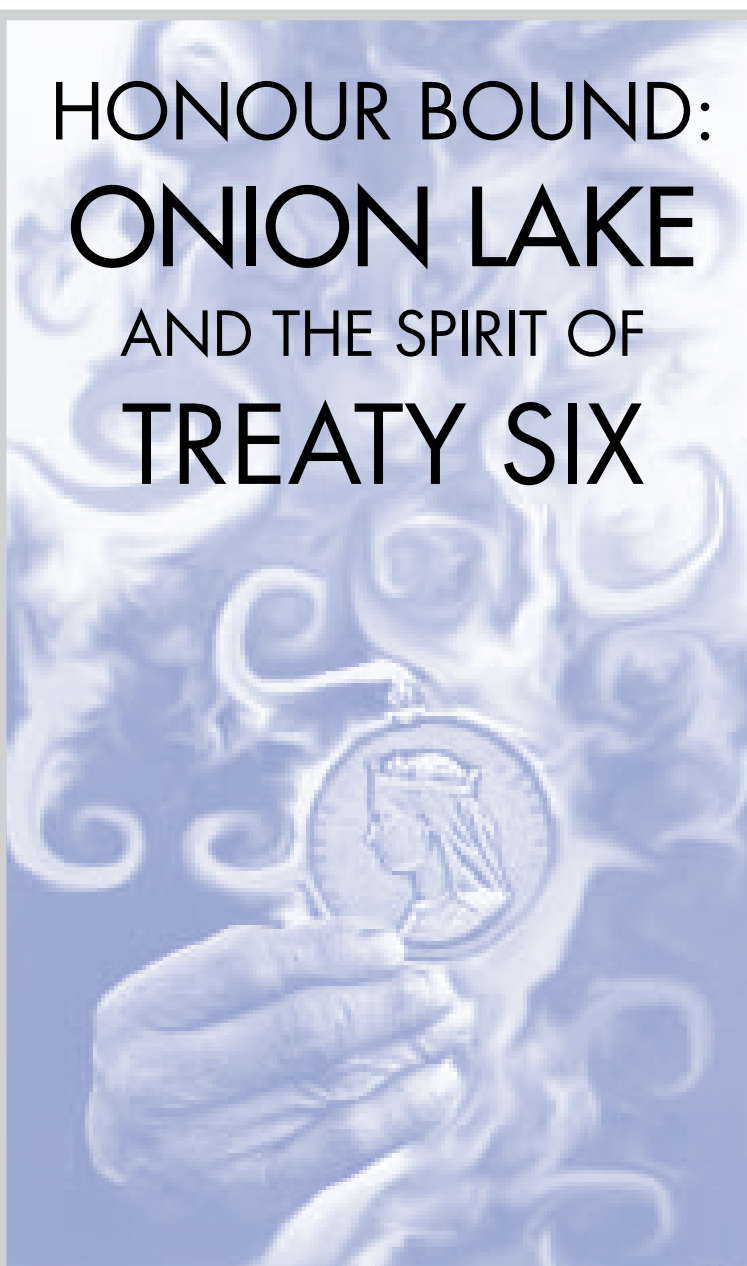


HONOUR BOUND:  
**ONION LAKE**  
AND THE SPIRIT OF  
**TREATY SIX**



The International  
Validity of Treaties with  
Indigenous Peoples

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The International Validity of Treaties  
with Indigenous Peoples

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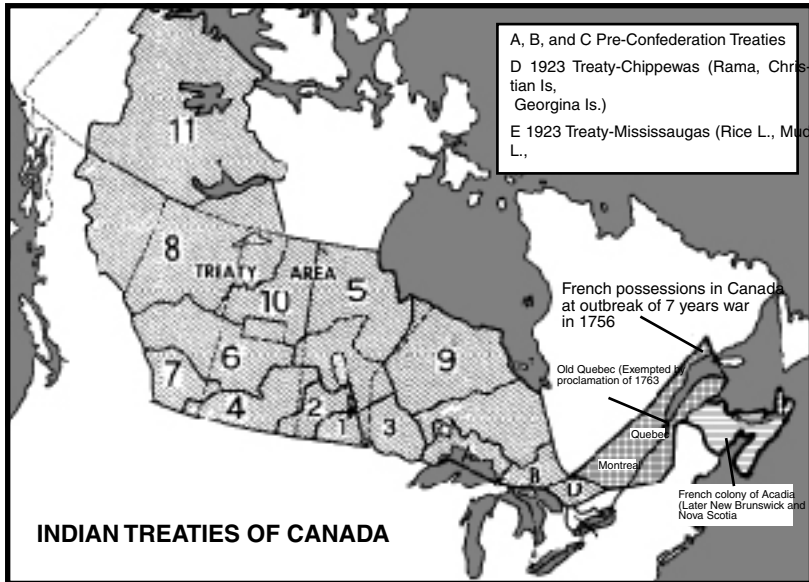
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# CONTENTS

Introduction by Sharon Venne .....	5
The United Nations Study on treaties, agreements and other constructive arrangements by Isabelle Schulte-Tenckhoff.....	11
Onion Lake and the Revitalisation of Treaty Six by Andrew Gray .....	19
Treaty Six First International Meeting, 17-20 July 1989 Onion Lake First Nation, Treaty Six Territory .....	57
Appendix: The treaties at Forts Carlton and Pitt, Number six .....	123



# INTRODUCTION

## SHARON VENNE

*Like the wind across the grass, like the smoke from the sacred fire, like the cry of the eagle, the wisdom of our Elders is carried across time. The knowledge of the Elders not only conveys the history of our people but contains the wisdom which is passed from generation to generation. For guidance and direction, it is customary to approach an Elder or a group of Elders and request their help. In order to approach an elder, one should bring pipe tobacco or sweetgrass and ask for help. An Elder will let the person know whether they will accept their offer. Once an Elder has accepted the gift, they attempt to help in the way which was requested.*

*The Chiefs of Treaty Number Six wanted the Elders to help communicate our understanding to the Special Rapporteur who was undertaking a United Nations Study on Treaties, Agreements and other constructive arrangements.*

*The following transcript is from the gathering of Elders and Chiefs to discuss Treaties and Treaty making from an Indigenous perspective with the Special Rapporteur.*

### Treaty Six Onion Lake First International Treaty Gathering

When the United Nations approved the Study on Treaties, Agreements and other constructive arrangements between States and Indigenous Peoples in May, 1989, Treaty Six Chiefs invited the Special Rapporteur Miguel Alfonso-Martinez to attend an Elders and Treaty Six Chiefs' meeting. He accepted the invitation.

In order for the Elders to attend, messengers had to be sent to their homes with tobacco and the invitation from the host Chief and Council of Onion Lake First Nation. The Elders with their knowledge and understanding of the Treaty Signing and the significance of the Treaty signing were the central focus of the gathering. Without the Elders present at the gathering, there would have been no gathering.

Before we proceed, there are some terms which should be explained. Treaty Number Six was signed with the British Crown in

1876. The State of Canada never signed Treaty Number Six with the Indigenous Peoples. Canada did not possess any authority to enter into Treaties with anyone until the 1930's. Canada did sign a fishing treaty with the United States of America in the 1920's but Great Britain co-signed with Canada. There were two signings of the Treaty Number Six, once in Fort Carlton near the present-day town of Duck Lake, Saskatchewan and the other signing took place at Fort Pitt near the reserve of Onion Lake, Saskatchewan.

Why is it called Treaty Number Six? When the British Crown was negotiating Treaties across the western part of Canada, the Crown started to number the Treaties. By the time, the Crown reached the central part of present-day Canada, they had reached number Six. For example, the Treaty signed the following year in 1877 with the Blackfoot Confederacy and their allies was called number seven. No magic - just convenience for the non-indigenous people to keep track of their legal obligations.

When Treaty Number Six was entered into in 1876, there were no provinces. Now, Treaty Six territory extends across the provinces of Alberta and Saskatchewan and into the Province of Manitoba. The size of territory in question is 260,000 square miles. At present, there are fifty-two communities remaining spread across the Treaty area like pepper corns in a sea of salt (check map).

At the time of the Treaty signing, the Chiefs and Headmen agreed to share their lands with the non-indigenous people. The Chiefs and Headmen only agreed to share the top soil to the depth of the plough. Indigenous Peoples never surrendered, sold or otherwise alienated the land, water, trees, mountains, resources above and below the ground, animals, birds, fish and all other living things. The Chiefs, Headmen and the citizens are the caretakers of the land, the resources and all living things for the future generations. The Creator never gave any authority or privilege for anyone to sell, cede or surrender the lands which are for the future generations. The only authority which was possessed by the Chiefs and Headmen under the laws of the Indigenous People was to share the lands.

There are many examples of pre-contact Treaties with other tribes where land was shared. Treaties and Treaty making were not a new concept to the Indigenous Peoples and neither was sharing the land a new perception. Sharing lands is not selling the land. When the Indigenous Peoples agree to share the lands the non-indigenous people agree to provide certain benefits to the landlords for as long

as the sun shines and the water flows. These are referred to as the Treaty promises and Treaty commitments. The Indigenous Peoples agreed to share the lands and to live in peace with the non-indigenous settlers. The Indigenous Peoples have never reneged on their obligations. The same cannot be said for the non-indigenous people.

In addition to sharing the topsoil and receiving Treaty benefits, the Indigenous Peoples reserved for themselves - land. The land which was reserved by them has become known as reserves or reserved lands. These lands are untainted lands. These lands were never touched by the non-indigenous people. Our Chiefs and Headmen kept those lands for the future generations and to keep the non-indigenous people out. These are not lands which the Indigenous Peoples were placed upon by the non-indigenous people. Many times in the past hundred years, the Government of Canada has tried to elude to the notion that the Government placed Indigenous Peoples upon reserves to keep them locked up. This is a blatant distortion of the term: reserved lands.

Thus, Onion Lake became the site of the Treaty Six Gathering for a number of critical reasons. First: Onion Lake is near Fort Pitt which holds historical and spiritual significance for the Elders. Second: Onion Lake is reserved land from the time of the Treaty making which is critical to the holding of sacred ceremonies related to the discussion of the Treaty signing. Third: Onion Lake is centrally located in the vast territory covered by Treaty Number Six. Fourth: There was a secure area for the conference which could prevent unwanted observers from interfering with the gathering. Onion Lake also possess their own security and had a good working relationship with the neighbouring police force. Fifth: Chief Wallace Fox and his Headmen had a strong belief in the Treaty and wanted to maintain the relationship to the Treaty. Chief Wallace Fox requested that the Chiefs within Treaty Six honour his people by having the gathering in Onion Lake. So, it was decided. Onion Lake would host the meeting of the Special Rapporteur.

Once the Special Rapporteur accepted the invitation, preparation went into overdrive. There were many details to be worked out. The special ceremonial teepee needed to be made and erected at the grounds. There needed to be planning for the feeding of hundreds of people on a daily basis. Word was sent from the community for food. Many other communities donated food: buffalo, deer, moose, smoked dried and fresh fish etc., were donated by the Treaty First



Nations. (At the gathering, there were nearly a thousand people to feed twice a day.)

The Elders were approached in the traditional way. The purpose of the meeting was explained to them. The position of the Special Rapporteur, Miguel Alfonso-Martinez was defined. The objective of the Treaty Study was outlined to the Elders. The importance of the knowledge possessed by the Elders would be significant for the Special Rapporteur to hear. The Elders agreed to participate in the gathering to discuss the Treaty and the laws related to the Treaty. Oral history at its finest was waiting to happen in Onion Lake First Nation within the Treaty Six territory in the summer of 1989.

When the Chiefs and Headmen signed the Treaty, it was done with the smoking of the pipe and an oral undertaking given to the Creator and the representatives of the Crown that the Treaty would last as long as the sun shines and the water flow. While the non-indigenous wrote their version, the Indigenous understanding was passed from generation to generation through the oral tradition.

The written version is not the Indigenous Peoples' understanding. Over the years since the signing of the Treaty, there have been conflicts in relation to the understanding of the Treaty. Only in the late 1970's did the Elders become aware that the Governmental version of the Treaty was significantly different from their understanding. While both sides - the Indigenous and non-indigenous - discussed the "term" treaty, they were never in the same room. While the Government of Canada tried to impose their version of the Treaty interpretation, the Elders insisted upon their understanding of the Treaty as the version which should be followed. The oral understanding of the Treaty is critical for the Special Rapporteur to appreciate and understand the depth and breath of the Traditional Treaty making laws and to understand the significance of the ceremonies attached to the Treaty. All of these reasons taken together form the reason for the Elders to come and talk about the Treaty with the Special Rapporteur.

What is contained in this document is an english translation of the elder's words. There is little if any editing of their words. When an elder begins to speak, they preface their knowledge with the disclaimer that they do not know too much. This is due to the truth that Elders are humble and only the Creator knows all. There are no "experts" amongst the Elders. This does not discount their knowledge.

The preface is merely an acknowledgement that they are human beings made by the Creator.

One other critical point which concerns the Elders, no one Elder holds all the wisdom. The knowledge is spread amongst a large circle of Elders in order to maintain and to preserve the information. If only one person knew the complete story and did not have time to pass the details along to the next generation, it would be lost to the people. As a result, the Elders hold the certain pieces like a giant puzzle. It takes much listening, patience and understanding to see the whole picture. Those who have little time to listen to the Elders will always be without the complete knowledge. Such is the oral understanding of the Treaty Number Six which is set out for the reader.

One final note to the reader - the Elders draw you into their world through the oral tradition. A world where the smoke curls and moves skyward to the Creator. The Creator who placed us upon our mother - the earth bound all Indigenous Peoples to follow the laws set by the Creator. A world where time and space mix and melt into reality - an Indigenous Reality. Listening to the Elders is an experience which will be shared in this volume.



*Right to left: Chief Harvey Scanie, Chief Thomas Abraham, Chief Al Lameman, Chief Wallace Fox, Sharon Venne, Miguel Alfonso Martínez, Wilfred Tootoosis, Gordon Tootoosis, Joe Waskewitch*

# THE UNITED NATIONS STUDY ON TREATIES, AGREEMENTS AND OTHER CONSTRUCTIVE ARRANGEMENTS

ISABELLE SCHULTE-TENCKHOFF

The conference whose proceedings IWGIA has the merit to publish here is part of a growing number of treaty meetings which are not only crucial for the First Nations concerned, but are also particularly relevant to an important United Nations initiative, namely the ‘Study on treaties, agreements and other constructive arrangements’ entrusted in 1988 to Miguel Alfonso Martínez as Special Rapporteur.

Indeed, at the level of the United Nations, it is understood that, especially for the first peoples of the Western hemisphere, the treaty relationship continues to be of paramount importance for determining their future status. The treaty conference convened at Onion Lake and all subsequent meetings of this type<sup>1</sup> thus play an important role for international standard-setting regarding the rights of Indigenous Peoples; and their significance beyond the realm of Treaty Six, or even Canada, can hardly be overstressed.

## The Institutional Context of the UN Treaty Study

For over a decade, United Nations activities regarding indigenous issues, in particular those of the relevant human rights bodies,<sup>2</sup> have been guided by the conclusions and recommendations of the voluminous study on *The Problem of Discrimination Against Indigenous Populations* by José R. Martínez Cobo. One of these recommendations deals with treaties concluded between Indigenous Peoples and present-day nation states or their colonial predecessors. Given the ‘paramount importance’ these treaties still have for many Indigenous Peoples, Martínez Cobo felt that ‘a thorough and careful study should be made of areas covered by the provisions contained in such treaties and conventions, the official force of such provisions at present, the observance, or lack of effective observance, of such provisions, and the consequences of all this for the Indigenous Peo-

ples and nations concerned'; and that 'in so doing, account must necessarily be taken of the points of view of all parties directly involved in such treaties', that is, 'primarily the Government and indigenous nations and peoples which have signed and ratified such treaties'.<sup>3</sup>

The relevant UN bodies did not fail to act on Martínez Cobo's recommendation. On 2 September 1987, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 1987/17 entrusting a member of the Working Group on Indigenous Peoples, namely Miguel Alfonso Martínez, with outlining such a treaty analysis. The following year, the provisions of this resolution were endorsed by the Sub-Commission's parent body, the Commission on Human Rights which confirmed in its resolution 1988/56 (9 March 1988) the appointment of Miguel Alfonso Martínez as Special Rapporteur with the mandate of 'preparing an outline on the possible purposes, scope and sources of a study to be conducted on the potential utility of treaties, agreements and other constructive arrangements between indigenous populations and Governments for the purpose of ensuring the promotion and protection of the human rights and fundamental freedoms of indigenous populations'. Apart from the Outline submitted in 1988, the Special Rapporteur has provided to date a Preliminary Report and two Progress Reports. A third progress report dealing mainly with the Americas is due in 1996, the final report in 1997.<sup>4</sup>

## The Purpose and Substance of the UN Treaty Study

According to his Outline (§ 10-15), Miguel Alfonso Martínez views as the ultimate purpose of the Study 'to offer elements concerning the achievement, on a practical level, of the maximum promotion and protection possible, both in domestic and international law, of the rights of indigenous populations and especially their human rights and fundamental freedoms'. This process aimed ultimately at securing 'solid, durable and equitable bases for the current and, in particular, future relationships' between Indigenous Peoples and states requires, according to him, negotiation and the search for consensus.

As to the Study's scope, the Special Rapporteur is less concerned with geography than with the need to project into the future the lessons to be drawn from the history of treaty-making with indigenous nations. Finally, regarding the juridical scope of the Study, the

‘norms and customs that regulate the life of indigenous populations’ are placed on an equal footing with ‘public international law and ... the municipal law of the States’.

Furthermore, the Outline (§ 20-23) tentatively establishes the structure of the future Study - a structure planned in three parts. The first one would analyse the origins of treaty-making between indigenous nations and states; the second part would assess the contemporary significance of these historical instruments, and also address the issue of what the Canadian government for instance has called “modern treaties”; the third and final part would address the question of the use of indigenous treaties for the regulation of future relationships between Indigenous Peoples and states. Underlying this structure there seems to be a certain chronological procession. The First Progress Report contains a typology of international instruments to be taken into consideration, and places these in historical and anthropological perspective. The Second Progress Report mainly addresses the issue of domestication.

Alfonso Martínez starts from the assumption that a purely legal approach cannot render justice to the complexity of the treaty issue: ‘The negotiating process which leads to the existence of any treaty, agreement or other constructive arrangement between States and indigenous peoples implies, of course, considerable and most varied contacts between two parties whose civilizations, historical experiences, forms of social organization, customs and perceptions on innumerable things are, in general, extremely different. Consequently, in order to assess the utility of instruments of this type [...] it is imperative to fully understand the rationality of the actions of those same two parties not only prior to and during the necessary consensual process which makes them possible, but also during their actual implementation. It has not been difficult, of course, for the Special Rapporteur, to understand the logic which governs, in general, the action of nation-States and the rationality of the institutional and juridical norms of the so-called ‘modern societies’, organized *grosso modo* in accordance with Western models [...] For a non-indigenous person, however, the difficulties of achieving a similar comprehension in terms of the actions of indigenous nations in this area turn out to be, for sure, considerably greater’ (First Progress Report, §22-26).

Thus, while preserving globally a technical-juridical perspective, the Special Rapporteur has felt moved to aspire beyond what may

be termed a Eurocentric and legalistic outlook. By and large, this means putting to gooduse the methods of history and, above all, critical anthropology which ‘favours a decentred view on culture, society, law and history’ (First Progress Report, § 32). Indeed, how could one possibly avoid such a decentred view, not only in the face of the diversity of situations Indigenous Peoples find themselves in, but given also the practice of stereotyping and stigmatising indigenous peoples have been victims of, and last but not least the need to understand to the extent possible the motivations and aspirations of Indigenous Peoples themselves?<sup>5</sup>

More specifically, the critical and transdisciplinary perspective adopted by the Special Rapporteur amounts to rethinking the concept of authenticity, in particular the widespread notion that only that version of a treaty which is in written form - preferably in a European language - and deposited in state archives is authentic. At stake here is the dominant discourse of international law, in particular in terms of the history of the ‘Law of Nations’ - a discourse whose preconceptions are well illustrated by the fact that numerous treaties involving indigenous nations are absent from the classic treaty compilations. Also at stake here is, of course, the legal personality of the indigenous treaty signatories. Both issues have given rise to much controversy among specialists, but it should not be forgotten that in the course of their active participation in international fora over nearly two decades now, indigenous delegates themselves have voiced their opinion on them, often echoing the views of the Elders exemplified by the speeches contained in this volume.

## Indigenous Treaties, Then and Now

One of the main conclusions reached by the Special Rapporteur in his First Progress Report is that: ‘In establishing formal legal relationships with indigenous North Americans, the European parties were absolutely clear [...] about a very important fact; namely, that they were indeed negotiating and entering into contractual relations with sovereign nations, with all the legal implications that such a term had at the time in international law’ (§ 138).

Regarding the follow-up to this conclusion, there are two fundamental aspects. One is historical, implying an assessment of what international law meant at the time, but also a thorough investigation of what the Special Rapporteur has called a regression, namely the

‘clear trend in nation-States aimed at divesting [Indigenous] nations of the very same sovereign attributes and rights, particularly their land rights’; and this is, indeed, the main purpose of the Second Progress Report issued in 1995 (Second Progress Report, § 132, 133). In geographical terms, while the first and presumably also the third progress report focus on the Americas, the second one deals with Africa, Asia and Oceania.<sup>6</sup>

The second aspect to be considered here is of a more anthropological nature, since the scope and outlook of the Treaty Study require a good understanding of the characteristics of indigenous nations. Hence Alfonso Martínez’s calls for a legal anthropology of indigenous systems of political and legal organization, with a view to weighing their significance in relation to the objectives of the Study. Fundamental questions include: What was the nature of indigenous diplomacy, and how did it reflect on relations established with (European) newcomers? In what form have the principles of indigenous diplomacy been carried over into the present? What were, and are, indigenous conceptions of law and the obligations incurred through treaty-making? How do Indigenous Peoples view reciprocity and mutuality, the fundamental principles of negotiating agreements? What was, and is, the influence of traditional indigenous hierarchies and notions of power and representativity on negotiations with outsiders? What are indigenous ideas about the person in relation to the community, about individual in relation to collective rights? (First Progress Report, chap. II).

In this regard, the UN Study on treaties requires extensive consultations with all parties involved, in particular - for the substantive reasons stressed above - with the indigenous side. While United Nations studies normally draw on direct evidence obtained by means of a questionnaire addressed to UN members, Miguel Alfonso Martínez took care to elaborate a questionnaire in two versions, one addressed to states, the other Indigenous Peoples and organizations. These questionnaires have circulated since 1990, but their comprehensive analysis is still pending. Undoubtedly, however, the responses will shed light on the questions listed above, especially since the Special Rapporteur has also had the opportunity to engage in ‘fieldwork’ by attending indigenous treaty meetings, including the one documented in this volume.

In conclusion, the main challenge faced by the Special Rapporteur on indigenous treaties is quite evident in the Canadian context, to which the present volume is devoted:



'The federal government has consistently approached agreements with aboriginal groups, whether they were treaties or modern land claims agreements, with the objective of finality. It has aimed to secure clear title for development and to guarantee that no future claim based upon aboriginal title could be made upon land [...] Usually, aboriginal people have approached the agreements as vehicles for the recognition of their unique historical position as the original inhabitants of Canada and for the provision of guarantees for their continued social and cultural distinctiveness in the future'.<sup>7</sup>

Clearly, the expectations of government authorities and those of Indigenous Peoples are difficult to reconcile at present. Given this situation, the most significant contribution of the UN Study on treaties (Which, once completed, will be morally binding but will have no legal repercussions.) lies in its advocating a renewal of the treaty spirit, that is, of seeking consensus through a process of negotiation free from any compulsory - or 'non negotiable' - element such as the extinguishment of indigenous rights. It also means restoring the multifaceted indigenous truth on treaties and treaty-making at the level of the international community, where it rightfully belongs.

*Montréal, May 1996*

## Notes

- <sup>1</sup> Subsequent meetings in the Treaty Six area were convened, to my knowledge, by the Joseph Bighead (1990) and Saddle Lake (1991) First Nations.
- <sup>2</sup> These are: the Commission on Human Rights (composed of fifty-three UN member states), as well as its subsidiary body, the Subcommission on Prevention of Discrimination and Protection of Minorities (composed of twenty-six individual experts); the Subcommission's Working Group on Indigenous Peoples was established in 1982; in 1995, a Working Group of the Commission was created to finalise, at that level, the draft United Nations Declaration on the Rights of Indigenous Peoples that had been drafted and adopted (in 1994) by the Subcommission's Working Group, with the input of hundreds of Indigenous delegates.
- <sup>3</sup> José R. Martínez Cobo, *Study on the Problem of Discrimination against Indigenous Populations*, vol. 5: "Conclusions, Proposals and Recommendations". New York: United Nations, 1987, § 388-392.
- <sup>4</sup> A first version of the outline is contained as Chapter IV in the 1988 report of the Working Group on Indigenous Populations at its sixth session (document E/CN.4/Sub.2/

1988/24). An amended outline was subsequently re-issued as an addendum to the Working Group report (E/CN.4/Sub.2/1988/24/Add.1); citations are from the latter. As to the reports already issued, these can be obtained as United Nations documents with the signature E/CN.4/Sub.2/1991/33, 1992/32 and 1995/27.

- <sup>5</sup> Compare Outline, § 9; Preliminary Report, § 28-35. For a detailed treatment of this aspect of the Study, see I. Schulte-Tenckhoff, “L’Étude des Nations Unies sur les traités entre peuples autochtones et États”, in *Recherches amérindiennes au Québec* XXIV (4) (1994): 17-27.
- <sup>6</sup> It is worth adding that the Second Progress report also contains a chapter on the similarities and differences between indigenous peoples and minorities (Chapter II), echoing in this fashion a growing international concern, and takes a stand on how this distinction relates to the treaty issue and the history of European colonialism.
- <sup>7</sup> Quoted from the report Living Treaties, *Lasting Agreements. Report of the Task Force to Review Comprehensive Claims Policy*. Ottawa: Department of Indian Affairs and Northern Development, 1985, p. 5-6.



*Elder J. B. Stanley speaking - standing next to him Chief Wallace Fox, Chief Harvey Scanie, Chief Thomas Abraham, (behind) Victor Matchatis, Chief Al Lameman and Chief Jacob Bill*

# ONION LAKE AND THE REVITALISATION OF TREATY SIX

ANDREW GRAY

‘When the Elders speak people should listen. Too many people do not listen to the Elders nowadays.’ These words were spoken during a unique meeting which took place at an indigenous North American reserve called Onion Lake in 1989.<sup>1</sup> Between July 17th and 20th, over 100 Elders from the Treaty Six Cree and Dene (Chippewa) nations of Alberta, Saskatchewan and Manitoba came to the reserve to address over 1,000 indigenous people. They had gathered to listen to their Elders describe a series of events which had taken place in August and September 1876. By remembering the exact way in which they had been told about these events, the Elders dramatically brought to life the negotiations and signing of an international treaty with representatives of the British Queen Victoria.

The meeting was not an attempt to make a historical reconstruction. It was a spiritual and descriptive re-creation of the signing of Treaty Six, which covers an area of over 130,000 square miles. Parallel with the speeches of the Elders a series of ceremonies took place which are very rarely performed. These ensured that the accounts given by the Elders were not only true, but captured the spirit of the establishment of the Treaty 113 years earlier.

Elders are very unassuming. As an outsider you might not recognise them. They are not all aged and they wear the same clothes as anyone else. They have no high political position and are extremely unassertive. Their knowledge is passed down orally and their recognition as an Elder comes from the fact that they talk sense wisely and have integrity. At the same time they receive enormous respect and affection from the other Cree and Dene. Although they are in contact with the spirit world, their humour never makes them other-worldly. Not all people become Elders, only they whose qualities become recognised.

Treaty Six was one in a series of eleven numbered agreements which took place from 1870 to 1921 between the British Crown, through its Canadian officials, and the Indigenous Peoples of the northwest. The aim was to open up vast tracts of land for settlers

and rail roads in the fertile lands north of the US border between Lake Superior and the Rocky Mountains. At the same time the Indigenous Peoples themselves were under enormous pressure from the decline of buffalo herds, the ravages of disease and famine. The parties to the Treaties had different interests which were brought together in the documents. The conditions under which the documents were drawn up, the various interpretations of the clauses and their significance now make them as relevant today as when they were signed.

To understand the importance of Treaty Six we must look at notions of time and space, of interpretation and social change. As we compare the different perspectives on the events, we pass through many different domains - political, spiritual, legal and historical. The approach used here is not to try to encapsulate the issue and explain it away theoretically, but enable the reader to catch a glimpse of two worlds confronting each other. One is based on state power and legalistic interpretation, the other is based on sovereign nationhood and spiritual understanding.

## Background to the Indigenous Peoples of the area

The Cree are the largest indigenous nation living within Canada comprising over 60,000 people (DIAND, 1967:25). They are Algonkian speakers and live in an area stretching from the woodlands south of Hudson Bay to the northern prairies of Alberta. Although they are noted for having moved down to the plains in the 19th century from the northern woodlands and displaced the Blackfoot and Gros Venture with their use of guns and horses, when looked at more closely the history of the Cree is more complicated.

'Far from being the romantic and wild raiders of the plains, the Cree and other natives of the plains were engaged in a series of well-structured, inter-tribal relationships which were designed to ensure their security, to assist them in meeting the challenge of plains existence and to facilitate the acquisition of the good things of the world' (Milloy:1988:xiv).

The Cree first encountered white people in the 1640s and within 30 years were in contact with traders and fur trappers. By the 1670s Cree had become traders and trappers and had established routes on the Red and Saskatchewan rivers bringing them into close contact with Indigenous Peoples across the plains. By 1690 and beyond,

the Cree were living on the plains in alliance with the Blackfoot and Assiniboine peoples (Mandelbaum: 1979:26, Milloy: op.cit.:6).

During the 18th century the plains economy underwent a change with the increased availability of the gun and as the value of horses increased. The Cree suffered for their close contact with white traders and were the first people of the area to face the devastation of smallpox. It is estimated that the epidemics of 1737 and 1780-2 affected two-thirds of the nation (Milloy:op.cit:70).

The Cree continued to use both woodland and plains areas for their trading and became major suppliers of guns during the late 17th and 18th centuries (Wolf:1982:172). However a shift in trade commodities made the plains area even more important than previously. The search for furs sent the Hudson Bay Company overland westwards between the river basins draining into the Atlantic and Pacific. The need of supplies increased the demand for pemmican, processed dried meat made from buffalo.

The Cree had, by 1772, begun to make buffalo pounds on the plains (Mandelbaum, op.cit.:33). These pounds were used to draw hundreds of beasts into a corral where they could be slaughtered for meat. The process was not simply an economic activity but was initiated and guided by a person with shamanic qualities who had power from a spirit helper (op. cit.:55). The increased demand for buffalo led many Cree to spend most of their time on the plains where they carried out extensive meat trading not only with non-indigenous people but utilising a previously existing indigenous trade network with the Mandan-Hidatsa (Milloy, op. cit.:47).

Relations between the different plains peoples deteriorated during the early 19th century. The Hudson Bay Company and its rival, the Northwest Company made more of an effort to trade directly with as many groups as possible. This had the effect of breaking up the mutually exclusive trade monopolies between the plains people and rivalries increased. The inflationary spiral of horse prices led to an increase in raiding.

In spite of the raiding and the disease, 'while the buffalo were numerous plains life was secure and provisions were bountiful' (Milloy: op.cit.:104). This period of the 19th century provided the first ethnographers of the Cree with information. Not interested in post-treaty events, writers have, on the whole, concentrated on presenting the Cree as they were in the 19th century. This has been described as 'the plains stereotype' (Wilson:1985:357).

The work of Mandelbaum (1979) and Milloy's 1988 historical work have, among others, described similar features of plains Cree society during the 19th century. They describe the Cree as consisting of dispersed and mobile bands (12 according to Jenness, 1060:317 and eight according to Mandelbaum, op.cit: 9). Mandelbaum describes the bands as follows: 'The bands of the plains Cree were loose, shifting units, usually named for the territory they occupied'. According to Milloy, op cit: 'Prestige, which accrued to those who exhibited military valour, wealth and liberality, was the most important determinant governing social and political status.'

Mandelbaum describes band social organisation in terms of a hierarchy of the Chief and his advisors, the 'warriors' who were men whose bravery had been demonstrated and the 'worthy young men' who were establishing themselves through valour and experience. The Cree were all linked by a relationship terminology of asymmetric exchange, thereby reinforcing the identity of the nation as a whole while enabling flexibility of movement from one band to another.

Ethnographic descriptions of Cree religion usually start with a discussion of the Creator or Great Spirit (*kice manito*) who created everything and holds the world together. Intermediary spirits such as the bear or the eagle can appear in living things or in visions as guardians. Particular reference is made by Mandelbaum to shamanic visions and dances such as the sun dance, the pipe stem bundle dance, the chicken dance and the round dance.

Mandelbaum says (p.227) that the pipe inaugurated all ritualistic behaviour. The pipe would be held over sweet grass, raised to the Creator and then swung clockwise to the four points of the compass. For making any oath, promise or prayer to the spirit world those seated would smoke together from the pipe. 'Smoking the tobacco signified acceptance of the invitation or assent to the proposition stated in the message' (ibid.:228). Songs played an important part in ceremonies: 'while ritual smoking beckoned the spirit powers and offerings gratified them, songs placed a stamp of authenticity upon ceremonial procedure as emanating from genuine vision experience' (ibid.:229).

These descriptions, produced in the first half of the 20th century, refer to information from pre-treaty periods and were used for creating ethnological typological culture areas. Patterns were developed on the basis of 'traits'. Wissler linked plains peoples together

by the use of the horse, Spier by the Sun Dance while Murdock makes a 'shopping list' of 90 traits (Fisher, 1985:362). The result is a timeless, changeless vision of a way of life based on buffalo herding which rose to a peak in the mid-19th century and rapidly declined with devastating effect on the Indigenous Peoples of the plains.

This is not to say that the Cree or other plains people constitute survivors of a socio-cultural life which has long disappeared. On the contrary, as the later description of the Onion Lake meeting will show, most, if not all, of the features mentioned here are alive and well, although appearing in a completely different historical context.

While the buffalo lasted the Cree were to a large extent independent from European influence, but 'as the herds diminished, life became hard and the traditional way that the Plains Cree had enjoyed for so many generations became less tenable' (Milloy, op.cit.:104). The disappearance of the buffalo took place in the latter half of the 19th century when American traders raised the price of buffalo robes and hunters moved up from the United States. To this day Cree blame the loss of buffalo on American hunters: 'This utter disregard for natural law, coupled with the white man's diseases and his plain cruel selfishness created for the proud, easy-going Plains Cree, a period of untold misery and brought about their ultimate degradation' (Dion, 1979:65).

By 1862 buffalo were beginning to move from the Red River area to the west. The Cree, who had already been in conflict with the Blackfoot nation over horses and buffalo began to suffer a period of increasing hardship which reached its peak in 1869-70. A smallpox epidemic in 1870, a vicious battle with the Blackfoot and massive prairie fires ravaged the Cree. 'Many harrowing stories have been told of the deplorable conditions which prevailed among the people of the plains after the fateful smallpox epidemic of 1869-70 and the starvation of the next two winters...over 60 children perished on the plains during that fearful winter of 1871-72' (Dion, 1979:69-70). Meanwhile between 1870 and 1874, 5000 buffalo were killed by encroaching gun-men from the south (Goodwill & Sluman, 1984:8).

Ethnographic histories and descriptions of Cree life appear to end at this point. As a result of these problems the, Cree and other plains peoples signed the treaties and became settled on reserves. Mandelbaum describes the process as follows: 'Finally, in 1876, the Plains Cree submitted to government authority at Forts Carlton and Pitt' (1979:43). Yet Milloy, who ends his history at this point



comes to another conclusion: ‘their flexible band system and the status system, with its focus on generosity and valour, produced an inner strength which allowed for the absorption of the shocks of epidemics and defeats’ (op.cit:120). This hardly sounds like a people prepared to submit to any authority.

When we look at the preparations for the signing of Treaty Six, we can see that Milloy’s opinion fits the evidence. The first initiative for a treating with the authorities came from the Cree themselves as far back as 1871. Fearful of the increase in white settlers on top of the problems they were having, four chiefs, led by Sweet Grass wrote to the governor:

‘Great Father, - I shake hands with you and bid you welcome. We heard our lands were sold and we did not like it; we don’t want to sell our lands; it is our property, and no one has a right to sell them.

Our country is getting ruined of fur-bearing animals, hitherto our sole support, and now we are poor and want help - we want you to pity us. We want cattle, tools, agricultural implements, and assistance in everything when we come to settle - our country is no longer able to support us’ (Morris, 1880:171). He continues by seeking provision against starvation, smallpox and Americans encroaching on their lands.

The statement is a sign that some Cree by the early 1870s could see that buffalo would no longer be able to support them and wanted to increase their agricultural work. Although most of the Plains Cree herded buffalo, some worked the land (Milloy: op.cit:109). It was apparent by the late 19th century that this shift in production would be the most likely to protect them from starvation.

However when we look at the letter, the Cree Chiefs are primarily concerned about the sale of their lands to the increasing number of settlers coming from the east. In the accompanying letter of 13th April 1871 by W.J.Christie of the Hudson’s Bay Company, there is a reference to the fact that ‘many stories have reached these Indians through various channels, ever since the transfer of the North West Territories to the Dominion of Canada’ (Morris op.cit:169). The Cree were aware that the Crown, since the transfer of 1870, had been making treaties with Indigenous Peoples from the area.

Here we see, five years before the Treaty was signed, the main issues which were to be at stake. The Cree wanted government support to ensure a transformation of the mode of production from buffalo herding to settled agriculture. In order to do this they had

to come to some agreement with the Government. At the same time the Cree did not want to sell or lose their lands.

The Government eventually decided that a treaty was in its interests and sent Rev. George McDougall to travel the Plains and explain to the Indians the intentions of the Government to visit them the following summer and ‘confer with them as to a treaty’ (Morris, op.cit:173). The Cree chiefs were in favour of a visit by the Government Commissioners.

## The Treaties at Forts Carlton and Pitt

Three Commissioners, Lieutenant Governor Alexander Morris, his subordinate James McKay and William Christie, with several translators, reached Fort Carlton on 23rd August, 1876. Descriptions from the point of view of the Commissioners come from Morris’ despatch and ‘an accurate account of the speeches of the Commissioners and Indians’ by A.G. Jackes, Secretary to the Commission (all in Morris, 1880).

The negotiations took place at the Indian camp outside Fort Carlton which Morris describes as ‘very beautiful: the hills and the trees in the distance, and in the foreground, the meadow land being dotted with clumps of wood, with the Indian tents clustered here and there to the number of two hundred’ (Morris, op.cit:182). The indigenous representatives then assembled, to the sound of drums, shots, singing and dancing. The following description then takes place in Morris’ despatch:

‘They then performed the dance of the “pipe stem”, the stem was elevated to the north, south, west and east, a ceremonial dance was then performed by the Chiefs and head men, the Indian men and women shouting the while’.

‘They then slowly advanced, the horsemen again preceding them on their approach to my tent. I advanced to meet them, accompanied by Messrs. Christie and McKay, when the pipe was presented to us and stroked by our hands’.

‘After the stroking had been completed, the Indians sat down in front of the council tent, satisfied that in accordance with their custom we had accepted the friendship of the Cree nation’ (p.183).

This event, for Morris, was a preliminary to the serious negotiations. However for the Cree there was another meaning to the

pipe-ceremony. We noticed earlier how important the pipe is in Cree religion. According to Taylor, commenting in 1979 on this passage:

‘In this statement Morris underestimated the importance to the Indians of the pipe stem ceremony. It signified more than an offer of friendship, although that was certainly included. The pipe stem ceremony was a sacred act undertaken before conducting any matter of importance. In the presence of the pipe only the truth must be used and any commitment made in its presence must be kept’ (Taylor, 1979:18). Later in the book, Richard Lee says ‘much significance is attached to the pipe ceremony conducted prior to the meeting with the treaty commission. In fact, we have found that, according to Indian traditions, religious formalities are as important and as significant as the subject matter at hand...the pipe ceremony conducted prior to the meetings at Fort Carlton and Fort Pitt was one that was held only in preparation for matters of extreme importance’ (Hickey, Lightning and Lee, 1979:111).

Alexander Morris then made the first of his speeches explaining the meaning of the Treaty. He started all his speeches by asserting his credentials as Councillor of the Queen of Britain:

‘You are, like me and my friends who are with me, children of the Queen. We are of the same blood, the same God made us and the same Queen rules over us...Before I came here I was one of the Queen’s Councillors at Ottawa. We have many Indians there as here, but for many years there has been friendship between the British, and the Indians. We respect the Indians as brothers and as men’ (Morris, op.cit.:199).

The negotiations were in Morris’ own words between the ‘Cree nation’ and the ‘British Queen’.

The next item in Morris’ speech was the help which the British wished to make to the Cree. ‘We are not here as traders, I do not come as to buy or sell horses or goods, I come to you, children of the Queen, to try to help you’ (ibid.:201).

The most influential Cree chiefs were Mistowasis and Ahtukuhkoop, who although they approved the idea of the Treaty, were shrewd negotiators. They were interested in what the Commissioners had to offer and the next day Morris set out his position.

‘We wish to give each band who will accept of it a place where they may live...for every family of five a reserve to themselves of one square mile’ (ibid.:205). When the Indians had a reserve the

Queen would provide a school, control liquor, provide agricultural implements, supply uniforms and marks of status to the Chiefs and Councillors of the reserves and provide cash support.

The Cree deliberated over the offer for several days and made several further requests. The Commissioners agreed to provide food in times of famine and medicines in times of sickness. Morris emphasised that even if the Cree took up agricultural pursuits, they would 'be at liberty to hunt as before' (p.218). When the agreement had been discussed a text was prepared and read by the interpreters and signed on August 23rd, 1876.

The second large meeting took place at Fort Pitt on September the 7th. The chief leading the negotiations was Sweet Grass. At Fort Pitt there were not only Cree but also Dene and Ojibwa. Following the same pattern as his previous speech Morris emphasised the position of the Queen, described his vision of flourishing reserves and made the same offers. Two days later, on September 8th, 1876, the Treaty was signed. These were the largest numbers of indigenous signatories, although several adhesions were signed later by bands which had been away looking for buffalo at the time of the negotiations.

## The Text of the Treaty

The synopsis of the negotiations given above are important when we compare the Indian perspective and the text of the Treaty itself. At no point in the account of the negotiations did the Commissioners discuss the surrender of land rights by the indigenous bands. However the text of the Treaty contains the following statement:

'And whereas the said Indians have been notified and informed by her Majesty's said Commissioners that it is the desire of Her Majesty to open up for settlement, immigration and such other purposes as to her majesty may seem meet, a tract of country, bounded and described as hereinafter mentioned, and to obtain the consent thereto of her Indian subjects inhabiting the said tract...'

'The Plain and Wood Cree Tribes of Indians, and all other Indians inhabiting the district hereinafter described and defined, to hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for her Majesty the Queen and her successors forever, all their rights, titles and privileges whatsoever, to the lands, included within the following limits...' (Morris op.cit: 251ff). These

lie between Cumberland Lake, Green Lake, Beaver River, Rocky Mountains and the boundaries of Treaties 4 and 5, encompassing with adhesions 136,006 square miles (Venne:1988/9:113)

In return the Queen agreed to lay aside reserves for farming lands on the basis of one square mile for each family. These lands could not be disposed of without the Indians' consent. Furthermore each person would receive 12 dollars, have schools provided, and hold the right to protect the reserves from alcohol. Hunting and fishing rights would be respected throughout the territory of Treaty Six subject to certain Government requirements.

In order to execute the provisions of the Treaty the Commissioners agreed to carry out a census for the purposes of paying each indigenous person five dollars annually. Each reserve would receive 1,500 dollars for twine and ammunition at the discretion of 'Her Majesty's Indian Agent' ( Morris op.cit.:354). Each band carrying out agricultural pursuits would receive implements (hoes, spades, ploughs, scythes, harrows and tools).

Each reserve's Chief and Councillors would receive a uniform, a Union Jack flag and Treaty Medal, a horse and waggon or two carts. After two reserves had been surveyed the Indian Agent would provide one thousand dollars for three years to be used for the benefit of the Indians. Furthermore the Indian Agent would be responsible for granting assistance in the case of their being any pestilence or general famine. The Treaty ends with an agreement to maintain the peace and abide by the law.

This is a summary of the context of the negotiations from the perspective of the Commissioners and a synopsis of the Treaty document itself. We see here two major discrepancies between the perspective of the Chiefs and the Commissioners. The spirit presence expressed in the pipe ceremony was invisible to the Commissioners. At the same time we can see that the Treaty itself and the account of the negotiations hold markedly different emphases. As Taylor says (op. cit: 41) 'the lack of emphasis in the negotiations on the surrender by the Indians of their territory is in sharp contrast to the prominence and explicit detail of the surrender clauses of the treaty texts'. We do not even know the extent to which the Government's text for the Treaty was actually communicated to the Chiefs. Furthermore there was some concern as to the reliability of the translations. The invisible spirit presence for the Commissioners was thus complimented by a 'hidden agenda' against the Chiefs. The difference was in the form of the two powers - state power versus spirit power.

## The Aftermath of the Treaty

The history of events subsequent to the signing of the Treaty demonstrates clearly the continuing two-sided treatment of the indigenous Cree and Dene by the state. The 'hidden agenda' became clearer over the next hundred years as the authorities tried every conceivable way to avoid the implications of the Treaty.

The significance of the Onion Lake meeting can only be appreciated by looking at the historical context in which the indigenous peoples of Treaty Six have been threatened with the loss of their treaty rights. While we were in Onion Lake we were taken to two reserves, Frog Lake and Poundmaker. There, Elders told us of the events which took place in 1885. The first uprisings after the signing of the Treaty marked the beginnings of a discontent which had its most recent manifestation at the meeting of Onion Lake.

The Commissioner's documents of the Treaty negotiations at Forts Carlton and Pitt only hint at the discussions which were taking place among the Cree. In both cases several days were necessary for the different chiefs to agree to sign the Treaty. Several indigenous sources explain that there were two general concerns expressed about the conditions offered by the government. At Fort Carlton, an eloquent leader, Poundmaker, feared that the government promises would not materialise. He was afraid that the land would be divided and the Cree would not be trained properly in agriculture. The result would be starvation. At Fort Pitt, a Chief, Big Bear, expressed his fear that being subject to the law of the Queen would bring capital punishment into the nation, an anathema to him. He also feared that no adequate protection on the remaining buffalo herds could lead to starvation.

It is ironic that these two leaders were those who first clashed with the authorities over the implementation of the Treaty. Big Bear did not settle in a reserve immediately but tried to continue the old way of living from buffalo. Meanwhile Poundmaker became a Chief and settled on his own reserve.

The situation became extremely difficult throughout the area at the end of the 1870s. Indian Agents were mean with their hand outs, missionaries were sent instead of government teachers and emergency food aid was refused when crops failed. In 1880, 130 indigenous people died (Goodwill & Sluman, op.cit: 26ff). Big Bear moved to Frog Lake reserve where he set up a small encampment near the settlement. 1883 and 1884 were hard winters and his

people had to work to receive food from the Indian Agent Thomas Quinn.

Relations with the settler community were abysmal. In 1885, while Big Bear went north to participate in a ceremony Quinn refused payment for cutting wood. The younger members of the band attacked Quinn, killed him and eight other settlers in Frog Lake. Cree leader Joseph Dion says (op.cit:97): ‘The main reason for the unrest was that the people were starving and revolt is hunger’s follower’. Big Bear returned and took his followers to an escarpment called Frenchman’s Butte where the Cree dug themselves into trenches. Most escaped but Big Bear persuaded those responsible to surrender. Six were hung in Battlefield and Big Bear himself was jailed for a year, even though he was away during the revolt.

Poundmaker’s people further east were similarly starving, and several of his young men raided Battlefield for meat. Colonel Otter from Battlefield on his own initiative invaded Poundmaker’s reserve. Poundmaker, by an ingenious trick sent the army in the wrong direction, and then forced it to attack up a steep hill. After six hours of fighting Otter withdrew. Poundmaker would not let his young men follow as he wanted no unnecessary bloodshed. He later surrendered and spent one year in the penitentiary at Stony.

## Government Policy - the Indian Acts, the 1969 White Paper, the Canada Act and the Constitution

Apart from not fulfilling the promises of the Treaty, the Government, in the same year that Treaty Six was signed, passed the first of the Indian Acts. These laws operate in a completely opposite manner to the Treaties. Whereas the Treaty was an international agreement recognising indigenous sovereignty on the reserves, the Indian Act was a unilateral statement of legal identification of Indigenous Peoples designed to administer Indian reserve communities (Sanders, 1980, 28; Venne, op.cit:101).

As a result of this, the self-determined nature of Treaty Six was easily undermined. ‘From 1882 to the present, massive surrenders of native landholding were engineered by the government under provision of its Indian Act’ (Venne, *ibid.*: 102). One well-known example from Treaty Six has been published by Jack Funk (1989). It describes how the band of Chief Thunderchild had a reserve on good land on the outskirts of Battlefield and how, through enormous

government and establishment pressure, the community surrendered its reserve lands in August 1908. Similar accounts were given to me of reserves on the outskirts of Edmonton.

The Indian Acts over the years have tried to establish the form of government on the reserves, the schooling, the possibility of ceding reserve land and facilitating the Government to take a large proportion of payments due under treaty obligations from the Government into the budget of the department of Indian Affairs. For this reason the Indian Acts were seen as threats to the rights flowing from the Treaties.

Many Indigenous Peoples express concern over issues such as enfranchisement which they consider forcibly draws them away from the benefits of a treaty. They feel that such decisions should not be imposed upon them. A federal White Paper of 1969 exacerbated the issue by proposing to terminate all special status, reserves and treaties. There was a massive protest among the Indigenous Peoples of Canada. The Indian Chiefs of Alberta (1970) produced a document detailing the effects on the Treaties. 'The Indian people see the Treaties as the basis of all their rights and status' they said (p.9). Although the 1969 White Paper was withdrawn, for Indigenous Peoples 'the Canadian government disclosed its true agenda concerning Indigenous Peoples' (Venne, op.cit.:104).

During the 1970s the Canadian government decided to proceed with constitutional partition from Britain. This involved considerable concern among the Chiefs of the treaty areas. The Treaties had been signed with Commissioners whose status was as representatives of the British Crown and not the Canadian government. The Government of Canada had administered the terms of the Treaty but the obligations were in the name of the Crown of Britain. When Prime Minister Trudeau was not prepared to deal with indigenous rights in constitutional fora until patriation was complete, the Chiefs decided to Act.

In 1981, the Chiefs of the treaty nations in western Canada took their case to the British courts. According to the Royal proclamation of 1763 indigenous rights had to be dealt with prior to settler state independence (Indian News Media,nd:14). The appeal court under Lord Denning in its summing up (Regina v. Secretary of State for Foreign and Commonwealth Affairs -ex parte Indian Association of Alberta and Others, 1982: 909) affirmed that the Treaties had indeed been signed with the British Crown but 'that the Crown's obliga-



tions under its Indian treaties must have passed to Canada, though it could not determine the method or date of the alleged transfer' (Venne, op.cit:105).

In 1982, the Canada Act was passed with the Canadian government now responsible for including the rights of Indigenous Peoples into its constitution. A series of constitutional conferences in the 1980s ended up with horse-trading for indigenous rights, exactly what the Chiefs had hoped to avoid in 1981 when they went to Britain. After a break-down of the talks in 1987 the question of treaty rights remained unresolved.

Meanwhile as far back as 1983 the chiefs of Treaty Six considered that the Canadian government was not living up to the requirements of the Treaty in excluding them from the constitutional talks. 'The elders and chiefs of the Treaty Six nations in western Canada... held a three-day meeting at Camp He Ho Ha in January 1983, reviewed the situation and, in their wisdom, declined to join the state of Canada' (Venne, op.cit. 107).

The Canadian government, to break out of the stalemate is currently seeking strategies to re-establish the conditions on which the Treaties are based. One is to buy reserves out of the treaty by offering them bi-lateral agreements in return for lump sum 'support grants'. This money is designed to 'pay off' the financial obligations inherent in the Treaty. The other method has been to establish a 'Commissioner of Treaties' who will look into the way in which these agreements can be adapted to suit the political interests of the Canadian government. The Elders of Treaty Six are particularly worried that these strategies are attempts to break the Treaty.

## The United Nations and the Onion Lake Meeting

Since the signing of the Treaty, the indigenous nations of Treaty Six have considered, not without good reason, that the Canadian government has been trying to weaken the obligations of the Treaty through its control of the administration. When those obligations were finally recognised as being the responsibility of the Canadian government in 1981, and when the Government refused to take them seriously, the Chiefs and Elders decided to take another line.

Through lobbying the Human Rights Commission of the United Nations from the Working Group on Indigenous Populations, Indigenous Peoples who had signed the Treaties convinced the govern-

ment representatives and experts of the need for a treaty study to clarify these rights from an international legal perspectives. Professor Miguel Alfonso Martinez from Cuba was appointed the expert to carry out the study. Treaty Six Chiefs and Elders agreed that during the first year of his study he should be invited to visit their reserves and hear directly of the Treaty from the Indigenous Peoples affected.

The purpose of the meeting was for the Elders to speak and describe the conditions under which the Treaty had been negotiated and signed and its aftermath. The oral interpretation of the Treaty was accompanied by important ceremonies which expressed the crucial spiritual dimension of the Treaty. Work on treaties with Indigenous Peoples nowadays takes great account of the fact that treaties should be interpreted in the manner in which the indigenous signatories would have understood, taking full account of the surrounding circumstances (Kingsbury, 1989:132).

Planning the meeting at Onion Lake was as unique as its subject matter. For months prior to the actual date, the organising committee which was centred at the reserve, visited communities throughout the Treaty Six area. They spoke to Chiefs and Councillors and prayed with the Elders. The purpose of the meeting was discussed and the invitations were formally made by the presentation of tobacco.

The most important element of the meeting was that the sacred pipe ceremony which had been performed at the signing of the Treaty was to take place again, before and after the meeting. This ceremony had to be approved by the keeper of the pipe who has retained custodianship of the stone pipe stem from his ancestor who had used it in 1876. Kept in secret, empowered by certain songs handed down from father to son, the Elders explained that the truth of the Treaty lay in the pipe, not in the document.

The keeper of the pipe approved that the ceremony should take place and that non-indigenous guests could be present for part of the ceremony. Those who were to participate in the ceremony prepared themselves in the Sweat Lodges and with Sun Dances.

The Sunday before the meeting was extremely important in Onion Lake. The Elders had gathered together and erected the ceremonial tipi facing east to the entrance of the auditorium. There the sacred pipe ceremony took place among the Elders alone. The pipe, carefully wrapped in cloth, was ceremonially brought into the

tipi where it was to remain throughout the Onion Lake meeting. No observers were present at this important ceremony which ensured that the Elders who spoke at the meeting would tell the truth and form a direct contact with what had taken place at the treaty negotiations during August and September, 1876.

Early on the Monday morning, Professor Martínez and myself, accompanied by Chief Fox of Onion Lake were escorted to the entrance of the Ceremonial Ground. We were met at the entrance by the Chiefs and Councillors attending the meeting. The Eagle Flag was raised, the singers and dancers stood around the drum and, to the rhythm and pulsating cries of the singers, the procession made its way down the long path to the sacred tipi for the pipe smoking ceremony.

At the tent, the women withdrew to one side and the Chiefs, male councillors and guests entered the sacred tipi and sat on a bearskin rug. Several women explained that they do not enter as they are already powerful enough and sufficiently in contact with the spirits not to have to participate in these particular ceremonies.

In the tent were four Elders who sat on the ground. Above them wrapped in a cloth, hung the sacred pipe of the Treaty. Hanging inside the sacred tipi were four other coloured cloths. White to the east by the pipe, signifying the Creator, yellow for the sun to the north, green for the earth mother to the south and blue for the thunderbird and rain to the west. The four Elders filled their pipes and we cleansed ourselves in sweet grass brought around by a young man. The smell of the incense filled the tipi. The Elders pointed the pipe stems to the four cardinal points, below and above. Prayers were sent to the Great Spirit (Creator) and four pipes were passed clockwise to the participants seated around the fire in front of the Elders. The bowls were of stone and are treated with great awe and respect.

After the ceremony the Eagle Flag was raised, the singers recommenced their rhythmic song and the participants processed from the sacred tipi into the auditorium which was filling up with observers. The procession walked clockwise around the central arena. At the point of the auditorium facing the sacred tipi, an Elder prayed once more and the Flag was hung. The meeting was in session.

After the meeting and a prayer, the Flag was danced and sung back to the sacred tipi for the pipe ceremony. Every day the meeting was held in between these ceremonies and the procession of the

Eagle Flag. For these occasions the Chiefs would wear their formal uniforms as designed at the time of the Treaty. Their trousers, with the thick red stripe contrast with the yellow band on the collar and cuffs of their jackets. The Councillors have a thin stripe on their trousers and no band. Women Chiefs and Councillors have similarly designed jackets with skirts.

The dress, music and ceremonies attending the Onion Lake meeting were not epiphenomenal trappings to add interest to the conference. They were an integral part of the meeting; they set the tone, the feeling and the sacred atmosphere of the discussion. However the meeting was not staid and formal. On the contrary, seriousness of intention does not belie humour and a relaxed manner. The ability of the indigenous conference to juxtapose these elements constitutes one of the unique aspects of the atmosphere at Onion Lake during the meeting.

The Elders only speak when they are offered tobacco. The conference had two chairs: Gordon Tootoosis (Cree) from Poundmaker Reserve and Allen Jacobs (Dene) from Cold Lake Reserve. They had a speakers' list made up of those Elders who had been requested to speak with the tobacco. After two days of the meeting, some Chiefs spoke briefly, but all priority for the speaking time went to the Elders themselves.

Cree and Dene people respect the opinion and advice of their Elders to an enormous extent. The Chiefs and Councillors, are on the whole, young or middle-aged. Those who make their decisions without listening respectfully to the advice of the Elders, do so at their peril. Youths who have not yet become eligible for the offices of Chief or Councillor are the Braves who protect the reserve. Throughout the meeting, a wide network of security youths carried out their traditional function of guarding the camp from outsiders and surrounding the Chiefs, Councillors, guests and Elders with a shield of protection.

The meeting at Onion Lake therefore brought together all the main aspects of Cree (and Dene) social and spiritual life mentioned earlier, and demonstrated clearly how the sacred world of the spirits is completely inter-twined with the world of human beings. Indeed, before the first Elder spoke at the Onion Lake meeting, the whole panorama of indigenous nationhood had passed before the eyes of the participants.

## The Elders Speak

All the Elders who received tobacco at the meeting could talk for as long as they liked. Elders speak in a very special way. Their language involves the use of words which many younger people do not understand. Their style of delivery, although superficially casual, is carefully thought out. Whereas similar information was presented by several Elders, they do not repeat the same thing. Each Elder has learnt a version of what happened from a particular source which he or she is careful to mention at the beginning of the statement. The presentations vary while preserving similar meanings. The effect is a collage of messages which merge, through repetition into a collective memory. This multi-dimensional patchwork is the mystery and the truth. To repeat is impossible and to try and penetrate its subtleties is arrogance. For this reason, even to open one's mouth about the Treaty in the presence of Elders is something which a younger person would only do with caution and humility.

For this reason it is impossible for me to summarise what they said. Simultaneous translations were provided for the guests in Cree, Dene and English. The translators were experienced people who understood the words of the Elders. Instead of transcribing what the Elders said which the rest of this document will do, I will look at three areas which were discussed by the Elders and Chiefs.<sup>2</sup>

## The Treaty negotiations - What the Commissioners Promised

From the testimony of the Elders it appears that in the negotiations which took place in August and September, 1876, the Commissioners concentrated far more on what the British were going to give the Cree and Dene rather than on the consequences of the Treaty in future years.

'The Commissioner said that he came not to take land', said an Elder from Onion Lake. Another from Frog Lake said: 'The Commissioner said that settlers wanted land - the grass, trees, top soil'. Another Elder added that the settlers would share the land and could use it to the depth of a plough - about one foot. The British wanted top soil for agriculture, grass for animal fodder and some trees to build houses and fences.

Reserves would be established so that the Cree and Dene could learn to practise agriculture and become farmers. An Elder from

Poundmaker Reserve emphasised in addition: ‘Morris said he would help and the Queen would use our land in a good way. We did not sell our land - we still have territorial rights for hunting, fishing and trapping’. Furthermore their rights to the sub-surface resources would not be affected.

The British promised financial and logistical support for the Cree and Dene who wanted to develop agricultural pursuits as well as health and educational facilities. The Elders concerns over these questions was the fulfilment of the Treaty promises rather than the substance of the deal.

The Commissioner swore his oath on the Bible and they signed the treaty document after it had been translated. There was concern by many Elders over the quality of the translations which could well account for any discrepancies between the oral and written testimonies as to what happened. “The Commissioners sat on platforms with four secretaries. The interpreters were very important and the old people could not be sure that the translations had been correctly interpreted. When the Indians decided, they depended on the pipe stem, the Whites had the Bible” (Elder from Frog Lake).

## The Treaty Negotiations - What the Cree and Dene Promised

According to the Cree and Dene Elders, their notion of land ownership only allows cession to take place under certain circumstances. *Atawagiwa* is the Cree word for ‘sale’. Land cannot be sold in Cree culture because it is Mother Earth and is a sacred part of the whole universe. One cannot separate land from the people who live on it. The only ways in which land can be transferred is through *eskonigan* (to share) or *kitieynamatin* (to yield for use.) An Elder from Poundmaker said: ‘The Elders taught us about the Treaty. They were witnesses of the Treaty: *atawagiwa* was never used. Indian people never sold this land’. According to the Elders at the Onion Lake meeting, the leaders in 1876 agreed to set aside the areas outside their reserves for white people to share as they needed for agricultural use.

One speaker quoted the late John Tootoosis who said: ‘Our Treaties cannot be broken. They are as strong today as in 1876. As long as one treaty nation remains with it the Treaty stands’. For the Cree and Dene nations the Treaty was a sacred agreement not only between indigenous and non-indigenous people, but also with Mother

Earth (who was to be shared with White people), and the Creator spirit who watched over the agreement. In their testimonies, the Elders made frequent reference to the sacred nature of the Treaty. 'The Treaty is a prayer', said one Elder. The promises which were made in 1876 were to last as long as the 'sun shines, the grass grows and the rivers flow'.

One Elder said that the Treaty could never be broken by any person with two legs. The sacred pipe of truth had been smoked and wiped in sweet grass which had been impregnated with the prayers and wisdom of the Elders. These prayers had risen to the Creator who listens to them from 'the front and the centre'.

## The Treaty Today

A considerable part of the meeting consisted in the Elders explaining why they felt that the conditions binding the Treaty had not been fulfilled by the Canadians and the British. There were several areas where the participants considered that the Treaty obligations had been violated.

### *1. Sovereignty*

When the British Queen guaranteed the Treaty rights, the Cree and Dene considered that they had a direct relationship with Britain. Even today the Union Jack flies on reserves at certain festival times. When the Chiefs negotiated the Treaty, they considered that they were talking directly to the Queen.

An Elder from Hobbema said: 'In January, 1897, Hon. J.J. Curzon, Solicitor General for Canada said: "We contend that these Treaties were made on an international rather than national basis... We did not give up our sovereignty"'. The Treaty had been signed by two partners, and yet one partner had reneged on its responsibilities. An Elder put it this way: 'The treaty was with the Queen who handed us over to Canada. It rained all that time and there were tears because the Queen had let go of us. We should have stayed with England'.

The main issue of concern to the Elders of Treaty Six was the Indian Act. An representative from Saddlelake said: 'This Indian Act is killing our Treaty... It is a rubber stamp which controls us'. Enfranchisement is a prime issue here. According to the Treaty, each indigenous person was recognised as a member of a nation and provided with a Treaty card, however, to receive recognition as a status

Indian under the Indian Act, people are given Status cards. A Chief from Chitichlake, Manitoba said: 'The Indian Act is used to weaken us and break up the reserves. We do not have Treaty cards any more, only Status cards'. The Elders in the meeting saw Status cards as an attempt to break the sovereignty of the Treaty and win people over to the State with the lure of benefits. These benefits come from the money owed under the conditions of the Treaty but which is now held 'in trust' by the Department of Indian and Northern Affairs.

## *2. Territories and Resources*

Elders complained that the Canadian authorities have consistently refused to recognise the hunting and trapping rights of the Cree and Dene. In 1930 the Canadian government passed a law nationalising all the areas outside the reserves thereby breaking the agreement that the Indigenous People could hunt and trap throughout the treaty area. An Elder from Good Fish Lake explained that now people needed permits to hunt, fish and collect wood.

There was some discussion of the ability of reserves to be self-sufficient. Some Elders remembered the time when non-indigenous settlers found that the indigenous agricultural produce was plentiful and of a better quality than their own. In order to prevent competition, the settlers lobbied successfully to stop indigenous produce from being marketed without control of the Indian Agent. Even where some reserves have made a living from the discovery of oil, a percentage of the profits are channelled through the Ministry for Indian and Northern Affairs.

There were several references to cases of reserves which had been pressured to sell their lands, such as happened to Chief Thunderchild in 1908 and in Edmonton. Another case was of those who signed an Adhesion but never received their lands. A Chief from Luckyman, Saskatchewan said: '100 years ago my people signed the Treaty as an Adhesion. My ancestor gathered my people and looked for the 7,000 acres to which they were entitled. The Wild Life Federation stopped them taking the lands and we still do not have the lands we are entitled to'.

## *3. Social and Cultural Problems*

The reserves nowadays consist of agricultural land used by a small minority, with the remaining families living from social welfare. Problems such as alcoholism and the poverty trap abound in certain



reserves. Many families cannot afford the building materials necessary for constructing houses.

A representative from Little Pine explained about education: 'The Creator when creating everything had laws and we had handed them down from generation to generation. Whiteman sends children to school all the time...Education is a Treaty right'. Yet he and several others complained that education was originally handed over to strict disciplinarian Church schools and many of the pupils suffered physically, psychologically and sexually from the excesses of the teachers. For a period Sweat Lodges and the Sun Dances were banned and children punished for speaking their language.

The mission schools were abandoned in the 1960s and now some schemes for bi-cultural education are in operation in several communities, with success. However the Government claims that Treaty rights do not cover university study. The Elders reminded the meeting that the block on tertiary education support is like the block on selling agricultural produce 110 years ago, an attempt to hold back Indigenous People when they make a success of their lives.

According to the 'medicine chest' clause in the Treaty, the reserves receive basic health care from the national health system. However Elders and other speakers complained that the people have to pay supplements as well as certain dental and eye charges.

The right of who can live on a reservation was another problem which the Elders raised. According to Cree and Dene traditional law, no non-indigenous man can settle on reserve land on the basis of a marriage tie. Bill C31 is an attempt to allow both male and female the same rights to live on a reserve. Whereas in some other parts of the country this may be applicable, the Elders of Treaty Six insisted that this opposed their patrilineal inheritance rules.

The people were afraid of the loss of their traditional culture because of the entry of outsiders and the loss of their use of language. In a moving speech the grandson of Chief Poundmaker said: 'Whiteman has destroyed us and our people are crying out because we no longer listen to the Elders. You should talk to your children in Cree. We should talk Cree from the beginning. We should have believed the Elders. Seventy years ago parents were listened to'.

The conclusion of the problems with the Treaty, which encompassed many of the statements of the Elders was that the Canadian government had unilaterally taken over responsibility for the Treaties from Britain without discussions with the Cree or Dene. In the

past the Government had broken specific provision of the Treaty with regard to territory and resources, social organisation and cultural expression. Now, however, the threat was as great as ever. The possibility of Bill C31, Alternative Funding Agreements designed to buy reserves out of the Treaty and the attempt to set up a Commissioner of Treaties, a government appointee who would re-adjudicate the Treaties, in the eyes of the Elders, all question the indigenous sovereignty on which the Treaty of 1876 was based.

The discontent was summed up by an Elder from Big River reserve who said: 'The non-Indian has no right to interfere on what we want for our own future'.

## The Ceremonies at the end of the Meeting

The ceremonies which took place at Onion Lake maintained the continuity between the signing of the Treaty and today. This time, however, the spiritual importance of the Treaty was explained so that its invisible aspects were understood by all the participants. We must consequently understand the ceremonies as complementary to the Treaty, reinforcing the indigenous interpretation which came afterwards.

While the meeting at Onion Lake took place, Elders and participants alike were praying at Sweat Lodges during the evenings. I participated in one of these on the first night. We travelled to the reserve of Cold Lake where a low round hide lodge had been built with a hole in the centre for the red hot stones which were heating on a fire. An Elder had who had been given tobacco earlier in the day heated the stones during the afternoon and prayed over them. This man is the originator of the Sweat and the thoughts which he has are important for its outcome.

We entered the low, dark lodge and were gently guided through our prayers by an expert in charge of the ceremony who received the tobacco from those with prayers to offer. The participants sat around the hole and were welcomed. After offering prayers he burned some of the tobacco and sweet grass on the stones. The flap closed and all was dark. The intense heat and fervent chanting and praying were punctuated by water poured on the stones. Steam hissed through the lodge intensifying the praying. Then it lessened. The prayers began again and more water was thrown on the stones. Four times in all the water was cast onto the boiling stones. When

the heat became too intense and suffocating, I was given sage to place over my nose which had an immediate effect. The participants emerged to lie in the cool evening air. There were four sessions of four Sweats during the evening.

The effect of the Sweat Lodge is not to be underestimated. Missionaries tried hard to destroy them but failed. Now most people participate regularly at the Lodges and the enormous calming physical and psychological benefit from the experience can be seen clearly in the participants' human and spiritual relations.

The description of the Sweat given here is similar to those given by other ethnographers such as Mandelbaum (op cit:236). However these descriptions do not enter into the experience itself, which provided me with a feel for indigenous prayer and the spirit world. The awareness of the complexity of Cree and Dene religion was a small step onto the threshold of their inner world and the mystery left in life.

This was important to help appreciate what took place on the last day of the meeting. After a summary of events by the Co-Chairs, presentations were made to the guests. Then the singers and dancers performed a song which had been specially composed for us, the guests, to provide strength and endurance in our task ahead of trying to understand and explain the significance of the Treaty to outsiders.

The participants then returned in procession to the sacred tipi. We cleansed ourselves with sweet grass before we entered. The Chiefs, Elders and ourselves sat in a double circle packed into the tent. The fire was put out and the prayers began. During the prayers, the keeper of the pipe's assistant took down the pipe. He opened up a green cloth and laid it in front of the Elders on the bearskin. He then untied the pipe and put it on the green cloth, wrapped in yellow.

We were called up to the pipe. The Elders explained that in the bundle lay the original pipe which the Chiefs had smoked when they signed the Treaty. This was the pipe of their promise to adhere to the Treaty. We were to touch it and pray. We were also presented with sweet grass over which the Elders had prayed to be burnt when writing about the event. The grass is burning at this moment.

One by one the Elders, Chiefs and Councillors passed and prayed. Some wept with emotion. Most had never touched the pipe before. The pipe had rarely been seen. When Poundmaker's body was returned to his reserve and again 100 years after the treaty was signed a few men had seen it, but this was the largest gathering of people in the presence of the pipe since the signing.

When the ceremony was over the people parted and the keeper of pipe processed from the tent with the pipe. The older singers then sang and drummed the departure song for the pipe, handed down from the time when the Treaty was signed and taught to the singers by the keeper of the pipe. There are four such songs associated with the pipe which only the Keeper knows.

By touching and praying on the pipe the participants were given the privilege of making direct contact with the spirit world. The strength of the Treaty lies in the truth in the pipe and its power could be seen in the emotional intensity present at the sacred pipe ceremony. Touching the pipe ensured the continuity of the Treaty as a whole.

The final ceremony of the Onion Lake meeting was a Pow Wow which marked the political status of the Treaty in a more secular way. These dances last for four days and are a regular feature of indigenous life throughout the prairies of Canada and the USA today. In a matter of hours the ground of the auditorium was covered with green matting. Transport began to arrive from all over the 'Pow Wow circuit' and hundreds of dancers began to dress in beautiful costumes made of feathers and ornaments.

At seven in the evening the Grand Entry took place. At least 500 dancers in brilliant dress assembled and danced to the sound of drummer and singers celebrating. Two Eagle Flags led the procession, one held by the Chief of Onion Lake and the other by an indigenous visitor from the United States. Behind there came three flags. To the left, an indigenous leader in full headdress and regalia carried the Canadian flag while to the right another leader similarly dressed carried a US flag. In between and in pride of place behind the Eagle flags came a man dressed in the red uniform of the Royal Canadian Mounted Police. The RCMP were mentioned in the Treaty to ensure protection from non-indigenous settlers. Held aloft by the Mountie was the Union Jack.

Behind danced the Chiefs, Councillors and ourselves. After this came the dancers, swaying to the strong pounding rhythm. We were welcomed, the Grand Entry was over and an extended dance with competitions took place which lasted for four or five hours. The Pow Wow itself was to last four or five days. The whole event is a cultural celebration of indigenous life on the North American prairies. As the sun set we left the Ceremonial Ground for the last time to the rhythmic pounding of the drums.

## The Treaty in Practice

The Treaty rights are not only a question of cultural and ritual symbolism, but also have political implications. This was clearly demonstrated during the meeting.

The press had not been admitted to the meeting because the Elders did not want their statements, made on the basis of lifetimes' experiences, misrepresented. A press conference had been called on the second day and the Chiefs went to make a statement. As they walked to the appointed place several young men reported that a journalist had been discovered in the meeting taking notes of what had been said. The Chiefs immediately cancelled the conference as the request of the Elders for the press not to attend the meeting had been ignored.

The journalists protested that it had not been their fault, but the Chiefs were adamant. A national reporter complained that freedom of the press demanded that journalists be allowed to enter the meeting. Thereupon Chief Wallace Fox of Onion Lake said: 'While you are on reserve lands you come under the authority of the Chief and Council of this community. If I say you should leave, you are obliged to leave'. The journalist then turned to the RCMP police officer standing next to him, complaining that this should not be allowed. The officer then said: 'According to the Treaty Rights, if you do not leave the reserve when requested, the Chief and Council only need to ask me to escort you off their reserve and I will do so'.

When he returned to Edmonton, the national journalist phoned the headquarters of the RCMP in Ottawa for their reaction. They contacted the local RCMP contingent who explained the situation surrounding treaty rights as the Ottawa officials were not familiar with them. The journalist was told that the treaty rights still stood and the Chief and Council operate in the name of the reserve as a whole. Needless to say, this, perhaps the most interesting story available to the Canadian press during the Onion Lake meeting, was not published.

The importance of the press incident is that it shows clearly how treaty rights are still very much alive when they are asserted by communities. Indigenous sovereignty can still be exercised in co-operation with the Canadian authorities (in this case the local police force). At the same time it demonstrates that the Canadian government's fears of co-existing with sovereign indigenous nations is highly exaggerated. When exercised freely and without harass-

ment, the rights and privileges of Treaty Six are perfectly viable and promote the possibility of a just and equitable relationship between Indigenous Peoples and the nation state.

## Perspectives and Interpretations of the Treaty

Perspectives and interpretations are key elements to the history of Treaty Six. As Price puts it (1979:xi): ‘government and Indian leaders tend to operate within two different systems of knowledge and perceptions of reality regarding basic “treaty rights” issues’. There are several ways of approaching these differences. In the first place, the Treaty is a prime example of a historical text which has several possible interpretations and one would imagine that the indigenous and state interpretations could be juxtaposed and compared. However the position of the text is ironic. Rather than the content of the text being the centre of discussion, the conflict has taken another form. Discussions and actions revolve around the Treaty itself and its creation. Both factors are a commentary on the status of the Treaty.

The Treaty is thus not simply a written text to be hermeneutically ‘decyphered’ (Gadamer 1979:127) but an arena for practical interpretations which comment on the status of the text itself. The Treaty constitutes a political space for the encounter between two expressions of power. The one from the Canadian state interprets the Treaty by avoiding the text and enmeshing it in complicated layers of contradictory legislation. The other consists of Indigenous Peoples interpreting the Treaty by recognising the text as sacred. Each of the parties use the same principles now as they did at the time when they signed the Treaty to strengthen their political position.

This difference of perspective demonstrates that what is even more important than the written text of the Treaty is the Treaty as a concrete manifestation of indigenous sovereignty whereby the Cree nation and the British Empire met together as equal parties in 1876. The Cree want to preserve their sovereignty while the Canadians wish to destroy it. The implications of these conflicting perspectives go right to the heart of the notion of interpretation.

The clearest example of the differences of perspective come from the relationship of time and space. According to the Canadian state, the Treaty was signed within one set of historical conditions

to refer to a spatial area of land which was ceded to the Crown in return for reserved lands. As time moves so do the conditions stipulating those lands. This interpretative position accepts that a text and its context change over time. The philosopher Dilthey would have agreed when he said: 'experience is a temporal flow in which every state changes before it is clearly objectified' (1986:150). As experience is a continuous experience, the implications of this statement is that we live in a world of objectified 'difference' (Derrida, 1981). From the perspective of the indigenous signatories to the Treaty, changes of interpretation in the flow of time are nothing less than breaking the provisions of the agreement.

An Elder from the Kehewin reserve in Alberta explained this clearly at the Onion Lake meeting: 'My grandfather told me that at the Treaty negotiations an old man spoke and came forward. He was very old and stood in front of the Commissioners and told the Queen's representative - he spoke to them as if they were the Queen: "I have heard all your promises; I feel sorry for you as you cannot afford it (the land) seeing how rich it is. Your language is sweet and attractive. You are the one who is going to break this Treaty. I won't see it but your children and grand children will".'

The Indigenous Peoples who signed Treaty Six were aware of the changes which come with time, but they had their own ways of dealing with them. Several Cree and Dene patiently tried to explain to me how this had been done. In retaining the traditions which have been handed down since 1876, the Elders are conduits for contact with the past and with the ancestors who are above the world rising towards proximity with the Great Spirit.

The souls of the departed cannot reach the paradise of life with the Great Spirit without the intercession of the descendants living on earth. Dances, ceremonies and festivals are performed for the dead, but these are only carried out at the discretion of the descendants. The Elders have to pass on the continuity of life accurately so that the youth will be aware of their duties to their ancestors and to themselves when they eventually die. Thus one's actions do not only have an impact on the world as it is now, but also on the future. Without the support of one's descendants your soul will remain in limbo between the earth and the sky.

The memories of the Elders and the traditions which they hand down are not just remembrances of times past; they are statements about the present and the future. By stressing their traditions, the

ideas and experiences of the past will strengthen the will of those living in the present. At the same time, by revealing traditions to the younger generation, these descendants will then respect their ancestors and not forget to practise the ceremonies necessary for them to reach the desired goal in the afterlife. The result is an exchange between the living and the dead. The way for people to see this invisible spirituality involves many non-linguistic items which make clear the presence of the spirit world. The eagle flag, the *tipi*, the sacred pipe, the Treaty medals and the uniforms of the Chief all are living proofs of the viability of the Treaty today.

In contrast, the non-indigenous party to the treaty has had no way of controlling time except through accepting the inevitability of change. Since the date of the Treaty itself the government has utilised state institutions and legal initiatives to work against the Treaty in order to make the document anachronistic. The Cree and Dene achieve control of time through spiritual means and so the document can never become anachronistic. This is not through the utilisation of cyclic ritual time (Bloch, 1977), but more a way of bypassing the phenomenon of duration altogether (Howe 1981). The Cree and Dene achieve this through contact with spirits which are beyond time. Thus we do not have a contrast between 'linear' and 'cyclical' time but a contrast between a visible world of time and a timeless invisible spirit world.

The confidence which the Elders had in the veracity of their statements about the negotiations of the Treaty was that they had been 'received as a prayer' by the Great Spirit Creator who controls everything. By repeating the same songs in the presence of the same pipes it is possible to re-live those moments truthfully because the prayers still exist, in a changeless form.

Another example which illustrates this view of time is the oath. Whereas the Bible provided an oath of sincerity of intent by the Commissioners, the prayers to the Great Spirit at the Pipe Ceremony provided a statement of truth which the Elders would not be able to change even if they wanted to. The indigenous concern was particularly apparent in their comments about the translations.

'The Commissioners sat on platforms with four secretaries. The interpreters were very important and the old people could not be sure that the translations had been correctly interpreted. When the Indians decided, they depended on the pipe stem, the Whites had the Bible' (Elder from Frog Lake).



For the Commissioners the oath was apart from the Treaty, a commentary upon it. For the Chiefs on the other hand, the Treaty itself was a prayer which rose through the tobacco smoke to the spirit world where it would exist until the end of the world.

The State and indigenous views on space were related clearly to their perspectives on time. For the Commissioners and the State, space is contingent on time and thus, according to the historical context, reserves could change hands, be bought off or terminated, and the law could be altered to accommodate these activities. For the Indigenous People, on the other hand, reserves are seen as 'islands' - spatial frames which should be unchanging within which people change. This model provides the way in which the Elders interpret the Treaty. Several of them said in the meeting that certain aspects of the Treaty will change according to circumstances, - for example people no longer have 'medicine chests' and there are no longer Indian Agents. These are the details within the broader framework of 'support in case of pestilence' which was discussed at the negotiations. The meaning of the Treaty lies not only in the text but even more in the whole process of creating that text which the Cree and Dene captured through their spiritual world.

The Cree and Dene see the Treaty and the traditions which flow from it as a framework or set of principles for the continuity of their social and cultural life over the generations. Change thus takes place within a set of parameters where the meaning of life and self-identity are not threatened. Defending these parameters is the role of the Elders, and the Chiefs try to operate within these. These parameters are timeless and consequently are changeless. Time and space operate within them. For the State on the other hand, time and space are endless expanding opportunities ready to be exploited.

The implications of this discussion are two-fold. Whereas scholars discuss different concepts of time and space, we have here an example of a people who collapse duration and extension into an invisible world. The effect of this is to alter radically the hermeneutic and post-modern preoccupation with interpretation as 'difference'. Rather than being a text which changes over time, the Treaty becomes a prayer in the hands of the spirit beyond time and space. Instead of being based on difference, the spirit world of the Treaty is based on sameness.

There are several ways in which this assertion of indigenous rights by spiritual means could be explained away. In the article

'Ethnography as Narrative', Bruner contrasts the presentation of Native American culture in the 1930s and 1940s with the 1970s. He says that the earlier period was based on 'the present as disorganization, the past as glorious, and the future as assimilation' (1986: 139) while during the 1970s the presentation was 'documenting resistance and telling how tradition and ethnicity are maintained' (p.140). He accepts that 'the assimilation story has been a mask for oppression and the resistance story is a justification for claims of redress for past exploitation'. However Bruner argues that narrative structures change with world conditions and that neither the 1930s nor the 1970s expresses the truth. 'The two narratives, in my view are dual aspects of the same phenomenon; one is a counterpoint to the other' (p.145).

Bruner's position would account for indigenous spirituality as a means of justifying claims. This view of spirituality as a means to achieve political ends can take several forms. A materialist version would argue that at a particular point in history, indigenous socio-economic conditions become so dreadful that the only way to explain them and to act on them is on a spiritual plain because political action is so ineffective. Another thesis would argue that at a certain level of acculturation, Indigenous Peoples see their position in the world more objectively and look to their traditions for a solution. Traditional ideas and ceremonies are then 'rediscovered' or 'invented' (Hobsbawm and Ranger 1983) and provide a basis for political action. According to this view what took place at Onion Lake was an 'invention of tradition'.

From the perspective of Indigenous Peoples, these explanations convert a real spirituality which they regularly experience into a means to seek political ends. The effect of the first approach is to regard spirituality as an epiphenomenon of an infrastructural level of the political economy. However this is a misappropriation of the indigenous spirit world into the political strategy of the dominant society. Whereas the argument is logical from the perspective of the nation state it unnecessarily separates the spiritual from the political world.

The second approach which would see the ceremonies as invented traditions is too extreme. Evidence shows that the ceremonies and interpretations given at the Onion Lake meeting were not 'inventions' of tradition. The texts (such as Morris 1880) describing the original negotiations of the Treaty and its signing concur with the Elders in describing the ceremonies which clearly mark the presence

of the spiritual dimension for the Treaty. Furthermore Mandelbaum (1979) describes similar ceremonies in the 1930s. In addition, from the biography of John Tootoosis, (Goodwill and Sluman, 1984) we learn that when children returned from their missionary schools at the beginning of the 20th century many ignored the Treaty. By listening to their Elders, they were shown that the path to asserting rights lies in the spiritual traditions of the Cree and Dene which centre around the Treaty itself. Oral history and ritual manifest the spiritual identity of those Cree and Dene in Treaty Six who listened to their Elders. Now those children are the present day Elders. From these examples we can see that there has been a continuity of oral explanations of the Treaty passing from generation to generation over the last hundred years. We can say, however, that the traditions were renewing or rather revitalising a 'moral link to the past in order to defy the colonizing power' (Rappaport 1990:187).

When the Chiefs signed the Treaty in 1876, they did something which was sacred and could not be changed. The spiritual dimension of the Treaty is the starting point for beginning to understand its political strength and why the Elders now cannot sanction any change to the framework. The spirit world was fused into the Treaty through the sacred pipe ceremony. Now the political and spiritual aspects of the Treaty are equally important. Rather than being reducible to each other, they mutually co-exist and are coeval.

Whereas radical political stands by Indigenous Peoples are assumed to be borrowed from non-indigenous cultures, the Onion Lake meeting showed that the radicals are the spiritual traditionalists. The Indigenous Peoples who signed Treaty Six use spiritual means to by-pass the contingencies of history. They see their territory as providing a spatial framework for temporal change through the spiritual principles which flow from the Treaty. This is not to say that the Cree and Dene are outside of history or isolated from the Canadian state. Rather, they create history within a framework which they control ritually and this should determine their relationship with the outside world. The problems come when the indigenous way of ensuring continuity of life is undermined by outsiders who do not understand how the Cree and Dene live through the principles of the Treaty in their everyday life.

The spirit world is the way in which the Treaty has been kept alive today. The implication is important when we consider the position of the Treaty in international law. According to this observation, the

statements of the Elders at Onion Lake coupled with the ceremonies which took place at the time provide the conclusion that the spiritual power of the Cree and Dene has to be at the base point in a discussion of their Treaty rights. It enables us to understand both the sense in which the Treaty would have been understood by the indigenous signatories and to take 'substantial account of the surrounding circumstances and of any declared or apparent objects and purposes of the Treaty' (Kingsbury, op.cit:132).

Elders are key to this discussion. They are considered wise because they understand the difference between the superficial changes in life and those which affect identity and continuity of the Treaty rights. In this way the Elders are the source of wisdom. They are respected because they are the link between the living and the dead, between tradition and change and provide meaning to life and identity to the people. While the Elders remember and teach the young about these things, the continuity of Treaty Six will remain. Onion Lake was important because one thousand Indigenous People were able to learn from the experiences of their ancestors and now, together, will pass on to their descendants the sacred mystery of the stone pipe stem.

## Acknowledgements

This paper could not have been written without the kind invitation which I received from the Cree and Dene to Onion Lake. My heartfelt thanks go out to Chief Wallace Fox who organised the meeting, Sharon Venne who arranged my participation and to Professor Miguel Alfonso Martínez who as fellow guest, shared this wonderful experience and was such good company. I should also thank Chief Harvey Scanny who kindly invited me to his community for a sweat and Ron Lameman who made me sweat like never before. Above all my thanks go to the Elders, Chiefs and people of Treaty Six who in the face of enormous threats are keeping their Treaty alive.

## Notes

1. I had the privilege of attending this meeting because the organisation for which I worked, the International Work Group for Indigenous Affairs, based in Copenhagen, was to publish the proceedings. As someone with little knowledge of Indigenous Peoples in North America, however, I had felt uneasy about my ability to grasp what was going to happen at the Onion

Lake meeting. My resolve was secured by a particularly vivid dream I had one morning of a Bear reassuring me that I should travel. I discovered on reaching Canada that the moment of the dream had coincided with a Sweat ceremony there during which several Cree and Dene had asked the Bear Spirit to grant me a safe journey.

2. The quotations are taken not from the transcriptions of the Elder's statements but from my own notes taken at the meeting.

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*Chief Al Lameman presenting Special Rapporteur Miguel Alfonso Martínez with a pair of moose hide mocassins at Onion Lake Treaty Six Gathering, July 1989*

# TREATY SIX FIRST INTERNATIONAL MEETING, 17-20 JULY 1989 ONION LAKE FIRST NATION, TREATY SIX TERRITORY

JULY 17, 1989

CHAIRMAN:

Gordon Tootosis, Poundmaker First Nation (Cree)

CO-CHAIRMAN:

Allen Jacob, Cold Lake First Nations (Dene)

CHIEF WALLACE FOX: Onion Lake First Nation - Host Nation

Ladies and gentlemen, as Chief of the Onion Lake First Nation, I would like to thank our creator for giving us another day to see each other and to be together. We want to thank all the people for traveling so far to be here at Onion Lake.

Our Nation has taken a lot of time and work to put together this First International Treaty Six Forum. Miguel Alfonso Martínez, is an independent expert from the United Nations mandated to undertake a Study on Indigenous Treaties. He is our special guest for the next few days.

For too long, the Canadian Government have been making representation outside of this country about the plight of the Indigenous Treaty Peoples. Canada continually tells the world community that the Canadian system is acceptable to the Indigenous Peoples. This is untrue. People sitting in Ottawa do not know us. The people in Ottawa sit behind desks to dictate and to develop policies for us without consulting us. We do not like the policies of the Departments, but still officials come and try to implement the policies in our communities. The Government try to implement notions and concepts outside of the Treaty framework.

So, my friends, this first International Treaty Six Forum is open to all the people of Treaty Six to have our input.

For the Elders, it is very difficult for me. I am a young man asked to sit up here as the Onion Lake Chief. I am not knowledgeable about the treaties, unlike the Elders, who have been taught by their Elders. We look and ask the Elders who are present to assist us for the next three days.

If the time runs out on Wednesday evening, we can carry on Thursday into the afternoon. It is up to the Elders.

We have to have this meeting on the very important issues affecting our rights as Treaty Indigenous Peoples.

So once again, ladies and gentlemen, I want to thank each and every one of you for taking the time to come here.

We hope to have full participation from all of our people. Thank you.

(Cree translated into English)

#### CHIEF ALPHONSE LAMEMAN, Beaver Lake First Nation

Ladies and gentlemen, I am honoured to speak today at this milestone forum in our fight to maintain our rights under the Treaty.

We are honoured to have Miguel Alfonso Martínez with a high profile from the United Nations sitting here with us. We want to hear from the Elders in our own languages about the Treaty.

It is with great pleasure that I introduce Miguel Alfonso Martínez, professor of International Law in Havana, Cuba. He is an independent expert, member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at the United Nations. He is a member of the Working Group on Indigenous Peoples.

In May, 1989, he was appointed as Special Rapporteur to look into the relationship between Indigenous Peoples with Treaties and the States in which they live.

He is here to listen to the Elders talk about the Treaties who have the information passed down from their Elders. I present Miguel Alfonso Martínez.

(Cree translated into English)

#### MIGUEL ALFONSO MARTINEZ

My friends, I am very proud and very honoured to be here in your lands. I am unfamiliar with many aspects of your lives. I have read

some aspects of your history and about your present situation. But, it seems to me that this opportunity to have your opinions and to listen to the wisdom our your people is the first step in my study.

This is my first time that I have the possibility of meeting with the Indigenous Peoples in their own environment. I think that this is a milestone for me in my life. No reading or listening, no other source of information is more valuable than to have direct experience by being here with you.

I am an ignorant person but willing to learn. I want your help, that is the reason for my visit. I wish you well and promise to you that I will do my best to understand your problems, your background, your history and to put to good use. Thank you again for your invitation. I feel very much at home here.

(English)

**GORDON TOOTOOSIS, Chairman**

Briefly, I want to mention the intent and purpose of this forum. Mr. Alfonso Martínez came here to listen to our Elders and to gain from their knowledge of Treaty Six as passed down from our Elders who are no longer with us.

The Elders have a knowledge in our own languages. We are asking the Elders to speak in their own languages without having to say things in English. This is difficult for the Elders and we want to make the forum comfortable for them.

The Elders have been presented with tobacco for their attendance at this forum. We also have the sacred pipe stem used at Fort Pitt which is just a few miles from here. This pipe stem was smoked at the time of the Treaty making in 1876. Under our own laws, we use the pipe and the tobacco to do our talking for us.

We know that our material world has been changed tremendously in the last one hundred and thirteen years but the spirit world has not changed. Nor has our relationship to the spiritual world changed in that time. I want to remind each of you to keep in mind our spiritual world. We must also keep in mind the vast difference between our value systems and that of the whiteman; when we put forward our spirituality first and foremost above everything else. Politics and economics are at the bottom of the list.

There are three main areas of concern here at this forum: to listen, to learn and to strengthen our knowledge and understanding of

the Treaty as brought to us by our forefathers. The trail of violations of our treaties by the non-Indian society is only one area of concern. We must also search for a remedy to the situation of the conflict between our Indigenous and non-indigenous people within the Treaty Six area. We did not come here to listen to organised politics but only to the knowledge of Treaty Six.

At this time, we will listen to three Elders: Jim Cannepotatoo of Onion Lake First Nation, J.B. Stanley, the keeper of the Treaty Six Pipe Stem of the Frog Lake First Nation, and Albert Belly of the Onion Lake First Nation.

(Cree translated into English)

#### ELDER JIM CANNEPOTATOO, Onion Lake First Nation

Good morning, ladies and gentlemen, my relatives. I really don't know much about the Treaty. It happened a long time ago. But I thank him (Miguel Alfonso Martínez) for being here. We will try to help our children, our grandchildren.

It has been happening for far too long that the whiteman has been trying to destroy our Treaty. This whiteman represented the Queen (of Great Britain) at the time of the Treaty-signing.

We used the pipe stem. The pipe stem played an important role at the time of the Treaty-signing. The pipe was used so that the truth would be spoken. At the time, promises made were not to be broken. We were to have our treaties for as long as the sun shines, the rivers flow and the grass grows. The Queen's representative at that time said that no person will be able to break this promise. The Queen's representative said that they were not here to take away any rights that we had. But, to negotiate with the Indian people for some land where the whiteman would be able to live off not to own it. They (Queen's representatives) wanted to borrow our lands. Also at that time, he said, where the whiteman chooses to live he will make a well so that he will be able to get water. He said, he was not here to take the lakes, the fishing, the hunting and the trapping away.

I am glad that the pipe stem is here at this conference. That is all I have to say for now. Thank you.

(Cree translated into English)

### ELDER J.B. STANLEY, Frog Lake First Nation

My relatives, I greet everyone. I will tell you what I know and remember. I was once a Chief for a short time. Many times my father told me about this sacred pipe stem that is present today. He told me about its use and about the days at the signing of Treaty Six. My grandfather was told by the Queen's representative: That all he wanted was one thumb length of soil. He was also told that they would buy trees for making lumber, buy grass to feed their animals and land to grow food to feed us. The wild game was to remain ours for hunting, trapping and also the fish were to remain ours. It did not take one day to make the Treaty but three days. My father told me quite a lot but that was when I was younger and some I have forgotten. That is all for now. Thank you.

(Cree translated into English)

### ELDER ALBERT BELLY, Onion Lake First Nation

I greet each and everyone of you. I also greet Miguel Alfonso Martínez who is here to listen to our testimonies.

The whiteman never gave the Indian People anything. What is here is ours. This our lands. Ours. I was not thinking right when I went and fought in the war for five years. What did I go there for? That was not my country. And now the Indian veterans are not recognised and never got anything for going to war.

This is a story of long ago in Onion Lake, Fort Pitt. At that time, the Elders fought for themselves. They fought for something that was good and of good use for the future.

We ask the Creator for help. That is why we have the pipe, the sweetgrass, our ceremonies. We ask for help to bring good into this land of ours. That is all I have to say for now. I am glad this man (Martínez) is here visiting us. I hope that he has a safe trip home. Thank you.

(Cree translated into English)

### MIGUEL ALFONSO MARTINEZ

I want to thank very deeply the three Elders of the Treaty Six Nations to have come today and spoken to us. I consider it an honour that they would have taken time and effort to meet me.

I have listen with great attention to what you have just said each one and even me and the rest of us here to what is in their minds.

With your respect, I would like today or tomorrow to put some questions to you. I would like you to think about my questions.

I would be very honoured if you would find time to give me some other ideas that stem precisely from what you came to say to me today. I was very impressed, and that has opened my mind to new questions.

I already had some answers about my initial concerns. but, this is such a precious opportunity that I would, encouraged by your own words develop my thoughts. I hope that it will not be to troublesome for you to give me answers of some very specific things that I have in mind.

(English)

**CO-CHAIRMAN: ALLEN JACOB, Cold Lake First Nation**

Over the past, many of our ancestors, leaders, people whose blood we carry have died in the millions protecting our rights and our lands. When our forefathers signed the treaties, negotiated our Treaty one hundred and thirteen years ago, they had us in their minds. They were worried about their children and grandchildren. In thinking about us, they negotiated the Treaty which our Elders talk about today. The Elders tell us that the Treaty is as strong as the day it was signed in 1876. Word for word, nothing has changed and should not be changed.

The message has been carried down to us through our honoured and loved Elders. Over the years, many Elders have passed away waiting for justice under the Treaty. It is through them that we have our knowledge of our Treaty and our rights under Treaty. The Elders kept and transferred their knowledge to us that is why there are still Indian Peoples today. (Moment of Silence for the Elders who have passed away to the spirit world)

The Treaty Six Forum Committee has decided that no press people will be allow to cover the internal proceedings of this Forum. We know the press: newspapers, television, radio in Canada have worked hand in hand with the Government of Canada to degrade and to destroy our rights as Indian Peoples. They have tried to destroy our way of life and our languages. When something is written or broadcasted in the media, it always has been at the expense of our

rights and our dignity as Indian Peoples. As a result, the Chief, Council and the Forum Committee have decided against press coverage within the meeting. There will be a press conference on Wednesday evening.

The Forum Committee in conjunction with the Chief and Council of Onion Lake did invite one person other than the Special Rapporteur to be present at this meeting. This man works with an international non-governmental organisation known as the International Workgroup for Indigenous Affairs with a head office in Copenhagen, Denmark. They are going to publish the transcript of this meeting in the future.

I would like at this time to introduce Andrew Gray. He is originally from Great Britain and lives in Denmark.

The International Workgroup for Indigenous Affairs works at the United Nations in Geneva, Switzerland in the areas of Human Rights and Indigenous Peoples. They also publish materials like books, documents and bulletins on the plight of the Indigenous Peoples from around the world in English and Spanish. The International Workgroup has been working in support of Indigenous Peoples and our struggles throughout the world for the last twenty years. We felt they would be sympathetic reporters of the meeting. He is here until the end of the meeting. If he asks any questions, try to answer him, he can be trusted. I present Mr. Andrew Gray. (English)

#### ELDER J.B. STANLEY, Frog Lake First Nation

When Mr. Martínez asked about the soil and the idea of one thumb length. This was the length that the whiteman had asked for: one thumb length. After the one thumb length, below that, the rest belongs to the Indian. This was promised to my grandfather and with that I hope that I have answered Mr. Martínez's question.  
(Cree translated into English)

#### GORDON TOOTOOSIS, Chairman

Who was the first one to decide on the length of soil to be given to the whiteman for his use? Was it the whiteman that wanted that length or was it decided by the Indian People?  
(Cree translated into English)



ELDER J.B. STANLEY, Frog Lake first Nation

It was the Queen's representative's decision.

The Commissioner said that an Indian Agent and the Northwest Mounted Police would be sent to our area. They would have the authority to help. The Commissioner said that if the Indian People wanted anything, we were to go to them for help. But it seems to me that the Department of Indian Affairs since their existence has wanted to own us, Indian People. I will never forget that the promises made. We were never to be poor. That is all I have to say.

(Cree translated into English)

COUNCILLOR VICTOR METCHATIS, Cold Lake First Nations

Good morning everybody, ladies and gentlemen, and all the people who have come to listen to our sad stories about our great-grandfathers that signed in 1876.

It is said that the Treaty deliberations took eight days. At the end, the Commissioner agreed that for as long as the grass shall grow and the sun will travel in the heavens, no two-legged person can ever break this Treaty.

My ancestors also said: This land which was negotiated was only the top soil to a depth of one foot. Those of you who will live in the future must never forget.

All the sub-surface resources such as oil still belong to us. We never negotiated these rights away. The Treaty Commissioner agreed.

The Treaty Commissioner who represented the Crown along with our headmen signed the Treaty in good faith with the understanding that the Commissioner spoke the truth.

He (the Commissioner) also said, I am not asking you to relinquish that with which you have always sustained your families.

On the final eighth day, he also said: We have made a good Treaty but in the future, if your leaders are not vigilant, I will have to place you in a pathetic situation.

My relatives, I think that this is where we have arrived. I have been told by my ancestors that when our leaders became «whitewashed», thinking that they know more than the Elders, this is when the situation will become impossible. We now sit at the predicted moment.

However, our Treaty must have been strong because our Creator has taken pity on us so that despite all the odds, we are still here.

Indians remaining on this earth seem to have taken one step towards resolving our situation at this meeting. It is possible to work together as one. It is obvious that our creator is with us, for we are still here despite the seemingly insurmountable obstacles.

Please remember today and for the countless generations in the future that the Creator watched over us prior to the arrival of the whiteman. Our Treaty negotiations were conducted in such a spiritual way, and today our Creator watches over us, so that we will not walk the path which will annihilate us.

Thank you.

(Dene translated into English)

ALLEN JACOB , Co-chairman

It has been said by the Elders that this week is as important as the signing of the Treaty in 1876. This forum is a combination of Chiefs and First Nations of Treaty Six working together.

At this time, I would like to call Elder Henry Gadwa of Kehewin First Nation.

(English)

ELDER HENRY GADWA, Kehewin First Nation

My relatives, I am very thankful today to see you. I really don't want to say much today. I want to listen to the Elders, the ones who have knowledge about the Treaty and the events at the time of the Treaty-signing. My relatives, let us think very carefully about the time our forefathers negotiated the Treaty. I still think about what my grandfather told me about the Treaty while he was alive. It was very stressful for our forefathers to negotiate on behalf of us for as long as the sun shines, the rivers flow and the grass grows.

It is up to us to think of the future for our children, grandchildren and also for our relatives. If we are not careful, it will be us that will destroy our children and grandchildren's future.

I would like to ask you all to ask the Creator for help to understand the Treaty and not to forget who we are.

My grandfather used to tell me not to forget what he told me because in the future, you will see and experience poverty. It is the

whitemen who are going to break their promises. The promises were made between the Queen and our forefathers.

Think about this, my relatives, also the young people who are here to listen. The whiteman has broken some of the promises made to our forefathers. For example, the lakes. Everywhere you look today, there is a whiteman on our lakes using the fish. The same goes for hunting. Today, there are not many people that can go out and look for wild game because the whiteman is killing off all the animals. It is hard today to set a net in the lakes because the whiteman is all over the lakes sportsfishing.

Why is this happening? Who owns the fish and the game? We do. The whiteman gets permits for fishing and hunting. They do not need the fish and the animals. They are not poor. Are the white people going hungry?

This is our livelihood. I often wonder where the children of the future are going to live. The Treaty signed by our forefathers is slowly being taken away from us. We have to work together to make a better life for our future leaders. Let us not forget our Creator and the pipe. The pipe is sacred. When things went bad, the Indian Peoples turned to the pipe for help and guidance. I am relying on our leaders to fight for us. The Elders will always be behind you with their knowledge of the Treaty. This is all I have to say my relatives. Thank you.

(Cree Translated into English)

## ELDER PETE WASKAHAT, Frog Lake First Nation

Greetings, my relatives. Today on our lands and in front of all these people, we are taking the time to talk about our side of the Treaty-signing.

First, I will say that we have to think about our Creator, where he had put us here on this land. We have survived as Indian Peoples.

What I am going to say is what I have heard. I am a young person. I am not old enough to have been present at the time of the Treaty-signing when the Queen's representative was here. But I have worked with a lot of Elders as old as I am today. I have sat with the Elders when they talked about things related to the Treaty-signing. What we are talking about today, I do not think we are going to say anything wrong about the whiteman. We heard our Elders. If it was not for the will of the Creator, the whiteman would never have found us here.

It took a long time before the whiteman could talk to the Indian People about this land. First of all, he went around looking at this land and had a good idea about the lay of the land, he decided to sit with the Elders.

At that time, the whiteman sat with the Elders and the Indian People to negotiate with them. They used a Queen's representative. It was the idea of the Queen that they would live in peace with the Indian People.

They came down this river system (Saskatchewan) of ours to sit with the Indian People to talk about this land and the Treaty.

What my Elders have told me goes as follows: The Treaty Commission and four secretaries sat on a platform recording the proceedings. There were interpreters but the Elders were not entirely sure about the interpretation at that time. Was everything the Indian People said interpreted correctly? Were word for word, thoughts and ideas of the Indian People communicated to the Treaty Commissioner? Our old people could not be sure. At the time when Indian People were going to give their answer, first of all they placed something sacred including the pipe stem. These two items were placed and an Elder spoke up and said: Those of you who come on behalf of the Queen, I do not entirely believe you.

First of all we will promise one another. You came here. I have my own way of worship and a way of how I live each and every day. Do you agree that you will respect this way of life that I have? The Commissioner said, yes. When I arrived on your land I have agreed that I will take care of god's children and I am not here to make you suffer. I have come here to make good relations with you and to be a brother to you. That is how the Commissioner answered the Elder. We would respect one another. The Elder replied: I will also respect your way of life, your religion and we will both respect each other. Just when the Commissioner was about to talk, another Elder go up and said: Just wait, don't say anything yet. Those of us, Indian People, your knowledge and language, we do not have. And those four secretaries that you have, are they going to record what is said here? I wonder if that will always be in place or in the future will it disappear? It is written on paper. I want you to know, first of all, us as Indian People here, we have things that are very powerful, I can pray too.

The Commissioner asked: What is it you are talking about? The Elder said: The Sun that you see here will always be there and this

water will flow always and the trees when some are cut others will grow, the grass will always grow every year.

The Commissioner got up and said: It is true what you said and before I talk about anything else here today, the promises that we are going to make today, your saying you want the Treaty to last forever. Yes, the sun will always shine as long as this earth should exist, this Treaty will be in effect. And these things that you are going to reserve for yourselves will be in effect as long as the rivers flow and the trees and the grass grow. This Treaty that we are talking about will be as a prayer in your belief, this is what the Elder said at that time. It was at that time that the Elders decided to go along with this promise, and the Commissioner said, I am not here to take everything away from you. What I am asking you for is (one thumb length of) top soil, and when my people come here they will plow this soil so that they can make a living and you (Indian People) can live off from what they grow. And what you as Indian People use for a livelihood, things like wild game, fowl, fish that you use, will still be yours. These things I do not want. This land is yours. This land is rich, and in the future there will be lots of money, and if anything is found underneath the ground, you should be thankful because that will be yours and I have not come here to ask for that. In the future, when my people work at this in a good way, you as Indian People will be rich and you will never want for anything.

The topic we are talking about here today, we are not talking about the white people in a bad way, but we, as Indian People, still believe in our treaties and the promises made to us. They are taken as a prayer. This is why we still move on these treaties because we still feel that this whiteman can understand us and understand what it was he agreed to, that he would take care of god's children. The way the Creator put us here on this continent, so that we could live in peace and harmony and be able to raise our children in a good way, and follow our Indian way of life. This is all I have to say for today. Thank you.

(Cree translated into English)

*Morning break*

AFTERNOON OF JULY 17, 1989

ELDER MARCUS SPARKLINGEYES, Goodfish Lake  
First Nation

Good afternoon. We belong to the strongest Treaty - this Treaty Six - and we all know that to be true. Those of us who are Elders having been saying these things since the time we began meeting together like this.

At the time of the Treaty, we did not sign the Treaty right away. They sat with those people for three days until the Commissioner's told them: We are here on behalf of the Queen. What ever it is that we have decided here it would be the same as if she were here. As if she promised that to you, that is the kind of power she has given me; these were the words of the Commissioner.

The things that this man (Commissioner) is asking about, how we were to survive and how the whiteman had guaranteed to us how we would make our livelihood. When this agricultural way of life was started for Indian People, it did not look promising. When they (the Indian People) started to plant potatoes, all they were given was one shovel for every two households. In our reserve, we were given a one-foot plow and seeds. This was not a promising way of making a living. One thing that I think about is that the buffalo that was put there for us, the Indian People. And we all know the story about how the white people killed them off. Today, we know that there are a lot more white people that hunt than Indian People. And they have no business hunting the moose, because it does not belong to them.

Another thing: the Indian People had reserved for themselves the trapping. Trap lines at one time belonged to all the Indian People, but the Government allowed non-indian people to own trap lines. And that is one thing that is a money maker, and our young people could know how to do that. If they were taught by our elderly people because it is an easy way of making a living.

Another thing is fishing, we know that there are more non-indian people fishing than Indian People. Indian People had reserved the fishing for themselves. This is another way of making a livelihood. Now, Indian People are taken to court every so often. Because we are trying to feed ourselves with the fish. It was one of the things

which I asked a lawyer: if Indian People could sell fish to be able to make money for themselves to eat. The lawyer said yes. Then last year in Goodfish Lake, a Fish and Wildlife Officer came and sat with the Chief and Council. I was to first one to speak and I told him: four years ago who gave you the authority to come into the reserve without asking the Chief and Council to come and buy fish from Indian People and then, to turn around and charge them for selling fish. Some people were taken to court and fined \$1,500 and others \$700 and still others \$200. He told me that he could not answer my questions. I asked him to return the money paid in fines. He told me that he could not answer the request. I was supposed to ask someone having more authority. I told him that they did not have any authority or business in the reserve without asking the Chief and Council.

This Treaty of ours that we are talking about today. What has happened in the past. I agree with what has been said here so far. Because our Elders at the time passed the stories down to us. The Elders were sure about the Treaty and knew about the Treaty. I am eighty years old, and when I first start to hear about the Treaty I was a young man, and the Treaty at that time was not yet a hundred years old.

If we could really get good help here on the Treaty, there could be an understanding. This man (Martínez) could really understand about our Treaty. If we tell him in a good way about what has happened to us because the whiteman is making money off our lands.

Now, when the Government give us money, they are supposed to be taking care of us. We are not asking for handouts. The Government should be giving us the money because they are making money off our lands. The whiteman did not buy our lands. He made a Treaty, as long as the sun shines and the waters flow. It should be that way now, since he asked our forefathers for the use of the land. There were many Chiefs present at the time of the Treaty-signing. On both sides there an understanding was reached. This is our land and nobody else can own our land, because the Creator put us here. And what this man (Elder Pete Waskahat) said here this morning, I do not disagree with him. The way we understood the Treaty. We gave only the top soil to the whiteman for his use to survive on this land of ours.

There are a lot of permits for wood, fish etc. We know that the Government of Canada make a lot of money from the oil and different minerals found in our lands. There are so few Indian People

left compared to the non-indian people. We go by our Treaty. We still respect it.

We know that the world keeps changing. The Government keep adding things to the Indian Act. As far as I'm concerned the Government cannot change the Treaty. The Treaty remains the same. It cannot be changed. I ask the Creator to help you (Martínez) and to bless you in whatever you do. Thank you.

(Cree translated into English)

## MIGUEL ALFONSO MARTINEZ

I am sorry to have requested the floor once again, but since I am learning and some of the statements I have heard this morning have brought certain questions to my mind. I would like in future statements to refer to this point. It seems to me that for the Study one of the crucial points will be to see the difference of understanding of the actual contents of the Treaty. What was agreed upon in 1876 in your case. In other words, it seems to me that I have to clarify my study that there were two entirely different ways of understanding the contents of the Treaty. The Indigenous People's understanding of the Treaty was one, and that of the representatives of the Queen was an entirely different matter. I would like a clarification of this point. For the first time I read today...let us call it the quote of the white version of the Treaty. This document speaks about the sections of land. In other words, the Elders at the time who were representing the Indigenous Peoples according to this paper ceded all their rights to their lands.

It seems to me that that was not the understanding of the Indigenous Peoples who entered into this type of agreement. I would like clarification and further references, if possible, in future statements.

Now, closely connected with this particular issue in relation to the land: what, in fact, was intended by the white negotiators? My question would be: had the representatives of the Indigenous Nations who were present at the time of Treaty-signing understood that what was being dealt with were sections of land and transfer of rights of property? It seems more logical that would be the concept of the negotiators of the Queen, not of the people who were negotiating on your side. Because if I understand correctly, it is impossible in any way for representatives of Indian Nations to think in terms of giving away to somebody else something which is such a common property.



It cannot be disposed of in such a way. I do not know if I make myself clear. Would the Elders of the time have the faculty, the power actually to give away the lands? This is going to be a very important issue that I will have to tackle in my study. If I understand correctly, it was not possible to be done by any representatives of the Indian Nations. Even if they wanted to sell or give away the land, they could not do so, because the land has another meaning for Indian People. Please, I would like to have some clarification on this point. Thank you.

(English)

**ELDER MABLE BULL, Louis Bull First Nation**

Good afternoon, ladies, gentlemen and Elders. I would like to say a few words here today in this gathering. I have not been going to these kinds of meetings before. We have just formed a society in the Louis Bull reserve to encourage our young people to try and get back our language. A lot of our people are losing their language and at times I feel bad when I hear them using only the English language. As we all know the young people nowadays are more concerned about trying to get back our language. Although we have a lot of students going to school off the reserve we still invite them to our meetings. This is all I have to say as there will be more Elders taking to you. This is my first time on this reserve and I really enjoy every moment of it.

Thank you.

(Cree translated into English)

**ELDER MORRIS LEWIS, Onion Lake First Nation**

My relatives, I really cannot say too much about the Treaty. What I can tell you is what I have heard from the Elders about the Treaty.

The day the Queen's representative arrived at the signing of the Treaty; at that time he said: She wants your land, but not all of it. At the time, the Commissioner told our forefathers: We promise to you that you will not lose everything. For example, hunting, trapping, you will not lose these. These things that we promise you, you will use in the future and the Treaty will last forever. As long as the sun shines and the rivers flow, the grass grows. Our grandfathers at that time believed that the promises made would last because at the time

of the signing of the Treaty they used the pipe. Slowly, the whiteman came here and looked for ways to confuse us. It is true: this whiteman is intelligent and he has patience in finding ways to destroy this Treaty.

One thing that they promised us was education. The younger people are taught the whiteman's way. He does not even learn about the Treaty or our way of life - the Indian way. But I believe the whiteman will not be able to break this Treaty even with the Indian Act. These are the things that I want to talk about, my relatives, and I thank you for listening to me.

(Cree translated into English)

### ELDER MICHAEL FINEDAY, Witchehan Lake First Nation

Friends, brothers and sisters. I believe each time an Elder rises to speak on the matter relating to our Treaty, we are mindful of the sanctity of the materials what we use in engaging in this business; where our white brothers refer to the surrender of lands. I believe that there was a question from Mr. Martínez.

I think that the matter of surrender in the terms of land; as I understand the word surrender, after you sign an agreement, you part with something and there is nothing left over. How can this be true? There was some great intelligence being used by the Indian People at the time of the Treaty-signing. We have, a hundred years after the signing of the Treaty, an argument about the terms of Treaty.

In the words of Alexander Morris, He discussed with the Chiefs and Headmen the wording of the Treaty. We were sent here by your mother the Queen. We are her servants. We are her children as you are her children. We are here to meet and we have so many things that we are offering you. We have in the last two and three years made agreements with your brothers. I look to Fort Alexic and see nothing but happy children, happy families. They are happy because they signed into Treaty. (Perhaps there is some truth at that particular time.)

What happens over time when the relationship deteriorates due to the contradictions of views about the oral and written part of the Treaty. Yes, it was written. But then when we were told at the time of the Treaty-signing by Morris the Treaty Commission: I have taken all you have said and I have written it down here and I will read it back to you. And every word is read back to the Indians and there is

a translator to say every word of the Queen's servant. But, then my friends, the unfortunate part of it was this: there was no person to monitor the activities of the people who were translating. Changes were made. Some things that were not said or even mentioned were imposed upon our people in the English version of the Treaty.

If you look at the Elders' view of the Treaty and then look at the written version of the Treaty, we will never recognise anything, even if it is the same document.

Morris said all the things that were offered and that they were not here to take away our way of life. Indian People are going to have it for all time, as you have it now and in the past.

In other words, the existing right of Indian Sovereignty was confirmed by the words of Alexander Morris. I believe that is enough to convince us to fight for our rights. I do not mean in the sense of a violent physical struggle but we have a responsibility to our children, their children and those children yet unborn.

On the question of surrender: It was garbled in the writing of the Treaty. Now I do not think it makes very good sense for me to give you all my house and then for you to turn around the say: Okay, you can have two chairs, a box to use as a table and a couple of blankets. I'm generous, I have given my house but I am not going to give you my land.

I think that the white society today is showing a lack of intelligence when they tell us that we gave them everything and everything that they give to us is free. When you think of the resources: timber, fishing and everything you can name. Everyone is making money off our lands. Money is generated to satisfy the greed of some people. We do not see these people. They do not see us. The only thing that they see is the money that they can get out of our resources.

We would never surrender our lands.

At the time of Treaty-signing, the whole nation of the whiteman was involved in agriculture. So naturally, they wanted lands. There was talk about sharing our lands. It does not sound too bad to talk about sharing. We shared our lands and did not surrender them.

It is a crime what is happening to the Indian Peoples today. Our Treaty is being violated by the whiteman. The Treaty is being violated so badly that I believe that everything that we agreed to share with the whiteman should come back to its original owner. We are the original owners in Treaty Six. I cannot speak about other treaties only about our Treaty. Thank you very much.

(Cree translated into English)

ELDER NORMAN SUNCHILD, Thunderchild First Nation

My friends, I would like to welcome all of you. I am very happy to be here where we can get to meet one another. You know that everyday, we see one another and talk about what is happening on our lands.

I was not sent here. I came with one of my nephews from Hobbema. I do not know if my Chief is present here at this meeting.

I will greet this relative (Martínez). We are in the eyes of the Creator, all human beings even though our skin is a different colour. We still use our minds in the same way. The Creator gave us a good mind to use in the right way. We must all pull together to put all our works together so that our work can be as one. We can all come together. Our voice could be loud and strong.

Martínez has come to find out about our treaties. I hope he believes us. When our Elders first signed Treaty with the Commissioner of the Crown, they saw them when they were coming. They went and met the people when they first came to this land. That was how much power our forefathers had before the whiteman came to this continent. This is the kind of power the Indian People were given by the Creator. So when the Treaty Commissioner came, we know that our good mind would be used. The good mind that our forefathers had at the time of the Treaty-signing.

We do not have that power today, we are all poor people because the whiteman is trying to do all kinds of things to us contrary to the Treaty. It is hard to know where we stand today. I will tell you a story.

Fifty years ago I went to Hobbema, there was a man from Sweetgrass by the name of Fred Littlepoplar. My father went to school with him in Battleford. Littlepoplar brought me a document from Ottawa. It was about what people in Ottawa had said that they were looking forward to the day when there will be no more reserves and that was sixty-five years ago.

From that time and before, the people in Ottawa were putting in place the plan for the Indian People. The whitemen look far into the future, when they are going to do something in regard to our Treaty.

But we do not look forward. We do not even look to the next year because each and every day, all sorts of things happen to our people, our lands and our resources.

I hope that the children will have something to look forward to in the future. The things that were promised by the Treaty Commissioner to our grandfathers: where are they?

The sun still shines. I do not know how we would survive if the sun did not shine. We pray to the sun everyday to rise. When we have our ceremonies, we have offerings. We use food. We use water. If we did not have these things, we would die. Even to fast for four days is very hard. Myself, I have a very hard time.

The Treaty commissioner talked about the rivers flowing. As long as the river flows and as long as the grass grows. These are the things that he (Commissioner) used to measure the time of the Treaty. Today, we still see that the grass grows each year. This is how strong our Treaty is; how long it should last. Our Treaty cannot be stopped by the Federal Government. We cannot let the Federal Government break our Treaty.

Those of us that are Indian People should try to follow the Indian road. We should depend upon our Creator each and every day along with his helpers. All the things that the whiteman is giving us are confusing us.

Alcohol is no good for us. In 1958, I will tell you a story about our reserve Thunderchild. I was a representative that went to sit with Premier Douglas of Saskatchewan. There was a discussion about allowing alcohol to be given to Indians and giving Indians the vote in their elections.

In our Treaty, we did not want alcohol. We did not take alcohol. We did not take the vote in the non-Indian elections at the time of Treaty-signing.

When the whiteman came to sign Treaty with us, we did not sell the lands. He borrowed them from us.

We did not want alcohol but the Government allowed Indians to have alcohol. Within six months after the vote, we all ran into the bars and the lounges. We know that it destroyed us. We know that today it makes our people suffer. To this day, myself, I do not use alcohol. I am afraid of it. I want our people to live in a good way. We must all pull in one direction for the good of our people. If we do that we will be successful. This whiteman can never break our treaties because that what was told us at the time of the Treaty-signing. No person with two legs will ever break this Treaty because this Treaty is so strong.

Let us wait until the sun does not shine, the grass does not grow and the rivers do not flow. Only at that time will the treaties not be

in existence. We should not give up, we should carry on and believe in the strength of our treaties.

At the time of the Treaty-signing, Thunderchild was with Big Bear for three years. Within three years, they tried to starve him to death. The Government would not give him rations. In the third winter, when people were starving to death, forced to the point of eating dogs, he decided to enter into Treaty. He had thought about the Treaty. He thought about the promises and decided to sign the Treaty. He was asked if he was the Chief. He answered, yes. He asked the whiteman: How are you going to take care of me, are you going to take care of me like the Creator? The whiteman answered that he would use his power in the lands to take care of the Indian People.

There are a lot of things today that are taking control of our lives. For example, the five dollars a year received from the Crown for the Treaty obligation. There is another amount given to the Chiefs. He gets twenty five dollars a year. With that money he is expected to take care of his people, to travel on behalf of his people and to speak on their behalf. It seems today that we should think about money very seriously. Money is controlling us. It is ruining our lives. We should think about this very seriously. We will continue to persevere.

I want to thank (Martínez) for coming here to listen to us.

Do not give up, my relatives. I ask you to go ahead. Tell people about how this Government are making our people suffer. The Queen made these promises to us. Now the Federal Government are trying hardest to break those promises. The Treaty should stay with the Queen forever and not have us passed over to the Federal Government.

When the Prime Minister brought the constitution back to Canada, you saw the weather. It was raining. There were tears from somewhere, tears from the sky because the Queen had let us go. The treaties were supposed to stay in England. I greet all of you my relatives. I hope that the Creator can take pity on us and listen to what we are praying for: as Indian People. Thank you.

(Cree translated into English)

*End of discussion of first day of the treaty forum*

JULY 18, 1989

MIGUEL ALFONSO MARTINEZ

I am here to learn and to gather as much information as possible to proceed on the Study of treaties between Indigenous Peoples and nation-states. We are trying to see what experiences we can draw upon for the future relations. I think that you know this is my first practical step in a long process. I have been very much impressed by the results of yesterday's meeting. I feel very much at home among you. I must say that I am very honoured by your hospitality. I will try to do the best work that I can do. I am getting more and more aware of your present situation. Of course, I will try to make a contribution for the future.

Thank you very much.

(English)

ELDER GEORGE WHITEFISH, Big River First Nation

Good morning. Some times, I might come on too strong when I make my presentation but that is my way. You have to excuse me. A long time ago, the newcomer came westward and wanted our lands, and all the leaders got together in one camp. The newcomer wanted land. They deliberated for five days. They did not let go of any land. Every day the newcomer, the representatives asked every day and promised more. The Indian People deliberated amongst themselves and decided to give them land; but we would not give them food. The newcomer said, I did not come here to take away any-thing. The Indian people said that they would allow them to use twelve inches of soil. So, rightfully, we still own the land. The whiteman was only given twelve inches of land to work with. Then, further negotiations were commenced and the promises and the Treaty were discussed. And the newcom-er said: When we come there are many new things we are going to bring, a different way of life we will show you. We will bring something not so good for you which is a disease but there again we will show you new ways of how to treat people in case they get our diseases. But, now today, they are trying to turn their backs on this promise. Now you are not to pay for medication, prescrip-

tions and anything to do with medicine. Today, we are having difficulty with this issue. I went to an assembly of medical professionals discussing this issue. I based my argument on the Treaty. They could not respond or did not have a way of responding. Lately there have been some minor changes due to this assembly to discuss the medicine chest clause in the Treaty.

This whiteman is trying to take total control of our destiny. This is not the way things were meant to turn out. We are in control of our own destiny to decide for ourselves. Today, the non-Indian is trying to treat us as equal citizens of this country.

We are separate. The non-Indian system and the Indian Treaty system. I want to express my feelings about being very uncomfortable about the non-Indians. They are changing and taking control of what is ours. That is all I have to say for now. Thank you.

(Cree translated into English)

#### ELDER LLOYD CHIEF, Onion Lake First Nation

Ladies and gentlemen, I am grateful for this day. I would like to express my appreciation for the people who came here.

Our great-grandfather was one of the signatories to the Treaty. He was one of the persons who selected this piece of land (Onion Lake). We have so many concerns and complaints to put forward.

Our forefathers worked hard and tried to make the most of a perfect future for us. But the newcomer made several changes. It is very disappointing, the way we are being treated. I want to address these people and accept them as second cousins (Miguel Alfonso Martínez and Andrew Gray).

I am grateful for today and everyday but especially for this day. One hundred and thirty years, we still have a piece of mother earth to stand on. One thing I do not want to see is for us to lose our mother the earth for our children, our grandchildren and the unborn. Now today, we have similar complaints and concerns. What can we do? We have to stand together for the same reason. Our creator brought us together to have one voice. Treaty Six People.

Seriously, we were brought together for some reason by our Creator, because he was the one who passed on how the Treaty was written and promised. The way that it was agreed to by our ancestors, the terms and conditions of the Treaty. The way I understand the terms and conditions: we did not sell out our lands. We want our



Indian life to exist and prevail. We must take this stand to teach and encourage our children, keep telling them they are not alone if they want to take this direction. Our future is based upon this Treaty. I thank you for coming here to our reserve to remind our youth and our leaders that it is possible for us to live that way. We were meant to live as long as the sun shines, the rivers flow and the grass grows. Thank you.

(Cree translated into English)

## ELDER LOUIS P. CRIER

My relatives, today the things I have been hearing for the past two days is almost life listen to the old people that have passed on. When we were young, these are the kind of things that we heard. But the young people, listen and hear it wisely. Use it for your benefit and always think to the future for your children and take advantage to learn how to succeed as Indian People. If you are unsure of something, you can always come back and get further information and interpretation of what this agreement means.

The way the negotiations proceeded, the way the Treaty was finalised: it has it's own unique interpretation in our own language. The Crown's representative spoke in his own language, but our ancestors sat across from him and at the final part of the negotiations, the whiteman wanted to tell the ultimate truth. But our ancestors knew the meaning. The sciences behind the sun, the sacredness of the sun. And with this meaning, our ancestors told the Crown's representatives that it would last this long. But, what did the newcomer actually agree on when he nodded his head in agreement? He loyally agreed with our ancestors.

Even today, I want to talk about our present leaders and their attitude. The leaders are tired of listening to the old people and the old ways. They want progress in the way the whiteman understands progress, meaning economic development. Some of the leaders see the Treaty as a sentimental value. The leaders are beginning to lose sight and it is a very dangerous time for our youth.

It is the same thing that is happening with our hunting, fishing and gathering rights. The Conservation Officers are doing their work. Our people are being taken to court and being fined for hunting and fishing. Our leaders are turning their backs on it. But we have proof of the past. We stood together and moved forward to be head-on with the Federal Government. We always won. But today,

there are too many Chiefs and Councillors with no backbone to fight for our Indian People's rights. Now the leaders are conditioned to value the Indian Act. The Indian Act stipulates that you can only be a Chief for two years. I was in that system for twenty-six years. For Twenty-six years I survived with that system and tried to work with it. One time, one of the Elders told us that we were Indian Act Chiefs and Councils were not worth anything. It changed my way of thinking. I quit because the Elder spoke the truth. We are adopting the municipal and county systems of government when we operate under the Indian Act. Even your present educated people use the Indian Act. Your education learned from the whiteman gets you only to that point. You value that system. You are being paid to follow the Indian Act. This you must realise. You are working for the whiteman. You are working against your own people.

One thing that our ancestors told us about the Treaty: If our ancestors were having conflict with our law and their laws, the red-coats, the Northwest Mounted Police now the Royal Canadian Mounted Police, were to stand and interject to help turn things our way. The Treaty was not to be disrupt-ed. This does not exist anymore. I have been involved a lot of times and won every time we based our arguments on Treaty in the past years.

Everytime we have meetings like this one, we see cameras and television reporters. You never know if they have connections with the Government to listen to what is going on in these meetings.

It is not difficult for the Government to plan and develop a counter-position to our way. The Government always seem to have everything in place before we approach them. The Federal Government use big money, but that money is a trap. Perhaps the money is designated towards Health or Education. For instance, in 1972, the Federal Government made four attempts to make us Indian People pay for our own medicine. They failed. Why did the Government fail? Because we Treaty Indian People are an international entity. It is under International Law that we are supposed to be treated differently. It is good that Treaty Six is amalgamated for strength.

The municipal governments, regional, provincial associations and organisations have no roots and no grounds. If we take a stand in Treaty Six we have ground. We have what was promised under the terms and conditions of the Treaty.

The young people who are educated must listen to the Elders. We know where the ultimate truth lies: In the Chiefs' uniform; in

the obligation they took. Try to refrain from using the Indian Act which interprets on being an Indian. If you take the Indian Act, you are making a mistake. Each reserve should teach their young post—secondary students, high school students, since they are the next generation.

The non-Indian will never break the Treaty. The only way that he will break the Treaty is through us, Indian People, if we sell out. With that I want to thank every one of you who is listening.

(Cree translated into English)

### ELDER JOE TOOTOOSIS, Poundmaker First Nation

The Elders that you are listening to about the Treaty know. We should always listen to our Elders in this manner. In the past, we have not always noticed them as much as we should. My relatives, we have lost a lot. I never did study much but I learnt a lot from the Elders. They were the witnesses to the Treaty. They only allowed so many inches of soil to be used. Indian people never did sell this land. This is the way I have understood the Treaty. Later the Churches and the Indian Agents came and told our People that they sold the land. This is where the concept came from. Later, after the Treaty was signed with Alexander Morris, the Commissioner, he said: I did not come here to buy your land. I came here to make a Treaty with you in regard to your land. I am going to use this land in a good way. Your children in the future will be able also to use the land in a good way. At that time, Commissioner Morris said he was speaking the truth. The land we used for hunting, fishing, trapping and gathering was still to be owned by us. So that our Indian People would be able to feed themselves. Why do the Government sell permits to us, when we own this land? This is our right.

There are a lot of people here who are educated. Why have they no nerve to protect themselves?

I wonder if we could trust this man (Martínez) sitting here? We have already been so badly hurt in this country. Can we trust a white-man anymore? Their language is so complicated to understand. We use the truth as Indian People. My relatives I do not think of anything what I am saying because I speak my mind. What about education? It says in the Treaty that we will get teachers, schools. The Treaty will take care of all the education needs of our people. The whiteman undertook to take care of all costs for our education.

Now the Government want to cut back because we are starting to understand our rights.

We should be able to go into the hospitals to use any doctor that we wish. The Queen promised us. The medicine chest provision of the Treaty was to last us. There is nobody who can break the Treaty. This is true. The Commissioner said that they have an army with the Queen standing behind the Treaty if anyone tries to break the Treaty. In return, the Queen asked us to fight in her wars. What did we get in return? We helped to protect her people and her lands overseas. Look at us, look at our lands, who protects us? It is a shame, the things that are happening here. Think about how the Government are treating us. Think about it very carefully, my relatives, let us stand together and fight for ourselves.

This land was given to us. It is our land. The Government are trying to confuse us with all kinds of laws. Like the self-government laws they are trying to give us. We are the ones who are going to be hurt.

Another thing I want to talk about concerns the measurement of land shared with the whiteman, mentioned by the old man who spoke before me. We only gave six inches of the top soil to the whiteman. He wanted to farm and raise his children on this land. This is true. It is in the Treaty.

My relatives, there are still more people who want to speak. I also want to understand more. Where we have made mistakes. We will never come to an end of talking about the Treaty. There is one more thing I want to say. There is no end of ways for the whitemen that they will use to cheat us out of our rights. Now I will give an opportunity to somebody else. I greet all of you, my relatives. Thank you.

(Cree translated into English)

**ELDER TOM BIGCHILD, Rocky Mountain First Nation,  
Montana, U.S.A.**

I am thankful to have arrived here today. I have never been to Onion Lake, this Indian Land on this side of the border. I am really happy to listen to the Elders who are speaking good words about the kind of promises made to the Indian People.

I heard that when the Treaty was negotiated between the Queen and our grandfathers: I do not have enough money to buy your

lands, that is what the Queen had said at that time. Our leaders were intelligent and spiritual and aware of themselves.

We have an opportunity as Indian People to pray every morning and every evening. We can ask for something good.

We are lost today. The whiteman gives us all kinds of things and we grab them. I hope and wish that the Creator will help and take pity on us. These spirits that helped our grandfathers and grandmothers lead a peaceful way of life, they can help us.

The education that is being talked about here, it can be something good. We should take it and get educated. But we must not be misled to the point of where the whiteman will give us a free reign on our lands. When they hand over all the money and we have spent the money, what then? They call this self-government. What is going to happen to our people when the money runs out? We will be told to take care of our people, to get our own money. What about the Treaty rights?

I do not trust these white people. There are some that look at us in a good way and try to help. But we must never forget that the whiteman at one time tried to get rid of us by giving us poisons. This is why there are not many Indian Peoples left here on this big lands.

I'm really happy to hear the Elders speak. I hope that the Creator will give us a good mind to be able to feel good about ourselves. I wish all of you good luck. I will think of you when I pray. On this great land, the creator has placed us. To live in harmony and in a good way; the way we were living before the whiteman came to our lands. I thank you for giving me this opportunity to speak to you.

(Cree translated into English)

#### CHIEF ANDREW KING, Luckyman First Nation

First of all, I will say, I am thankful to see all of you. I am especially pleased to see the Elders. It is true that the leaders have a hard job. Many people depend upon them to speak on their behalf. To the best of their ability, the leaders try to speak to the Government each and every day.

From the time of the Treaty-signing, the Government's men have said all kinds of things to us. Some people who spoke here today talked about the Government offering all kinds of things to us. We grab. My job as a Chief is very heavy. I am a Chief with no land base, no reserve. At the time of Treaty-signing, Chief Luckyman had eight

hundred and seventy-two people in his band. We were entitled to 111,616 acres of land under Treaty.

Not long ago, I gathered my people to discuss our selection of land. I had chosen land used as a pasture. My people were scattered in many reserves and in the cities. My people in the cities are living in rundown housing. According to our Treaty our people should not be living in such conditions. Even the cattle of the whiteman have better cleaner housing than some of our Indian People.

At the time of the Treaty-signing, there was no organisation called the Wild Life Federation. Now they are trying to stop us from taking land due to us under the Treaty. I persevered to achieve what was promised to my Chief.

I think we will be successful. I will get our land to call our own. We still have a lot of work to do. I want this land as it was promised to Chief Luckyman.

I do not go along with the two-year system that is in place. I do not think that people should take this system. When we take the system we are weakening our position. We were not under that system at the time of the Treaty-signing. We should not be under the system but rather stand by our Treaty wearing our Chief's uniform. When Chiefs go for the two year system under the Indian Act, Chiefs are accepting a municipal government.

There is another thing that I do not go along with. The Government keep throwing programs at us. The devolution system the Government are trying to give us. Some people are grabbing it. We had our own way of running our people, our society. Our people know and had ways of running their own system. But this system called self-government: I do not believe that is the way to go. When the Government talk about self-government, they are talking about their version of self-government and not our version. We talk about self—government from an Indian point of view. We talk about the ways of our grandfathers and the way they managed society. The Government of Canada laugh at us when we want land. The Government do not have any pity.

I talked about this issue at a big meeting in Vancouver where Indigenous Peoples gathered about two years ago. The Prime Ministers of the Commonwealth were meeting. The Indian peoples wanted to talk to them but were not allowed into the meeting. The Government of Canada were afraid we would talk about the treatment of Indian people in this country. I did not see it that way.

There is another item which should be mentioned: taxes. When we had our Treaty cards, we did not have to pay taxes when we wanted to purchase an item. Now there is tax on everything. This is something to think about.

There is one last thing to discuss. It concerns the Premiers of the provinces. They did not exist at the time of the Treaty-signing. Now they are trying to run our lives for us here in the provinces. For example, in economic development, they are going to our programs. They want responsibility for us. I do not have much more to say. I have really enjoyed listening to the Elders. Thank you.

(Cree translated in English)

### ELDER MEL JOSEPH

The Treaty playlist that we use was when my grandfather signed the Treaty. We still have this document. Many times, my father, William Joseph, told me about this Treaty. We are bonafide Treaty Indians. I have a Treaty playlist here in my hand. This is what we follow. Our grandfathers used their Indian names when they signed the Treaty. This is what we believe our Indian names. The Elders sitting here, we respect them because we are young. We do not believe in organisations to do anything on our behalf. In the past, I was on a band council for twelve years. I was also working in the area of education. I let that go. Why? Because I was involving myself in the constitutional laws of Canada. I did not like to go into this area. I would mislead my children and grandchildren. I will not talk too much at this time, my friends. I have a lot to talk about but I have to respect my Elders because they have much knowledge and wisdom. When I finish speaking here I want to show this gentleman (Martínez) how we do things in regard to our Treaty. Thank you.

(Cree translated into English)

### JAMES SMALL, First Nation from Hobbema

I greet you. I do not feel worthy to be speaking. I was raised in the Indian way. I do not know much about these ways given to our Indian People. When I was given tobacco, I did not want to refuse. If I had refused the tobacco, I would have been refusing our Indian way of life. These people (Martínez and Gray) are here to listen to

the knowledge of the Elders. It is very difficult for me to talk. I have heard many stories of the past when I was young.

The ceremonies that we had in the past: I witnessed those ceremonies. I saw them today. I recognise the things said in the past. Even though some of us are talking about the present day, the whiteman's laws, we know how much the whiteman is misleading and fooling us. This topic being discussed today is a big topic. We can never totally talk about everything because we do not have enough time. This is all I want to say. Thank you.

(Cree translated into English)

#### ELDER THEREA GADWA, Kehewin First Nation

My relatives, I greet all of you here today. I am thankful to be here. I did not expect to say anything. I just came to listen. I have never listened to the Elders talk in the past because I was raised in a residential school. So I do not know too much about what the Elders talked about in the past. When my husband talks, I take knowledge from him.

At one time, I was a Chief for two years. I tried to help as much as I could. When I was a leader I did not fight with my own people. When you are a leader, you are not supposed to fight with your own people. White people were different. I was not afraid to stand before the whiteman and fight for my people. I was not scared to stand before them. I did not find it hard to argue with them. As a woman. The white people did not step on me because I knew that they were trying to cheat us. They were trying to mislead us to a point where I kept a document of words and promises of the Commissioner. As an old lady, I seem to misplace things. I could not find the document before coming to this meeting. It is true that there were a lot of promises made to us. It is written in the document. The sun and grass were to be used as a measure of how long the Treaty would last. Some of the promises were to help take care of the Indian People.

The Queen's people were to help us make a living. All kinds of promises were made like: education, medicine chest, animals, implements to learn how to make a livelihood.

It is true that we should be afraid about where we are going. Just like a child given two handful of candy. It is the whiteman showing us something attractive. Some of our people are weak, they grab at the money. Money is very powerful and misleading.



I like this meeting. We can all pull together in one voice. The Creator will take pity on us.

It is true that my husband's grandfather told us a lot about the past, our history at the time of the Treaty—signing. These elements that were used to measure the amount of top soil shared with the whiteman: the sun, the grass, the river. We stand by the Treaty but the Department of Indian Affairs is making us suffer.

Why should Indian Affairs make our people suffer? We should be able to manage our own affairs the way we think. The money is ours to spend as we see fit. Indian Affairs is trying to stop education monies for our children. This is important for our children. There are many other things that the Department of Indian Affairs is trying to take away from us. Trapping, fishing, hunting are being taken away from our people. This is a way to make a living for our children. Education is the only future for our children. They will be the leaders in the future. Without education, where are they going to be? The young people trying to go to university are being cut off by the Department of Indian Affairs.

Martínez should try to understand how pitiful we are being treated in our own lands. Thank you for allowing me to speak.

(Cree translated into English)

#### MIGUEL ALFONSO MARTINEZ

I would like to know your customs. How did your people, your nations make commitments with other people? How did you proceed? Which are the facult-ies that you gave your representatives in order to make formal commitments for your people with other peoples?

We know how the non-Indian people act and proceed. I would like to know your customs, laws and traditions in dealing with this type of agreements.

(English)

#### ELDER LEWIS THOMAS, Witchekan Lake First Nation

My relatives, first of all I will say I am not being front and center at this meeting. I am going to say something to Martínez about our Treaty.

I have no ability to do anything, but our Creator has.

I am going to talk to Martínez about the past. In our reserve, the Elders did not take the Treaty. We were poor but we did not take any notice. We did not have a school on the reserve. A lot of us did not speak English.

One day a policeman that I knew and go along with asked me to his house. He told me about the Treaty, the way people are here talking about it. He said that in the future, if we did not take the money we would be poor. He wanted me to collect names of people on the Treaty. He wanted to know how the people felt about the Treaty. There were not many of us at the time. I came home. In the morning I went to my father and told him about the discussions. He said to go ahead and talk to the people about the recommendations made by the policeman. Most of the people wanted to take the money, but one Elder told me: no way. We had survived a good life. He talked to me for a long time. These younger people had said: yes. They went ahead and signed the petition. Only five people did not agree. I took the petition to the policeman who liked it. He said that he would work on it.

He invited us to a meeting to send the document away. It would not take too long to be put in place. He told us that we would receive our Treaty money before christmas. We did receive the Treaty money.

Some of the people were told not to take the money by the Elders but they were not successful. We ended up taking the money. In that evening in 1950, we were paid. I was made Chief and my brother a Councillor.

There was nothing in our lands at the time. We were surviving off the land as Indian People. We had asked for a school. As soon as the snow melted, they started to build the school. In the late fall, our children started going to school.

We leased our lands to the non-Indian for farming. We started a band farm. We were helped in borrowing money by Indian Affairs. The band farm did not work because nobody wanted to work on the farm. In seven years, we did not notice that our money was just sitting there. So we looked at the band farm which was not going anywhere and leased the land to the non-Indian. Indian affairs said we owed a lot of money so we sold the implements to Whitefish Lake First Nation to pay the money we had borrowed.

I want to tell this man (Martínez) that for twenty-one years, I was a Chief. I was supposed to be a lifetime Chief. All of a sudden,

there was the Indian Act. It sure made me think when my wife read the Indian Act to me. It was not what I had agreed to when we entered into Treaty. Indian Affairs wanted to have a two-year elective system for the Chiefs. There were a lot of meetings to throw me out. I did not want to sign my name to agree to the Indian Act. One of my relatives from Sandy Lake First Nation, Austin Ahenakew, told me not to sign my name. He said that I was a lifetime Chief until I passed away.

I told Indian Affairs that I did not want to follow the Indian Act because it was not part of the Treaty when I signed the Treaty. Our grandfathers signed the Treaty to make it strong; this is why I signed my name to the Treaty.

Next time we had a meeting with Indian Affairs the two-year system was put in place. I stopped being the Chief.

When we first signed Treaty, I had an original Chiefs' uniform. I still have one of those Treaty uniforms. It has been sixteen years since I was Chief.

The uniforms that the Queen gave to us was for respect. I have a lot of respect for the Treaty. The time I took the Treaty, I knew that it was very powerful. Austin Ahenakew used to tell me a lot about this Treaty signed with the whiteman. The whiteman could never break the Treaty on his own. It is going to be us Indian People who are going to break the Treaty. I already can see this happening by the direction that we are taking. We should be careful. We are weakening our own Treaty. Why? Our love for money. It is true.

That is all I have to say because the leaders on the reserves do not listen. Many times I tell leaders that this is not the way to run the reserve, but they do not listen to me, these young people. All of a sudden, the leaders are telling me that I am crazy. But to this day I have not given up on my Treaty, I do not keep my mouth shut.

I still talk about my Treaty. We should follow our Indian ways. Our ceremonies, the prayers of our Elders are the way to ask for things. We ask for things from our Creator in the Indian way. The Creator can soften the hearts of the white people. The Creator has power over them so that the Treaty can once again be followed in a good way. I thank you for listening to me. If there had been a school before the Treaty time, I would be speaking to you in English. So I greet all of you, and may the Creator bless you.

(Cree translated into English)

## ELDER HENRY GADWA, Kehewin First Nation

My relatives, one thing that I will talk about is the number of people. There should be more people here to listen to the words about the Treaty and to see how the people at Onion Lake have treated us for the last two days. These meetings that we have once in a while on the Treaty should have a lot more people.

There were many people present at the time of the Treaty-signing. My grandfather used to tell me about it. When we had two children, my grandfather Simon Gadwa passed on leaving us. We must listen to our Elders and their wisdom about the Treaty-signing one hundred years ago.

This man (Martínez) is here to listen to us. Please let us all work together when our relatives provide a place for us to meet and talk about things which are of concern to us.

What did the Queen talk about at the time of the signing of the Treaty with the Elders: There is nothing to cry out for in the future, you should have everything you need. This is what she said. This is what I want to tell you, my relatives.

The other thing that I want to talk about to the man who came across the Ocean to listen and visit us: Look above you, the sun still shines, that is how the Elders measured the Treaty.

When the whiteman came to sign the Treaty, he came to our lands and found our grandfathers. Our grandfathers did not go across the ocean to offer the land. The whiteman found our grandfathers. It was not the other way around. That is how our grandfathers came to sign the Treaty.

It is true that it took some time before they finished negotiating the Treaty. It took four days, my grandfather said.

The Elders agreed with the Commissioner who came from the Queen. When the Commissioner first spoke, he talked about the halfbreed who was standing there. The halfbreed was to be the interpreter. An Elder asked the halfbreed if he understood enough Cree to interpret on their behalf. On the day that they were going to sign the Treaty, the halfbreed said that he could interpret in a proper manner on this Treaty. In the future, you will see the whiteman come and find out about the Treaty. Today that is true. We see Martínez here to talk about our understanding of the Treaty. My grandfather talked about this day. It has really made me think. The Treaty is very much alive when I see this man sitting in front of us.

The Commissioner spoke, my brothers, about the Treaty that we are talking about. He said that they wanted to obtain land from us. My brothers, look, the sun is still shining above us. This is the reason why I am here. The Treaty will last as long as the sun shines.

The Commissioner also said that he was here for three things: the land, six inches of top soil and no more, the grass for the livestock to be fed and trees to build my houses. These three things I ask for and what ever is beneath the land belongs to you.

The Commissioner also said that in the future we would select lands. The lands would be called reserves. The reserves were to be as large as we wanted to make them. You can have as many lakes within your reserve as you want. The Commissioner also said that there will be a Chief for each reserve. They were also going to send a whiteman to be a farmer on each reserve. The farmer was to instruct people on the way to farm. There was also to be a person who would give out rations.

On each reserve, there was to be a school so that the children could get an education. The Commissioner said that the children would not have to go outside of the reserve to get educated. He also said that money would be given to us in order to operate the school. Each household was to have a garden. Each family would be given a hoe for their garden.

Medicine for whatever illness would be given to the Indian people. You will never have to pay for medicine and in the future there would be hospitals. In return for the sharing of your lands, you will never have to pay for medicines. You will never pay taxes because you will never be a taxpayer.

We will work for you in the future for things to benefit you. If there are things which you will need in the future we will not refuse you.

The Chiefs will have uniforms. In the future, when you put on the uniform and ask for things, they will have to listen to you because of the uniform, and success will be yours. These are the words of the Queen's commissioner.

Then one Elder spoke up and said: I have listened to you today. All the promises made to us for as long as the sun shines, the rivers flow and the grass grows. I feel sorry for you since I do not think you would afford this land of ours. There is wealth under the land and on top of the land. Your language is weak and attractive. You are the one who is going to break this Treaty in the future. I will not see it but my children and grandchildren will see it. In the future, they will stand in front of you.

Today, we see what is happening. The Treaty has been violated and broken. Leaders, I am asking you to speak up for us and lead us to put things in the right place. It is not up to the whiteman to come here and control our life. The Creator put us here on this land. Never forget the ways of our Elders, at the time of the Treaty-signing, they used a pipe to depend upon the Creator. We still have the pipe and the creator still exists. I thank you for listening to me.  
(Cree translated into English)

#### ELDER ALEX TWINN, Louis Bull First Nation

I have been listening to the Elders and it has given me a lot of personal things to consider. People of my age, I am sixty-two years old now. I missed out on the information that we should have had. I stand here for my forefather, Chief Muddybull. He was one of the first Chiefs in Hobbema. He was my great-grandfather's father. I come from the Louis Bull reserve named after him. None of these older people told us anything about the treaties. The Roman Catholic Priests, the Royal Canadian Mounted Police, and others had something to do with us. They stripped us of our pride and dignity at an early age. I myself was put in a convent (residential school) for eleven years.

When I was able to go home to my grandfather, there was no time for him to explain anything about the treaties. For eleven years, I was taught by someone who claimed to have some intelligence. I was taught English by nuns from Quebec who could not speak English properly. They had French accents. The Priest taught us to pray in an language which no one here can speak: Latin.

We should have been able to listen to our Elders when they pray with the pipe. We were told not to listen to the Elders. They told us that we would go to hell. We were not allowed to go to Sundance lodges, sweatlodges.

Once I went to a meeting in High Level. Someone suggested that we should make a study on the treaties. I thought to myself, how come the Indian Association of Alberta has been in existence for fifty years and now they want to make a treaty study.

We had several good speakers today. I am very interested. We have just started an Elders' society in Louis Bull to encourage our Elders to participate in information meetings.

There are many areas that Indian People have been deprived. The justice system for instance. We had our own but now look at

the present. The justice system is used to arrest, to take to court, and rehabilitation methods used against our people. I do not like to talk about this here because I have seen the Royal Canadian Mounted Police outside of this area. Maybe they are trying to spy on us. I have thought of this, the way the Royal Canadian Mounted Police burned cigarettes into my forehead to make me confess to a crime. I did seventeen years in prison. I do not like them around this meeting.

I do not like to see reporters at these meetings. They do not have any business here at this meeting. We are human beings. Our origin is right here on this land. I believe this very much.

The governments and people that come here to our lands are capable of anything. I can see what they are doing in South America.

Once the whiteman said that we were responsible for the disappearance of the buffalo. This is not true. We were not responsible for all the buffalo disappearing.

I know that there are fighters out there. We must struggle on from their own pockets to create a better understanding of the treaties.

I am beginning to have my eyes open to our problem. I hope that I can participate in the future. I have enjoyed very much what I have heard here. I want to thank everyone of you.

(Cree translated in English)

#### ELDER ALEX BONAIS, Little Pine First Nation

My friends, I do not travel around very much. But my people from my area know me. My grandfather was Chief Poundmaker. He was my mother's father. One of the speakers who spoke for some time, I want to thank him. He was talking about our problems. Our problems for one hundred years about our Treaty. I am beginning to realise how desparate our situation is as Indian People. This land was given to us. We were to stay here and nothing is going to destroy our land as long as the sun shines.

There is someone who came here to put us in a very scary situation. We all feel that way. The whiteman came across the ocean to destroy us and take away our children. Now our people are crying out from all over this land.

This is something that we have done to ourselves. As soon as children are born, they say «hello» in English. They do not speak their own language. It seems to me that we do not believe in our Elders and what they have told us in the past. If we believed what they have

told us in the past, we would not be in this situation. I could probably talk about the Treaty for ten years. There is so much to talk about. I have travelled around to these gatherings. At times I get up to speak as much as I am able. My grandfather did a lot of good work. This is the reason why I do not stop. I go ahead and speak on behalf of my people. I have been to Ottawa twice. We were aware of this meeting. This kind of meeting is important.

When the Queen's commissioners came here to try and cheat the Indian People: there were two leaders at the time; Poundmaker and Bigbear with headmen signed the Treaty.

My mother's father had told her many things and then she told me about the things which happened at the time of the Treaty-signing: I do not speak or write English, I only speak my own language. I strongly encourage our young people to carry on and teach the children to make them understand our heritage. They will grow old knowing that they are Indian People. The children should know the Indian ways, and not follow the whiteman's way of life and language. We should not allow the whiteman to control you. All the Indian people in Canada use money as a tool to control us. I know about the whiteman. What is in his heart and mind. He has no pity on us.

The whiteman (Martínez) who is here today to look for information. He has come here to find out what we are about. We must be careful. I, myself, am not with him. If I could speak English I would tell him that I do not agree with him. He does not have pity on us. He does not love us like we love one another. He is just here to gather information like the people from Ottawa. The whiteman has broken all our Indian ways. The Government are supposed to take care of us; but nothing but trouble for us. I have no pity on the white people. I speak my mind. I am not afraid of them. You will get no pity from this whiteman (Martínez). He will tell you all kinds of sweet things but not worth anything. That is all I want to say, my relatives, thank you.

(Cree translated into English)

## MIGUEL ALFONSO MARTINEZ

I would like to address myself to the gentleman who has just spoken. I think it would be proper for me to explain why I am here. I think it is most important now after listening with great respect to the speaker before me. When I knew who he was, I listened to his words



with extra attention because he identified himself as the grandchild of a person that I could identify. One month ago, I did not know about this person known as Poundmaker. He said something which I highly value, he spoke his mind.

I came here to listen to what you have in your mind. I want to insist that I did not come here on behalf of Ottawa or on behalf of a government in the country where I was born. I proudly occasionally represent in international organisations the Government of Cuba. I came here as an individual, an expert. When I think about this concept of expert, it makes me laugh because I analyse my ignorance about certain issues. I think I cannot be called an expert. I am a student. I am in this particular case when I am here. I have come to learn from you. What I will do with this information in the future? When I started this task, I had certain preconceptions, and these preconceptions are not alien to your present situation. I think that this study will have an impact in the future. I do not want you to think that the United Nations will give you rights. The United Nations cannot solve your problems. It is for you, and I insist, to win those rights, to have those rights implemented in reality. This is what I am trying to do, to have the information, so in my study I can illustrate your predicament for people who are at this moment more ignorant than I am about your predicament; how the situation cannot continue. That is all I have to say, thank you.

(English)

#### ELDER PHILIP FAVEL, Sweetgrass First Nation

I am glad to have come here today to listen to the people talk about the Treaty. Where I came from, my grandfather was a signatory to the Treaty on behalf of the Sweetgrass Reserve. I have the documents of the first Treaty playlist with me. I got these documents from 1926 year by year. Often the Government did not want to give me this information. Often the councils would keep this information for themselves. In this day and age, we should share this information.

Our grandfathers thought about us when they signed the Treaty. They never understood English. They still signed the Treaty on our behalf. It has been one hundred and thirteen years since my grandfather signed the treaties. It still seems like we misunderstood English.

Today, we do not use much Cree; even our grandchildren do not understand us. In the future, it will be more difficult. It is up to us to teach our children.

In regard to our Treaty, it has been violated since day one. We see the way that we are being treated. We can see what is happening in China. How the Chinese Government is treating their students and people. It seems this is how we are being treated here. Today, the people who have spoken here, I really like what I heard. The words that they used to discuss the Treaty. Many things I have forgotten but I have to remember them.

If the Canadian Government are involved and defeated, we have many people from different countries to help us. Within our Treaty it is written that we should never go to war. But our people did go over there for four years. Each white veteran was given \$6,000 but the Indian veteran was given \$2,320. What happened to the rest of the money that we were supposed to receive?

We see how much the whiteman is making us suffer, we know all about the incident in Manitoba where an Indian leader was killed.

There is another leader in Alberta, Chief Bernard Ominayak who is struggling against the Government. The Government are sending in the police to raid a blockade. This is what is happening to our people. We have to be careful with this whiteman because he speaks from both sides of his face. He never tells the truth. Thank you very much, and I wish you all good health.

(Cree translated into English)

*Meeting adjourned for the day*

**JULY 19, 1989**

**CHIEF WALLACE FOX, Onion Lake First Nation**

My relatives, I greet you once again. I have learnt a lot from the Elders talking about the treaties and the future for our children. I am asking you to talk about our Treaty for our benefit. We depend upon our Elders. If we stand behind our Treaty then our future will look brighter. However, if we go towards the whiteman's way of life, it will be a mistake. I gained a lot from Elders speaking to us.

So my relatives, I will not take too much time at this meeting, I want to thank you once again for coming to our territory.

(Cree translated into English)

### CHIEF ALPHONSE LAMEMAN, Beaver Lake First Nation

Good morning, ladies and gentlemen. This is our third day of deliberations and testimonials from our Elders. We have always put the Elders ahead in our Treaty Six Forum meetings. We always use our Elders. I respect what the Elders have to say. Today, when many Indian People have meetings they forget the Elders. I myself have respect for the Elders. We have to go to them to listen to the treaties and other issues. They have the history that has been passed on to them by their grandfathers, from generation to generation. It is how the Indian People have understood the Treaty and all the violations of the Treaty.

In addition, we have our ceremonies. The ceremonies mean a lot. Every morning, the Elders have a pipe ceremony. The Elders pray for us. At the end of the day, they have another pipe ceremony. As Indian People we have to return to this way of life, to depend upon this way of life.

The whiteman's way of life is only to try and mislead us. The whiteman can never destroy our ceremonies.

I am asking the Elders to open their minds in this meeting and give us your knowledge and wisdom. This man (Martínez) is going to take your words back to the United Nations.

There is only one other thing which I would like people to understand. Miguel Alfonso Martínez does not work for Ottawa or the Government of Canada. Thank you.

(Cree translated into English)

### MIGUEL ALFONSO MARTINEZ

Respected Elders, Chiefs, Mr. Chairman and friends. This is my third day with you. I must say that listening to the words of Chief Fox and Chief Lameman and their stress upon the importance of the Elders at Treaty Six Forum meetings, the native customs, ceremonies. The Elders mentioned the present situation in your communities. After learning about your customs, traditions and your present situation, I feel for your situation. I thank you for your hospitality.

(English)

### ALLEN JACOB, Co-chairman, Cold Lake First Nation

Good morning. There has been a lot of work done here. Many ex-

penses have come from our own pockets to have this meeting on the Treaty. It means a lot that we are sitting here. I would like to take this opportunity to thank the kind people of Onion Lake First Nation, the Chief, Council and people for hosting this very important conference. There have been a lot of efforts in the past by the various Chiefs, Councillors and people of the Treaty Six to keep the Treaty Six Forums alive.

Our struggle is made more difficult by the attitude of the Canadian people and governments. The Government of Canada are interested in abolishing our rights as Treaty Indian People. In the past the Government have tried various methods to accomplish this task. Millions of our peoples across the Americas have perished as a result of the struggle to maintain our land base. Now the Government of Canada want to abolish our rights as Indigenous Peoples. The Government of Canada want us to be «little brown whitemen.»

The Government of Canada are helped a great deal by the press in Canada. This is an important issue which I would like to discuss with you this morning. The press in Canada is the voice of the Canadian Government. I am not ashamed to say that in 1986, at the Cold Lake First Nations Treaty Six Forum, the late Elder John B. Tootoosis told us that we were the most hated and despised people in Canada. Why? Because Indian Peoples own the lands and resources. Canada would like to forget their debt to us.

Nobody knows the Indian People except the Indian People themselves. The Canadian Press has done everything possible to go along with the Federal Government of Canada. In 1987, we had a conference in Vancouver for Indigenous Peoples within the Commonwealth. We wanted to hold a press conference. None of the press came, because the Government of Canada told them not to give us any coverage. Now today, the press wants to cover this meeting. Why? Because the Government of Canada want to find out what we are saying to Miguel Alfonso Martínez. The press only wants to cover the story from their angle. They will not put in stories about the real situation concerning Indian Peoples in this country. The organising committee of this meeting decided against having the press sit in the meeting. Instead, we told them that we would have a press conference outside of the meeting. When we called the press conference none of the press came. As a result, we believe that the press was not really interested in our statements about the meeting but rather wanted to write their own interpretation of the

words spoken by the Elders. We are then fighting a losing battle in trying to make white people understand our way of life.

I would like again to introduce to everyone a representative of the International Workgroup for Indigenous Affairs, Andrew Gray. The head office is in Denmark. For the last twenty years, the Workgroup for Indigenous Affairs have been supporting Indigenous struggles around the world. This group has prepared a lot of material, including newsletters, documents, manuscripts and other things in English and Spanish. We invited Andrew Gray to this meeting hoping that he will give an accurate picture of us, Indian People.

(English)

**CHAIRMAN GORDON TOOTOOSIS, Poundmaker First Nation**

For the benefit of those who arrive last night, I would like to explain the purpose of this forum. This forum is being held for the benefit of a representative from the United Nations. We would like presentations only from the Elders within Treaty Six.

I would like to express some of my personal thoughts as a member of Poundmaker First Nation. One thing that I was thinking about this morning concerns me. I do not feel worthy to talk in the presence of the Elders. But this concerns me. It is about one of our relatives who did an interview with the television program CANADA AM this morning. He works with the Federation of Saskatchewan Indians. I guess, he did not understand about our Elders and the pipe stem and the sweetgrass used every day. We as Indian People depend upon the pipe stem and the drum to help keep us in a good mind. I am very afraid that we will not be blessed by the Great Spirit due to the actions of this young man and what he has said on the television. I hope that he does not destroy our efforts at this meeting. This is what I want to say. We should pray for this young man. Thank you.

(Cree translated into English)

**CHIEF HARVEY SCANIE, Cold Lake First Nations**

My relatives, I am glad to be here. I do not feel that I know very much. But, my relatives with your help, I am sure that I can learn

more about our Treaty for the benefit of our children and grandchildren. Thank you.

(Dene translated into English)

CHIEF JACOB BILL, Pelican Lake First Nation

My relatives, I greet all of you.

I was chosen by my people to speak on their behalf and to stand up for them. However, it is very difficult where we stand today. What our grandfathers had put in place for us in the past. The Chiefs at that time were very powerful. The words of the Chiefs were taken in whatever they wanted for their people. Today, that is not the way things are working. It seems like nobody respects the Chiefs anymore. The voices of the Chiefs are not as strong as they used to be. The whiteman is not listening to the Chiefs any longer.

There was an Elder from our reserve who was ninety years old when he passed away. He told me about what the Elders used to tell him. For example: this land the Indian People were put on. When the whiteman came here and found us, this land was ours. The whiteman really wanted our land because the land was beautiful.

Finally, when the whiteman signed the Treaty with our Indian People, we did not agree to the Treaty right away. The Indian People consulted with our heavenly father before signing the Treaty. The Elders also did not agree to change the Treaty. No person with two legs was to have the authority to change the Treaty.

What is the whiteman saying today about the treaties? He is trying to tell us that these are old treaties. Indian people should change them to put something new in place and then to follow a new Treaty. I do not believe that this is the way. Our Elders depended upon things: the sun still shines each day, the rivers still flow and the grass still grows every summer. These things are not old, they look the same each day. This could never be at an end. In his heart, the whiteman wanted this land. He swore to his God that the Treaty would last forever, as long as the sun shines. The oath that the Elders made, no one can take as a joke, the oath was made in the presence of, and witnessed by the Great Spirit. It would be a great sin to go against the oath made by the Elders. The Elders told us that in the future there would be an effect upon us.

Who is trying to break the Treaty? Who is going to be affected by the breaking of the Treaty? The white people are trying to make

us break our own Treaty. The whiteman wants us to follow his laws, so we can break our own Treaty.

The representatives of the Queen said: You will work with my servants. Whatever you want, my servants will go ahead and implement your requests. Indian People will be able to get whatever they want. I still believe in the Treaty.

The responsibility the Government of Canada have with the Indian People is being placed back with the Indian People. The Government want to break the Treaty.

One time I sat with the Provincial Government employee whom I told: You never asked Indian People about hunting, now you are taking the Indian People to court for trying to make a living to feed their families. The provincial employee agreed with me. He said that they should try to sit down with us.

I have also sat with the Minister of Indian Affairs and discussed the same issue, the Treaty. He said it was true.

In my area there are four Chiefs. We still have an agency. We are having a hard time to hang onto the agency in Shellbrooke. We have only one more year before the Department of Indian Affairs closes the office. We do not have a say in the closing of the office. I really depend upon the Treaty Six meetings to see where we can be successful.

The organisations like the Federation of Saskatchewan Indians, the Indian Association of Alberta and Indian Affairs are supposed to speak on our behalf on the Treaty. They do not stop any policies which are affecting us. It is up to us to depend upon one another. We cannot depend on anyone else to speak for us. Some of these people in the organisations we do not know. He could be a whiteman or a metis. I have gone to some of the Federation of Saskatchewan Indian meetings, there are not many people who speak at the meetings. They have only white educated people and the Elders are neglected. We are neglected because we do not speak English. These are some of the things which I would like to talk about today.

The Government of Canada know some people do not have reserves. Some people do not have a land base. The Federal Government know that at the time of taking reserves there were only a certain number of people counted for the land base. As a result, the size of the reserve is not adequate. The reserves should be bigger than the present size. Many of our relatives were not in the immediate area, so when they came back for their Treaty money, there was no land for them. We have waited for fifty years for the addition of

land to our reserves as promised by the Government of Canada. In the Treaty it is promised that Indian People would be given land any time they requested when the reserves became too small.

It seems to me that the Government of Canada do not respect our Chiefs. Our forefathers understood at the time of the Treaty that the Chiefs were to be respected by the Government of Canada.

One other thing I want to talk about since I have listened to my Elders: I see this meeting is a reality. They talked about this meeting in the past. They said it would happen in the future. I see it. That is all I want to say. Thank you.

(Cree translated into English)

#### ELDER MARGARET GRANDBOIS, Cold Lake First Nation

My relatives, you are my relatives, we are of one people. I have never seen this many people from all over. I am not going to say very much. I do not understand everything but I understand that you are concerned about our children and grandchildren. Years ago, this place was not bad. But now the whiteman wants us to follow his ways. This is not their land. The whiteman lived across the sea and came here. The whiteman does not think very much of us. Even the little bit of land which is ours, the whiteman is bothering us for that land. Those of you talking about the Treaty you are really truthful. My grandfather told me exactly the same things that are being said here. That is all I want to say. Thank you.

(Dene translated into English)

#### CHIEF JONAS BAPTISTE, Little Pine First Nation

My relatives, I thank our heavenly father for giving us this day. I also thank the Elders. Why do I thank the Elders? For one hundred years, they have carried on, on our behalf, the knowledge of the Treaty; that is why we are here today. It is up to us to carry this burden from this point forward. This is the responsibility that the Elders carried. It is getting more and more difficult. It seems like the Whiteman is trying to do away with the Treaty. I am sure that since the first day the Treaty was signed, the whiteman has been thinking of ways to break the Treaty. I have seen documents talking about the ways the whiteman is trying to break the Treaty.



I want to talk about what the Elders told me. I have been with my Eldes a very long time. It has been twelve years since my grandfather passed away. His name was Charlie Jack. He used to be the leader of the Queen Victoria Protective Association. We used to sit up all night telling me about the Treaty. He would say: My grandson, the Indian way of life is not supposed to be taken away by the whiteman. The Whiteman wanted land to raise his children. The only thing that was allowed to them was the use of the land to the depth of a plow. This was agreed to by our forefathers. The whiteman did not ask for the wild game, the animals. He wanted the furs. He did not want the fish. The whiteman only asked for the land (soil) to make a living. This is how the Elders understood the requests.

The whiteman saw that our way of life would be changed. They had agreed to give us education. They said that if ever your children want to use, we will give them an education so they can survive amongst us. Medicine will also be given to you.

It is true that the whiteman has been trying to break the Treaty. For example, Little Pine First Nation and the survey of the original reserve. When the Treaty was first made, we chose our land for our reserve. The surveyors put down the survey markers, then went south. At that time some of our relatives were away from the area and only five families were in the area. The surveyors did not give us adequate amount of land. Now the people at Little Pine are going for a land claim to get additional lands. The Chief and his people from Lucky Man live in our reserve because they have no reserve of their own. Our Elders are getting very tired from carrying this responsibility. Now it is up to the younger generation to pass on the information to the younger generation. This is all I want to say. Thank you.

(Cree translated into English)

#### ELDER JOHNNY PAUL, Kehewin First Nation

Yesterday, I was confused when Martínez asked about the people making oaths. There is one story I remember from one our Elders. It was about the oath taken at the time of the Frog Lake massacre. He was at Frog Lake because his people had chosen him. He arrived in Frog Lake at night and was heavily guarded during the night. In the morning, he was asked where he came from. He had come from St. Albert. The priest had sent him to Frog Lake. He was asked to

take an oath to stand up and fight. The person taking the oaths from people was an old school mate of his. He was told to take an oath verbally, no paper. The man did not agree to take the oath. He said: If I make an oath and then run away, I will be making a sin to the Creator. He did not make an oath at the time.

I really like what I am hearing here today. I cannot tell you too much about the Treaty. I can only tell you what I have heard from the Elders. If I make a mistake in my interpretation, I would be lying. I have listened a lot at similar meetings.

My brother-in-law, Mr. Watchmaker, and a man named Joe Taylor from Onion Lake and two people from the Federal Government came here to Onion Lake. They talked about an organisation which was going to die, an organisation in Saskatchewan. The Government were not able to stop the organisation so they went to the Alberta side and tried to start another organisation. I was told about the story from an Elder, the late John B. Tootoosis. He was one of them that started the organisation. He worked for poor people like himself. When the organisation started, they were very successful because the Elders started it.

The Elder measured the duration of the Treaty by using nature. They measured with the sun, the rivers, the grass. At that time the Elders had a lot of respect. The Elders used to talk about the treaties. The Elders started these organisations: The Indian Association of Alberta and the Federation of Saskatchewan Indians. All of a sudden the Treaty was no longer the issue. The only issues were those that affected the reserves, politics. In my opinion, the Treaty is still first and foremost. But the organisations stayed away from the Treaty. In the end, at these big organisation meetings, only the programs were talked about.

Then we started talking about the constitution of Canada. The Government of Canada were bringing the constitution back from England. All of a sudden the Indian People were concerned about the Treaty. Elders were not concerned about the Constitution of Canada because we know that no two-legged person can break our Treaty.

We went to London. We made some kind of success because we were standing up for ourselves. We sat with Lord Denning. I wonder if anyone listened to the words of Lord Denning. He was important in London at that time. There were a hundred Lords at the meeting. He was trying to speak up for us, Indian people. He really tried to

help us. The Constitution of Canada came to Canada. One of the Federal employees really tried to disregard the Indian People. He really wanted their constitution repatriated. He was one of the main forces. He used to shy away from Indian People when we tried to talk to him.

It was after the Constitution came to Canada, there were meetings held in Ottawa. At one of those large meetings, the Indian people from across Canada were trying to stand up for our rights. People from the Treaty Six area walked out of the meeting because of what was happening. We were not going to give our Treaty to the Government of Canada and the Provinces of Canada. Now today, we are told that Treaty Six is the strongest Treaty. It was at the time of the signing of Treaty Six that a lot of things were completed by our Elders.

From that time, we started the Treaty Six Forums. It was a positive step. I do not think that this is the end of our meetings. There will be more in the future.

The leaders of Treaty Six can request a meeting with the Prime Minister of Canada. He could not refuse to talk to the Chiefs about the Treaty. One of the Federal employees tried to tell us to work together because our Treaty is strong.

We know that Martínez, we cannot tell him all the information about the Treaty. We will give you some words to use in a good way on our behalf. That is all I want to say. I greet you. Thank you.

(Cree translated into English)

#### CHIEF GORDON GADWA, Kehewin First Nation

Chiefs, Elders, ladies and gentlemen. I would like to address this forum in my own language. I am thankful for our meeting. This is our third day. I would like to thank the Chief, Council and people of Onion Lake First Nation for their support in hosting and giving their attention to this important meeting. I would also like to thank this woman (Sharon Venne) who has worked for us. I know it is because of her knowledge and from her heart that she is trying to help the Indian People in regard to this Treaty. There has been a lot of work put into these kinds of meetings. We listen to our Elders in their understanding of the Treaty. In some of our reserves, we try to follow our Treaty to stand up for ourselves by using our Treaty.

Some people say that is us who is going to break our own Treaty.

I see it sometimes because we do not seem to understand things in the same fashion. This is one thing that is very hard: money. Money is a big factor. It is misleading our people.

I would like to thank my Elders from Kehewin for supporting this meeting. I like the way all the Elders have been reminding us about things related to the Treaty. I understand what the Elders are talking about. The two Elders from Kehewin who spoke have really helped me a lot in my job. I myself cannot speak on this Treaty. But I can speak about the events which have happened recently.

For example, the repatriation of the Constitution of Canada. We know that it should not have been repatriated. We know that as Indian People we are going to be the big losers in the Constitutional issues of Canada. At the time of the First Ministers' Conference on Aboriginal Affairs, the Government of Canada made it sound like we were going to determine our future. We know that was not true. We know that nothing was accomplished because we knew the end result. We knew that the Government wanted our Treaty. In the end, a lot of us did not agree with the process.

Because we did not agree, the Constitution did not pass on our treaties. Many people do not understand why we did not agree. We did not agree because we believe in our Treaty. We wanted to go according to our Treaty. Many Chiefs and Councils still follow the Treaty process. I cannot say much more on these issues, but if we were to talk really about the Treaty, three or four days is not enough.

There is one thing I would like to ask Mr. Martínez. You have come from the United Nations as a person selected to do the Study. What assurances can you give to this assembly that the material we are giving to you is going to be carried out in its fullest extent?

(Cree translated into English)

## MIGUEL ALFONSO MARTINEZ

I want to answer the question posed to me by Chief Gordon Gadwa. I can assure you only one thing. I will dedicate myself to this task to the best of my ability. Imperfections are a quality inherent to man. I know that all understand. I can assure you that all the information I can gather would be processed by me. I am entitled to have someone who will help me as an advisor or a consultant. I am going to choose this person to help me in my task. But I must stress that the level of responsibility for the final report lies upon my shoulders.

What is going to happen to the Report: the responsibility lies upon the shoulders of the Indigenous Peoples. I also have to consult with governments. I think that will not be too difficult. I have three years to complete this study. I am beginning to doubt whether I can fulfil this mandate in the three years. You said that you needed three months to speak about the Treaty, can you imagine what a heavy burden is upon me in the future?

If I cannot complete the study in three years I will need to request an extension of my mandate. I do not want to hurry things in this sense. I still do not know the results of my research. I have already taken the first step by being present with you. I think that the situation that has been described for me is not only present for your people but also in other countries. This is only my intuition, I have a lot of things to do. I have said that this is only the beginning. This is the importance of my visit with your people. I can assure of only one thing. I will do my best within by ability and in my conscience to make a solid report. That is all I can say for the moment. Thank you, sir.

(English)

**CHIEF GORDON GADWA, Kehewin First Nation**

There is one other question which I would like to ask Yu in relation to the testimonies made by the Elders: Are you getting the message needed to carry out your study?

(Cree translated into English)

**MIGUEL ALFONSO MARTINEZ**

Let me put it this way. The Elders have in a certain way confirmed to me my original impressions of the Treaty. I have had a little time to study your Treaty prior to coming to the meeting. All the testimonies I have heard are more or less an opportunity to fulfil my impressions.

I have had the honour of going to Chief Poundmaker's resting site. I have also been to John B. Tootoosis's resting place. On my way to visit these sites, I saw pump's pumping wealth. I thought it must be oil or gas. I do not know. I was remembering what I had heard from the Elders over the past two days. How in 1876, the non-Indian

People who negotiated the Treaty with the Indians only wanted the soil to make a living and to be able to survive. But the wealth I saw yesterday was not coming from the topsoil, it was coming from below the six or twelve inches of soil negotiated at the time of the Treaty.

I wonder if your people are participating in this wealth? It would seem to me that your conditions according to the descriptions given to me, indicate that you are not getting very much wealth. Many of your problems as described them would not be occurring if you got the wealth from the pumps. This is only my impression. I would have liked more time to put this question to your people.

If that is the case, what the Elders, Chiefs and grassroots people have explained to me, there is a need to have a lot of attention and understanding from the International community. This is all I have to say at this time.

There is only one other issues which should be clarified at this time. This concerns the study. This study is not the resolution of the problem. This study will focus on what has happened to the treaties: what is the relationship between the Indigenous Peoples and the nation-state, dealt with in a very serious way to see if there are ways and means of guaranteeing when an agreement is reached that it is an agreement to be respected and not to be violated. That is all I can tell you at the moment. Thank you.

(English)

**CHIEF GORDON GADWA, Kehewin First Nation**

We have exhausted all avenues in Canada in our fight to protect our treaties. By going to the United Nations, can you explain the importance of it, asking for a Treaty Study?

(Cree translated into English)

**MIGUEL ALFONSO MARTINEZ**

I said yesterday that it is my firm conviction that the rights of Peoples and Nations must be exercised by the Peoples and Nations. The United Nations has neither the power nor the intention of fulfil the rights of the Peoples. It is for the Peoples to exercise their rights

for themselves. What the United Nations can do is to bring to the front burner certain issues which are not apparently well known. These issues are not well known for a combination of factors. You mentioned this morning the participation of the press. I do not know the relation-ship between the press and the certain problems of the Nations which you represent in Canada.

The United Nations is a moral factor by giving me this task. I think we have been given a study which will be a very important step forward in their understanding.

The situation as described has been going on for a hundred years. The United Nations has been going for more than forty years. For the first time, the particular issues of treaty rights has been selected by the United Nations and put on the front burner. I think that is a very important point which has been put forward: the awareness of your people on the importance of the Treaty, treaty rights and the awareness of all the Indigenous Peoples of the world about the beginning of the study. This is a key element for the future development of this issue. Let us make it clear that the United Nations is not going to serve you on a silver platter. You must work for the justice of the study.

The United Nations will not serve you on a silver platter the rights that exist according to your treaties. The United Nations can bring the public opinion worldwide to concentrate their attention on the problem which affects millions and hundreds of million of peoples around the world. This problems has been under the rug for a number of years.

The importance of this task is in conjunction with the United Nations. Let me just describe briefly one aspect of the United Nations. The United Nations has a body which gathers once a year for a week, to which Indigeneous Peoples can come and say what is on their minds. It is a very informal type of gathering. You do not need to have any formal requirments to be represented. Nobody can explain your problems better than yourselves. It is for your people to use this element and make yourselves available at this meeting in Geneva each year. I am a member of that body. It is a very small group of five people. It is important for you to know about its existence and the importance of being at the meeting.

Sometimes people are unaware of the possibilities, either domestically or internationally, to make known what is happening in your territory. Your grassroots people here, you do not need a

university degree to explain your problems. You have some very articulate people. You do not need to have a third person say what you think. You have enough ability to speak for yourselves. That is what I would like to see, if we had five hundred Indigenous People physically at the meetings in Geneva. I do not know how we would accommodate you at the United Nations but it would be a minor problem. The important thing is that your voice be heard by the International People to get the International public opinion on your side.

I would like to underline two very important things. First, several Elders have spoken about very common problems. I want to stress the importance of unity.

Second, your self-esteem. Coming to the United Nations is your right. No one is giving you this right. It is your right for you to exercise. This is what I wanted to stress. Thank you.

(English)

#### ELDER JUSTINE AUIGBELLE, Alexander First Nation

I greet all of you. I really like what I am hearing at this meeting. I grew up in Hobbema with my father named Mike Buffalo. It was a long time ago, when I was a young woman. I did not own myself. My father took me to Alexander where I have stayed. It has been forty years since I have been in Alexander even though my husband passed away.

What the Elders have been talking about is the truth. My father told me a lot about the Treaty. He talked about the whiteman and how we would be treated in the future. He talked about these things that the Elders are talking about at this meeting.

One thing that no one has mentioned yet: at the time of the Treaty-signing, each person was given twelve dollars. My father told me. I do not know how many years, the people were given twelve dollars and then all of a sudden the Federal Government talked to the Indian People. The Federal Government said that seven dollars would be put away for the Indian People. In the future, when they ran into trouble with money, the money saved would be used by the Indian People.

Those of us who have come to this meeting are trying to follow the ways of our forefathers. Our leaders, I am not going to talk behind their backs, I am going to tell the truth, are not listening to the



Elders. There are not many Elders from our reserve at this meeting. Our Elders find it hard to go where our leaders are going. We know from other people from all over our Treaty area about the direction to follow. Our leaders do not tell our people about the direction or the laws that they are agreeing to follow. The leaders sometimes say it is the wish of the Elders. This is not true. I regret what they are trying to do. I am not speaking badly about them. However, I want people to know it is not the Elders wishes. Another thing which I heard yesterday that when the reserves ran out of land, the Indian People were to be given more land. That is all I can say at the present time, but my friends, I ask you to help us. That the young people will listen to their Elders and not try to overpower them. Thank you.

(Cree translated into English)

#### CHIEF WALLACE FOX, Onion Lake First Nation

I am really worried about my relatives and the little children. This is the way I think. I am sorry to be breaking down like this. But I am very thankful to the Elders the way that they have spoken to us. I know that our Creator will look down and bless us. The Creator will make our roads in the future better for us. That is all I want to say. Thank you.

(Cree translated into English; most of the statement was lost due to the static on the recording tape)

#### ELDER DAVID TOOTOOSIS, Poundmaker First Nation

I thank the Creator for giving us a nice day to talk about the Treaty. I hope that it will not be for nothing. I hope that the Creator will take pity on us that we can be successful in protecting our lands and our rights as promised to us by the Treaty. I do not think that the Creator would have put us on this earth to suffer. The Creator is kind. This is the reason that I pray to the Creator.

I feel humble to talk about the Treaty even though I was a leader in the past. We have to do the best we can. We have to continue, all the Chiefs and the young people. What our Elders have told us in the past on the Treaty and what was promised in the Treaty. I do not know too much myself as I did not have an Elder to tell me these things. I was only nine years old when my father left me. My older

brothers heard about the Treaty from my father and told me what my father said about the Treaty. This is where I got my information. I have also looked at many documents.

The whiteman has power on his side. He has money. The whiteman used money at the time of the Treaty-making. Today, the whiteman uses money to make us fight amongst ourselves.

We should depend upon the Creator and his spiritual helpers. I understand that the whiteman made a law called the Indian Act. I do not know what year this white law came into being, but a lot of people were chased off their reserves. The white people put us in a very bad situation. I know what has happened in our reserve and in other reserves. Then the Government of Canada brought in something else. They called it the white paper. The white paper was to do away with reserves. We stopped that paper. Now we have another problem called Bill C-31. This legislation is affecting our reserves. This legislation is not our Treaty. The Elders have children standing with them. We have white people trying to come into our reserves. This is something that I do not like. I am scared of this document. The first time that I read the document, I did not like it. We have met many times on our reserves in regard to this document. Finally, we decided how we are going to deal with this issue. We are going to follow our Treaty. It is a difficult situation to deal with. How long is it going to take us to deal with the Treaty effectively? This is one of things that the whiteman uses against us. Thank you.

(Cree translated into English)

#### ELDER CHRISTINE EAGLE, Hobbema First Nations

I am happy to come here and be with the Elders meeting here. What we have all come here for is to be successful on the matter of our Treaty. Our Treaty is strong. This Treaty is supposed to be forever, as long as the sun shines, the rivers flow and the grass grows.

We know that the whiteman has been trying to break our Treaty and our reserves. The Elders told us what was promised to us by the Queen. My grandfather asked: What am I going to do about what you promised me? How you have tried to cheat me out of our lands? My grandfather also said: As long as the land will last, the whiteman will never pay me for my land. Our forefather never sold the land. The Queen's representative told my grandfather that there would always be a red-coat (Royal Canadian Mounted Police) to stand up

for your Treaty. This person is powerful and if anyone brothers your Treaty, the red-coat will put that person in court. Many times, when there is a gathering, I want to see a red-coat present, he should be present all the time when there is a meeting like this one. The Indian People from here are lucky and in a good position. Where I come from our leaders have taken self—government. Many people did not agree but the leaders had a vote to accept self-government. It now appears that everyone agrees with the legislation. We do not understand this legislation. The Chiefs who are here have a stronger voice than the red-coats. Those Chiefs who wear the Treaty uniform, I thank them. These Chiefs will be successful, especially if they wear the medals given to them by the Queen.

I am very happy about what I have heard in this meeting. The man who shed tears when talking about our situation made me shed tears. He shed tears towards the Creator to be successful. Thank you.

(Cree translated into English)

#### CHIEF ANDREW KING, Lucky Man First Nation

Good afternoon, Chiefs, Elders, Councillors, and visitors. I am going to talk in Cree. I am glad that you are here to listen to the Elders. The Elders have good words for us. The way of the Treaty has been passed down to them from generation to generation. The Elders are now passing the information on to us. The Elders are giving us leaders the advise and strength to go and speak for ourselves.

Before noon, the Chief from Onion Lake really struck me in the heart. This is the same way that I feel as a leader. I have no place to take my people. I cannot even get money for them from the Department of Indian Affairs. Many times I try to start something to help my people but I am stopped by the Government. I run into a brick wall. Why is it this way? I ask myself this question many times. Many times I go to Indian Affairs for help, but they always tell me that I have no land base. I walk out of the office with no money for my people. Often I'm lost. I try and carry on and do my best for my people.

One thing I wanted to ask the Elders. Not long ago, early this spring, we had a meeting in Saskatchewan with the Minister of Indian Affairs. I spoke about the reserve and the money that goes with having a land base for houses, roads etc. He did not give me an answer. Instead he said that he would speak to his employer. At

that same meeting, the Federation of Saskatchewan Indians brought in a document. It was the first time that I seen that document. It was called a Bilateral Accord. Then another person talked about a Treaty Commissioner. We did not really understand what the document said. They railroaded the document through the process. It was passed. I want to ask the Elders about this document. There were two things which the Minister of Indian Affairs wanted us to deal with: land and education.

Why should the Minister of Indian Affairs want to deal with education when it is in place in the Treaty forever, as long as the sun shines, the rivers flow and the grass grows? When the Treaty was put in place, why should we be dealing with the Federal Government and its bureaucrats? I wanted to ask the Elders what they think about the Treaty Commissioner and the Accord. We are asking the Elders for their guidance on this issue. Thank you very much.

(Cree translated into English)

#### FRED CARDINAL, Saddle Lake First Nation

I am not an Elder. Someone asked what do my grandchildren want? I want to ask for your guidance. I will tell you where I am from. My grandfather was wechogun and my mother's father was Bear Hide. I cannot talk about the treaties like the Elders. But I used to hear my grandfather talk about the treaties. We never gave up anything that was under the ground. When you look at the Province of Saskatchewan, the Government mine potash. When they strike oil, they put in oil wells. They take whatever they find. Did they ask us? The Federal Government is very greedy. They go ahead and take things from our lands without asking us.

Another way that they try to break the Treaty is to give us the vote. The franchise is to help determine who is going to be in the Federal Government of Canada. The Federal Government of Canada are not my leaders. The Prime Minister is not my leader. The Chief of my reserve is my leader. This is the only one that I will give my name too.

There are many Chiefs who now wear business suits. The Chiefs should be wearing the uniforms which gives them strength.

It seems that we are not using the strength which has been given to us. One place where we have made a big mistake is that we do not listen to our Elders. These white-haired Elders who talk to us, we do

not listen to them. We are stubborn. It seems to me that our Indian way of life is not being followed. Many of our children do not speak the language. In the whiteman's education system, they teach our children to become wealthy. The whiteman's system tried to mislead our children. We can get lost in that system.

It would be good if we could really stand up for ourselves to teach our children the Indian way of life. To teach our culture in our schools. Our children will grow up knowing their history. This is my opinion.

There is something else which is useless: the Constitution of Canada. The Government of Canada said everyone would be equal and have equal rights. We are not equal with the white people. We were here first. We have collective rights while the white people have rights for the individual. White people are selfish, they do not think about the common good of everyone.

Another way that the Government of Canada are fighting us with is money. They are trying to break our Treaty by using money. We were to receive monies from the Treaty to administer our lands. But the Federal Government does not follow the Treaty. Instead, they try to make policies for us to follow. We are fighting against Bill C-31 which will allow non-Indian people to live in our reserves. We cannot let them get a foot in the door of our reserves.

The Government are fighting us in many ways. They try to get us confused. The Government bring their own documents. For fifteen years, we at Saddle Lake have been working on a document. It has not been passed yet. We are putting together our own constitution based upon our own traditions (Customs and Laws). I want to talk a little about this document. We depend on our Creator who put us on this earth. Indian People have a right to determine their own future. We have the right as Indian People to pass our own laws. We have laws to select our leaders, to give them the responsibility to speak for us. There are other laws which put into place the way the lands should be dealt with. There are many laws, but our young people do not understand the laws of our forefathers.

We should work together. Let us not just give lip-service to the idea. Let us work together. I was listening to one of the Chief's statement this morning. He told us that he gave his authority to another Chief to speak for him. His people gave him the authority to speak for them. It is very difficult for a Chief to give to another Chief that responsibility to speak for his people. It is another law of our people.

We must try to understand the Elders and work together. Thank you.  
(Cree translated into English)

### MIGUEL ALFONSO MARTINEZ

I would like an illustration of the way in which the traditional leaders were selected. How did the leaders react in the community on a daily basis and how did they deal with other communities and other governments?

The second issue concerns the issue raised by Chief Andrew King's presentation on the bilateral accord. Someone gave me a copy of this document. It is an agreement between the Federal Government and one indigenous organisation. Does this document have to do with Treaty rights?

The third comment I would like to make at this time concerns the issue raised about individual and collective rights. I must tell everyone that within the United Nations, we deal day after day with the issues related to collective rights. Until now, individual rights were seen as important but there is a growing recognition of the enormous importance of collective rights. From the point of view of the communities, I would like to explore the feelings of the communities in relation to the collective rights of the people. There seems to be a double set of rights. I do not see any ultimate contradiction between individual and collective rights. But from the point of view of your community, it is evident in my opinion that the international community will recognise the collective rights. This will have a major impact upon the rights of the people and the issues. Thank you Mr. Chairman.

(English)

### ELDER PETE WASKEHAT, Frog Lake First Nation

My relatives, the questions which Miguel Martínez has asked us about, our Elders have discussed them. In the past, before the white-man came to this continent, this island, the Indian People were able to determine for themselves their daily lives and were also able to govern themselves.

The Indian Peoples were the owners of their destiny on this island. The Chiefs used to determine how the camps were to be run; the responsibilities of each person within the camp.

At that time, our Chiefs or leaders were taken from a person who was brave. The people also looked at the person and his life, how he treated other people. His actions were looked at by his followers and his relatives. When he was made Chief, he earned the right. It was what he worked on, his wisdom and vision of things which could be accomplished. I never heard about council people. I do not know if they were in existence prior to the arrival of the whiteman. There were people who worked with the Chiefs but I do not know if they were called councillors. Perhaps, they were called headmen. These people were also brave. They were the headmen who were at the head of everything.

What happened to the Chief if things were not going well? Maybe, the Chief became weak and could no longer lead his people. What happened? From that time, his children, if he had one worthy of filling his father's shoes would become the leader. If that child was not able to do the job maybe the grandchild from that family. This would happen from generation to generation. I have heard about this from the Elders many times.

I want to talk about what my relatives have talked about today. When the whiteman first came here, the Indian People agreed to speak with him in regard to our lands. When they agreed through negotiations, they could understand each other. The Commissioner said at that time: You will reserve for yourselves the land which you will need to survive as Indian People.

One of the Elders told him: You come here to buy this land off me. You can never afford to buy this land. You come from England and put money from there to where I am standing and you still would not have enough money to buy this land. However, if you want to live side by side with me, I think we can. It is the will of the Creator that you have come here and found us. I will agree that you can live alongside me.

It is not for me to give you my land. I could never give you my land. This was agreed at the time of the Treaty. Our forefathers chose our lands where we are presently living. The Queen's representative sent their servants to help us. They were our servants. Where do they get the direction to administer our lands? We are the Indian People. When was the time when they changed the laws and policies in relation to the Indian People? Now the Government of Canada have in place a two-year elective system for the Chief and Council. On our reserves, we are forced to follow the two-year system. This is where

our community is at the present time. This is the answer I want to give in relation to the traditional selection of the Chief, as asked by Mr. Martínez.

(Cree translated into English)

ALEX KENNEDY, Little Pine First Nation

I greet all of you, my relatives. I want to answer a question asked by Mr. Martínez about the bilateral accord. I was at the meeting in Duck Lake, Saskatchewan, when this accord was discussed and signed with the Minister of Indian Affairs, Pierre Cadieux. The Federation of Saskatchewan Indians met with and talked about the Treaty Commissioner. They also discussed how the position should be put in place. There was also some discussion about the ability given to the Commissioner to look at the treaties in a good way.

It was put in place to let Indian Affairs look and respect the treaties. The Commissioner is also to advise the Federal Government about the treaties. This is what the Treaty Commissioner is supposed to do. It is to ensure that the Federal Government live up to the treaties and the promises made under the Treaty for this land of ours.

There should be something in place because the white people are breaking the treaties on a daily basis. It is getting so bad that the Department of Indian Affairs tried to tell Indian People that once Indian People have finished high school grade twelve, they no longer qualify for education benefits under the Treaty. Our leaders and students did not agree with the Government because of our Treaty position.

Many of the students and leaders went to Ottawa and went on a fast. They did not drink water because they wanted to be successful. What happened to the Minister of Indian Affairs? The Government were ashamed about the promises made in regard to education. The Government tried to stop Indian People from going to University. The Government want to do something about the people who were fasting. It is due to the young people that something was done. They sacrificed their health to hold the Federal Government responsible.

The Indian People were promised by the Commissioner of the Queen to have access to education. The Commissioner talked about schools on the reserves. There would be an education for our young people, so that in the future the children could use the education of the whiteman to feed their children. Our Elders thought about edu-



cation right during the discussions on the Treaty. It was in this frame of mind that the Treaty was entered into by the Elders. This is what we refer to when we talk about the spirit and intent of the Treaty. What is happening today with the Treaty? The Federal Government of Canada are trying to interpret the spirit and intent of the Treaty. The Federal Government are trying to say that the responsibility under the Treaty is to provide a school on the reserve and teachers. That is all. According to their opinion, once a person finishes grade twelve, that is enough education. The Federal Government are also making the argument that they provide post-secondary education to us out of the kindest of their hearts. The Government of Canada do not want to admit that education is a Treaty right.

The Government of Canada have been talking to the Federation of Saskatchewan Indian, Roland Crowe and his executive members, about a bilateral accord. The constitutional conference failed. The First Ministers' conferences took place in Ottawa. There were four meetings in five years. The conferences were called to talk about the aboriginal peoples. The First Peoples of this land and their problems, wants and needs. We were all put into one melting pot at that time. It seems to me that the First Ministers were talking to everyone at the same time. They called it a multilateral process. The Treaty Indian Peoples did not agree with the process. We have different rights because we are a Treaty people. We are not like the half-breeds. We do not have the same stand as they do.

At this meeting held in Duck Lake, Saskatchewan, there were three documents which included: the bilateral accord, the Treaty Commissioner and a joint committee. People were to be chosen from the Federal Government and the Indian communities. The Treaty Commissioner would also be included in the process. This is the way I understood the accord that took place in Duck Lake in May, 1989.

(Cree translated into English)

**FRED CARDINAL, Saddle Lake First Nation**

I would like to address the issue of collective rights. As I understood my grandfather when he talked about the land: the Indian People held the land together. Not one person owns it. The land we have been placed upon by the Creator for our use. If we were to give up anything, it would be the use of the land. We could never sell the land.

In the past, when people wanted to decided on an issue, they made the decision collectively. It was not just one person who de-

cided the issue. For example, if all the people were in full agreement on one person to be a leader. This is what Pete Waskehat was talking about when he talked about the leadership. A leader earned the right. People had to agree to have him as a leader. It was done collectively. This is the kind of collective rights that I am talking about.

I have read (I hope understood) that the United Nations has a covenant on the Civil and Political Rights. It states in the covenant that all people have the right to self-determination. We are a people. This right is a collective right. I hope that I have understood the Covenant correctly.

I am not really sure what individual rights mean. It seems to me that if a person has money, they can do anything they wish with it. It seems to me that the individual right is that they do not have to worry about anybody else. I just worry about myself. This is not part of our thinking.

I think that our Chiefs will have to continue and be determined to fight for our rights. Some Chiefs have given up because they have received money. Other Chiefs have taken alcohol. When they take alcohol they do not fight for their people.

Many Chiefs come to these meetings to stand up and fight for their own people; while other Chiefs come for a while and leave the meeting. They are going against the collective rights of their people when they act in this manner.

Thank you.

(Cree translated into English)

#### CHIEF JENNY SPYGLASS, Mosquito First Nation

Chiefs, Councillors, Elders. I am very happy to come here. I thank the leaders for this meeting. We should listen to our Elders. As leaders we should be out front and center to fight for our people's rights. We should not only do this when we are running for office. We should always be there to take care of our people. I know it is a hard job. It is hard to speak to the whiteman. Everything that we want does not happen.

It really bothered me this spring when the Government only allocated three houses to my community. I had to go back home to my community and tell my people. We need lots of houses because we have many people. It is very hard for us to accomplish anything. We have to sign a lot of paper before we can get our money.

Many things which were discussed here I did not know. I appreciate all the things that I have heard from the Elders. I will take your good words back to my people. Things have been going well at this meeting because we depend upon our Creator to help us each and every day. Respected Elders that are still alive to talk about the Treaty, I thank each of you.

(Saulteaux Chief speaking in Cree then translated into English)

*Meeting adjourned for the third day*

**JULY 20, 1989**

**CHIEF WALLACE FOX, Onion Lake First Nation**

I was asking the Elders if they could discuss more about the treaties and the surrenders of lands. There were some surrenders of lands to the missionaries. I would like to hear the Elders discuss the issue here. I have heard them talk about this issue at other Treaty Six Forums. I know that the surrenders occurred many years ago.

(Cree translated into English)

**CHIEF THOMAS ABRAHAM, Frog Lake First Nation**

I do not have much to say. I want to thank the Elders who have been helping us. The Elders have given us a lot of wisdom over the past four days. I myself could say a lot of things because a lot has been passed on to me. One thing that I want to say to you: I have heard a lot of people talk about the Treaty. We had requested that the Elders talk about the Treaty. What has happened in the past. One thing I did not like to hear and I am sure that Miguel Martínez did not come to hear certain things about our reserves. I am not trying to say anything to anybody, but I heard some people talk about their reserves and their leaders. I am sure that Mr. Martínez is not here to listen to those kinds of things. This is all I have to say. Thank you.

(Cree translated into English)

[This is the end of the transcript. The discussions which took place on the last day were private between the Special Rapporteur and the Elders concerning some of the questions raised between the Elders and the Chiefs.]

# APPENDIX

## THE TREATIES AT FORTS CARLTON AND PITT, NUMBER SIX.

ARTICLES OF A TREATY made and concluded near Carlton, on the twenty-third day of August, and on the twenty-eighth day of said month, respectively, and near Fort Pitt on the ninth day of September, in the year of Our Lord one thousand eight hundred and seventy-six, between Her Most Gracious Majesty the Queen of Great Britain and Ireland, by her Commissioners, the Honorable Alexander Morris, Lieutenant-Governor of the Province of Manitoba and the North-West Territories, and the Honorable James McKay and the Honorable William Joseph Christie, of the one part, and the Plain and the Wood Cree Tribes of Indians, and the other Tribes of Indians, inhabitants of the country within the limits hereinafter defined and described, by their Chiefs, chosen and named as hereinafter mentioned, of the other part.

Whereas the Indians inhabiting the said country have, pursuant to an appointment made by the said Commissioners, been convened at meetings at Fort Carlton, Fort Pitt and Battle River, to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and the said Indians of the other;

And whereas the said Indians have been notified and informed by Her Majesty's said Commissioners that it is the desire of Her Majesty to open up for settlement, immigration and such other purposes as to Her Majesty may seem meet, a tract of country, bounded and described as hereinafter mentioned, and to obtain the consent thereto of her Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence; And whereas the Indians of the said tract, duly convened in council as aforesaid, and being requested by Her Majesty's Commissioners to name certain Chiefs and head men, who should be authorized, on their behalf, to conduct such negotiations and sign any treaty to be founded thereon, and to

become responsible to Her Majesty for the faithful performance by their respective bands of such obligations as shall be assumed by them, the said Indians have thereupon named for that purpose, that is to say: - representing the Indians who make the treaty at Carlton, the several Chiefs and Councillors who have subscribed hereto, and representing the Indians who make the treaty at Fort Pitt, the several Chiefs and Councillors who have subscribed hereto; And thereupon, in open council, the different bands having presented their Chiefs to the said Commissioners as the Chiefs and head men, for the purposes aforesaid, of the respective bands of Indians inhabiting the district hereinafter described;

And whereas the said Commissioners then and there received and acknowledged the persons so represented, as Chiefs and head men, for the purposes aforesaid, of the respective bands of Indians inhabiting the said district hereinafter described;

And whereas the said Commissioners have proceeded to negotiate a treaty with the said Indians, and the same has been finally agreed upon and concluded as follows, that is to say:

The Plain and Wood Cree Tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for Her Majesty the Queen and her successors forever, all their rights, titles and privileges whatsoever, to the lands included within the following limits, that is to say:

Commencing at the mouth of the river emptying into the north-west angle of Cumberland Lake, thence westerly up the said river to the source, thence on a straight line in a westerly direction to the head of Green Lake, thence northerly to the elbow in the Beaver River, thence down the said river northerly to a point twenty miles from the said elbow; thence in a westerly direction, keeping on a line generally parallel with the said Beaver River (above the elbow), and about twenty miles distance therefrom, to the source of the said river; thence northerly to the north-easterly point of the south shore of Red Deer Lake, continuing westerly along the said shore to the western limit thereof, and thence due west to the Athabaska River, thence up the said river, against the stream, to the Jasper House, in the Rocky Mountains; thence on a course south-eastwardly, following the easterly range of the Mountains, to the source of the main branch of the Red Deer River; thence down the said river, with the stream, to the junction therewith of the outlet of the river, being the

outlet of the Buffalo Lake; thence due east twenty miles; thence on a straight line south-eastwardly to the mouth of the said Red Deer River on the South Branch of the Saskatchewan River; thence eastwardly and northwardly, following on the boundaries of the tracts conceded by the several Treaties numbered Four and Five, to the place of beginning;

And also all their rights, titles and privileges whatsoever, to all other lands, wherever situated, in the North-West Territories, or in any other Province or portion of Her Majesty's Dominions, situated and being within the Dominion of Canada;

The tract comprised within the lines above described, embracing an area of one hundred and twenty-one thousand square miles, be the same more or less;

To have and to hold the same to Her Majesty the Queen and her successors forever;

And Her Majesty the Queen hereby agrees and undertakes to lay aside reserves for farming lands, due respect being had to lands at present cultivated by the said Indians, and other reserves for the benefit of the said Indians, to be administered and dealt with for them by Her Majesty's Government of the Dominion of Canada, provided all such reserves shall not exceed in all one square mile for each family of five, or in that proportion for larger or smaller families, in manner following, that is to say: -

That the Chief Superintendent of Indian Affairs shall depute and send a suitable person to determine and set apart the reserves for each band, after consulting with the Indians thereof as to the locality which may be found to be most suitable for them;

Provided, however, that Her Majesty reserves the right to deal with any settlers within the bounds of any lands reserved for any band as she shall deem fit, and also that the aforesaid reserves of land or any interest therein may be sold or otherwise disposed of by Her Majesty's Government for the use and benefit of the said Indians entitled thereto, with their consent first had and obtained; and with a view to show the satisfaction of Her Majesty with the behavior and good conduct of her Indians, she hereby, through her Commissioners, makes them a present of twelve dollars for each man, woman and child belonging to the bands here represented, in extinguishment of all claims heretofore preferred;

And further, Her Majesty agrees to maintain schools for instruction in such reserves hereby made, as to her Government of the

Dominion of Canada may seem advisable, whenever the Indians of the reserve shall desire it;

Her Majesty further agrees with her said Indians that within the boundary of Indian reserves, until otherwise determined by her Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force or hereafter to be enacted to preserve her Indian subjects inhabiting the reserves or living elsewhere within her North-West Territories from the evil influence of the use of intoxicating liquors, shall be strictly enforced;

Her Majesty further agrees with her said Indians that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her Government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes by her said Government of the Dominion of Canada, or by any of the subjects thereof, duly authorized therefor, by the said Government;

It is further agreed between Her Majesty and her said Indians, that such sections of the reserves above indicated as may at any time be required for public works or buildings of what nature soever, may be appropriated for that purpose by Her Majesty's Government of the Dominion of Canada, due compensation being made for the value of any improvements thereon;

And further, that Her Majesty's Commissioners shall, as soon as possible after the execution of this treaty, cause to be taken, accurate census of all the Indians inhabiting the tract above described, distributing them in families, and shall in every year ensuing the date hereof, at some period in each year, to be duly notified to the Indians, and at a place or places to be appointed for that purpose, within the territories ceded, pay to each Indian person the sum of five dollars per head yearly;

It is further agreed between Her Majesty and the said Indians that the sum of fifteen hundred dollars per annum, shall be yearly and every year expended by Her Majesty in the purchase of ammunition and twine for nets for the use of the said Indians, in manner following, that is to say: - In the reasonable discretion as regards the distribution thereof, among the Indians inhabiting the several re-

serves, or otherwise included herein, of Her Majesty's Indian Agent having the supervision of this treaty;

It is further agreed between Her Majesty and the said Indians that the following articles shall be supplied to any band of the said Indians who are now cultivating the soil, or who shall hereafter commence to cultivate the land, that is to say: - Four hoes for every family actually cultivating, also two spades per family as aforesaid; one plough for every three families as aforesaid, one harrow for every three families as aforesaid; two scythes, and one whetstone and two