

**The Treaty Relations Commission of Manitoba**  
*We are All Treaty People!!*



**Transcript: Interview with the Treaty Commissioner**

Treaty Commissioner Dennis White Bird is an Anishinabae from the Rolling River First Nation and is proud to say that the Anishinabae language is his first language. Commissioner White Bird worked as a teacher for seven years before he was called to take a leadership role within his community. Upon leaving the position within his community, Commissioner White Bird's leadership responsibilities grew as he was elected as AFN Regional Chief for the Manitoba region. Commissioner White Bird was elected to the position of Grand Chief of the Assembly of Manitoba Chiefs in August 2000. He was appointed Treaty Relations Commissioner for Manitoba in June 2005 by a federal Order-in-Council.

**Making the TRCM**

There was a major land confrontation that took place in Quebec as we can always think back. Oka was clearly responsible for making some major changes within the relationship between the Crown and Indigenous people. Shortly after Oka, the Canadian government launched a Royal Commission on Aboriginal people, which would span over the next five years and doing some major work researching indigenous issues and concerns with respect to land, people, resources and anything that you can possibly think of. I believe that it's been said that the Royal Commission didn't leave any stones unturned. Everything was clearly scrutinized and as a result, after many years of research and studying on the issues, the Royal Commission made its report; it's final report. One of the Royal Commission on Aboriginal Peoples recommendations was of course the creation of three more Treaty Commissions in Canada. At the time, I believe that the office of the Treaty Commission in Saskatchewan was already in existence as well as the modern Treaty Commission in B.C. was operational at the time. Moving on, I think in 1999 the Assembly of Manitoba Chiefs submitted a Letter of Intent to the Government of Canada for the creation of a Treaty Commission here in Manitoba. By the year 2000 there was an Agreement signed to establish a Working Team here in Manitoba that was comprised of the Chiefs Committee on Treaties and Self Determination. There was a representative from each of the Treaty areas here in Manitoba. We have seven Treaty areas, including, the Dakota people and we had representatives from each one of those Treaty areas; Number Treaties - Treaty # 1, 2, 3, 4, 5, 6 & 10. So these Chiefs started to work together with the Crown. They created a Working Group to begin to work on the establishment of a Treaty Commission here in Manitoba. By 2003 there was a Memorandum Agreement that was signed between the Minister of Indian Affairs and the Grand Chief from the Assembly of Manitoba Chiefs. In that Memorandum of Agreement it was agreed that they would continue to have their working groups, technical teams working together towards the finalization of a Treaty Commission. By 2005 all the work had been compiled and there was an agreement by both governments – the Assembly of Manitoba Chiefs as well as the federal government agreed on a final package, which would become the Treaty Relations Commission of Manitoba. And in 2005 the federal government passed an Order-in-Council setting up the Treaty Relations Commission of Manitoba.

**Principals of the TRCM**

The Treaty Relations Commission, of course, has a number of principles that we have to observe in terms of our relationship with one another. I think probably, clearly one of the most important ones is that we have an Elder's Advisory Council. The Elders advise the

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Commission, they advise the Commissioner and they advise us on the responsibilities that we have to take in terms of any research that needs to be done. So, the Elders are a very key part of the Commission. The Elders Advisory Group are the responsibility of the political organization: the Assembly of Manitoba Chiefs. In terms of the Commission itself, we have a five-year mandate. We have been given this responsibility to undertake all this work within a five-year time frame. During the course of that five years we will have an evaluation in the fourth year and the fifth year we'll have dialogue between the parties in terms of a vetting processes and what not. The Commissioner has a responsibility as well in terms of being neutral and being independent from the Crown as well as from the First Nations and we've had some great discussions on that up to this point in time, in terms of neutrality. It's one that we make every effort to observe in terms so that we can maintain our integrity as a Commission and to maintain truth and honesty into the process and accountability. I think that's an important part, I think, in terms of looking at the Treaties, you know, we also observe that one of the principles is that the Treaties are dynamic: they evolve over a period of time and we look at a lot of criteria in terms of defining treaty rights or treaty obligations and so on, so forth. So I think in that respect, Treaties are very important for us.

**Perspectives on the Numbered Treaties**

When we're doing treaty research, as I've indicated, it's vital to look at the two approaches, two concepts, two understandings, and two interpretations. One that is based on the written text, by which, the Crown operates through the written text of Treaty. The written text of course is written with a legal context. The First Nation's on the other hand is one that is based on custom. It's a customary transfer of knowledge that takes place where the oral history is handed down from one generation to the next in terms of capturing the agreement itself. As such, our Elders have indicated to us that these are very much living treaties. They live from one generation to the next and that is basically what oral interpretation is all about; is capturing the life of the treaty. You know there has been so many good comments that have been made in terms of treaty, you know, where people have indicated that we're all treaty people. Treaties are forever. There are all kinds of statements that have been made in reference to a treaty and I think under the oral history there has to be understanding, as well. It gives us a better understanding because there were difficulties, there is no question that there were difficulties at the time of treaty negotiations. At the time of treaty discussions taking place, there was two nations and, basically, when you sit down to have two nations that don't speak the same language you're going to encounter problems. Part of that problem is of course interpretation. How do you interpret legal terms into the other nation's language? In most cases, they did not even have words that would transfer or there was no translation that they could possibly give for some of the things that were being discussed. I think that's the important part from one language to another, from English to Ojibwa, English to Cree, so on and so forth. So, that was a problem and I think it created a lot of misunderstanding. I think that's one of the things we need to look at.

