

*ROUGH TRANSLATION PROVIDED BY MICROSOFT BING*

VIEW MONTREAL, NOT TRANSFERRED MOHAWK TERRITORY?

# A settlement at the expense of indigenous peoples

**The Mayor Denis Coderre begins his speech stating that Montreal is in not transferred mohawk territory, a controversial assertion which is not unanimity among historians. The debates section asked four experts to shed light on the issue. To conclude this series: Allan Greer.**

Allan Greer Professor at the Research Chair the Canada on the colonial history of America from the North of McGill University \*.

Montreal is, we repeat often, on of the "unceded native land." However, there is wondering about the meaning of these words "unceded".

In nearly half of the territory of the current Canada, the Government spent the treaties of transfer with First Nations, by which the latter gave large spaces against annual payments, supplies and money. The majority of these treaties were held at the XIXe century and in Western Canada.

And so, as a result of such treaties, it can be said that cities such as Edmonton and Saskatoon are being erected on indigenous lands "transferred". No Quebec City cannot say the same thing, because there was no Treaty of assignment to the James Bay agreement.

Did this mean that everything goes well for Aboriginal people in the West, dispossessed "according to the rules", with poor compensation? And why the former french colonizers have "neglected" to spend such agreements to formalize their occupation of the Valley of the St. Lawrence? To answer these questions, we need to do a bit of comparative history.

Transfer treaties have evolved in the British Empire and according to English law. Their origins go back to New England in the 1630s, there where the settlers invented the tool of the 'Indian Deed' to buy the field of indigenous peoples.

This gesture, often accompanied by violence and fraud, was used to document the property between settlers, while giving an appearance of trade justice to dispossession. Since the abuses associated with the Indian Deeds were likely to cause wars, colonial governments will take care of negotiating bulk, by treaties of transfer, then distribute the lands in question to the settlers.

These treaties are evacuating any political dimension, dedicating the fiction that colonization boils down to a simple land deal. This reductive vision will be expressed in the Royal Proclamation of 1763 following the conquest and apply to parts of Canada not yet settled, either the future Ontario and the West.

It should be noted that the treaties of transfer, Canada and the United States, is typically concluded in a context of violence, coercion and lies.

First Nations agreed to alienate their military losses during country or, in the case of the people of the Canadian Prairies, as a result of famine and epidemics related to the European presence.

The treaties of transfer used vehicle of dispossession, one aspect of the much broader processes of colonization. Their goal was to sweep the Aboriginal presence through a complete waiver of the territory. In the British colonial vision of the times, must be eliminated all indigenous land rights before establishing a form of property exclusively for settlers.

On the side of the French, however, it did not seek to keep Aboriginal people in the St. Lawrence Valley, instead. Also, the forms of land ownership which were emerging in New-France depended not prior erasure of indigenous ownership. French tenures, such the seigneurie and the roture, arise as partial and shared on the Earth and its fruits, property in layers where nobody enjoyed exclusive control property rights.

The authorities provided extensive fiefs without worrying about the possible presence of native within its limits, because normally, the Lord would not have power over Aboriginal people. Native and colonial property overlapped or to overlapping, the latter being considered as paramount. Louis XIV will give orders "that it usurps point the lands on which they [Aboriginal people] are used.

While acknowledging cases like that of Kahnawake where the Jesuits conceded people land that should belong to the Mohawks (in the eyes even of french law), to realize the lack of any attempt of systematic dispossession.

Thus, although the authorities in New-France have spent a lot of diplomatic and commercial treaties with First Nations, it never asked to Aboriginal people, as was the case in the English colonies, to give up their lands and leave.

Who would dare to deny that colonization in all its forms was at the expense of the indigenous peoples? Just like the other empires, the french empire in America is made by bloody wars, deadly epidemics, attempts of religious assimilation. Canada, Quebec and the city of Montreal have their origins in a deeply destructive process that is not over. It would be unfortunate, in my opinion, the discussion of the issues arising therefrom to be reduced to the distinction not ceded territory ceded territory: there is not much.

\* Allan Greer is the author of Property and Dispossession: native, Empires and Land in Early Modern North America , soon to be published by Cambridge University Press.