

Height of the Land: Natural Resources and the James Bay Treaty (Treaty No. 9)

Grade Level: 9-11

Subject Area: Geography

Time Required: 2 classes or 90-120 minutes

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Kiskinohamakewi Wichihitowin Working Together in Education 
 Ininiw Pimatisiwin Kiskanahamakewina Teaching with Omushkego Culture


Lesson Overview

Summary: using primary and secondary sources, students will identify key natural resources found in Treaty No. 9 territory, assess the significance of their availability and distribution, and explain how colonialism has affected the region, Omushkegowuk and Anishinaabe peoples, and their relationships with the land.

After completing this lesson, students will be able to apply the research they conduct with a geographic lens to other historical and modern treaties.

“The height of the land” refers to the Hudson and James Bay drainage basin in northern Ontario and Quebec; all water which falls to the earth and moves through streams, rivers, groundwater systems, and lakes in this area flows north. This watershed area is also significant to people and communities in the region, being both a physical feature of the land and a marker of “north” in both provinces.

Key Question: in what ways do the environmental, social, cultural, and economic impacts of Treaty No. 9 illustrate relationships to land held by First Nations communities in Ontario?

Big Ideas:

- People have different beliefs about the impact of human actions on the natural environment and global systems.
- The sustainability of natural resources within regions is affected by social, cultural, economic, and environmental factors.
- People have different points of view about how Canada’s natural resources should be developed.
- Geographical regions are not socially, culturally, or economically homogeneous.

Curriculum Connections & Specific Expectations

- Issues in Canadian Geography, Grade 9:
 - CGC1D and CDC1P, Strands A-C
 - After this lesson, students will:
 - A1: demonstrate scientific investigation skills (related to both inquiry and research) in the four skill areas (initiating and planning, recording, analyzing and interpreting, and communicating);

- B2: describe patterns in natural features and population distribution in the selected region, and analyse the relationship between them;
- C2.2 analyse, from a geographic perspective, issues relating to the development, extraction, and management of various natural resources found in Ontario;
- Regional Geography, Grade 11:
 - CGD3M, Strands A and C
 - After this lesson, students will:
 - A1: demonstrate scientific investigation skills (related to both inquiry and research) in the four skill areas (initiating and planning, recording, analyzing and interpreting, and communicating);
 - C1.2 assess the positive and negative effects on the region of outside demand for its products and/or resources;
 - C1.4 explain how imperialism/colonialism has affected the region, with reference to its people and their relationship with the natural resources;
 - C3.2 compare the perspectives of different groups on development projects, including, where applicable, megaprojects, in the region

Responding to the Calls to Action

This lesson kit has been developed to support responses to the following [calls to action](#) made by the Truth and Reconciliation Commission of Canada:

45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:

iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.

63. We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:

i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.

Materials/Resources

- Computers, tablets, or smart devices with internet access
- Paper for printing activity sheets (optional)
- Blackboard, whiteboard, or chart paper (with writing tool, optional)
- Handouts and worksheet provided in this lesson kit (paper or digital)

Lesson/Activity

Background/Preparation

- Students should be familiar with the location of James Bay in northern Ontario.
- Students should be familiar with the types of natural resources found in Ontario.
- Teacher preparation: begin by reading “Background Information” in Appendix I of this lesson kit.
- Optional: students and teachers can review [The James Bay Treaty \(Treaty No. 9\)](#) online exhibit.

Activation

1. Hold a group discussion using the following question:

Which natural resources do you use daily?

Have students discuss their responses in small groups for 5-10 minutes, then as a class, make a list of the different ideas proposed by each group.

2. Share the following scenario for students to consider and discuss, either as a class or in small groups:

Imagine that you have a new neighbour, who just arrived in your community and asks you to share the natural resources you use daily – how would you acknowledge the agreement, how would you share the resources with them, and would you expect anything in return?

Activity

Summary: using primary and secondary sources, students will learn about the significance of natural resources in the context of treaty-making in Ontario by gathering information about First Nations communities in Treaty No. 9 territory, and identifying different perspectives about the agreement - specifically as it relates to the use of natural resources. Working as individuals or in a group, they will then use spatial skills to report on their findings.

Instructions:

1. Review the “Glossary” page found in Appendix II of this lesson kit with students, to ensure they know and understand the language they will encounter while examining the primary sources used in this lesson.
 - a. When explaining the term “treaty,” allow time for students to meditate on the significance of land in creating such an agreement.
 - b. When reviewing the terms “reserve” and “community,” remind students that these terms are very subjective – their usage and meaning depend on context and speaker/writer. While they have very specific (and separate) definitions, they may seem them used interchangeably and should be prepared to understand these layered meanings. For additional context, refer to this overview of [Reserves in Ontario](#) from the Canadian Encyclopedia.
2. Introduce students to Treaty No. 9 by showing them the “Map Showing Treaty No. 9 Lands” handout found in Appendix II of this lesson kit.
 - a. As a class, visit the [Treaty No. 9 online exhibit](#) and read the “[Making the Treaty](#)” page, paying special attention to the “Requests of Protection and Assistance Through Treaty” section.

In particular, students should take note of the following passages:

The Omushkegowuk and the Anishinaabe living north of the height of land believed a treaty might ensure protection and economic security in the wake of impending Euro-Canadian settlement and development, and so they began to petition the Government of Canada. Some of these communities, like that of which Sahquakegick (also known as Louis Espagnol) was chief, had contacts in other communities which had been signatories to the Robinson Treaties of 1850, which guaranteed hunting and fishing rights to Indigenous communities to lands north of Lake Superior and Huron (south of the height of land), along with reserves and annual payments. Leaders petitioned the Crown for a treaty to receive the same assistance and protection Robinson Treaties signatories had received. Indian Agents, HBC Factors, and church missionaries also sent petitions.

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By April 1904, the discovery of minerals in northwestern Ontario added urgency to Canada’s desire to extinguish Indigenous title and develop the

territory's mining potential. Further expansion of the rail network, timber development, and hydro-electric production were also on the horizon.

3. Assign students, either as individuals or in small groups/pairs, to study a signatory First Nation of Treaty No. 9 from the following list:

Abitibiwinni First Nation	Marten Falls First Nation
Aroland First Nation	Matachewan First Nation
Attawapiskat First Nation	Mattagami First Nation
Bearskin Lake First Nation	McDowell Lake First Nation
Brunswick House First Nation	Mishkeegogamang First Nation
Cat Lake First Nation	Missanabie Cree First Nation
Chapleau Cree First Nation	Moose Cree First Nation
Chapleau Ojibway First Nation	Muskrat Dam Lake First Nation
Constance Lake First Nation	Neskantaga First Nation
Eabametoong First Nation	Nibinamik First Nation
Flying Post First Nation	North Caribou Lake First Nation
Fort Albany First Nation	Sachigo Lake First Nation
Fort Severn First Nation	Slate Falls First Nation
Ginoogaming First Nation	Taykwa Tagamou Nation
Kasabonika Lake First Nation	Wahgoshig First Nation
Keewaywin First Nation	Wapekeka First Nation
Kingfisher First Nation	Wawakapewin First Nation
Kitchenuhmaykoosib Inninuwug First Nation	Webequie First Nation
	Weenusk First Nation
	Wunnumin Lake First Nation

Ask students to think about the following themes (as grade-level appropriate), and try and answer as many of the following questions as possible as they learn about the First Nation and any related reserves:

- Theme: Location
 - Where is the First Nation located? Is the community only found in one place, or elsewhere?
 - Has the location of the First Nation changed over time?
 - Does the First Nation live in this location year-round? When did that practice begin?
 - How has the movement of the First Nation over time impacted ways of life for its people? (ie: inland versus coastal living)
 - What other locational information can you find about the Première Nation and reserve(s)? (ie: geographical location, coordinates, landmarks, elevation, population, and traditional name)

- Theme: Geo-political implications
 - Why do you think the people of this First Nation live in their current location?
 - Who chose the current location of the reserve(s) connected with the First Nation?
 - Was/were the location of the reserve(s) chosen responsive to the needs of the First Nation?
 - At the time Treaty No. 9 was signed, many signatory Nations were based around Hudson Bay Company outposts or Christian churches – how did being forced to live in a reserve change the First Nation?
- Theme: Natural resources
 - In which biosphere does the First Nation sit?
 - Can you identify the natural resources found in/near the First Nation?
 - At the time of Treaty signing, which resources were provincial and federal governments interested in exploiting? (ie: diamonds, furs, minerals, water)
 - How might political boundaries imposed on the reserve(s) and around the First Nation by settler governments impact traditional relationships with the land?

If using handouts, give each student a (digital or paper) copy of the “Gathering Information” worksheet found in Appendix II of this lesson kit. Students should research the First Nation online using a variety of primary and secondary sources, including:

- Articles, studies, or reports written with and about the First Nation
- First Nations’s own website or social media accounts
- Interviews with or writing by members of the First Nation
- Maps of the First Nation and/or surrounding area, which could include the following:
 - Canadian Geographic’s [Canadian Hydropower Interactive Map](#)
 - Crown-Indigenous Relations and Northern Affairs Canada’s [First Nation Profiles Interactive Map](#)
 - Department of Natural Resources [Geographical Names](#) GIS data
 - [GeologyOntario](#)

- Macodrum Library at Carleton University's [GIS Help: Mapping the Census of Canada](#)
- Ministry of Natural Resources and Forestry [topographical maps](#)
- Native Land Digital's [online map](#)
- [OGSEarth](#) (requires use of Google Earth)
- Ontario Mining Association's [Mining Operations Map](#)
- Ontario Power Generation's [map of generating stations](#) in Ontario
- News reports (written or recorded) about the First Nation
- Photos and videos geotagged at the First Nation on social media

Encourage students to look for evidence demonstrating how the First Nation approaches the use of natural resources and the land, to better understand different perspectives on development and resource extraction in Ontario.

4. Ask students to create one of the following in order to share their findings with classmates:

- A **timeline** demonstrating the change in location, natural environment, and access to resources experienced by the First Nation.
- An annotated **landform map** with photographs and descriptions gathered during their research, demonstrating the First Nation's relationship to land and change to its location over time.
- A **choropleth map** showing the presence of natural resources in and around the current location of the First Nation and reserve(s), using symbols to indicate whether the resource is renewable or non-renewable.

Set aside time for students to share their findings in short presentations or videos, either in-class or posted online.

Summative

Ask students to watch the [Naskumituwin \(Treaty\)](#) Heritage Minute. As a class, discuss the following questions:

Why is it important to understand the worldview and perspectives of Omushkegowuk and Anishinaabe peoples who signed the James Bay Treaty (Treaty No. 9)? What do your findings tell us about the use of land and natural resources in Ontario?

Assessment

Categories	Level 1	Level 2	Level 3	Level 4
Knowledge and Understanding: subject-specific content acquired in each course (knowledge), and the comprehension of its meaning and significance (understanding)				
	The student:			
Knowledge of content (ie: facts, terms, definitions)	-demonstrates limited knowledge of content	-demonstrates some knowledge of content	-demonstrates considerable knowledge of content	-demonstrates thorough knowledge of content
Understanding of content (ie: concepts, ideas, theories, interrelationships, processes, methodologies, spatial technologies)	-demonstrates limited understanding of content	-demonstrates some understanding of content	-demonstrates considerable understanding of content	-demonstrates thorough understanding of content
Thinking: the use of critical and creative thinking skills and/or processes				
	The student:			
Use of planning skills (ie: organizing an inquiry; formulating questions; gathering evidence and information; setting goals, focusing research)	-uses planning skills with limited effectiveness	-uses planning skills with some effectiveness	-uses planning skills with considerable effectiveness	-uses planning skills with a high degree of effectiveness
Use of processing skills (ie: interpreting, analyzing, synthesizing, and evaluating data, evidence, and information; analyzing maps; detecting point of view and bias; formulating conclusions)	-uses processing skills with limited effectiveness	-uses processing skills with some effectiveness	-uses processing skills with considerable effectiveness	-uses processing skills with a high degree of effectiveness
Use of critical/creative thinking processes and strategies (ie: applying concepts of disciplinary thinking; using inquiry, problem-solving, and decision-making processes)	-uses critical/creative thinking processes with limited effectiveness	-uses critical/creative thinking processes with some effectiveness	-uses critical/creative thinking processes with considerable effectiveness	-uses critical/creative thinking processes with a high degree of effectiveness
Communication: the conveying of meaning through various forms				
	The student:			
Expression and organization of ideas and information (ie: clear expression, logical)	-expresses and organizes ideas and information with limited effectiveness	-expresses and organizes ideas and information with some effectiveness	-expresses and organizes ideas and information with	-expresses and organizes ideas and information with a high

organization) in oral, visual, and written forms			considerable effectiveness	degree of effectiveness
Communication for different audiences and purposes (ie: to inform, to persuade) in oral, visual, and written forms	-communicates for different audiences and purposes with limited effectiveness	-communicates for different audiences and purposes with some effectiveness	-communicates for different audiences and purposes with considerable effectiveness	-communicates for different audiences and purposes with a high degree of effectiveness
Use of conventions (ie: mapping and graphing conventions, communication conventions), vocabulary, and terminology of the discipline oral, visual, and written forms	-uses conventions, vocabulary, and terminology of the discipline with limited effectiveness	-uses conventions, vocabulary, and terminology of the discipline with some effectiveness	-uses conventions, vocabulary, and terminology of the discipline with considerable effectiveness	-uses conventions, vocabulary, and terminology of the discipline with a high degree of effectiveness
Application: the use of knowledge and skills to make connections within and between various contexts				
	The student:			
Application of knowledge and skills (ie: concepts, procedures, spatial skills, processes, technologies) in familiar contexts	-applies knowledge and skills in familiar contexts with limited effectiveness	-applies knowledge and skills in familiar contexts with some effectiveness	-applies knowledge and skills in familiar contexts with considerable effectiveness	-applies knowledge and skills in familiar contexts with a high degree of effectiveness
Transfer of knowledge and skills (ie: concepts of thinking, procedures, spatial skills, methodologies, technologies) to new contexts	-transfers knowledge and skills to new contexts with limited effectiveness	-transfers knowledge and skills to new contexts with some effectiveness	-transfers knowledge and skills to new contexts with considerable effectiveness	-transfers knowledge and skills to new contexts with a high degree of effectiveness
Making connections within and between various contexts (ie: between topics/issues being studied and everyday life; between disciplines; between past, present, and future contexts; in different spatial, cultural, or environmental contexts; in proposing and/or taking action to address related issues; in making predictions)	-makes connections within and between various contexts with limited effectiveness	-makes connections within and between various contexts with some effectiveness	-makes connections within and between various contexts with considerable effectiveness	-makes connections within and between various contexts with a high degree of effectiveness

Appendix I: Information about Treaty No. 9

Background Information

Source: [The James Bay Treaty Online Exhibit](#)

The James Bay Treaty - (Treaty No. 9) is an agreement between Ojibway (Anishinaabe), Cree (including the Omushkegowuk) and other Indigenous Nations (Algonquin) and the Crown (represented by two commissioners appointed by Canada and one commissioner appointed by Ontario). The treaty, first entered into in 1905-1906, covers the James Bay and Hudson Bay watersheds in Ontario, about two thirds of the province's total landmass. The treaty embodies the nation-to-nation relationship between First Nations and the Crown.

Why was the James Bay Treaty (Treaty No. 9) created?

In 1870, Canada acquired Rupert's Land, a territory that had previously been claimed by the Hudson's Bay Company (HBC) since the late 1600s, along with the North-Western Territory. The government sought to extinguish title to large swaths of Indigenous land in order to enable settlement and resource development in western and northern Canada. From 1871 to 1921, eleven "numbered treaties" were created. Although not all Indigenous leaders wanted a treaty, the impact of diseases like measles, tuberculosis, and smallpox and starvation caused by declining traditional food resources forced others to see a treaty as a way to protect their peoples. The James Bay Treaty, the ninth of the numbered treaties, was made during this era.

Railroads brought non-Indigenous poachers and prospectors that threatened hunting resources, contributing to growing hunger and sickness. Indigenous communities were concerned that they would lose their traditional way of life, as encroachment led to the loss of livelihood from traditional harvesting, a lack of food resources, and disease.

The Omushkegowuk and the Anishinaabe living north of the height of land believed a treaty might ensure protection and economic security in the wake of impending Euro-Canadian settlement and development, and so they began to petition the Government of Canada. Some of these communities, like that of which Sahquakegick (also known as Louis Espagnol) was chief, had contacts in other communities which had been signatories to the Robinson Treaties of 1850, which guaranteed hunting and fishing rights to Indigenous communities to lands north of Lake Superior and Huron (south of the height of land), along with reserves and annual payments.

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potential. Further expansion of the rail network, timber development, and hydro-electric production were also on the horizon.

How was the James Bay Treaty negotiated?

After nearly a year of delay from Ontario, in May 1905 both governments began negotiating the terms of the treaty's written document. Ontario had a series of demands, including that one of the three commissioners would represent the province and that no Indigenous reserves in the treaty territory would be located in areas with hydro-electricity development potential greater than 500 horsepower. Canada and Ontario agreed to the terms by early July. Although ratification of the treaty required the agreement of Indigenous peoples living in the territory, neither were the Omushkegowuk and the Anishinaabe involved in creating the terms of the written document, nor were the terms permitted to change during the treaty expedition.

Over two summers in 1905-1906, a treaty delegation journeyed throughout the James Bay watershed to meet with Indigenous communities. Three commissioners represented the Crown: civil servants Duncan Campbell Scott and Samuel Stewart for the federal government, and miner Daniel G. MacMartin for Ontario.

How was the James Bay Treaty understood by those who signed?

The treaty commissioners spent only a few days each at the HBC posts in 1905-1906. At each stop, a similar routine took place. The commissioners requested the community to select representatives who heard the treaty explained to them by interpreters and asked questions. The treaty document, written in English only, was presented to Indigenous community members present as a completed document for signature, and no negotiation of terms took place. Commissioners neither provided a full version of the treaty translated into languages of the local Indigenous peoples (Anishinaabemowin, Ininimowin or Ililimowin, and Anshininimowin), nor did they leave the document or a copy for review.

The making of the James Bay Treaty created different understandings about what the agreement truly meant. Many Indigenous signatories didn't speak, read, or write in English, so interpreters were required at various stops and chosen by the commissioners. They also had a different culture, language, history, and conception of land ownership than the commissioners. To Indigenous Nations, the treaty was an agreement to share the land as long as the sun shines, the grass grows and the rivers flow. They maintain that the words spoken by commissioners during the ceremonies are part of the treaty made on behalf of the King, including their promise of the Crown that people could hunt and fish as their ancestors had. Archival records suggest the commissioners knowingly did not explain the written treaty terms to Indigenous signatories during the treaty ceremonies. If they had, it is possible that the Indigenous leaders would not have signed the document.

Glossary

Cede: to give up or surrender control and ownership of a parcel of land.

Community: Indigenous communities are those that, having descended from pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the settler societies now occupying those territories. Indigenous peoples may identify themselves as members of specific nations, and/or communities within and beyond those nations, including: whether or not a person has status, which nation, band, clan, or tribal council or treaty they belong to, and whether or not they live in their home community or have migrated to an urban centre.

Delegation: two or more people chosen to represent a community, organization, government, or group, often when making a decision or agreement with others.

Indian: “Indian” is a term that is now considered outdated and offensive, but has been used historically to identify Indigenous peoples in South, Central, and North America. In Canada, “Indian” also has a legal meaning. It is used to refer to legally-defined identities set out in the *Indian Act* (1876), such as “Indian Status.” For some Indigenous peoples, the term “Indian” confirms their ancestry and protects their historic relationship to the Crown and federal government; for others, the term (especially in relation to the *Indian Act*) are not part of their identity.

Note: when looking at primary sources connected to Treaty No. 9, you may encounter the word “Indian” in titles or within sources themselves. While the term is today considered offensive, it is not censored in archival records so that researchers get an accurate sense of attitudes and language used in the past.

Reserve: A reserve is land set aside by the federal government for the use of a First Nation, created as part of the treaty making process with First Nations peoples. Communities were forced to relocate to reserves regardless of whether they'd signed a treaty with the federal government. To many First Nations community members, reserves may serve as spiritual and physical homelands for their people, but they also represent colonial governance. While all of Ontario is First Nations' traditional territory, reserves make up less than 1% of the province's total land area; there are 205 reserves and nine First Nation settlements in Ontario.

Signatory: an individual, group, organization, government, or party which signs an agreement (such as a treaty).

Treaty: an agreement made by two or more parties (ie: nations and international organizations), often to clarify how all parties will share and jointly manage resources based on a set of established principles and practices.

Appendix II: Worksheet and Primary Sources

Natural Environment

In which biosphere does the reserve linked to this First Nation sit?

What kinds of animals and plants are found in and around the reserve(s) linked to this First Nation?

Resources

Can you identify the natural resources found in/near the reserve(s) linked to this First Nation?

At the time of Treaty signing, which resources were provincial and federal governments interested in exploiting near the reserve(s) linked to this First Nation? (ie: diamonds, furs, minerals, water)