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A Summary and Analysis of J.R. Miller's "The Southern Numbered Treaties," and Sharon Venne's "Understanding Treaty 6: An Indigenous Perspective"

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There are many accounts of the history of the treaties between the Crown and the Indigenous peoples in Canada. This paper summarizes and analyses two of them. J.R. Miller, history professor emeritus at the University of Saskatchewan, gives an account of treaties one through seven in his article, "The Southern Numbered Treaties," which is contained in his book *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. Sharon Venne, an accomplished First Nations lawyer and member of the Cree Nation, also writes about the treaties in southern Canada, focusing particularly on treaty six, in "Understanding Treaty 6: An Indigenous Perspective." These two articles analyze the processes of treaty making, and offer perspectives contrary to the popular narrative, as well as arguing that the popular narrative does not include the entire history. This paper starts by summarizing each article separately, then analyses some of the main points. The analysis will argue in favour of the arguments put forth by Venne and Miller.

Miller's piece, "The Southern Numbered Treaties," explains why treaties between Canada and the Indigenous peoples were necessary, and recounts the negotiations that took place. Miller also outlines some of the injustices the Indigenous faced. He writes that the Crown made promises in the verbal agreements that weren't included in the written treaties, and explains that although Metis people played a significant role in some of the agreements, they weren't included in the treaties (Miller 2009). Miller writes that the approach Commissioner Morris, the treaty commissioner, had taken for the first treaties was to take advantage of the disagreements among the Indigenous peoples, and emphasize the benevolence of the monarchy to them (Miller 2009). By Treaty 5, the Commissioner changed his approach to be more frugal, and Treaty 5 awarded much less land and monetary compensation to the Indigenous peoples than in the previous treaties; The Crown also refused more of the requests for reserve lands (Miller 2009). By Treaty 7, the Indigenous peoples were becoming more worried about their livelihoods, with the Crown making unclear promises to protect the buffalo (Miller 2009). Miller concludes by stating

that the proceedings of these treaties show that the European colonizers grew to be more selfish, and less respectful of the Indigenous peoples' cultures (Miller 2009).

Similar to Miller's argument of the written treaties being incomplete, Sharon Venne criticizes the written version of Treaty 6, claiming it is not the full account of the agreement, in her writing, "Understanding Treaty 6: An Indigenous Perspective." Venne explains that the verbal agreement made during the treaty talks is much different than the written version, and describes the accuracy and importance of verbal accounts in Indigenous culture (Venne 1997). To better describe the Indigenous peoples' perspective of Treaty 6, she explains the governance and customs of the Indigenous people who were party to the treaty talks, emphasizing that a sophisticated form of democratic governing was in place at the time, and that the Indigenous people had their own very distinct culture and society (Venne 1997). She corroborates Miller's perspective of the treaty predominantly benefitting the settlers, as opposed to the Indigenous peoples, and gives examples of ways Treaty 6 has been violated per the verbal agreement; such as the Canadian government taking advantage of the provision for education, and dishonouring the hunting and fishing rights of the Indigenous peoples (Venne 1997). Venne concludes her piece by urging Indigenous peoples to tell their stories, and share their experiences of colonialism (Venne 1997).

The argument Miller and Venne make that treaties were necessary for the Europeans to continue to settle on what is now known as Canadian lands is contrary to the popular narrative surrounding the treaty making process, which suggests that the Indigenous peoples agreed to treaties because they were desperate for help. Venne gives her position on the matter in her explanation of the Royal Proclamation of 1763, stating that colonial settlers were bound by their own laws to obtain the consent of the Indigenous peoples to use their land. Miller makes his contribution to the argument when he explains that "First Nations...made it clear to the Canadian government that failure to negotiate with them prior to the entry of settlers would lead to difficulties" (Miller 2009). These statements show that the Indigenous peoples were self sufficient and held the political power at the time, and that the Crown needed their favour in order to continue to settle on the land. Venne highlights that the Indigenous peoples had "well established and functioning" (Venne 1997) governments, emphasizing that these societies were a "democracy, in the full sense of the word" (Venne 1997).

To argue further that the Indigenous peoples faced injustices due to the treaties, Miller writes about the provisions contained in Treaty 1 that the Crown did not include in the written agreement, such as hunting rights. Excluding a provision so important to the livelihood of Indigenous peoples foreshadows the disrespect the Crown would grow to hold for them as the negotiations continued. This disrespect manifests itself more clearly in Treaty 5, when the Crown representatives lower the compensation and the amount of reserve land for the Indigenous, and in Treaty 7, when concerns for the livelihood of Indigenous peoples is met with vague promises to protect the buffalo. By these acts, the Crown reveals their greed, and that they take their kinship with the Indigenous peoples for granted.

Venne adds to the argument of the Crown omitting provisions from the written treaties in her details of Treaty 6. She writes that the oral account of the treaty differs from the written document, and explains that the oral account is what was truly negotiated. To give claim to this argument, she states that “the means of passing on information [in oral culture] is via storytelling” (Venne 1997), and that these stories hold great accuracy. Some of the examples she gives of the oral account contradicting the written account include the education and hunting provisions. Of these, Venne explains that Treaty 6 promised “universal access to education for all Indigenous peoples” (Venne 1997), but that forced attendance, although never discussed, was implemented by way of residential schools. As well, the treaty commissioner promised that the animals would stay under the jurisdiction of the Indigenous peoples, however, the Natural Resources Transfer Act declared that the provinces have jurisdiction over the natural resources in their borders, which is a clear violation of the agreement.

Miller and Venne make bold claims in arguing that the treaties were required for settler’s livelihoods, and that the written treaties and their implementations tend to be contrary to the verbal agreements. However, both offer enough evidence to support their arguments throughout their writing. From the evidence provided, it is clear that the Crown did not honour their word in many instances, and manipulated the implementation of the treaties for their benefit. It is also clear that the accepted history of the treaties’ proceedings is fictitious.

References

- Miller, J.R. 2009. "I think that the Queen Mother has offered us a new way: Southern Numbered Treaties, 1871-1877." In *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*, by J.R. Miller, 150 - 186. Toronto: University of Toronto Press.
- Venne, Sharon. 1997. "Understanding Treaty 6: An Indigenous Perspective." In *Aboriginal Treaty Rights in Canada: Essays of Law, Equality, and Respect for Difference*, by Michael Asch, 173 - 207. Vancouver: UBC Press.