

## **Treaty Primer #3: Which Treaties are we part of?**

Many people focus on the Dish With One Spoon, however it is important to remember that it is a Treaty (likely a peace Treaty) between Indigenous Nations only (The Haudenosaunee and Anishinaabe Nations) - there aren't any formal non-Indigenous partners (yet).

It is also important to note that [Section 35 of the Constitution Act \(1982\)](#) states: "*The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.*" This entrenches Treaties in the very heart of our democracy.

There are Treaties that we are party to by virtue of being settlers in this territory. Here they are, with some resources offering Indigenous teachings explaining their importance:

**The Covenant Chain & Gaswéñdah (Two Row Wampum):** Dating back to the 17th century (1614 +/-) this ancient relationship was made between the Haudenosaunee Confederacy and the Dutch Crown (it was transferred to the English through King Charles II in 1664-5). Rick Hill of the Tuscarora Nation (former administrator with the Smithsonian Institute) explains the Covenant Chain and Gaswéñdah (Two Row Wampum) here: <https://youtu.be/cpPWnstKCsl>.

In 2023, the Supreme Court of Quebec ruled that the Covenant Chain was a Treaty, and therefore part of the Canadian Constitution via Section 35 (1) of the Constitution Act (1982).<sup>1</sup> *Also see Treaty Primer #2.*

**The Treaty of Niagara (Silver Covenant Chain):** This Treaty saw around 24 Indigenous Nations (including the Mississaugas of the Credit) ratify the Royal Proclamation of 1763, extending the Covenant Chain into the Nations of the Great Lakes region. **The Silver Covenant Chain is meant to be the foundation upon which all other relationships (including Treaties) were supposed to be built upon.**

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<sup>1</sup> R. c. Montour, 2023 QCCS 4154 (CanLII), <<https://canlii.ca/t/k0wzd>>, retrieved on 2024-02-15.

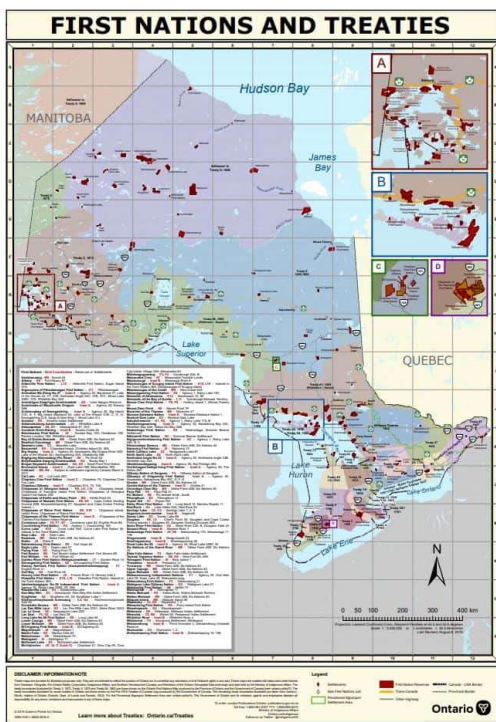
Dr. John Borrows is an expert on this Treaty - he may one day become the first Indigenous person appointed to the Supreme Court of Canada - and this is the article most people cite: [https://www.sfu.ca/~palys/Borrows-1997-Wampum\\_at\\_Niagara.pdf](https://www.sfu.ca/~palys/Borrows-1997-Wampum_at_Niagara.pdf)

Here is Dr. Alan Corbiere teaching about the Treaty of Niagara at Rama First Nation in 2014: [https://youtu.be/wb-RftTCQ\\_8](https://youtu.be/wb-RftTCQ_8). *Also see Treaty Primer #2.*

**Land Between the Lakes Purchase, Treaty No.3 (1792):** This is a "written" Treaty concluded between the British Crown and Mississaugas of the Credit and was supposed to be informed by the Royal Proclamation and Treaty of Niagara (1764) which affirmed Indigenous sovereignty (while land was sold, the *Between the Lakes Purchase* could not transfer sovereignty without violating the Silver Covenant Chain). Following this Treaty, the territory was surveyed and prepared for settlement as if total control had been transferred to the Crown. Concepts of freehold ownership were imposed which is why King George III's name appears on the original deeds of land (Crown Patents) in this area.

This is how the Mississaugas explain Treaty No.3: <https://mncfn.ca/between-the-lakes-treaty-no-3-1792/>

**\*The Ontario *First Nations and Treaties Map* (2017) produced by the government and circulated to schools is highly problematic because it doesn't highlight the Covenant Chain or Treaty of Niagara (1764). Instead, the map focuses on Treaties that violate the Silver Covenant Chain and are often presented as 'land surrenders.'**



Since this map focuses on Treaties that violate the Silver Covenant Chain (often presenting them as 'land surrenders') it is highly problematic.