

# CanadaWatch

PRACTICAL AND AUTHORITATIVE ANALYSIS OF KEY NATIONAL ISSUES

## DIRECTOR'S INTRODUCTION

### The Royal Proclamation: 250 years later

Anniversaries are fortuitous occasions to reflect on the ongoing significance of an event from the past. Of course, only certain events are remembered, and both what is commemorated and what has been forgotten can be equally interesting. This current project developed out of a [concern](#) that the 250th anniversary of the Royal Proclamation of 1763 would *not* be commemorated. We have since learned of other projects to commemorate the Royal Proclamation. I heard of prelim-

BY COLIN M. COATES

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inary discussions between Tom Peace, a former doctoral student here at York, and well-known public historian Christopher Moore, and concluded that it would be most worthwhile to dedicate an issue of *Canada Watch* to this project. Tom wished to link this initiative

to the [activehistory.ca](#) project, in which he has played a key role.

In 2008, Tom, Jim Clifford (now in the History Department at the University of Saskatchewan), Victoria Freeman (who teaches at York University and who contributed to this issue), and Lisa Helps (now a city councillor in Victoria, BC), all then graduate students in history at York University and the University of Toronto, ran a highly successful conference at Glendon College

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## EDITORIAL

### The politics of proclamation, the politics of commemoration

October 7, 2013 marks the 250th year since King George III issued what is, for Canadians, the Crown's most famous Royal Proclamation. Over the 17th and 18th centuries, the English monarch released over a hundred royal proclamations. Some of these proclamations declared war (usually against France), others—such as the Royal Proclamation of October 23, 1759—mandated public thanksgiving and celebration, while others focused on more local laws (lotteries in Virginia in 1621, prohibiting trade in Hudson's Bay in 1688, establishing a post office in 1711, and mandating "fast days" in England during the American Revolution). Few of these proclamations, however, carry the historical legacy of the one issued in October 1763.

BY THOMAS PEACE

Thomas Peace is the Harrison McCain visiting professor in the Department of History and Classics at Acadia University.

#### AN OUTLINE OF THE 1763 ROYAL PROCLAMATION

Known by some as First Nations people's or Canada's Magna Carta, the 1763 Royal Proclamation laid a framework for British behaviour and law in North America following France's defeat in the Seven Years' War. The Proclamation performed three functions. First, it established the boundaries and governance structures for four newly acquired colonies: Quebec, East and West Florida, and Grenada. It also annexed Île Saint Jean (Prince Edward Island) and Cape

Breton to Nova Scotia. Second, it established land grants for the war's veterans. Finally, it extended the Crown's claim to Indigenous territory presumed to be unoccupied by European settlers and previously unclaimed by the British Crown or its subjects.

In extending Britain's claim to Indian Country, the Proclamation required that the Crown negotiate with Indigenous people before its subjects colonized or otherwise interfered with the people living beyond the Proclamation Line. This line, which was quickly pushed

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on the theme of "Active History." They wished to demonstrate how historical research can inform current-day concerns, and indeed how contemporary issues must be set in their historical context. The peer-reviewed [activehistory.ca](http://activehistory.ca) website developed as a means of reaching a broad public, and it currently receives between 16,000 and 20,000 unique visits each month.

Tom completed his PhD in the Department of History in 2011, comparing the impact of the British Conquest of Acadia and New France on the Mi'kmaq in

the early 18th century and the Wendat in the mid-18th century. He then took up a post-doctoral fellowship at Dartmouth College in New Hampshire to study Indigenous engagement with colonial colleges and day schools at the end of the 18th century. He is currently the Harrison McCain Visiting Professor in the Department of History and Classics at Acadia University. We are indebted to Tom for his initiative on this project and his efficient work in bringing together this range of specialists.

The views of the significance of the

Royal Proclamation vary a great deal in the pages that follow. For some experts, the Proclamation deserves the designation as a "Magna Carta" for First Nations peoples in Canada, while others believe that the document has little relevance for today's concerns. This debate is both informative and challenging, and that has been our goal with this publication. York University's Robarts Centre for Canadian Studies is pleased to offer this contribution to the ongoing discussion of this important document in the history of Canada. 

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westward, was initially drawn between the headwaters flowing into the Atlantic Ocean and those flowing into the Ohio and Mississippi Rivers. In drawing this boundary, the Proclamation sought to clearly demarcate settler space from Indigenous space. The Crown, after all, was concerned with the "great Frauds and Abuses [that] have been committed in the purchasing Lands of the Indians" beyond the reach of colonial authority. Anyone living on land not properly ceded to the Crown was to be removed. In issuing the Proclamation, the British wished "that the Indians may be convinced of Our Justice, and determined Resolution to remove all reasonable Cause of Discontent."

This last point gave the document a lasting legacy in Canada. How it did so, and how it shaped North America's political geography more broadly, is the subject of the following essays. In soliciting contributions to this issue, we asked a diverse array of scholars with an expertise on this document and its historical context to reflect on why it was (or was not) so significant.

### AN INTRODUCTION TO THE ESSAYS

The issue begins with two essays, one by J.R. Miller and the other by Brian Slattery. Both pieces outline the Proclamation's broad context, its general impact on Canadian society and legal

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culture, and its role in shaping public discourse today. John Reid then situates the Proclamation in its Atlantic Canadian context, emphasizing the edict's role in crafting the region's political geography, though not its various governments' policies toward Indigenous peoples. Two essays then address the Proclamation's impact on the St. Lawrence Valley. Denys Delâge and Jean-Pierre Sawaya argue that the Proclamation applies to all Indigenous peoples in the St. Lawrence Valley (specifically the Seven Fires Confederacy), not merely those people living in the region before the French arrived. Similarly, Donald Fyson lays out the law's ambiguous impact on the colony's French Catholic population, demonstrating that the on-the-ground legal implementation differed from what one might assume through a literal interpretation of the text.

Four essays address the Proclama-

tion's history around the Great Lakes. Keith Jamieson and Alan Corbiere, respectively, address this subject through the lens of Haudenosaunee and Anishinaabe history. Making considerably different arguments, both scholars conclude that the King's declaration in 1763 meant little to either people. They emphasize instead the long diplomatic history that preceded and followed the fall of New France. John Long makes a similar point in addressing how the Proclamation shaped the oral nature of negotiations of Treaty Nine in northern Ontario. Finally, this section concludes with a reflection on the Proclamation, governance, and litigation written by Jay Cassell and Brandon Morris, historians working for Ontario's Ministry of Aboriginal Affairs.

The next three essays address spaces wherein 1763 the British had little

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to no influence. Robert Englebert reflects on the Proclamation's impact on what became the Midwest United States, emphasizing how French settlements located deep in what by 1763 was considered "Indian Territory" undermined the Proclamation's rigid division between Indigenous and settler spaces. Neil Vallance and Hamar Foster explain the Proclamation's idiosyncratic application in British Columbia, illustrating the document's contested nature over the course of the 20th century. Similarly, Ken Coates situates the Proclamation in its national and international context to demonstrate the document's broader resonance with other colonial and post-colonial histories. Though not wholly optimistic, Coates observes that for Canada today, honouring the spirit of 1763 not only requires the meeting of technical and legal obligations, but must also involve a cultural, and therefore personal, transformation.

It is for this reason that I chose to end the collection with Victoria Freeman's contribution. Though she considers her essay to be a "rant," rather than something more academic, Freeman's personal approach uniquely addresses the complications of the Proclamation for Canadian society today. Her perspective builds upon and directly connects with the broader contemporary political context in which this issue of *Canada Watch* was compiled and the Royal Proclamation is remembered.

## THE POLITICS OF COMMEMORATION

This year's commemoration of the 1763 Royal Proclamation falls at a time when Canada's history is under intense scrutiny. With two-thirds of the year complete, 2013 promises to be a banner year for popular discussions about the past. Idle No More continues to draw Canada's attention to the failed relationship between Canadians, Indigenous people in Canada, and the Canadian state. The publicity of recent historical studies conducted by Maureen Lux and Ian Mosby, documenting hor-

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rifying nutritional and medical testing on Indigenous populations, captured national and international attention and renewed discussions about whether the Canadian state committed genocide through its policies toward First Nations peoples. More broadly, debates over the politics of history and commemoration (so common in the 1980s and 1990s) have been rekindled and moved beyond the classroom, frequently appearing in the op-ed pages of our national newspapers, and on radio and television programs.

For the most part, we have Stephen Harper to thank for this period of rich intellectual discussion. More than any other year in recent memory, 2012 marked a profound shift in history- and heritage-related public policy. In that single year, the government launched a formal celebration of the War of 1812, using it to build toward the 150th anniversary of Confederation in 2017. While celebrating the past with one hand, however, the same government launched extreme cutbacks to funding for archives, museums, and national parks across the country with the other. These are the very institutions responsible for preserving Canada's documentary and material heritage. Despite pleas for the release of important and necessary

government records about residential schools, the government has withheld these documents from its own appointed commission examining the history and legacy of this dark period in Canada's history.

Commemorating the Royal Proclamation has fallen into this politically charged environment. This issue of *Canada Watch* originated from a series of conversations between Christopher Moore, Colin Coates, and me that focused on the need to draw the public's attention to this important historical document. Alan Corbiere's essay in this issue implicitly critiques our approach, pointing out that a focus on the Proclamation presents its own set of problems about how the past is remembered. In commemorating the Proclamation—a document written by and for Europeans—we neglect the outbreak of Pontiac's War, an Indigenous war against the British that nearly vanquished European troops from the western Great Lakes and Ohio Valley. The stakes of commemoration are high, presenting both opportunities to learn about the past but also—as we have seen in recent years—for narrowing the scope of public historical inquiry.

This issue of *Canada Watch* seeks to promote the former outcome. In his reflection here, J.R. Miller considers the place of the Proclamation in Canadian society as a barometer of Canada's (and Canadians') relationship with Indigenous peoples. I would like to suggest that in 2013, it is equally a barometer of what type of history is important and what events ought to be publicly considered as part of Canada's founding narrative. The essays in this collection do not present a unified perspective on this question. They provide, however, an evidence-based and informed foundation from which to evaluate the Proclamation's historical significance, the history of Canada's relationship with Indigenous peoples, and today's contemporary politics of commemoration. 