3. The Bible talks a lot about covenants between God (Yahweh) and Israel (e.g. Exodus 19-24; Jeremiah 31:31-34), but also nation-to-nation covenants (e.g. 2 Samuel 21). What is the relationship between the biblical tradition of covenant-making and the tri-partite Treaties that were formed between the Creator, the Crown and Indigenous Nations in this land now known as Canada?
4. Legal traditions rarely animate people into action. What in your faith tradition might incline your community to take seriously the promises of the Royal Proclamation? What traditions of land justice can you call upon to respond to the promises of the Royal Proclamation?
5. According to Bishop MacDonald, some First Nations elders believe that, “A lot of bad things happened when [the church] came; [but] the worst thing that happened is that you left.” How do you react to this statement? “You messed everything up, and left.” Are we still “leaving” today? How? Why? What are some ways that the church could “return” to our host peoples in a good way?

On the Present

1. What examples of contemporary Indigenous dispossession and oppression did the video highlight? What do you make of them? Did you notice anything that’s missing?
2. Sarah Keenan, one of the British activists interviewed near the end of the film, contends that Britain is “built on stolen wealth from the colonies” and has “been based upon economic relationships that were deeply exploitative.” Can we say the same of Canada? If so, in what ways and places is this occurring today? In what ways does this matter?
3. Shawn Atleo, former Chief of the Assembly of First Nations, asserts that “all Canadians inherited an obligation to support First Nations people,” and that “all Canadians are treaty people.” What does he mean by these statements? Do you agree? What does that look like – in concrete terms – today, for individuals and for communities like the church?
4. What are the logics (or rationales) that mainstream Canadian society uses to understand and legitimate their current relationship to Indigenous peoples and lands?
5. In the documentary, Peter Haresnape of Christian Peacemaker Teams (CPT) speaks about his process of being educated about Indigenous realities in Canada. Having discovered some of the layers of colonial history, he begins to see how easy it is for the dominant society to address “the Indian problem” by the logic of assimilation. We might not do “the exact same thing again” (e.g., Indian residential schools), but still...the commitment to bring Indigenous people into settler society’s ways of doing things persists.

Another member of CPT, John Valley, states that Canada “still has a desire to take us off the land.” He points to another colonial logic – that of dispossessing



natives of their land for the common good (i.e., the national economy) and the good of the Indians (i.e., proper 'development' of the land).

Are these 'logics' still at play? Do you see other 'logics' at work between Indigenous communities and the Canadian government and big business (e.g., What is the logic that justifies the continued poverty of Indigenous communities and plunder of Indigenous lands?) or the Church (e.g., What is the logic behind western understandings of conversion?)

Moving towards Right Relations

1. Did the video offer any helpful ideas as to steps people can take to pursue right relations between Indigenous and settler peoples? What would you add? Or do you think settlers need to do a whole lot more learning and listening before we suggest next steps? If so, how can this learning and listening take place?
2. The video explored many issues around nationhood, sovereignty, and self-determination. For many Christians, their primary allegiance is to a transracial, transcultural, transnational kingdom of God, and not to socio-political realities that are carved up along ethnic, political, and historical lines. Does that view resonate with your community? How can such communities be involved in political, geographic, and legal disputes? Can Christians work for justice and peace in ways that do not accept these divisions as ultimate? What biblical images might help the Church respond in life-giving (and cross-carrying) fashion?
3. In a speech at Canada House in Trafalgar Square (London), Ovide Mercredi states that the delegation was there not just to remember the Royal Proclamation of 1763, but to "remind ourselves of the work that is unfinished." How can ordinary citizens contribute to Mercredi's vision of peaceful coexistence "where no one dominates, where each nation is allowed their own way of life, culture, religion, language, and territory"? What are some of the ways that our understanding, imagination, and behaviour might need to change in order to unlearn colonial ways of being?
4. What are some tangible things we can do to make people aware of the relevance of the Royal Proclamation and our Treaties?

Learn More & Engage

- Asch, Michael. *On Being Here to Stay: Treaties and Aboriginal Rights* (Toronto: University of Toronto Press, 2014).
- Borrow, John. “Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government,” in Michael Asch, ed., *Aboriginal and Treaty Rights in Canada* (Vancouver: UBC Press, 1997): 155-172.
- Steve Heinrichs, ed. *Buffalo Shout, Salmon Cry*. (Waterloo: Herald Press, 2013) - www.mennonitechurch.ca/tiny/2097
- Steve Heinrichs, *Paths for Peacemaking with Host Peoples* - www.mennonitechurch.ca/tiny/2249
- J. R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009)
- Further resources on “Treaties” (including podcasts, videos, webpages, books) - www.mennonitechurch.ca/tiny/2128



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