



Learning Circle

First Contact

My first article discussed how people arrived in North America during the last Ice Age and made their way to southern Ontario about 10,000 years ago. Many people have assumed that after the land bridge was no longer accessible, contact with Eurasia would have ceased. There is however, archeological and biological/genetic evidence that contact continued from time to time, possibly in both directions. Thus, the idea of “first contact” being the arrival of Columbus in the ‘New World’ does not hold up. Here are some examples taken from *Indigenous Peoples within Canada*, Olive Patricia Dickason and William Newbigging, Oxford University Press 2015

The Chinese have a long tradition of seafaring. The peanut, a native North American plant, was found in two archeological sites on the southeastern coast of China dating to 5,300 – 4,800 years ago. Two varieties chicken considered native to Asia were well established in North America when the Spanish arrived here. In 458, a Chinese monk Hwui Shan and four companions sailed west and reached the land of Fu-Sang, believed to be Mexico, where they stayed for 40 years before returning to China.

Pottery has been discovered in Ecuador dating to between 5,200 and 4,800 years old that is very similar to Japanese styles and very different from other pottery styles in other parts of North America. There is also a particular type of mace, peculiar to Japan, that has been found in Ecuador.

Plants also offer a strong argument for ongoing contact and possibly trade. Between the years 400 – 1000 there is evidence of contact between Cambodia, the Maldives and southeast Asia and Mexico/ South America. Both areas have bottle gourds, coconuts and some varieties of yams in common. And cotton discovered in Mexico and Peru has connections to Asia.

Corn, or maize, is another interesting plant. The oldest known site dates back 7,000 years to Mexico where a small cob plant was discovered. Through selective breeding program lasting at least a thousand years, people were able to develop the about 150 plus varieties of corn that existed across the Americas when Europeans arrived. Since domestic corn is not able to breed without human intervention, its breeding has been a significant achievement in plant science. There is evidence of maize in India 800 years ago. The sweet potato (not the same plant as the yam) is a native of America but is widespread throughout the Pacific islands. There seems to be significant evidence that North America had contact with other parts of the world prior to European contact, even if there were no well-established trade routes in the modern sense. For those old enough to remember Thor Heyerdahl, he proposed that ancient watercraft could have used prevailing Pacific Ocean currents to sail between Asia and America and the Pacific islands in between. Many Polynesians share DNA with indigenous South Americans.

On the Atlantic side of the continent, Europeans first encountered North America during the “Medieval Warming Period” when the Norse had settlements in Iceland and Greenland. There were at least four attempts at settlement in Newfoundland (i.e. L’Anse aux Meadows) and

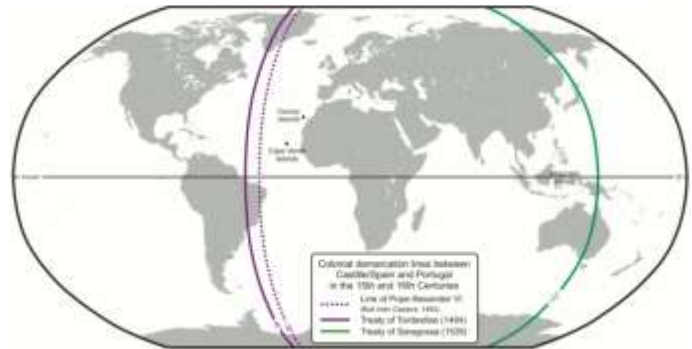
possible further south into the Canadian Maritimes. Changing climate and thicker sea ice that made support to these colonies harder probably resulted in their abandonment. When fishermen and seafarers like Frobisher and Cabot voyaged to North America their physical appearance did not cause much comment, perhaps because of earlier contact with the Norse.

In the sixteenth and early seventeenth centuries, much of the contact with Europeans was with fishermen who were looking to exploit maritime resources such as whales, cod and other fish. They were seasonal contacts, arriving for the fisheries and returning to Europe with loaded ships. There were others, who were explorers, such as Frobisher, Cabot and Hudson, but the seasonal fishers were the ones who had extended contact with indigenous peoples. They would have brought trade goods to give the locals whose beaches they were using. But over time, as more and more Europeans came, the competition for resources become conflict. And thus, European settler history in North America begins. And to understand that, you need to know a little bit about the Doctrine of Discovery.

The Doctrine of Discovery

In order to understand the origin of some of the conflict in North America you need to know about the Doctrine of Discovery, which emerged during the Age of Exploration. Here is a brief timeline taken from the Wikipedia website (https://en.wikipedia.org/wiki/Discovery_doctrine)

- June 18, 1452- Pope Nicholas V issued a papal bull *Dum Diversas*, authorizing King Alfonso of Portugal to conquer Muslim Saracens and non-Christian pagans and “reduce their persons to perpetual servitude” while also taking their land and goods “to convert them to you, and your use, and your successors the Kings of Portugal.” This authority was later extended to cover all territories Portugal claimed worldwide.
- May 4, 1493 - Pope Alexander VI issued the papal bull *Inter Caetera* that extended similar rights to Spain and Portugal in Africa and the Americas. Any indigenous nation that tried to defend itself was considered an enemy of God. This is the same document that included the ‘line of demarcation’ that divided the New World between Spain and Portugal.
- France and England use the Doctrine of Discovery to justify their claims while at the same time denying the part that split control of the New World between Spain and Portugal. This is where the symbolic acts of raising a flag or burying coins to claim ownership began. For example, James Cook buried a bottle of English coins on Vancouver Island in 1778 in an attempt to claim sovereignty over the area.
- This doctrine and the concept of *Terra Nullius* (that the land was empty and uninhabited) was the basis of the grant in 1670 to the Hudson Bay Company that gave the company rights to about 80% of the landmass of Canada



From the perspective of indigenous people, how can a person in another country simply declare their land is open for the taking when that land is already occupied? The fledgling nation of the United States justified using the Doctrine of Discovery because they had taken over the land

from the British so that gave them legal claim to the land. We face the same issue in Canada. A formal repudiation from the Pope for these bulls that supported imperialism and justified horrible actions against millions might be purely symbolic at this point, but it could empower courts to reexamine the legal relationships between indigenous peoples and modern governments. It would require the recognition that indigenous peoples are sovereign peoples.

The Assembly of First Nations published a document in 2018 *Dismantling the Doctrine of Discovery* that outlines what it is, why it needs to be rejected, and why it should not be used in the courts as land claims are being examined and settled. This type of ‘doctrine’ is also denounced by the United Nations, as seen in the UN *Declaration on the Rights of Indigenous Peoples*. This is why one of the first things you heard on the news after the death of Queen Elizabeth was a call by indigenous leaders to King Charles to repudiate the Doctrine of Discovery. There was hope that the Pope would repudiate this doctrine on his visit to Canada but that did not happen either.

The Assembly of First Nations is asking the government of Canada to repudiate this doctrine. This was one of the calls to action of the National Truth and Reconciliation Commission. Many faith-based groups including the World Council of Churches have done so. What the Assembly is asking for is a new model for relationship between nations – between those who were here first and those who are here now. Below is an excerpt from the document:

King George III issued the Royal Proclamation of 1763 after the defeat of the French in Québec with the crucial support of First Nations allies. A year later, at Fort Niagara, a gathering of representatives from a couple of dozen First Nations from Nova Scotia to the prairies and north to Hudson Bay, met with Sir William Johnson, Superintendent of Indian Affairs, representing the Crown. At this gathering, the Covenant Chain of Friendship was affirmed—a multi-nation relationship in which no nation gave up its sovereignty, embodied in a two-row wampum belt communicating the promises made. The Proclamation confirms the land rights of Indigenous Peoples and is highlighted in section 25 of the Canadian Charter of Rights and Freedoms. Many leading Aboriginal law scholars assert the Royal Proclamation of 1763 and the Treaty of Niagara together form a treaty between First Nations and the Crown that guaranteed Indigenous self-government.

This is not a long document (6 pages) and can be found at <https://www.afn.ca/wp-content/uploads/2018/02/18-01-22-Dismantling-the-Doctrine-of-Discovery-EN.pdf> Reading it will clarify some of the concerns that first nations have with the historical and future treatment of first nations and hopes for future interactions:

The big question remains: how did the Crown obtain title and how does the Crown continue to assert sovereignty? As scholar John Borrows reminds us, “Canadian law will remain problematic for Indigenous peoples as long as it continues to assume away the underlying title and overarching governance powers that First Nations possess.”

As Canadians, we still have work to do to change our thinking and the thinking that governs the actions of the courts as we work towards reconciliation with our indigenous neighbours.