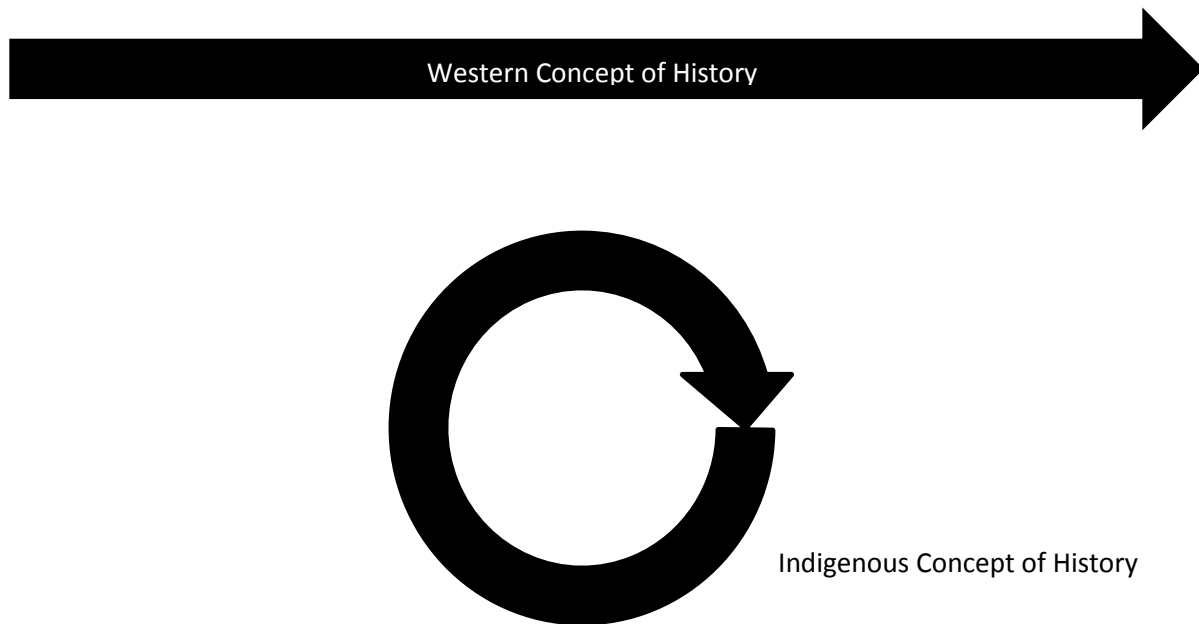


The Treaty of Niagara (1764)

“The true Magna Carta”

Unlike the western scientific tradition, which creates a sense of distance in time between the listener or reader and the events being described, the tendency of Indigenous perspectives is to create a sense of immediacy by encouraging listeners to imagine that they are participating in the past event being recounted. Ideas about how the universe was created offer a particularly compelling example of differences in approach to interpreting the past.

- Royal Commission on Aboriginal People (1996)



(Largely paraphrased from article *Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government* by Professor John Borrows¹)

- ❖ Since the wording of the Royal Proclamation 1763 was unclear about the autonomy and jurisdiction of Indigenous Nations, and since the Proclamation was drafted under the control and preference of the colonial power, the spirit and intent of the Royal Proclamation can best be understood after looking at the Treaty of Niagara in 1764.

¹ John Borrows, “Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government.” In *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference*, (Vancouver: University of British Columbia Press, 1997), 155-172.

❖ At this gathering a nation-to-nation relationship between settler and Indigenous Peoples was renewed, and the **Silver Covenant Chain of Friendship**, a multination relationship in which no member gave up their sovereignty, was affirmed and extended into this part of the continent.

❖ When presenting the Proclamation, both parties made representations and promises through methods other than the written word, such as oral statements and belts of wampum.

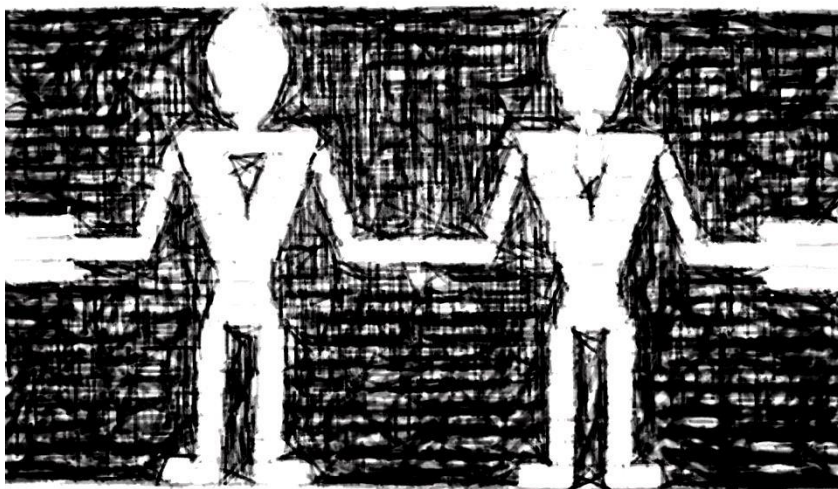
❖ It is significant to note that Sir William Johnson, superintendent of Indian affairs, had earlier agreed to meet with Indigenous dignitaries, reasserting their mutual relationship through Indigenous protocols including the giving and receiving of wampum. Some principles which were **implicit** in the written version of the Proclamation were made **explicit** to First Nations in these other communications. For example, Indigenous Nations approved terms of the Proclamation which encompassed more than a system of land allotment.

Implicit: suggested though not directly expressed.

Explicit: stated clearly and in detail, leaving no room for confusion or doubt.

❖ Thus, the treaty at Niagara was to be recorded in the manner that Indigenous People were familiar with. Wampum was exchanged which communicated the promises exchanged, and which became the record of the agreement.

❖ The Treaty of Niagara also established a familial relationship binding the King to Indigenous Nations. This is a personal connection that remains important to this day to both Indigenous Peoples and members of the Royal Family and their representatives:



Crown Indigenous Nations

The Royal Proclamation cannot be properly interpreted unless it is combined with the Treaty of Niagara, and treaties cannot be understood with acknowledging the relationship Indigenous Peoples have with the Queen and her family. This chapel will serve to remind Canadians of these truths.

My people's ancestors were at Niagara when the Silver Covenant Chain of Friendship was extended into these lands over 250 years ago. It is in the spirit of that gathering that this chapel will serve as a place to gather regularly and polish the chain for this and future generations.

Confederation set aside our treaty relationships, beginning a very dark chapter in the relationships between Indigenous and non-Indigenous Peoples on these lands. The establishment of this Royal Chapel – a space to reflect, learn and reconnect – by Her Majesty and the Massey College community 150 years later is a profound act of reconciliation. It will become, in effect, a new council fire for our peoples to gather around in love and friendship.

- Chief Stacey LaForme, Mississaugas of the New Credit FN writing about the establishment of a new Royal Chapel by Queen Elizabeth II, September 6th, 2016.²

The historic link between the Crown and the First Nations people is strong, and something that I hold dear to my heart.

*- His Royal Highness, the Duke of Cambridge
Address to the Haida Nation
30 September 2016³*

As the representative of The Queen, the highest office in this province, I am privileged to fulfil my duty of kinship with Indigenous Peoples in Treaty. It is a sacred trust as relevant as my duty to ensure the province always has a functioning government.

*-A watershed moment: The Honourable Elizabeth Dowdeswell, lieutenant governor of Ontario, honours and commits to the family relationship between the Crown and Indigenous Peoples
Lakehead University, Thunder Bay, Ontario
February 15th, 2017⁴*

² Letter from Chief Stacey Laforme, 6 September 2016.

³ HRH The Duke of Cambridge, Address to the Haida Nation, 30 September 2016.

⁴ The Honourable Elizabeth Dowdeswell, "The Crown and Reconciliation in 2017," Lakehead University, Thunder Bay, 15 February 2017.

- ❖ The Treaty of Niagara was entered into after a month of negotiations in July 1764, and was regarded as the most widely representative gathering of Indigenous Leaders ever assembled.
 - 2000 Indigenous dignitaries attended
 - Approximately 24 Indigenous Nations were represented from as far east as Nova Scotia, and as far west as the Great Plains, and as far north as Hudson Bay.

- ❖ Sir William Johnson presented the 1764 Covenant Chain and 24 Nations Wampum stating on July 31st, 1764:

Brothers of the Western Nations, Sachems, Chiefs and Warriors;

You have now been here for several days, during which time we have frequently met to renew and Strengthen our Engagements and you have made so many Promises of your Friendship and Attachment to the English that there now remains for us only to exchange the great Belt of the Covenant Chain that we may not forget our mutual Engagements. I now therefore present you the great Belt by which I bind all your Western Nations together with the English, and I desire that you will take fast hold of the same, and never let it slip, to which end I desire that after you have shewn this Belt to all Nations you will fix one end of it with the Chipeweighs at St. Marys [Michilimackinac] whilst the other end remains at my house, and moreover I desire that you will never listen to any news which comes to any other Quarter. If you do it, it may shake the Belt.⁵

- ❖ When Johnson had finished speaking, a Two Row Wampum belt was used by Indigenous Peoples to reflect their understanding of the Treaty of Niagara and the words of the Royal Proclamation.



⁵ *Sir William Johnson Papers*, Volume XI, ed. Milton W. Hamilton, (Albany: University of the State of New York, 1954), 309-311.

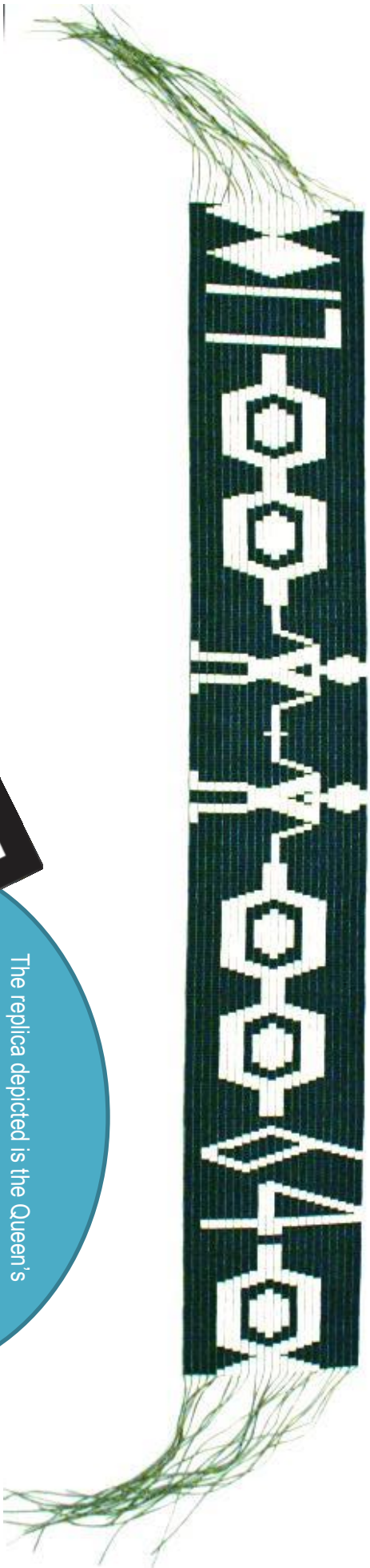
- ❖ The symbolism of the two-row wampum has been commented on by a leading Indigenous legal academic, Robert A. Williams, Jr.:

When the Haudenosaunee first came into contact with the European nations, treaties of peace and friendship were made. Each was symbolized by the Gus-Wen-Tah, or Two Row Wampum. There is a bed of white wampum which symbolizes the purity of the agreement.

There are two rows of purple, and those two rows have the spirit of your ancestors and mine. There are three beads of wampum separating the two rows and they symbolize peace, friendship and respect. These two rows will symbolize two paths or two vessels, travelling down the same river together. One, a birch bark canoe, will be for the Indian people, their laws, their customs and their ways. The other, a ship, will be for the white people and theirs laws, their customs, and their ways. We shall each travel the river together, side by side, but in our own boat. Neither of us will try to steer the other's vessel.

- ❖ John Borrows writes that Sir William Johnson did not regard the extension of the Royal Proclamation and the Treaty at Niagara as an assertion of sovereignty over Indigenous Nations. Records such as the Two Row Wampum, and statements such as Johnson's, further allow Indigenous Nations to emphasize that their jurisdictions cannot be molested or disturbed without Indigenous consent.

1764 Covenant Chain Wampum



The replica depicted is the Queen's Covenant Chain Wampum. Learn about the connections between the Treaty of Niagara and this replica wampum in *The Extraordinary History of Flamborough* (Flamborough Heritage Society, 2017) on pages 15-16 and 77-82.