

Deskaheh (Levi General) of the Cayuga Nation, 1873 - 1925

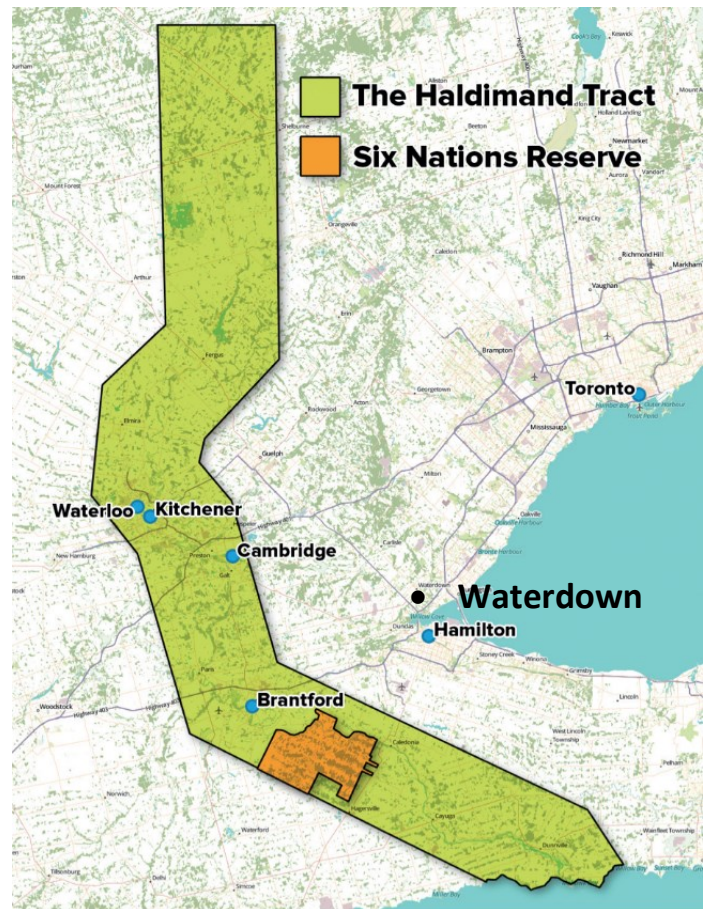
- The Haudenosaunee Confederacy is the oldest continuous representative democracy in the world. The Confederacy is comprised of six principal nations: Seneca, Cayuga, Onondaga, Oneida & Mohawk and Tuscarora. Please refer *to Treaty Week Primer #1: Whose land are we on?*.
- The Haudenosaunee Confederacy is a complex matrilineal society where 50 Chiefs are nominated and elected by Clan Mothers to work to plan for the welfare of all the people and resolve disputes. Learn more [here](#).
- The Haudenosaunee Confederacy has been in a Treaty relationship, called the **Silver Covenant Chain**, with settlers since the 17th century. Please refer to *Treaty Primer #2: Treaty & The Covenant Chain*.



The Gaswéñdah, or Two Row Wampum, dates from the 16th century and is often used to illustrate the relationship established by the Silver Covenant Chain.

- The *Six Nations of the Grand River* is the largest reserve community of the Haudenosaunee Confederacy (there are 16 other communities located in the lands surrounding Lake Ontario)

- From the moment of its creation, the *Indian Act (1876)* was denounced by the Haudenosaunee Council of Chiefs as a gross violation of their Treaty relationship with the British Crown.
- *What was the Indian Act?* (Please refer to ***Treaty Primer #5: The Indian Act (1876)***).



“It is extremely inexpedient to deal with Indian Bands in the Dominion [as] being in any way separate nations.” - Prime Minister John A. Macdonald, 1887

Does this statement honour the relationships established by Treaty?

What is colonialism and how does this statement reflect a colonial relationship?

- The protests by the Council of Chiefs were ultimately dismissed as Canadian officials made their position clear: Indigenous Nations in Canada were to be recognized not as international political actors (sovereign), as the Haudenosaunee Confederacy insisted, but rather as wards of the state in need of both “civilizing” and federal protection (as dictated by the 1876 Indian Act).¹
- The Government of Canada passed a number of laws attacking Indigenous Treaty Rights, including the *Soldier Settlement Act of 1919* that enabled the federal government to distribute reserve lands to non-Indigenous veterans returning from the First World War.



A meeting of the Council of Chiefs at Six Nations of the Grand River, 1898.

¹ Belanger, Y. (2007). The six nations of grand river territory's: Attempts at renewing international political relationships, 1921–1924. *Canadian Foreign Policy Journal*, 13(3), 29-43. doi:10.1080/11926422.2007.9673441

- Initially, the Deputy Superintendent General of Indian Affairs, Duncan Campbell Scott, accepted a petition from the Council of Chiefs challenging the legitimacy of the *Soldier Settlement Act of 1919* and promised not to apply the *Indian Act*, including the government's enfranchisement provisions, over *Six Nations of the Grand River* prior to a formal decision from the Supreme Court.
- Scott would eventually go back on his word, causing Cayuga Chief Deskaheh (as the Speaker of the Council of Chiefs), using a Haudenosaunee passport, to travel to England to appeal to the Crown [King George V] directly. In this effort, Deskaheh was denied an audience with the King.²
 - Catching Canadian officials off-guard, Deskaheh decided to make an appeal to the League of Nations. In response to an upswell in support for both Deskaheh and the Haudenosaunee Confederacy, Yale Belanger writes "*British officials aggressively lobbied the countries supporting the claim to withdraw voluntarily from the process by leveraging its political strength to halt the petition. This move was supported by Canada and the United States, the latter of which in particular was concerned about the potential implications that could result, if Deskaheh's claim was successful, due to the Six Nations straddling the US-Canadian border.*"³
 - Back in North America, Canadian officials announced that the Haudenosaunee Council of Chiefs would be replaced with a council elected using criteria mandated by the 1876 Indian Act.⁴ The restricted powers of the elected council imposed by the Indian Act were also laid out in the act.

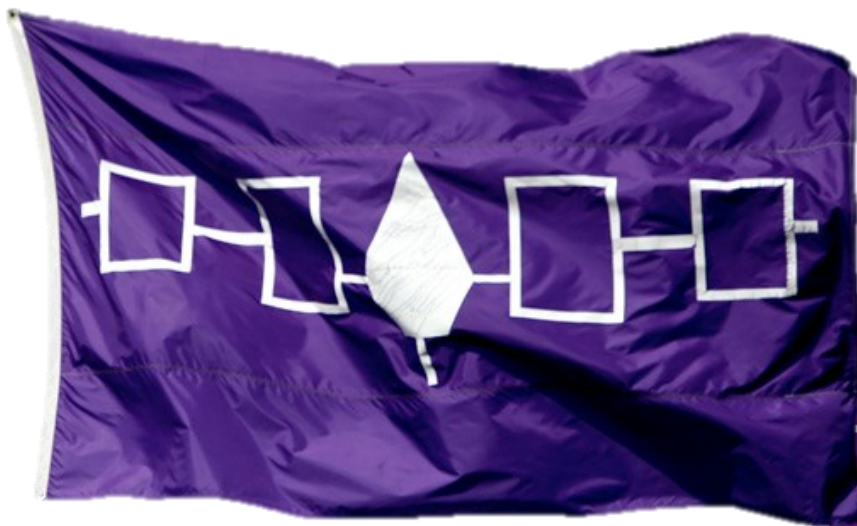
It is important to emphasize that the traditional Council of Chiefs were being elected using a system developed by their people over many centuries. The process mandated by the Indian Act was designed by Canadian officials that was in line with the overall goal of the settler government to assimilate/destroy Indigenous ways of life.

- The Royal Canadian Mounted Police (RCMP) sent an occupation force to the Six Nations of the Grand River who then invaded the Council House in an effort to dissolve the Council of Chiefs. Wampum belts and other important documents were forcibly removed by the RCMP, who declared the building off limits to further political activity.

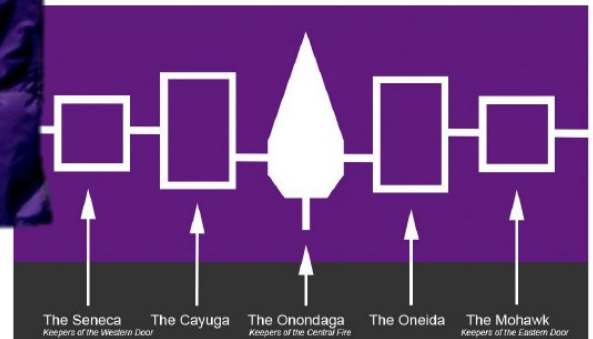
² Ibid.

³ Yale Belanger, *The Six Nations of Grand River Territory's: Attempts at renewing international political relationships, 1921–1924*.

⁴ The Haudenosaunee Council of Chiefs are also elected, but by a different process than the one imposed by the Indian Act.



The Flag of the Haudenosaunee Confederacy (designed by Rick Hill and Oren Lyon) is based on the *Hiawatha Wampum Belt*.



The section of the *Indian Act (1876)* that imposes a new structure of government on Indigenous Nations:

Periods of election how fixed: and term of office.
Number of chiefs.

Proviso: As to life chiefs.

Chiefs to make regulations for certain purposes.

62. The Governor in Council may order that the chiefs of any band of Indians shall be elected, as hereinbefore provided, at such time and place, as the Superintendent-General may direct, and they shall in such case be elected for a period of three years, unless deposed by the Governor for dishonesty, intemperance, immorality, or incompetency; and they may be in the proportion of one head chief and two second chiefs or councillors for every two hundred Indians; but any such band composed of thirty Indians may have one chief: Provided always, that all life chiefs now living shall continue as such until death or resignation, or until their removal by the Governor for dishonesty, intemperance, immorality, or incompetency.

63. The chief or chiefs of any band in council may frame, subject to confirmation by the Governor in Council, rules and regulations for the following subjects, viz.:

1. The care of the public health;
2. The observance of order and decorum at assemblies of the Indians in general council, or on other occasions;
3. The repression of intemperance and profligacy;
4. The prevention of trespass by cattle;
5. The maintenance of roads, bridges, ditches and fences;
6. The construction and repair of school houses, council houses and other Indian public buildings;
7. The establishments of pounds and the appointment of pound-keepers;
8. The locating of the land in their reserves, and the establishment of a register of such locations.

Some questions:

1. Who has all the power in this structure?
2. What powers does the elected council created by the Indian Act have to protest, or fight, actions of the Government of Canada impacting their reserve community?
3. How does the imposition of a government structure by the Government of Canada violate treaty relationships?

***The Indian Act, including the section imposing government structures, remains law in Canada to this day.**

- At the same time that the elected council outlined by the *Indian Act* was being imposed, the *League of Nations Secretariat* notified Deskaheh that he would not be permitted to speak to them, stalling his efforts to engage the international community.

“It is the heart broken that I am against the most cruel indifference... my appeal to the Society of Nations has not been heard” - Deskaheh, 1924

- Deskaheh died in 1925.