

Manidoo Mazina'igan

Manidoo Mazina'igan (also known as Treaty #3 or the Northwest Angle Treaty) is an important historical and legal agreement between the Anishinaabe of the Rainy River, Rainy Lake, and Lake of the Woods and the British Crown.

After four years of negotiations, it was signed at Harrison Creek at the Northwest Angle on October 3rd, 1873.

The negotiations were led by lead spokesperson Mawedobines of the Rainy River and another leader Powassin of the Northwest Angle (who were entrusted to carry the voices of the Anishinaabe Nation forward) and representatives of the British Crown. These are names such as Alexander Morris, Simon Dawson, and Joseph Alfred Norbert Provencher. During the four-year process, persons such as Weymiss Simpson and Robert Pither had been present, but stepped aside for various reasons.

Powerful words by Saagajiwe from Lac Seul were offered, as well.

Motivations of the British Crown

1. The development of a railroad from coast to coast
2. The creation of the Dawson Road from Old Fort Gary to Fort William (Winnipeg to Thunder Bay)
3. Safe passage through the territory and room for settlement
4. Land acquisition and natural resources.

The Agreement

In exchange for the sharing of land, the Anishinaabeg were promised a variety of protected rights, known as treaty rights, in various areas of life.

Important Point

It is important to understand that the Anishinaabeg did **not** cede, surrender, give up, or sell any lands away in exchange for treaty rights. Apart from reserved lands (which are only for Anishinaabe use and benefit), all lands in the territory are to be shared. This is why lands off-reserve are known as treaty lands. This means shared benefit and shared decision making. Also, lands would only be shared to the depth of a plough.

What are the Protected Treaty Rights under Manidoo Mazina'igan?

Education:

Financial assistance for education

There are no limitations (as it is based upon lifelong learning).

Learners can go to school off-reserve if they wish.

A school will be constructed on-reserve at the request of a band.

According to the Supreme Court of Canada, how a treaty right can be practiced can evolve. Although instruction at the time of Manidoo Mazina'igan was focused primarily on agriculture and farming, a person can pursue any field today.

Hunting and Harvesting of Animals:

All hunting and animals on reserved lands are only for Anishinaabe use.

All hunting and animals off-reserve (in shared treaty territory) are to be shared. At no point where they surrendered or ceded, but only shared.

The Anishinaabeg would be free to harvest anywhere in shared treaty territory or on reserved-lands without hindrance.

It is not only the right to do so, but the ability to do so.

Fishing and Fisheries:

All fishing and fisheries on reserved lands are only for Anishinaabe use.

All fishing and fisheries off-reserve (in shared treaty territory) are to be shared. At no point where they surrendered or ceded, but only shared.

The Anishinaabeg would be free to harvest anywhere in shared treaty territory or on reserved-lands without hindrance.

It is not only the right to do so, but the ability to do so.

Forestry and Wild Plants:

All forestry, timber, and wild plants on reserved lands are only for Anishinaabe use.

All forestry, timber, and wild plants off-reserve (in shared treaty territory) are to be shared. At no point where they surrendered or ceded, but only shared.

The Anishinaabeg would be free to harvest anywhere in shared treaty territory or on reserved-lands without hindrance.

It is not only the right to do so, but the ability to do so.

Minerals and Resources:

All minerals and resources on reserved lands are only for Anishinaabe use.

All forestry, timber, and wild plants off-reserve (in shared treaty territory) are to be shared. At no point where they surrendered or ceded, but only shared.

If an Anishinaabe locates a mineral mine off-reserve, they will be compensated for finding it.

Self Government:

At the time of treaty, traditional governance was the medium used in negotiation.

It was fully understood that this would continue.

If there was to be further talks in regard to the treaty agreement, it must be done through this process.

Agriculture:

Various animals and farming implements (on a one-time basis).

Lands of good quality for farming.

The reserve lands would be free of Provincial encroachment.

Miscellaneous Promises:

In order to secure agreement, various other promises such as an annual flag, twine, ammunition, five dollars per year, among other things were promised. These can be found in the Paypom Document (which were notes given to Powassin from the Northwest Angle on the last days of negotiation).

An Important Point:

It is not only the protected right to these things, but the protected ability to do so.

But I read that Treaty #3 says...

This is very important. There are glaring differences between what I am reading and what I've been told about Treaty #3. This is because Treaty #3 as published by Canada is fraudulent.

Negotiation points found in the document published by Canada were from 1871 predominantly.

This means that 1 to 2 years of treaty negotiations with the Anishinaabeg isn't even included.

This is why there is reference to "surrendering" and "ceding" land in that document. Manidoo Mazina'igan (the agreement known as Treaty #3) and Treaty #3 as published by Canada are strikingly different. This is why.

I heard that Treaty #3 is connected in some way to the Metis? Is that true?

At the time, the United States was very underhanded in treaty negotiations with Anishinaabeg to the south. At the time, two brothers (Joseph and August Nolin) travelled from Manitoba and offered their time to ensure the treaty negotiations in 1873 was fair and accurate. Being perfectly bilingual, they did their best to ensure there was understanding and fair dealing.

With appreciation, the Anishinaabeg spokesperson requested that the small-handful of families of mixed European/Anishinaabe heritage already living near Rainy Lake would be included in the treaty - as part of the Anishinaabe Nation.

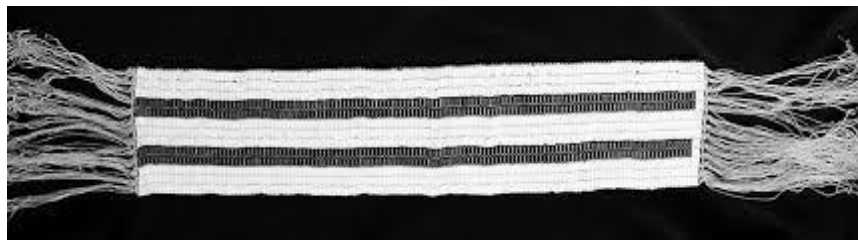
There were efforts by Nicolas Chatelain to get the entirety of the Metis People under the treaty, but this did not (and could not) happen – mainly because there were not legal mechanisms in existence to acknowledge Metis people outside of Manitoba.

However, the small handful of families of mixed-heritage already living among the Anishinaabeg would be included in the treaty as part of the Anishinaabe Nation, **not** as a separate Metis nation.

Is this connected to other treaties?

Yes. Manidoo Mazina'igan is a continuation of a long treaty relationship with the Crown.

Also, the **Two Row Wampum** (first made in 1613) was made with the Haudenosaunee and first the Dutch, the British, and the French.

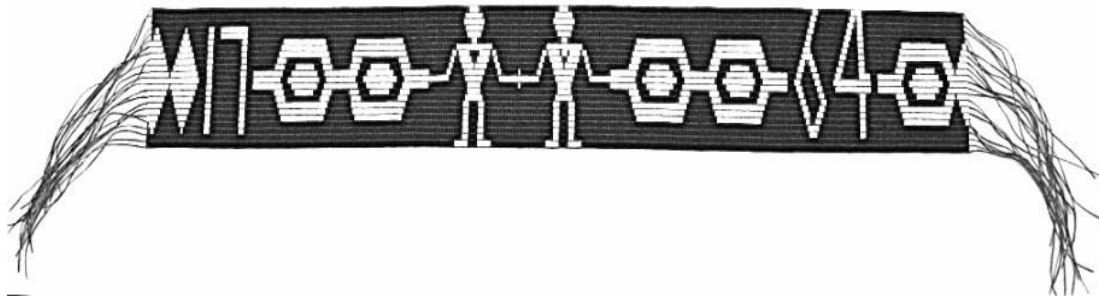


Using imagery of a canoe and a ship, this agreement was to guide future conduct of newcomers from these places. Guided by peace, honesty, and

friendship, the Indigenous People would be interconnected with Europeans, as well as interrelated and interdependent – but sovereign and autonomous. This means that one vessel will never try to control the other.

Laws can be harmonized but will never be one side deciding on its own (also called unilaterally).

In 1764, 24 Indigenous Nations met at Fort Niagara and entered into the **Treaty of Fort Niagara** (the Silver Covenant Chain) with the British Crown which legitimized the Crown's presence in what would become Canada.



This agreement was one to share land and puts Indigenous Nations on a nation-to-nation relationship with the Crown. After King George III issued the Royal Proclamation the previous year, both the King and Indigenous Nations knew there was problems as it claimed underlying title of Indigenous lands and it was issued by only one side.

To fix this, Sir William Johnson was sent to Fort Niagara. He met for eight weeks with leaders to sort out the problem and to ratify the renewed relationship.

The Two Row Wampum is the foundation.

The Treaty of Niagara rests on the back of the Two Row Wampum.

Manidoo Mazina'igan rests on the backs of these treaty agreements as a continuation of the treaty relationship. It is not inconsistent with the others.

Remember, Manidoo Mazina'igan is not only about sharing the wealth, but also the responsible decision making.

How do I know when information is legit?

There is lots of misinformation out there from both sides (Wikipedia, Indigenous Affairs, Canada, etc).

If someone looks at Manidoo Mazina'igan (the agreement known as Treaty #3), they will find consistency when compared to:

The Nolin notes

The Shorthand Report

Dawson's submission

The Spirit and Intent

Letters to Indian Affairs

Newspapers at the time

The Paypom Document (which is not a treaty, but notes given to Chief Powassin)

There ceremony account,

The oral account.

However, they are all inconsistent with Treaty #3 as published by Canada.

Manidoo Mazina'igan is about sharing.

Treaty #3 as published by Canada is about surrender.

Everything in this document is taken directly from transcriptions of negotiations.

It is important to understand that there was no "two different ways of understanding" the spirit, intent, and terms of the treaty. As found in the transcriptions, Crown negotiators fully understood (by their own words) the agreement made.

Where does Canada fit in?

When the Canadian Constitution was being patriated, this was one of the big concerns. Canada is known as a successor state. This means that they have an obligation to administer the treaty as an on-going responsibility. In terms

of treaty, the Crown of England is represented by Canada for administration of the Treaty relationship.

Is there anything else about treaties I should know?

Section 35.1 of the Canadian Constitution recognizes and affirms treaties and treaty rights.

Treaty rights are not frozen in time. They can evolve and change in how they are practiced.

They cannot be extinguished unilaterally.

The \$5.00 a year was never meant to increase. It is only a symbol consistent with the giving of gifts annually under the Treaty of Niagara. The growing economic wealth base is to come from sharing the wealth of the land.

Treaties are Sui Generis – meaning unique and of their own kind. They do not work with land in the same way that Fee Simple title works.

Documents such as “We Have Kept Our Part of the Treaty” and “The Creator Placed Us Here” are great resources published by Grand Council Treaty #3 include a massive amount of information, as well as historical timelines, quotations, and biographies.

Also, not every Anishinaabe person who wanted to be present at Harrison Creek could make it. Some were at Shabandowan Lake and Lac Seul during Fall Harvesting - but they have Mawedobines permission to negotiate on their behalf. Signatures were made in these places by a few after negotiations were completed.