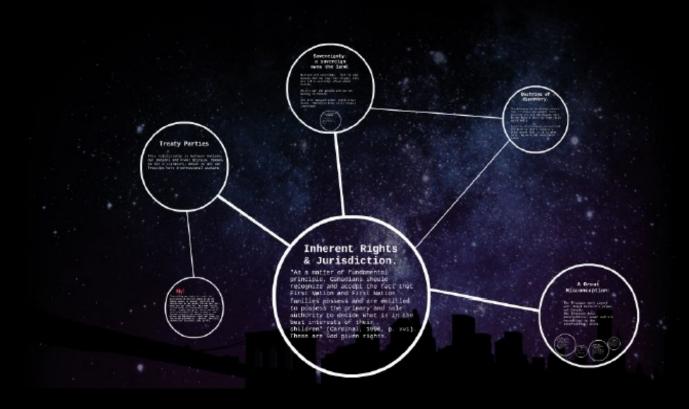


Canada: A colonial state and structure.





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Inherent Rights & Jurisdiction.

"As a matter of fundamental principle, Canadians should recognize and accept the fact that First Nation and First Nation families possess and are entitled to possess the primary and sole authority to decide what is in the best interests of their children" (Cardinal, 1996, p. xvi). These are God given rights.



Why?

"Controlling our choice of a path- the realization of the full potential of the Indian people, or despair, hostility and destruction- is our belief that we must (not negotiate our identity). He cannot realize his potential as a brown white man. Only by being...simply what he is, can he ever be at peace with himself or open to others. The present course of the federal government drives the Indian daily closer and closer to the second alternative... despair, hostility, destruction" (Cardinal, 1996, p,145).



Treaty Parties

This relationship is between Nations, our Nations and Great Britain. Canada is not a signatory; which is why our Treaties have international stature.



Sovereignty: a sovereign owns the land.

Nations are sovereign. That is why Canada did not sign the Treaty; they are not a sovereign stand alone nation.

We are our own people and do not belong to Canada.

The Cree Nations never ceded their lands, therefore they still remain sovereign.

Jurisdiction is inherent.

* is God given.

Jurisdiction does not belong to Canada or the province.



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It is God given.

Jurisdiction does not belong to Canada or the province.



Doctrine of discovery.

The doctrine of discovery states that if there are people there and they are not Christians they do not have a title to land (1493 papal bull).

Doctrine of discovery states that the land is 'terra nullius'; which means that it is no mans land. We were not considered humans.



A Great Misconception:

The Treaties were signed with Great Britain's crown, not Canada.
The Treaties have international power and are recognized in the international arena.

International law states that is order to ester into a territory (not is occupied you need a Treaty (Moyal Proclamation 1761).

The Treaty is now we live here side by wide.

It was weart for peaceful coexistence not complete demination.

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The Elders Understand the

Treaties.

the Vienne Cutvention on Frenties, Article J, states that an orol and written treaty has the same standing in intermetional law.



International law states that in order to enter into a territory that is occupied you need a Treaty (Royal Proclamation 1763).

The Treaty is how we live here side by side.

It was meant for peaceful coexistence not complete domination.

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Royal Proclamation of 1763

is part of Canada's constitution.

it is written instruction for the settler people.

states that a Treaty has to be made with Indian Nations in order for settlers to come into the territory.



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The Elders Understand the Treaties.

the Vienna Convention on Treaties, Article 3, states that an oral and written treaty has the same standing in international law.

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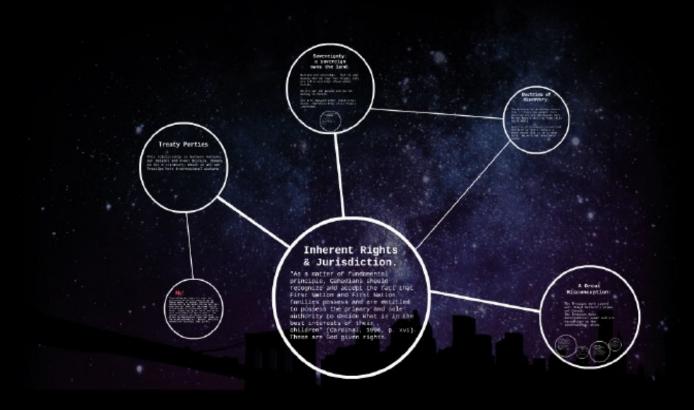


How relevant are the Treaties today?

Lord Dennings decision states that:
1. the Treaties are as good as the day they were made (Canada was not a signatory to these and they were made between Nations) and
2. no parliament or legislature can

change the terms of the treaty, unless the Indians so request it.





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