

RETHINKING TREATY SIX IN THE SPIRIT OF MISTAHI MASKWA (BIG BEAR)

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Abstract / Résumé

The numbered Treaties in western Canada were negotiated between the British Crown and the Nêhiyawak (Cree), Anishinabêk (Saulteaux) and Nakota in the 1870s. These Treaties were made in order to help people live together in peace and to share the resources of the land. Treaty Six was the largest Treaty and covered most of central Saskatchewan and Alberta. While many Cree leaders within this area accepted the terms offered by the Crown, others such as Mistahi Maskwa resisted and sought better terms. By examining Treaty Six through the struggle of Mistahi Maskwa, new perspectives about the moral foundations of Canada arise in terms of both the past and the present.

Les traités numérotés de l'Ouest canadien ont été négociée par la Couronne britannique et les Cris, les Saulteaux et les Nakotas dans les années 1870. Ces traités ont été signés pour aider les peuples à vivre ensemble pacifiquement et à partager les ressources territoriales. Le Traité numéro six, le plus important, couvrait la majeure partie du centre de la Saskatchewan et de l'Alberta. Bien que de nombreux chefs cris de cette région aient accepté les termes offerts par la Couronne, d'autres comme Mistahi Maskwa (Grand Ours) ont résisté et cherché à obtenir de meilleurs termes. L'analyse du Traité numéro six, au regard de la lutte de Mistahi Maskwa, soulève de nouvelles perspectives sur les fondements moraux du Canada tant dans le passé que de nos jours.

In this paper, "Rethinking Treaty Six in the spirit of Mistahi Maskwa (Big Bear)," I want to explore the treaty as it is understood by Nêhiyawak (Cree people). Also, I want to raise questions of justice surrounding the treaty itself. The written treaty diverges substantially from the oral "text" as understood and told by Nêhiyawak. Recent developments such as the Delgamuukw' decision and the Royal Commission on Aboriginal People (RCAP (I):11, 49) seem to support the use of Aboriginal oral history for the interpretation of treaties. Furthermore, the manner in which many Nêhiyawak, such as Mistahi Maskwa, entered into Treaty Six, must be seriously questioned. Given the fact that his people were starving during the time of the treaty, we have to ask questions about the moral foundations of the treaty, and indeed, the nation of Canada itself.

Treaty Six involved the Nêhiyawak and the Saulteaux and covers much of the central areas of Saskatchewan and Alberta. It was part of the numbered treaties which were concluded throughout Canada beginning in 1871 with the Anishinabêk and Swampy Cree in eastern Manitoba. The impetus of the treaties was the need for increased settlement by Europeans. Undoubtedly, there were the friendships treaties with the Mi'kmaq and others in the east which predate the numbered treaties by at least one hundred years, and the Robinson Treaties of 1850. But, the numbered treaties contain much more explicit promises made by the Crown than previous treaties.

Another central difference with the numbered treaties, and particularly the Indigenous people in the Treaty Six area, was the ability to resist by force the presence of the British Crown. Indeed, it was some men in Mistahi Maskwa's camp who eventually, due to frustration and hunger, took up arms against the newcomers to the land. It was after the troubled time, ê-mâyi-kamikahk ("where it went wrong"/ The Northwest Resistance of 1885), that the Dominion of Canada faced little opposition to their expansion.

I have chosen to examine Treaty Six, not merely as a "closed," written text, but also an "oral" text. Also, I wish to incorporate into my discussion the historical circumstances surrounding the treaty. Chiefs chose actions which they thought would be the best to protect the interests of their people. Indeed, the chiefs were cognizant that they were struggling for the very survival of their people. It was the Nêhiyawak chief Mistahi Maskwa who resisted the Crown the longest, and it is through his struggle that we can come to a fuller understanding of Treaty Six. It is through Mistahi Maskwa that the full historical background of the Treaty can be understood. The differences between the oral and written understanding of the text must be considered. Both represent seemingly incommensurate world views.

For too long, the treaty process, along with much of the historical interaction between the British and Nêhiyawak, has been understood from the perspective of the mainstream society. The purpose of this paper is not to take away from these perspectives, but rather to show alternative understandings of the treaty. I hope to show that the historical context of the treaty must be taken into account in order to get a full and complete interpretation. I think it is important to point out that this paper does not purport to be *the* "Indian" interpretation, but is merely the reflection of one young Cree person who examines it in the context of Mistahi Maskwa's resistance. Undoubtedly, one could easily write an alternative paper, such as Treaty Six in the spirit of Atâhkakohp (Star Blanket) or any other Chief who readily accepted the terms of the government. However, I think that there is more to contribute by looking at the treaty in the spirit of Mistahi Maskwa because the world view which he tried to protect is in stark contrast to the one articulated by the Crown.

Understanding Treaty Six is important, but not merely as an abstract academic exercise. It is important in order to come to terms with the moral foundations of Canada. The recent Royal Commission on Aboriginal People suggest: "Treaty promises were part of the foundations of Canada and keeping those promises as a challenge to the honour and legitimacy of Canada" (RCAP (II):37). In speaking of Treaty One, D.J. Hall notes that: "[b]oth sides wanted treaties; neither really knew what to expect" (Hall 1987:323). The task of rethinking Treaty Six, and indeed all of the treaties in Canada, is to appreciate that both sides wanted to develop a peaceful co-existence.

The importance of Treaty Six extends to other treaties across Canada. For instance, in the recent Nisga'a treaty, the Nisga'a Chief Joseph Gosnell, Sr., noted at the initialling of the agreement: "To the Nisga'a people, a treaty is a sacred instrument. It represents an understanding between distinct cultures and shows respect for each other's way of life" (Gosnell, 1998). At their best, treaties represent the possibility of a peaceful cohabitation and sharing of resources by two people. Given the recent explosion of violence between ethnic groups within nation states throughout the world, this is certainly needed today.

If a peaceful co-existence is to occur, the Indian understanding of the treaty process must be taken into account. It is impossible, I think, to have genuine respect for people, genuine respect for different ways of seeing the world, without taking into account important cultural differences. For instance, in the case of the Cree understanding of the Treaty Six, it is imperative to include the oral understanding of the Treaty that exists in Cree culture. For a long time, the mainstream culture has controlled the discourse

between Whites and Indians. As a result, Treaty Six has been understood by non-Natives primarily as a written document, a fact which essentially avoids any Indian interpretation.

The written version of Treaty Six includes legal language devoid of metaphor and symbolism. For example, the location of the Indians is described as "the Indians of the said tract" (Morris, 1991:351). Also, in describing the location of future Reserves, the text reads "a suitable person to determine and set apart the Reserves for each band, after consulting with the Indians thereof as to the locality..." (*Ibid.*). The terse language does not reflect the world view of the Nêhiyawak Elders and Chiefs who were there. Future treaties should be bilingual and have at least some residue of metaphorical thinking of Indigenous people in them.

In the Nêhiyawak world view of 1876, the culture was dominated by an oral mode of consciousness. In speech, the concrete world around was referred to and was used to symbolize historical events. For instance, in the oral mode of consciousness, as found in the Nêhiyawak understanding of the treaty, reference is made to such things as the sun, grass and river. The Nêhiyawak memory states that the treaties were to be good "as long as the grass grows, and as long as the sun walks. It is interesting to note that the new Nisga'a treaty is devoid of any symbolism of their culture and is grounded in legal language (*Nisga'a Final Agreement*).

When I listen to and read Elder accounts of Treaty Six, the treaties are commonly described as being sacred. The words spoken during the treaty process were made in God's name and must have sounded good to Nêhiyawak who attended the treaty meetings:

Of the many things the government representations promised, he raised his hand in the name of God. The white man would in turn care for the Indians, the children of God. 'As long as his spirit, the sun and the river, as long as these two things are moving, that is how long the promises are good for,' said the government official. Those were the terms of the Queen (Horse, 1973:5).

The treaties were sealed with references to the sun: "You will always be cared for, all the time, as long as the sun walks to what they promised" (Roan, 1974:2). John Buffalo reiterated this: "As long as the sun walks, as long as the river flows" (Buffalo, 1975:4). The specific river referred to was the "Saskatchewan River" (Horse, 1973:3). This type of discourse certainly precludes the secularized discourse of the Canadian state today in the 20th century. The task becomes to try and reconcile these seemingly disparate world views.

Oral consciousness is a collective, ongoing activity with much ceremony accompanying it. Jim Kâ-Nîpitêhtêw, an Elder from Onion Lake and himself the son of Mistahi Maskwa's head dancer, noted:

An elder doesn't think of himself as better than anyone else when he or she speaks. It's only the elders who have long since gone that speak through them. It is an echo of wonderful time a long time ago (Kâ-Nîpitêhtêw, 1976).

Oral consciousness is a *heard and spoken* memory forming a multitude of connections through the history of the "conversation"—in this the "conversation" of Treaty Six. Furthermore, the story is not "closed" as a written text, but must be recreated every time that the narratives are told.

In terms of the oral history of Treaty Six, a great deal of work has been done in collecting Elders testimony such as: 1) the Saskatchewan Indian Culture Centre's efforts in the seventies, (for instance, the documentation of the Centennial Commemorations of Treaty Six; chair, John R. McLeod; 2) the Indian Association of Alberta's documentation in the 1970s, and 3) more recent efforts such as *Honour Bound: Onion Lake and the Spirit of Treaty Six*.

Throughout the Cree oral history of the Treaty, there is a repeated desire by the Elders, and those who worked with them, to disseminate the oral history. For instance, John R. McLeod stated at a meeting:

The proceedings of this meeting are being taped and pictures will be taken so in that in the future, if our children wish to listen to what went on during our preparations for the Treaty Six Centennial, the information will all be on paper, tape and film (John R. McLeod, 1975a:4).

Also, Alexander Metchewais: "I would appreciate very much if you could put these interviews out so the people could hear them all over and the things that you are doing" (Metchewais, 1975:3). These people wanted the story of Treaty Six, especially the long, forgotten Indian version, to be available to anyone who wanted to learn it. Richard Price described the oral narratives of Indian people in relation to the treaties: "These stories, which have been passed on from father and son or grandfather to son, are more than mere stories but rather form part of the *collective histories* of Indian tribes and nations" (Price, 1975:1).

In contrast, the treaty as understood by the Canadians, is written, and is consequently "fixed" (or seemingly "fixed") in terms of meaning. There tends to be a linear world view which accompanies it, with the meaning of the treaty being closed and not open to subsequent reinterpretation. Treaty Six has often been understood only in the context of the legal arguments and moral foundations of the treaty, and subsequently, there has been an

avoidance and distortion of the spirit and intent of the treaty. The bias toward oral consciousness is exemplified in a study by the government of Canada. Weinrib writes that while Indians "may insist that their 'hearts are like paper' ... it is well known that when an illiterate culture and a literate one impinge on another, the memory faculty of the oral culture deteriorates quickly" (Weinrib, 1971:63). However, the notion of "hearts like paper" superimposes the paradigm of written consciousness, that of apparent closure of interpretation, fixed meaning, on to the interpretative horizon of oral culture.

In contrast to Weinrib's previously noted remarks, oral consciousness has ways of encoding memory. For instance, Walter Ong notes: "Protracted orally based thought even when not in formal verse, tends to be highly rhythmic, for rhythm adds recall, even physiologically" (Ong, 1996:34). The actual words are accompanied by body language, such as hand gestures, which themselves are vested with meaning. Furthermore, the words are also accompanied often by a ceremony, such as the pipe ceremony during the treaty process.

We have to try and understand how our ancestors understood the treaty. We have to attempt to discern the semiotics of their relationship to the discursive entity "Treaty Six." As I have stated before, the treaties were signed by people operating within the oral mode consciousness. The pipe was the sealing of the agreement for the Nêhiyawak, and was as binding as the Xs which spread across the treaty document. According to Nêhiyawak) understanding, Morris sealed the deal by smoking the pipe:

Once it was complete it was to last forever. It was at this time that the pipestem was brought into use, we still have that pipestem. The representative also took the pipe and smoked from it. That is when the representative took the stem in his right hand and raised it towards the sky (Horse, 1975a).

Horse elaborates:

With the promises the Queen made, they didn't want them to come to an end. The government official mentioned at the time that the terms of the treaty should never come to an end. These promises were made with the smoking of the pipe. His lips touched the stem of the pipe. This wasn't done ordinarily for no reason. If one put a pipestem to his lips, that was a highly honoured agreement and the government official did that. He smoked the pipestem (Horse, 1975b:5).

All of that was agreed to was done as an *âsotamâkêwin* ("promise", a Cree word for "Treaty").

In the oral mode of consciousness, people "sign" their agreements in the name of the earth and through religious ceremonies. The ceremonies

act as an interpretative atmosphere which must be kept in mind if we are to properly interpret the treaties.

The notion that a written culture remembers better than an oral culture has severe ramifications for the understanding of Treaty Six by exaggerating the importance of the written text itself. For instance, what makes a written text more valuable and reliable than an oral understanding of an event? Could the event simply not have been recorded wrongly in the first place? The existence of the treaty as a written document does not, in and of itself, insure that it truly reflects the actual negotiations.

During the Treaty Six Centennial Commemoration meeting, Julian Moses raised a sceptical line that is interesting to consider. He noted:

There is much written material but it was all done by non-Indians. When reading about the various treaties, all we see from the Indians are X's which may or may not belong to the same person, or even to Indians. Possibly the Indian people who were present at the signings had never held a pen before and did not know how to use one. We have never seen proof that the Indians did sign treaties (Julian Moses, 1975:8).

Julian Moses was correct in so far as only two headmen signed the treaty. One signed in syllabics while the other, my grandfather Bernard Constant, signed using the English alphabet (NAC. RG 10. Vol. 1847. File # IT 296/157A). The others simply touched the pen of the clerk who then made the X's on their behalf.

The historical context of the treaties must be taken into account. The treaty does not rest in isolation from other things in the world, and its moral legitimacy and foundations must be grounded in the historical relationships between the Crees and the Dominion of Canada. Seemingly, the Crown initially tried to bypass the treaty process. In 1875, surveyors went through Cree land, but were stopped by men from Mistawâsis (Big Child's) band. At this point, the government sent John McDougall, the son of George McDougall, the very men who stole the buffalo stone, to talk to the Cree about an upcoming Treaty Six. He met Mistâwasis and Ka-miyitawêsit (Beardy), and seemingly eased some of their fears.

Either by accident or design, the very same family who stole the buffalo stone, was sent by the government to begin preliminary discussions on the treaty. The buffalo stone was in western Alberta, and it was believed to be the manifestation of the power of the buffalo itself. The buffalo stone, and stones similar to it, were often referred to as grandfather stone.

While McDougall was welcomed by Chiefs Mistawâsis and Kâ-miyêscawêsit who lived around the Fort Carlton area, he did experience firm opposition to the treaty process in the Fort Pitt area which was occupied by

the River People. In the absence of Wihkasko-kisêyin (Old Man Sweet-grass), Mistahi Maskwa was the strongest Chief in the area and stated his opposition to the treaty process which was just beginning:

We want none of the Queen's presents: When we set a fox trap we scatter pieces of meat all around but when the fox gets into the trap we knock him on the head. We want no baits. Let your chiefs come like mean and talk to us (Morris, 1991:74)

Mistahi Maskwa called into question the treaty process. John McDougall then tried to discount Mistahi Maskwa by calling him an outsider with no authority to speak for the people in the area. Alexander Morris, in his account of the exchange, writes that Mistahi Maskwa had "formerly lived at Jack Fish and for years had been regarded as a troublesome fellow" (Morris, 1991: 174). Morris, in his narratives, either by accident or design, attempts to undermine the legitimacy of Mistahi Maskwa's leadership.

Furthermore, Morris did not understand the complexity of the ethnicity of the Plains Indians at the time of treaty signing, in particular the relationship between Nêhiyawak and Saulteaux. In fact, he described Nehiyawak and Saulteaux as being disjointed groups:

Big Bear [Mistahi Maskwa - N.M.] and his party were a small minority in camp. The Crees said they would have driven them out of camp long ago, but were afraid of their medicines as they are noted conjurers (Morris, 1991:174).

In her book *The Western Ojibway*, Peers (1994:119-120) discussed the ambiguity between "Cree" and "Saulteaux" in the case of Mistahi Maskwa. While Mistahi Maskwa's father was Black Powder, who was drawn by Paul Kane in 1848 at Fort Pitt, was a Saulteaux from the east, Mistahi Maskwa seems to have clearly identified himself as Cree. For instance, in a speech in 1885 (Dufresne, 1983), Mistahi Maskwa identified himself as Chief of Nêhiyawak. It is telling that his name is in Cree. Furthermore, Francis Michael Harper, was given a Cree name by Mistahi Maskwa (Harper, 1973).

Much more scholarship needs to be done in regards to the historical relationship between the Cree and Saulteaux, but it is sufficient to say for our purposes here, that a "Saulteaux" in a camp of "Cree" was by no means an outsider as Morris suggested. But rather, he was a person whose culture had fused elements of two cultures together. In the case of Mistahi Maskwa, the point is not that he was at least part Saulteaux, and consequently an outsider as Morris suggested, but rather that he was leader of a group of people who had elements from both cultures.

In 1876, the year after the preliminary discussions of 1875, Treaty Six was "signed" at Fort Carlton and Fort Pitt. At Fort Carleton, the treaty was

generally well received, especially by the leading Chiefs of the House people, Atâhkakohp and Mistawâsis (Big Child). However, opposition was voiced by some Chiefs such as Pîhtokahânapiwiyin (Poundmaker) (Morris, 1991:186).

The Chiefs, after hearing what Morris had to say, said that they needed one day to consider the treaty. During the debate of that evening Mistawâsis noted that while the Crees had been unable to conquer the Blackfoot over the decades, the Whites had done so within a few years. He noted that a war against the Whites would be futile and a treaty was preferable (Erasmus, 1976:246-250). Thus, there was an element of pragmatism of the Chiefs' actions in the face of the collapse of the world as they knew it.

Ed Fox, Elder from Sweetgrass Reserve, noted at a meeting of the Treaty Six commemorations that his grandfather told him "of the suffering our forefathers went through before and during the treaty negotiations. They spent time in thought and prayer" (Fox, 1975:5). The people at the treaties knew that what they were doing would have an impact on future generations. It is unfortunate that many of them, including Mistahi Maskwa, were ignored and marginalized. Despite the manner in which Indian views were subordinated during and after the treaty signing, the concept of Treaty Six, and the hopes that Indigenous people had for it, are regarded in a sacred manner. The treaties, as the Cree heard and understood them, are perhaps the most important thing to Indian people in terms in our political life.

Nimosôm (my grandfather/John R. McLeod) organized the Treaty Six Centennial Commemorations in 1976. He said:

It was almost one hundred years ago that our great grandfathers gathered at Fort Carlton and Fort Pitt to meet with Commissioners of the Crown in order to negotiate Treaty Number Six. Because of the importance of this and other Treaties to Indian people, both in the past and now in the present, we shall be paying honour to our forefathers and the Treaty to which they negotiated for us and for our grandchildren (John R. McLeod, 1975b:1).

My grandfather knew that it was the treaty, for better or for worse, that was the foundation of our survival as Indians.

Nimosôm (my grandfather John R. McLeod) added:

Our elders tell us that reason our people and our leaders went to Fort Carlton was to work for the survival of Indian people. One hundred years ago, they called upon the Queen to send her representations. One hundred years ago, they met with the commissioners and negotiated a treaty which allowed the Indian people to survive as Indians, and which allowed us to

be here as Indians today and whatever the federal government or anyone else may say, without the efforts of our forefathers at Fort Carlton and Fort Pitt, we could not exist as Indians today (John R. McLeod, 1975b:2).

One of the mistakes I think that could be made is to think that there was one understanding of the treaties. Certainly, there were many views of the Treaty with some Chiefs rejecting the treaty whereas others accepted its terms. Mistahi Maskwa was certainly one of the chiefs who had resisted both at Fort Carlton and Fort Pitt. Also, there are large discrepancies between the oral and written understanding of the treaty. For example, the written treaty states:

The Plains and Wood Cree Tribes of Canada, and all the other Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender, and yield up to the Government of Canada for Her Majesty the Queen and her successors forever, all their rights, titles, privileges whatsoever, to the lands included within the following limits...(Morris, 1991:352).

However, Frizzly Bear stated that the government never actually bought the land: "They [our ancestors - N.M.] were told: "We are not buying your land, just borrowing it,' that's why the Indians said yes" (Bear, 1976). Lazarus Roan of Smallboy's Camp recounts that he was told that the government said "We are not buying anything from you, we are bargaining for it" (Roan, 1974:3). John Buffalo recounts a story told to him by his grandfather about the first treaty signing: "... anything underground would also not be given up, only 6 inches, enough for settlers to grow crops" (Buffalo, 1975:3). Fred Horse from Frog Lake confirms this: "...the surface of the land, was 1/2 foot" (Horse, 1975:4). Margaret Quinney also confirms this depth (Quinney, 1974:2).

Nimosôm (my grandfather) was also told a similar story from an Elder in the Treaty Four area:

The settlers who moving westward would use the land only to make a living with. The depth of the ground they may use would be determined by how far down a plough went, the rest would always belong to the Indian... The white man had promised he would only use as much land as was needed for tilling. Why then was he digging further? (John R. McLeod, 1975a:6).

This would correspond to a Cree word for treaties "tipahamâtowin" which means payment. In exchange for the right to live here, the Canadian agreed to pay "rent" forever. The commissioner stated: "I'll never finish paying and

I'll never pay you enough.' That is what he said so it's like borrowing the land" (Roan, 1974:3).

Despite the words of the Elders who spoke in favour of the treaty, there is a subtext which has often been suppressed both by Indians and non-Indians alike, which describes the opposition to the treaty. There is an oral tradition that during the signing at Fort Carlton, Mistahi Maskwa went on horseback from lodge to lodge urging the people not to sign the treaty, not to give up the land, because it was so rich (Saskatchewan Indian Culture Centre CD 00499). The treaty process then moved to Fort Pitt the next month.

A messenger was sent to Wihkasko-kisêyin to tell him of the treaty talks (Morris, 1991:175); however, Mistahi Maskwa was not informed of the treaty negotiations. During the negotiations, Wihkasko-kisêyin said: "...God was looking down on us that day, and opened a new world to them" (Morris, 1991:191). But, it must be kept in mind that not all Cree people were in favour of this new world view. Many, such as Mistahi Maskwa were quite sceptical of it.

Morris provides more details of Wihkasko-kisêyin's actions and words during the signing:

Placing one hand over my heart and the other over his own, he said: May the white man's blood never be split on this earth...
When I hold your hand and touch your heart, let us be one
(Morris, 1991:191).

In all fairness to Wihkasko-kisêyin, there is certainly something laudable about trying to live with the Canadians in peace. The contents of his speech could be interpreted in a number of ways. If "being one" means something analogous to the naive notion of equality, like the White Paper, then this must be rejected if we want to survive as Indians. Because Wihkasko-kisêyin had converted to Christianity and had adopted an important part of the European world view, and it was Mistahi Maskwa who was out on the Plains consulting people, who did Wihkasko-kisêyin really represent? What ideas did he represent?

Mistahi Maskwa must have felt profoundly betrayed by Wihkasko-kisêyin, his one time fellow warrior (Coming Day, 1934:37), because he signed without waiting for him to come and speak:

I find it difficult to express myself, because some of the bands are not represented. I have come to speak for the different bands that are out on the plains. It is no small matter that we were to consult about. I expected the Chiefs here would wait until I arrived (Morris, 1991:240).

The treaty process, from the Indian perspective, seems to have been prearranged with little possibility for real, substantive dialogue. From the outset, leaders such as Mistahi Maskwa, who were struggling to preserve the old Cree way of life, were marginalized and excluded from the process.

Alex Stick, whose father was at the original signing of the treaty at Fort Pitt, provides a portrayal of Wihkasko-kisêyin: "He did the business on the sly, he didn't notify any of the old people" (Stick, 1974:2). Stick adds: "The old people had a lot to say here, but it was too late as he had already given his commitment" (Stick, 1974:2). Thus, the government, along with the Church, attempting to subvert the political structures of the Cree. Wihkasko-kisêyin was appointed by the government to be the spokesmen for the River people. While Wihkasko-kisêyin was an important Chief of the River people, his influence had been waning because of his adoption of Christianity and his seemingly conciliatory attitude towards Whites.

The process of Wihkasko-kisêyin becoming more favourable to the terms of the Canadians certainly begins with his adoption of farming and Christianity. In the year before the "signing" of Treaty Six, Stick recounts that Wihkasko-kisêyin seems to have been influenced by exchange of funds between him and a representative of the Hudson Bay company:

The Store manager had sent him to the east coast... someone there gave him money in a big box, it was a large amount of money. He took some of that money and brought it home. The rest he left there with the priests for safekeeping (Stick, 1974:2).

Because he was already under the influence of priests and commercial interests, it seems reasonable that he could trust the priests with the money. The subversion of Wihkasko-kisêyin was important because it lessened resistance to the new order. Thus, when one takes into account the oral narratives of the Cree, there is the possibility of "upstreaming" (Fenton, 1958:21) the "accepted" and "official" narrative of Treaty Six which has originated Wihkasko-kisêyin the mainstream society.

Wihkasko-kisêyin is not the only figure to be portrayed in a different manner in Cree oral history. Alexander Morris himself was depicted as being very unreceptive to the Indian viewpoints during the Treaty negotiation process:

When the government man came, all those who were considered leaders were gathered to speak... It was a wicked man that was sent here representing the government (Bull, 1973:3).

Morris, from this account, is not the "gentleman" and just man of the British Crown. Rather, he is a human being with motives and biases. The point is

not so much to discredit the existing narrative of Treaty Six, but the important point is to take into account the perspectives of the different perspectives of the participants. It is through the meeting of the different narratives of Treaty Six, with a careful consideration of the viewpoints of the Nêhiyawak and Canadians, that we can arrive at a fuller picture of Treaty Six which would not be otherwise afforded to us.

Instead of the idealistic picture of a peaceful, just agreement, the commissioner in this account had little respect for the Cree:

He never paid attention when the leader aired their opinions of the treaty proposed. He would sit with his eyes closed when the leaders spoke. He wouldn't look at the speakers (Bull, 1973:3).

As I have already suggested, the treaty process was not malleable to accommodate the viewpoints and wishes of Indian people. The treaty is not a true negotiation as the terms had been preset. Indeed, it was only at the insistence of the Treaty Six chiefs that the medicine chest provision was included. In 1876, the Nêhiyawak did have some bargaining power. However, as the starvation years set in, the Nêhiyawak were robbed of this negotiating power, as their ability to resist the new order was greatly reduced.

As John L. Tobias suggests, the numbered treaty process was far from being ideal. Tobias argued that

... in 1871 Canada had no plan on how to deal with the Indians and the negotiation of treaties was not at the initiative of the Canadian government, but at the insistence of the Ojibwa Indians of the Northwest Angle and the Saulteaux of the tiny province of Manitoba (Tobias, 1983:520).

D.J. Hall claims that this statement "goes to far" (Hall, 1987:322). However, his position is similar to Tobias' in that he stresses Indigenous agency. Far from being passive participants of the treaty process, Hall argues that "the Indian not only forced major changes in the government's plan, such as it was, but raised most of the issues that appeared in subsequent treaties" (Hall, 1987:324). Indeed, there was great deal of communication between different Indigenous groups regarding the treaty process in Canada. The resistance of Mistahi Maskwa to Treaty Six had historical precedents in the earlier numbered treaties.

By interpreting Treaty Six in the spirit of Mistahi Maskwa, I am attempting to "upstream" our understanding of the treaty process, and by extension, the moral foundations of Canada. I think that the spirit of Mistahi Maskwa is that he tried to resist the new order: Christianity, farming and the destruction of Nêhiyaw independence; and instead tried to maintain Nêhi-

yaw autonomy and tried to get better terms of treaty. Unfortunately, this perspective has all too often been ignored by both Nêhiyawak and Canadians.

Others besides Mistahi Maskwa at the treaty talks at Fort Pitt were aware that violations would occur. Unfortunately, because of political pressures Indian political organizations have ignored this aspect of the Treaty Six narrative in favour of a weaker position. The "party line" has often been to recite how the treaties are sacred, but all too often the spirit of Mistahi Maskwa, the attempt of Mistahi Maskwa to get a better treaty, and the resistance to the treaty itself is ignored.

There is one particularly powerful narrative found throughout the Reserves in the Fort Pitt area. I have reconstructed the narrative by drawing upon the testimony of a variety of Elders. There was a Very Old Man who got up and spoke. John Buffalo noted that "after the commissioner spoke and spelled out his promises, one Old Man in the crowd stood up and denied all that was said. He said that 'it couldn't be possible.' The commissioner would not be able to live up to his promises" (Buffalo, 1975:6). Roan added:

A very old man stood up and said... 'I don't believe what you are saying, does the Queen feel her breasts are big enough, to care for us all, there are many of us people.' The government official thought the old man was insane and suggested that he be taken away from this. It was that the old man was talking nonsense. The official replied to him immediately, 'Yes, she has large breasts, enough so there will never be shortage.' It is unknown and interesting as to how the old man would have responded to the officials (Roan, 1974:2-3).

Isabel Smallboy, herself alive at the time of treaty signing, reiterated the above narrative: "She even went to say that her breasts were big, therefore if the people were to go hungry, then she would feed them through her breasts" (Smallboy, n.d.:4). She adds that the Queen's "tits are very big and you will never eat them all, that's how rich they are" (Smallboy, n.d.:7). Henry Cardinal confirms this image: "It was also said by the commissioner that in the future when you are making a living and if you are in need or failing the Queen has large bleats" (Cardinal, 1975:14).

James Bull knew the reply of the old man:

You are telling us all this, you will never be able to treat us the way you are treated my Manito. Look at this land with its abundance of food for us, you'll never be able to match that, you will not be able to do this (Bull, 1973:3).

By piecing together these different accounts, we can form a coherent narrative.

The people were thinking and speaking metaphorically. The Queen functions as an iconic figure who would provide for the Indians as the earth once had. The commissioner was asking for a change in lived paradigm. Instead of relying on the earth for support, Indians were told to rely on the Queen. The Very Old Man doubted that this would be possible.

It is not only in the 19th century that doubts have been raised about the sincerity of the Crown in the treaty talks and the subsequent actions of the government. Nimosôm asked fundamental questions about the history of Cree-Canadian relations after the Treaties:

We have asked ourselves, "What have we gained and have we paid for this since the Treaty was signed? Have we exchanged buffalo for welfare payments? Have we traded our own religion for the white man's churches? Our medicine for this? Indian languages for English? (John R. McLeod, 1975b:2).

The spirit of Mistahi Maskwa is the attempt of Nêhiyawak to resist colonization and to try to protect their world view, culture and autonomy.

Despite his attempts to resist the treaties, Mistahi Maskwa eventually "signed" the treaty. In the years after the signing in 1876, Mistahi Maskwa attempted to renegotiate a more favourable treaty for this people. The government strongly resisted this attempt and completely denied the possibility of a renegotiation, for example at Sounding Lake in 1878. There was a concerted effort of many Plains Cree leaders to establish a homeland in the Cypress Hills area. Edgar Dewdney resisted this and cut off rations to those bands which were part of this movement. Throughout this period, many left Mistahi Maskwa's band because of starvation. Eventually, after the years of wandering, Mistahi Maskwa signed the Treaty in 1882.

The foundations of the treaty have to be questioned. Here I am not thinking so much of the detractors of the treaty process, but rather from the other side. I am thinking of what the treaty could have been and the inherent weakness of its moral foundations. The "signing" cannot in and of itself be considered the "entity" but also must contain the circumstances around it.

In the winter of 1884-1885, the situation of Mistahi Maskwa's band was getting quite desperate. The band had been forcibly placed by the government in Alberta near Frog Lake. Either by accident or design, the band was placed far away from other Nêhiyawak bands. In this position, the band was isolated from others, but nonetheless attracted many of the hardcore resisters of the treaty.

The political structure of Plains Cree bands consisted of a war chief, who served as leader in the times of emergency, and a civil chief, who served in times of peace. The two tended to balance each other out and

drew upon different strengths which suited different circumstances. However, the events of 1884-1885 undermined this balance, and there seemed to be very little room for balance between the two poles of the leadership of Mistahi Maskwa's band. Mistahi Maskwa was still the civil chief of the band, but his people had grown impatient with his leadership as they needed to feed their children and could not hold out anymore. There was also the element of aggressiveness which was manifested in Papâmahcahkewêw (Wandering Spirit) who was the war chief of the band. He too, like the others, had grown tired of Mistahi Maskwa's diplomatic efforts and he wanted action. As well, one of Mistahi Maskwa's sons, Ayâmsîs had conspired with Papâmahcahkewêw (Wandering Spirit) to get control of the band.

In the spring of 1885, Papâmahcahkewêw (Wandering Spirit) and several others killed some Whites in the town of Frog Lake. It is beyond the scope of this paper to fully document and articulate those narratives, however, it should be noted the oral history of many of the events of Frog Lake, as told by the descendants of the Nêhiyawak who were closest to Mistahi Maskwa, who were involved in the fighting, remains untold.

Out of respect for the story-teller who told me about the events in 1885, whose nimosom was with Mistahi Maskwa, I will not tell those stories here. Those stories are for him to tell. His family preserved those stories for over one hundred years. The time will come for those stories to be told.

The events of Frog Lake in 1885 should not be seen as surprising. After a people have been starved into submission, violence may seem like the only answer. The word for the North West Rebellion in Cree is "ê-mâyikamikahk" ("where it went wrong"). The events of 1885 allowed Canada to subordinate the Nêhiyawak. Mistahi Maskwa was adamant that he had attempted to prevent bloodshed. He spoke at his trial:

Your Lordship, I am Big Bear [Mistahi Maskwa, N.M.], Chief of the Crees. The North West was mine. It belongs to me and to my tribe. For many, many moons I ruled it well. It was when I was away last winter when the trouble started. The young men and the troublemakers were beyond my control when I returned. They would not listen to my council (Dufresne, 1983:6).

The events of 1885 were not merely the actions of angry young men, but rather were part of the inner logic of the violation of the treaty. They were the last registrations of protest against the new order and the loss of freedom for the Nêhiyawak. From Mistahi Maskwa's perspective, it went wrong, because the violence suspended, at least temporarily, the possibility for a renegotiated treaty. However, the Canadians could never destroy the spirit of Mistahi Maskwa because he sought truth, freedom and justice.

Nimosôm spoke of the choice that faces all Indians today:

It was not our forefather's intention that we should lose our culture. They saw the white man coming from a long way off. And, in signing the Treaty, they attempted to preserve what they knew to be good, for their children's children. Thanks to their efforts, we, today have a choice. We may choose to be assimilated into the white society, or we may choose to remain as Indians and seek pride in that identity (John R. McLeod, 1975b:2).

Our ancestors wanted us to survive as Indians, but ultimately it is our choice. True self-government, if it is to help Indians survive as Indians, must preserve the spirit of Mistahi Maskwa. It is not merely enough to reconstruct the "spirit and intent" of treaty, but the spirit of Mistahi Maskwa, the attempt to preserve the Nehiyawak world view, must be a guiding principle of self-government.

Mistahi Maskwa at his trial said: "I am in chains. Never did I put a chain on any man. In my body, I have a free spirit. When I cross the wide river to the Sand Hills, that free spirit will go with me" (Dufresne, 1983:7). While Mistahi Maskwa was eventually put in prison, while the buffalo were almost completely annihilated, and the pain of the residential schools is still very much alive, the subordination of Nêhiyawak was never complete. It is through the resistance of people such as Mistahi Maskwa, through the narrative of the Very Old Man at Fort Pitt, that the full story of Treaty Six, and the moral foundations of Canada come to light and need to be rethought on the eve of the 21st century.

John L. Tobias, in a seminal paper, describes the narrative of the Treaty Six and Treaty Four Indians as it has been constructed by the mainstream society:

One of the most persistent myths that Canadian historians perpetuate is that of the honourable and just policy Canada followed in dealing with the Plains Indians (Tobias, 1983:519).

It was Nêhiyawak who were the last "obstacle" to Canadian expansionism, and the subordination of Nêhiyawak raises questions about the moral foundations of this country. All too often, the treaty has been portrayed, by both Nêhiyawak and Canadians, as the vehicle through which has and could be achieved. However, it must be remembered that Mistahi Maskwa and others were starved into submission.

Canada purports to be the land of freedom and democracy. However, the term "democracy" is thrown about too loosely in the public discourse of this country. All too often the term and practice of democracy have proven to be more a facade, or at the very least, an unfilled possibility for the

nehiyawak in this country. While Canada sends troops throughout the world on peacekeeping missions, it owes itself as a nation, and perhaps the rest of the world to examine the historical foundations of this country. If Treaty Six is rethought and interpreted in the spirit of Mistahi Maskwa, then the possibilities of this country are truly great. The rethinking of Treaty Six is not only academic activity, but is more importantly an activity which must be lived and put into practice.

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