

Post Secondary Education as a Treaty Right Within the Context of Treaty 6

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Between 1871 and 1877, the Crown and First Nations¹ in western Canada met and negotiated Treaties 1 through 7. Each Treaty included a statement related to education which established both the treaty right to and the policy context for the provision of formal western educational services (Morris 1880/1991). Using historical inquiry, the author gives focus to the understandings of and the purpose for western education at the time of the treaty negotiations in relation to post secondary or tertiary education. The author argues that these understandings included the full scope of educational services for students such as university, professional training, and skills development which would provide First Nations people with the knowledge and skills necessary to participate and prosper in the economy for generations to come. Furthermore, the changing commitment of Canada to programming and or finances to support such First Nations post secondary students is articulated and contrasted with the demands of First Nations people to provide post secondary education as a treaty right.

The traditional territory of the Cree people, situated within the heart of the present-day North American Western Plains, had been their home for “the millennia” and as a “hunter-gatherer society,” the Cree “enjoyed a diverse subsistence[,]... knew the land and its ecology intimately and followed a deliberate annual migration pattern” (Waiser, 2005, pp. 22-23). Waiser argued that as demonstrated throughout their history, it was the Cree peoples’ ability to adapt, which enabled them to take advantage of the arrival of the European fur traders and the pursuit of economic opportunities and working relationships with the newcomers. And newcomers came in ever increasing numbers – first as explorers, then as entrepreneurs, missionaries, and settlers. Yet the “expansive spirit” of the Europeans (Robinson, Gallagher & Denny, 1981, p. 2), coupled with a belief in free trade, and the desire to lead civilization had a profound effect on the lifestyle of the Cree people and other tribes of the Western Plains.

¹First Nation is used in lieu of the Band which is the legal entity in the Indian Act.

In this paper, I utilize historical inquiry to investigate the past and use documents as artifacts to establish the scope and to develop an understanding of formal education at the time of numbered treaty negotiations. Treaties 1 through 7 agreed to between the years 1871 and 1877 by the Crown and First Nations¹ encompassed the latter's traditional lands which spanned present day western Ontario to the foothills of the Rockies, and the services and obligations promised to by the Crown. Each of these treaties included a clause related to education. The primary focus of this research is the understanding and scope of western educational services, which formed the basis of the numbered treaty negotiations. The author argues that Indigenous education practices and beliefs of prairie First Nations people and educational services provided by missionaries within First Nations camps were two systems which co-existed and together spanned present day understandings of elementary/secondary, skills training, and tertiary education. This wide array of educational levels and services formed the basis of the treaty negotiations. Historical inquiry establishes the setting for the negotiations of Treaty 1 through 7, and gives focus to the following questions: (a) In the 1870s, what did treaty partners understand education to encompass in the 1870s? (b) In the 21st century what does the Crown's on-going obligation for education entail?

ENTREPRENEURS AND EXPLORERS

The Plains Indians were aware of the Europeans through intertribal trade: goods traded by Europeans with Indigenous people along the Atlantic seaboard, the Alaska coastline, Hudson Bay, and the Gulf of Mexico, became items of intertribal trade and gradually found their way into the interior of the continent. European trade items, such as kettles, knives, and trinkets, were in use on the prairies before the physical arrival of Europeans (Dempsey, 1997, p. 7). From the 17th century onwards, maps and journals kept by European explorers and traders who crisscrossed the prairies gave evidence of the growing contact between themselves and the Indigenous people of the Western Plains.

As the demand for furs grew in Europe, an ever-increasing number of fur traders met, camped, dialogued, traded goods, and ultimately established economic arrangements with First Nation's communities. British and French

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fur traders sojourned across the prairie landscape, building a series of posts and forts and vied with each other for "trade with the Indians" (McCullough & Maccagno, 1991, p. 7). From 1774 with the establishment of Cumberland House Post, trading posts became permanent fixtures on the prairie. Posts were deemed as centers of commerce and a hub for ongoing contact between Aboriginal and non-Aboriginal peoples. While some tribes traded directly with the fur traders, for the most part, the Cree used the centrality of their traditional land base "to assume the lucrative middleman's role" between the fur trading companies and other plains tribes (Ray, 1996, p. 24).

THE CHANGING ENVIRONMENT

The business partnership between fur traders and First Nations dissolved as fur traders gradually abandoned the Western Plains due to the depletion of fur bearing animals on the prairies, the changing fashions in Europe, as well the newly-formed paramilitary force, the North West Mounted Police (NWMP), which expelled fur/whiskey traders from the territory (Treaty 7 Elders & Tribal Council, 1996). The NWMP joined a growing stream of diverse individuals and groups who traveled to the present day area of Alberta and Saskatchewan. These newcomers represented missionaries, both Roman Catholic and Protestant church organizations; surveyors sent on behalf of the British and Canadian governments; while prospectors, big-game hunters, artists and adventurers pursued their own interests. To varying degrees, these European immigrants rapidly impacted the changing lifestyle of prairie First Nations people (Ray, 1996).

In 1840 the Governor and Committee of the Hudson's Bay Company (HBC) invited the Wesleyan Methodist Church in England to send missionaries to the western outreaches of its territory. The Company offered support in the area of transportation, room and board, use of Company interpreters, and £50 per year in return for "missionary operations among the settlers and native tribes" (Nix, 1960, p. 9). The British Wesleyan Conference accepted the offer and arranged for four of its ministers to commence activities using the HBC posts as strategic locations for their evangelical outreach work. "As representatives of the British evangelical tradition and the humanitarian concern for the condition of Aboriginal people...through formal and informal settings...educational aspects of their duties permeated the missionaries overall relationships with all whom they encountered" (Owen, 1979, p. 13). In turn, James Evans, a teacher and missionary established a mission

and school in Norway House; George Barnley traveled to Moose Factory; William Mason travelled to Rainy River and the newly-ordained Reverend Robert Terrill Rundle answered the call to spread the Gospel to the western outreaches – Fort Edmonton and Rocky Mountain House Post. Sir George Simpson, Governor-in-Chief of the HBC, wrote to John Rowand, Chief Factor at Fort Edmonton, to inform him of Rundle's expected arrival and instructed Rowand to "afford him the necessary facilities to establish a school at the fort, both for the children of the post and of such children of the surrounding tribes, as may be induced to benefit by the missionary's instruction" (As cited in Dempsey, 1977, p. xxx).

Rundle placed great emphasis on traveling from community to community to conduct camp-style meetings in order to spread the Christian gospel. During his eight-year mission, he baptized 214 children and adults and conducted 594 marriages (Dempsey, 1977). As with other early missionaries, there does not appear to have been any separation between Rundle's religious teaching and educational activities. Rundle like other missionaries "performed many roles as missionaries, doctors, schoolmasters, politicians, etc.." (Owen, 1979, p.14). Owen argued that missionaries "often learned the language and participated in the community life with the Indians...Successful performance of the "missionary role" implied the performance of multiple roles, and of necessity, these included educational and economic as well as religious roles" (p.14).

Rundle used religious activities as opportunities to teach children and adults the Western practices of reading and writing in English and Cree syllabics (United Church of Canada, 1940, p. 34). While visiting First Nations communities, Rundle taught groups of children often in gatherings of 30 or more, as well as adults both during the daytime and in the evening. Although attendance fluctuated, he expressed pleasure with the frequency and commitment of those who came to his classes (Dempsey, 1977). Rundle became "accustomed to hold[ing] a kind of school during five days a week" as he instructed both young and adult students (p. 123). One of the adults he baptized, Cree Chief Maskepetoon read and wrote in Cree syllabics and informed Rundle that they "would like to learn English" (p.xxxix). Maskepetoon accomplished his goal. Furthermore, Maskepetoon arranged Rundle's travel to Cree communities. In the introduction to Rundle's *Journal*, Gerald Hutchison wrote that the involvement of Maskepetoon in Rundle's missionary work and Maskepetoon's role in the organization of Rundle's camp

meetings was the most significant feature of Rundle's work, for it revealed "the extent of native involvement in Rundle's excursions" and by the end of Rundle's missionary work it "was no longer a matter of Rundle paying visits to scattered camps when he could find them" but through Rundle and Maskepetoon's work "many Indians were...partially equipped for a new kind of life" (Dempsey, 1977, p. liii).

Rundle was the first of many missionaries/teachers to travel, live, and disseminate their religious and Western educational practices among the Cree. During visits to their camps, he also offered prayers for Queen Victoria introducing the authority and importance of the monarchy to the British. Rundle frequently flew the Union Jack which was also seen on HBC buildings. Christian activity flourished at Fort Edmonton. Oblate priests who were established at Red River (Manitoba) stopped at the Fort on their long journey westward to British Columbia (Choquette, 1995, p. 32). Shortly after Rundle's arrival, the Oblate Bishop of Saint Boniface appointed a priest to permanently serve the Catholic inhabitants at Fort Edmonton and to deliver the Roman Catholic message to the Aboriginal people who visited the Fort. By the late 1840s, a steady stream of religious representatives was domiciled at Fort Edmonton. Ministers, priests, laymen, and religious sisters utilized Fort Edmonton as their base and gradually moved "out into new areas and establish[ed] satellite missions thus expanding their apostolic frontier" (Huel, 1996, p. 47).

As missions were established, Western educational activities were a growing influence in the daily life on the prairies. By 1860, the Oblates had established a mission at Saint Albert, an area, that they believed offered great potential for agricultural endeavors and as a central location to establish a mission school for Indian and Métis children (Huel, 1996). In 1871, the Saint Albert mission became an autonomous diocese entrusted to Bishop Grandin who "supervised the work of fifteen priests...assisted by five catechists and 13 Sisters of Charity of Montreal [Grey Nuns], who staffed convent schools, orphanages, and infirmaries" (Choquette, p. 91). Bishop Grandin believed that "education and agricultural settlement were likely to be the most effective means of ensuring the Indian survival" (Grant, 1984, p. 150).

The focus of the Oblates was on both spiritual matters i.e., Christian conversion and western education. Like other Oblate priests, Father Lacombe who arrived at Fort Edmonton in 1852, studied Cree and in 1865 commenced his "mission of roaming the prairies" (MacGregor, 1975, p. 132). He provided

religious and western educational instruction to children and adults in the camps (Huel, 1996, p. 51). Similarly, Bishop Alexandre Taché undertook “a roving missionary commission in the prairies during...1865-72: he administered primarily to the Blackfoot and the Cree Indians for whom he founded (1865) the mission of Saint-Paul-des Cris” (Choquette, 1995, p.90). The Oblates established a mission on the Bow River, Notre Dame de la Paix, and spent winters at Rocky Mountain House.

THE DEMAND FOR WESTERN EDUCATION

The Cree incorporated aspects of western education with their traditional educational practices of providing “First Nations people of every age group...opportunities for learning” (RCAP, 1996, Vol. 3, p. 445). Initially, Indigenous and western educational practices were complementary practices or supportive systems. That is, one did not replace the other, for both western and traditional education, were gradually interwoven into the life of the tribal society (Snow, 1977, p.6).

By 1862, a freestanding school structure was built at Fort Edmonton. The school attendees included Hudson’s Bay Company employee’s children and Cree children from the surrounding area. Even if Cree, Stoney, and Blackfoot peoples did not formally attend school, as they journeyed to Fort Edmonton to trade goods, they became aware of the western practices of building schools and conducting classes. Benjamin Sinclair, a lay preacher and interpreter for Rundle, established a Wesleyan outreach mission site at Pigeon Lake, and by 1847 he taught the scriptures and elements of western education to the Cree and Stoney people who camped in the area. Reverend Henry Bird Steinhauer and the Reverend Thomas Woolsey were also working in the vicinity. By 1862, Steinhauer’s school was conducted in a separate building, classes were well attended, and instruction in syllabic reading and writing were provided to young and old alike. In 1866, he wrote, “Almost all our people can read the Scriptures in their own language” (Nix, 1960, p. 46). The Cree people at the mission petitioned the Canadian Wesleyan Society “to send them a full-time teacher, reminding the Society that they had been making such appeals since 1861” (p. 46).

In 1868, A. J. Synder, who had taught at Fort Edmonton, moved to Whitefish Lake to assume teaching duties. On his arrival, he noted the accomplishment of Steinhauer in teaching the adults of the mission community and decided to focus his attention on the “youthful mind” (Nix, 1960, p. 47). Later

he wrote, "When three years passed away I looked over the school-roll and found that 120 children had been taught to read the Holy Scriptures" (p. 47). Fort Edmonton Chief Factor William J. Christie visited the Whitefish school in 1871. His role was one of school inspector. The children were given "a day long examination in reading, writing, spelling, geography and Bible history" and it was noted that the children "can now read, write and cipher with such alacrity" (p. 48). In 1875, Miss E. A. Barrett was appointed teacher at Whitefish Lake and the Reverend Steinhauer "was delighted with her work, for she not only taught the school but taught the women" and the "elder people" (p. 50).

John McDougall journeyed to Pigeon Lake in December 1864 and re-established the mission that had been abandoned earlier by Benjamin Sinclair. McDougall with the aid of the Cree built a house, a school, and other buildings, and with the help of Cree people ploughed the land and instructed "the Indians in agriculture" (Nix, 1960, p. 36). McDougall reported that "there were usually about half a hundred Indians camped around the mission," (p. 43). In 1867 George McDougall returned from a Canadian Wesley General Committee Meeting in Toronto accompanied by three new teachers for the existing Wesleyan schools and one for Fort Edmonton. Mr. A. J. Snyder was appointed teacher at the Fort and by the fall of 1868 the school was serving both children and adults (p. 47). The following summer Snyder accompanied the McDougalls to the Cree and Stoney "great gathering on the plains" where they conducted "primitive school under the open skies" (p. 47). The Methodist tradition of conducting camps in England melded with the prairie First Nation tradition of gathering in the summertime. Snyder wrote of the occasion:

I was now to enter active duties twice each day – a suitable spot was selected, and the hand-bell rung and the little folks collected for school exercises; and then the mixed multitude of Stoneys, Crees, and half-breeds frequently numbering 140...[attended]...our prairie school. (p. 47)

Snyder, like the priests and missionaries before him, taught the basics of western education to young and old alike.

Priests and clergymen, despite inter-faith bickering, collectively believed that education was an effective way to prepare the First Nations people for the rapidly changing lifestyle on the prairies. Missionaries probably echoed Reverend Steinhauer's words: "We speak of our Missions in this country, as

being a power for renovating the conditions of this people who have come under their instructions; and in my estimation the school has been an equal power in elevating" First Nations people to a new lifestyle (Nix, 1960, p. 50).

Owen (1979) argued further,

Education, then, was not narrowly defined as schooling. The Wesleyan missionaries did not perceive the school as an instructional institution set apart from their religious, moral, agricultural, or domestic institutions but as an essential element or tool in the spiritual and material transformation of the frontier population...educational aspects of their duties permeated the missionaries' overall relationships with all whom they encountered. (p. 13)

Throughout their history, prairie tribes had adapted to their changing environment by changing their practices or partners – in order to establish new "political relations" to meet changing needs (Friesen, 1986, p. 44). Ahtakakup, one of the senior Chiefs at the Treaty 6 negotiations, argued change was inevitable.

Can we stop the power of the white man from spreading over the land like the grasshoppers that cloud the sky and then fall to consume every blade of grass and every leaf on the trees in their path? I think not. (Ray, Miller, Tough, 2000, p.132)

Ahtakakup argued further that a new treaty relationship and with the Queen and the provision of formal education would "offer us a new way" and enable his people "to gain their livelihood from the earth in a new way"... the ways of living that made the white man strong" (Ray, et al, p. 132). Prairie First Nations people were aware of both the need for and benefit of western formal education in order to survive and prosper in the new economic environment.

The Cree, as other First Nations, wished to establish the peaceful sharing of their land in exchange for specific services that would enable them not only to survive the loss of their traditional lifestyle but also to participate fully in the new economy (Treaty 7 Elders & Tribal Council, 1996, p. xi). The Cree Chiefs sent a message to "His Excellency Governor Archibald, our Great Mother's representative at Fort Garry, Red River Settlement...we invite you to come and see us and speak with us...when we come to settle treaty with you" (Ray et al, 2000, p. 171). Miller (1991) stated that the "initiation of the treaty making process was at least as much the work of the Indians" as it was of the Canadian government (p. 161).

THE NUMBERED TREATIES

Between 1870 and 1877, Canada on behalf of the Imperial Crown and First Nations from western Ontario to the foothills of the Rocky Mountains met in various locations to enter into treaty agreements. Negotiations for each treaty occurred over several days or weeks and while there was variance in who attended the meetings, usually the Crown representatives and their entourage numbered approximately 100 people, while First Nations people who gathered to participate and witness the negotiations numbered between three and four thousand (Morris, 1880/1991). As each numbered treaty was negotiated, information of the process and commitments of the Crown spread to other tribes (Christensen, 2000).

Treaty 6 negotiations on behalf of "Her Most Gracious Majesty the Queen of Great Britain and Ireland...on the one part, and the Plain and the Wood Cree Tribes of Indians, inhabitants of the country...by their Chiefs...on the other part (Morris, 1991/1880, p. 351) were held between August and September 1876 at Forts Carlton and Pitt, familiar centers of trade to the Cree. The two parties met "as separate peoples...[each with their own] political authority" (Chamberlain, 1997, p. 29). Treaty 6 and the other numbered treaties in general were about "the intention to create obligations" (Burrows & Rotman, 1998, p. 112) on behalf of both the representatives of the Cree and the Crown.

As noted by the Canadian government, the treaty demands of the Cree required "all the temper, tact, judgment and discretion of which the Commissioners were possessed to bring the negotiations" to a mutual agreement (Indian Affairs, 1876, p. x). While the details of Treaty 6 were "substantially" similar to those of Treaty 1 to 5, in response to the demands of the Cree, Treaty 6 included a provision "in case of famine or pestilence, which is wholly new...the conditions also in reference to agriculture implements, tools and cattle, and other minor matters are somewhat more onerous [to the Crown] than those of previous treaties" (p. xi). Such demands, Morris (1880/1991) wrote were to enable the Cree to "adapt themselves as quickly as possible to the modes of the [new] life (p. xii). Together, the Crown and Cree debated and each presented "written counter" proposals (p. 178). In their counter demands the Cree:

Asked for an ox and a cow [for] each family; an increase in the agricultural implements; provisions for the poor, unfortunate, blind and lame; to be provided with missionaries and school teachers...a further increase in

agricultural implements...other animals, a horse, harness and wagon...a free supply of medicines, a hand mill to each band. (p. 185)

The two nations agreed to "important matters" related to "Reserves, schools, [and] the amount of money gratuities and annuities made or secured to the Indians" (p. xi).

EDUCATION AS A TREATY RIGHT: THE PURPOSE

The Cree entered the treaty negotiations with an understanding of the basics of western formal education. Schoolhouses dotted the prairies; schoolteachers taught the young and old the rudiments of reading and writing in both English and Cree syllabics, as well as skills enabling them to participate in the new economic environment. Education was a significant part of the treaty negotiations as indicated by the Chiefs and Headmen who spoke and negotiated on their people's behalf. Red Pheasant identified the purpose of formal education was to "improve his means of living" (Morris, 1880/1991, p. 193). Similarly, Sweet Grass identified that the Crown's treaty commitments "would help to lift them (the Cree) up above their present condition... and opened a new world to them" with the demise of the buffalo and other fur bearing animals (p. 191). "Pound Maker...asked for assistance when they settled on the land" (p. 184). Sweet Grass thanked the Treaty Commissioners for "your utmost to help me and help my children so that they may prosper" (p. 191). "James Senum, Chief of the Crees at White Fish Lake said that he commenced to cultivate the soil some years ago...[and] following what I have been taught [at the Wesleyan mission]...helps me a great deal" (p. 191). Ahtahkapoop stated he wanted his "people to be taught how to read, write, and farm" (Christensen, 2000, p. 202). The benefits of western education for children and adults were clearly understood by the Cree. The Minister of Interior, David Mills, noted in his 1877 report that the Cree asked "for teachers and for persons to instruct them" (Indian Affairs, 1877, p. xii). Mills did not separate children from adults. Morris (1880/1991) noted that the Cree at the treaty negotiations "displayed a strong desire for instruction in farming, and appealed for the aid of missionaries and teachers" (p. 179), for the Cree "were anxious to learn to support themselves by agriculture" (p. 185).

While each of the numbered written treaty documents, which were composed initially in Ottawa and subsequently "adapted" by the Crown's treaty commissioners contained a written reference to education, specific wording varied nominally from treaty to treaty. The Crown committed in Treaty 1 and 2 (1871) "to maintain a school on each reserve hereby made, whenever the

Indians of the reserve should desire it" (p. 315). Treaties 5 and 6 stated: "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. (p. 353). Regardless of the words or phrasing in the written treaty documents, the Crown's obligation and fiduciary responsibility for education was identified. From Treaty 1 onwards, the Crown's commitment established both the treaty right to and the policy context for the provision of formal western educational services – services to be provided whenever requested by First Nations.

The written reports relating to the numbered treaty negotiations provide information regarding the purpose of including education in each of the treaties. Mista-wa-sis at the Treaty 6 negotiations stated, "The Great White Mother has offered us a way of life when the buffalo are no more" (Christensen, 2000, p. 252). Red Pheasant informed the Commissioners, that "he was glad to see the Government coming...as it would improve his means of living" (Morris, 1880/1991, p. 193). Cree Chiefs negotiated the opportunity "to send their children to school" (p. 204). Morris noted he "was agreeably surprised to find so great a willingness on the part of the Cree...to have their children instructed" (p. 194) and informed the Cree, "Your children will be taught, and they will be as well able to take care of themselves as the whites around them" (p. 213).

EDUCATION: THE FUTURE FOR ALL

Agriculture was the rising economy of the prairies. Land grants were an integral part of Canada's policy of inviting immigrants to the Western Plains to pursue economic opportunities and a new way of life in farming. Similarly, throughout the numbered treaty negotiations, instruction in farming was perceived by First Nations as a vehicle for their communities as an "amelioration of their present condition" (Hall, 1985, p. 42) and an opportunity to be "self-sustaining" (p. 43), enabling them "to trade with" the newcomers (Morris, 1880/1991, p. 43). The Treaty Commissioners identified the attainment of agricultural and related skills as the "means of providing for themselves and their families" (p. 66).

Cognizant of the Crown's educational commitments at Treaty 1 and 2 negotiations, Shaponetung's First Son at the Treaty 4 meeting commented to the Crown's representatives, "I find what was done at Qu'Apelle was good, does it take in all my children?" to which the Chief Treaty Commissioner

replied: "Yes" (Morris, 1880/1991, p. 125). The provision of educational services was for all future generations – for those who "are with you now, [and for] those who are coming after you" (p. 93).

REALITY OF THE AFTERMATH OF TREATY NEGOTIATIONS

In their dealings with the Indigenous people of the eastern seaboard and later with Indigenous people who lived in-land, the British collectively referred to them as nations; so too, "the Canadian government continued to use the term nations to describe Indian tribes" (Mayesky & Eherts, 1985, p. 530). The numbered treaties were, James Youngblood Henderson (1994) argued, "consensual arrangements between nations for the sharing of a territory and creating a new order" (p. 53). Alexander Morris who recognized the trust First Nations had placed in the Treaty Commissioners, wrote to Sir John A Macdonald, stating, "I regard it as of vital importance that the existing Treaties should be carried out to the "letter" (Provincial Archives of Manitoba. MG.12.B2.Box2/4.94). Little heed, however, was paid to Morris' request. The promises of schools and training to assist the people of Treaty 6, as in all the numbered treaties, dissipated as winter encroached, the buffalo herds dwindled to near extinction, settlers moved into the territory, and the freedom to travel the prairies gave way to isolated reserves. Treaty 6 faded from the Canadian government's agenda, as the newly enacted Indian Act, 1876, became Canada's mechanism through which it administered and set the boundaries of programs it deemed appropriate for First Nations people.

The Treaty people of the Plains kept the numbered treaties at the forefront of their oral history and did not set aside their demands for the fulfillment of the Crown's treaty obligations. In 1879, Edgar Dewdney, the newly-appointed Indian Commissioner traveled from Ottawa to visit both the growing European settlements on the Plains and the NWMP forts. Upon arriving at the Fort Walsh, he learned a group of Assiniboine, Cree, and Blackfoot Chiefs had requested a meeting with him (Indian Affairs, 1879, p. 76). Later, Dewdney met with the delegation and recorded in his *Diary*, the Chiefs rode into Fort Walsh "in procession...carrying their Treaty flag with them" (Dempsey, 1983, Part 1, p. 6). Dewdney recorded that farming was discussed at the meeting and the Chiefs demanded the provision of farm implements as promised in the treaties for their people were "anxious to get to work" (Dempsey, 1983a, Part 1, p. 6). As Dewdney traveled throughout the territory, Treaty people demanded items such as "cattle and tools...and am-

munition" (Dempsey, 1983b, p. 11) – all items identified within the numbered treaties. Ahtahkakoop "protested that his band had not received the agreed upon farm equipment which would allow them to succeed at farming" (Dodson, 2003, p. 24). The Department of Indian Affairs in the 1884 *Annual Report* recorded that three Chiefs representing Treaty 6 and 7 First Nations travelled to Winnipeg where they expressed their concern regarding both the government's slow surveying of reserve lands at the levels promised in the treaties and the failure to provide the promised equipment as identified in each of the treaties (p.160).

As reserves were set aside, "different bands of Indians...[demanded] to have schools erected on their reserves, to educate their children" however, construction of such schools was left to religious organizations (Indian Affairs, 1880, p. 102). Indian Affairs documented that the only schools in the Treaty 6 "superintendency...are Mission schools (Indian Affairs, 1878, p. 57) established by various religious denominations. Thus while White Fish Lake School (in present day Saskatchewan) was praised for its teaching efforts, it was noted, the school "does not receive Government aid, though attended by a large number of pupils" (Indian Affairs, 1880, p. 106).

THE ABSENCE OF THE CROWN

By the early 1880s, the success of the federal government program of encouraging settlers to the North-West Territories was evident, as the land was "becoming thickly settled" (Indian Affairs, 1883, p. 81). Schools for children of newcomers were quickly established in the heart of the new settlements and by 1880 the Government of the North West Territories provided grants in support of schools for settlers (Johnson, 1968, p. 97). School systems, both Protestant and Roman Catholic, were established by the mid-1880s, which utilized the Ontario curriculum adapted to local conditions (p. 97). By the time Alberta and Saskatchewan entered Confederation in 1905, 551 school districts were in operation in Alberta and 209 in Saskatchewan (p. 98). While most of the schools provided grade 1 to 9 education, high schools were also established in both provinces and provincial legislatures quickly enacted legislation to establish universities.

Although the Crown did not move to establish schools in the Treaty 6 area, "The Department [of Indian Affairs] allow[ed] any religious denomination that [was] carrying on mission work upon a Reserve a reasonable quantity of land for [school] buildings" (Glenbow, Dewdney Papers, Vol. V, pp.

1119-1120). As early as 1873, the federal government introduced a policy of approving grants to on-reserve schools in Eastern Canada if “the requisite average attendance there [of 25 students] has been attained” (Indian Affairs, 1873, p. 17). This national policy adversely affected First Nation prairie communities and violated the treaty commitment to provide a school on each reserve. Often First Nations in Treaty 6 were too small to warrant such enrolments as indicated by the 1890 population of Ermineskin which was 127 people and 71 people at Louis Bull (Indian Affairs, 1890, p. 209). Religious organizations, however, continued to operate schools on reserves and children attended in ever increasing numbers. Parents assisted in the maintenance of the schools as evidenced in 1896 when the Inspector of Indian Agencies and Reserves visited the Samson First Nation School. The Inspector noted, “Wood was regularly supplied by the parents” and the school “had been plastered and whitewashed and was more comfortable [than previously] by community members” (Indian Affairs, 1896, p. 304). Such community dedication, however, like the treaty commitment to build a school on each reserve came to naught as Canada sought an alternative to the on-reserve day schools. Commissioned by the federal government, Nicholas Davin travelled to the United States to study residential schools. His *Report on Industrial Schools for Indians and Half-Breeds* written in 1879 formed the basis for Canada’s new educational policy, which acknowledged that constructing Industrial and residential schools for First Nations students was viewed by Canada, as a cheaper and more effective way of providing formal education and “obviously preferable since it would prevent any parental obstructions to education” (Indian Affairs, 1884, p. xiii).

A SCHOOL ON EACH RESERVE: RE-DEFINING OBLIGATIONS

Residential schooling was the main focus of Indian Affairs educational policy for First Nations children until the middle of the 20th century. Such schools were often located away from hub of the reserve and frequently off the reserve altogether, and provided minimal levels of education. Residential schools

...were notoriously underfunded, poorly equipped and constructed, [and teachers were] paid less than their colleagues in neighbouring public schools. Residential schools [provided a] half-day labor system [which] required the children to work in the fields, sew, clean, etc. for several hours each day, thereby greatly restricting classroom time. (McMurtry, 1985, p. 61)

The schools were the object of on-going complaints from parents, community members, and students, as well as religious groups who struggled to operate the schools. A 1905 letter written on behalf of the Methodist Missionary Society, noted both Canada's lack of financial commitment to residential schools and failure to implement its treaty obligations for education.

In regards to the boarding schools, we would respectfully call the attention of the Superintendent General to the impossibility of maintaining them on the present per capita basis, and as these schools, at least those within treaty limits, are established in furtherance of the treaty obligations of the Government, there does not seem to be any sufficient reason why the churches should meet the deficit out of moneys contributed for purely religious purposes (as cited in Daniels, 1973, p. 162).

Lack of funding and the hesitancy of the Department of Indian affairs to establish educational programming in line with provincial programs had dire effects on educational attainment of First Nations students. The authors of the 1921 Canada Census Study noted, "Now, it is very clear the illiteracy of the Indian ought to be considered as a thing apart from the rest of the population" (Dominion Bureau of Statistics, 1926, p. 38). The Dominion Bureau of Statistics (1926) document contrasted educational attainment levels of Aboriginal and non-Aboriginal peoples. The census revealed that 5,943 non-Aboriginal students had completed high school and were enrolled in 85 universities or classical colleges, whereas the majority of Treaty 6 students were enrolled in the first three levels of school and no student was recorded as having finished high school. At the time of the census, 95.12% of urban children aged 7-14 and 88.39% of rural children in the same age group attended school. Non-Aboriginal students who attended provincial schools received daylong academic instruction while First Nations children who attended residential schools received instruction on a half-day basis. The residential school day was divided equally between instruction and time students spent working on household and farm activities. The Dominion Bureau of Statistics study stated the educational "improvement [of First Nations students]... is proceeding very slowly" (p. 70).

RECOGNITION OF EDUCATION AS A TREATY RIGHT

It was not until 50 years after the signing of Treaty 6 that the Crown announced it had covered all the costs for educational services for First Nations students (rather than relying on missionary organizations). The 1929 Indian

Affairs Annual Report to Parliament recorded:

The year under review is the first that all expenditure for education has been provided by parliamentary appropriation. The program of free education is now extended to all Indians of Canada. The expenditure for Indian education for the fiscal year ended March 31, 1929, amounted to \$2,215,411.98. (p. 18)

The above amount related to costs for 7,705 students attending 78 residential schools, 8,118 students enrolled in day schools, and 154 students who attended provincial schools (p. 104). As well, Indian Affairs reported that "One hundred and forty-five graduates of Indian schools, who showed academic promise, received grants for the purpose of continuing their studies at high schools, universities and business colleges (Indian Affairs, 1929, p. 18). Thus 50 years after the signing of Treaty 6, Canada recognized its treaty responsibilities spanning elementary/secondary and tertiary education. Students, who qualified academically, were funded by the federal government to attend post secondary institutions.

THE STRUGGLE FOR EQUITY OF EDUCATIONAL OPPORTUNITY

In 1946, a Special Joint Committee of the House of Commons and the Senate was appointed to review the Indian Act and to also recommend appropriate administrative and policy changes related to Indian education including the operation and maintenance of schools located on reserves. The Committee sat during three sessions of Parliament from 1946 to 1948 and heard submissions from various interested parties. In reference to education, submissions focused on the basic need for school construction, the right of First Nation children to attend school, the requirement of students to work half days, and parents' desire to have their children grow up in their homes and not in residential schools. The Southwestern Indians of Ontario argued before the Committee that they wanted "educational standards...equal to that of other citizens of southwestern Ontario" (Special Joint Committee, 1947, Vol. II, p. 1320). The Indian Association of Alberta also identified the need for "academic education" and demanded that Canada "acknowledge its duty and responsibility" and fulfill its commitment "as promised in the Treaty" to provide "free education" (Special Joint Committee, 1946, p. 803). A decade later, Canada appointed the 1959 *Committee of the Senate and House of Commons on Indian Affairs*. The Committee centered its inquiry on the increased budget of the Department of Indian Affairs with particular reference

to education. The Deputy Minister responsible for the Department of Indian Affairs noted:

There is no doubt that there is still much to be done...I am sure that if Indians were given similar chances in becoming educated and trained in trades and professions...they would...prove that they are equally fit and able to achieve success (Joint Committee, 1959, p. 13).

The Chief of the Educational Division of the Department of Indian Affairs, also appeared before the Committee and presented the educational goals of the Indian Education Program, which included "education of children and adults [in order] to develop the core of leadership for Indian communities" and "to prepare Indian adults for employment (Joint Committee, 1959, p. 26). Clearly in the 1950s, educational services were provided for both children and adults as had been the policy from the time of Confederation. Davey appearing before the Joint Committee noted that it was the policy of Indian Affairs:

To ensure that no Indian is denied the opportunity of post secondary education simply because his parents cannot afford to assume all or even a part of the costs and of recent years no Indian has been refused the opportunity for further education solely due to lack of funds. (p. 27)

The Joint Committee supported the goals of Indian Affairs and noted that the increased number of students enrolled in provincial schools and attending post secondary institutions augured well for the future of First Nations communities, since education would ensure First Nations people were "prepared to face the new conditions of life" (p. 12).

In 1967, almost a century after the signing of Treaty 6, the *Survey of the Contemporary Indians of Canada*¹ (Hawthorne, 1967), commissioned by Indian Affairs, reported "during the first 90 years of our existence [as a Canadian nation] the Indian people of Canada have not shared in our growth" and argued that "the enormous economic gap between the Indian and non-Indian communities is due to the fact that for a very long time, the Indians were excluded from the economic life of the rest of Canada" (p. 24). The Survey made a number of recommendations, but primarily focused on education and "the integration of Indian children into the public school system"(p.21). Furthermore, the Survey noted "the federal government had always considered itself as bearing the sole responsibility for Indian affairs...[and now] the

¹ Also referred to as the Hawthorne Report

Government of Canada...wished to share this responsibility with the provinces" (p. 21). The authors of the *Survey* argued it was not the failure of Canada to fully implement the treaties but the very treaties themselves, which were "partly responsible for the fact that Indian communities generally still remain[ed] outside of the mainstream of Canadian economic, social and cultural events" (p. 22). The Liberal government utilized the *Survey* as its basis for its new "Indian agenda." The Minister for Indian Affairs, Jean Chrétien, announced in Parliament "Indian people have the right to full and equal participation in the cultural, social, economic and political life of Canada...[and] lawful obligations must be recognized" (Chrétien, House of Commons Debates, June 25, 1969, p. 10582). The new policy paper, which became known as *The White Paper* and was formally entitled the *Statement of the Government of Canada on Indian Policy, 1969*. It ignored Canada's treaty obligations and included the statements:

The government believes that the framework within which individual Indians and bands could achieve full participation...in Canadian society...requires:

1. That all the legislative and constitutional bases of discrimination be removed....
2. That services come through the same channels and from the same government agencies for all Canadians. (p. 6)

Reaction to *The White Paper* was swift. In Parliament the Honorable W. G. Dinsdale (Brandon-Souris) stated: "I do not think there has been any greater mistake than the premature policy statement the minister made a short time ago" (House of Commons Debates, July 11, 1969, p. 11138). *The White Paper* not only unified First Nations in their opposition to it, but also brought to the forefront their demands for the fulfillment of their treaty right to education. Collectively, in response to the Liberal Policy Paper, the Indian Chiefs of Alberta prepared a document in which the opening preamble stated: "To us who are Treaty Indians there is nothing more important than our Treaties, our lands and the well being of our future generations" (Indian Chiefs of Alberta, 1970, p. 1). Furthermore, the Chiefs stated that the federal government must:

Recognize that the treaties are historic, moral and legal obligations. The redmen signed them in good faith, and lived up to the treaties. The treaties were solemn agreements. Indian lands were exchanged for the

promises of the Indian Commissioners who represented the Queen. (p. 7)

In June 1970 in their presentation to the Prime Minister, the Chiefs of Alberta demanded that Canada “declare that it accepts the treaties as binding” (Indian Chiefs of Alberta, 1970, p. 10). In specific reference to education, the Chiefs stated:

Our education is not a welfare system. We have free education as a treaty right because we paid in advance for our education by surrendering our lands...We expect that the promises made when we signed the treaties ceding our lands will be honored. (pp. 14-15)

INDIAN CONTROL OF INDIAN EDUCATION

The work of the Indian Chiefs of Alberta formed the basis for the policy document, *Indian Control of Indian Education*, which was submitted by the National Indian Brotherhood (NIB) to the Government of Canada in 1972. *Indian Control of Indian Education* (1972) re-iterated that “the Federal Government has legal responsibility for Indian education as defined by the treaties and the Indian Act” (p. 5). The purpose of education was identified “to give our children the knowledge to understand and be proud of themselves and the knowledge to understand the world around them” (p. 1). This was to be achieved through parental involvement, local control, culturally appropriate curriculum, and programming spanning kindergarten to post secondary education (pp. 5-14). In his response to the NIB document *Indian Control of Indian Education*, the Minister of Indian Affairs stated he “agree[d] completely with the paper’s basic position of Indian parental responsibility and local control of education in partnership with the Federal Government” (Letter J. Chrétien to G. Manual, February 2, 1973).

The transfer of management responsibility to First Nations did not change Canada’s responsibility for First Nations education. Canada’s Auditor General (2000) stated, “The Department’s mandate and responsibilities stem from exercising its authority and fulfilling its obligations under various statutes, treaties, agreements and government policy” (Auditor General, 2000, p. 4-8). “For more than 100 years.... [these] have shaped the mandate and responsibilities of Indian and Northern Affairs Canada for education,” (p. 4-5). The Auditor General argued the “Department needs to identify the nature of the leadership it must take to ensure that its authorities, responsibilities and obligations for education are met” (p. 4-11).

POST-SECONDARY EDUCATION

As was the custom of British North American colonial governments, Canada funded First Nations students accepted into a variety of post secondary institutions, including universities, trades training, and colleges. Over time, Canada's commitment to First Nation individuals who qualified and wished to attend post secondary educational programs and tertiary institutions across Canada has been ensnared in obstacles both financial and policy/program-oriented. In the 1880s, Canada deemed that "university education Indians and those who had entered one of the professions" were to be enfranchised and lose their Indian status (RCAP, 1996, Vol. 1, p. 287). In 1928, Canada affirmed its treaty obligation to post secondary education. In its *Annual Report* (1929) Indian Affairs stated "Parliament has provided appropriation for the fiscal year 1928-29...Free education for the Indians was definitely imposed by treaty in some provinces and by usage in others" (Indian Affairs, 1929, p. 14). A "program of free education is now extended to all Indians of Canada" (p. 18), which included 110 "Indian young men and women attending collegiate, business schools, colleges and universities" (p. 12). While the 110 post-secondary students represented a national figure, nevertheless, the Crown clearly carried out its own obligation to provide educational services which included post secondary studies. Canada re-enforced its commitment to treaty responsibility for education and stated "In future the education [pertaining to post secondary education] of these Indians shall be carried on without cost to them, thus completing a system of free education to all the Indian wards of the Crown in Canada" (p. 14).

In 1968 Canada formalized its levels of funding and adopted a national program entitled *Post Secondary Education Assistance*. Indian Affairs administered the program and all students who were accepted and enrolled in post secondary institutions were funded until graduation. Over the next four decades, Indian Affairs made gradual changes to the post-secondary funding program, including narrowing the definition of post secondary education so that it applied only to university based programming (degree programs). In the 1990s, Canada also "capped" the post secondary budget at 2% growth each year, which drastically affected the numbers of First Nations people enrolling post secondary programs at a time of a growing First Nations population and a corresponding demand for tertiary education. The "capped" budget resulted in a "waiting list" of First Nations individuals who were accepted into post secondary institutions but due to budget restrictions, they

did not receive funding through the federal program to attend post secondary institutions.

Guppy & Davis (1998) drawing upon the 1991 Census of Canada which identified 19 ethnic groups and the prevalence of university degrees, noted that Aboriginal male and females between twenty-five and thirty-four years of age were ranked nineteenth when ethnic and age groups were compared (Table 4.8 and Table 4.9). In reference to university degree attainment, Guppy & Davis stated that not only were Aboriginal women and men well below the Canadian average, but that there was virtually no change among the groups at the bottom of the table. Furthermore, they argued that "the most entrenched inequities are experienced by First Nations peoples...while [they] have improved their educational level the rate of improvement is significantly behind all other groups in the country" (p. 1). Similarly, the Auditor General recommended "the Department [of Indian Affairs] needs to urgently define its own role and responsibilities to improve" educational outcomes for "numerous studies have stressed the importance and benefits of post secondary education" (p. 2).

ADULT AND CONTINUING EDUCATION

Education provided by religious groups prior to the signing of the numbered Treaties encompassed opportunities for adults to upgrade and learn new skills. Indian Affairs funded First Nations students to attend a variety of upgrading and vocational training programs until the 1980s when it unilaterally ended or transferred these programs to other federal departments. This action was done at a time when "Aboriginal persons experienced very high levels of unemployment relative to non-aboriginal Canadians (Indian Affairs, 1995, p. 115). Statistics Canada (2006) documented that "skills acquired by one extra year of schooling resulted in an increase in per capita income of around 7.3% (p. 6). Young men who obtained "a post-secondary certificate registered gains in hourly wages that were on average 13% more than those registered by their counterparts who did not go back to school" (p. 2), while young women "who obtained post-secondary certificates registered hourly wage gains on average 15% higher than those who did not participate in adult education" (p. 2). The economic benefits of higher education to individuals and communities continued to be documented by various research endeavors. In 2005, Statistics Canada noted,

The restructuring of the Canadian economy over the past quarter century appears to have had an impact on demand for university education and the expectation of students on labour market requirements. Many more entry-level jobs in today's economy requires higher postsecondary qualifications than in the past. (p. 5)

The Royal Commission on Aboriginal Peoples [RCAP] released its Report in 1996 and stated:

We envisage a world where the representation of Aboriginal people among doctors, engineers, carpenters, entrepreneurs, biotechnologists, scientists, computer specialists, artists, professors, archaeologists and individuals in other careers is comparable to that of any other segment of the population. Aboriginal leaders who signed treaties earlier in our history sought education that would give their children the knowledge and skills to participate as equals in the Canadian economy that was emerging. We are still far from realizing that goal. (RCAP, Vol. 3, p. 501)

To accomplish equity in participation in post secondary education and in the Canadian economy, RCAP recommended,

The government of Canada recognize and fulfill its obligation to treaty nations by supporting a full range of education services, including post-secondary education, for members of treaty nations where a promise of education appears in treaty texts, related documents or oral histories of the parties involved. (RCAP, 1996, Vol. 3, p. 507)

In the *Strengthening the Relationship Report on the Canada-Aboriginal Peoples Roundtable (Roundtable)* meeting held in Ottawa on April 19, 2004, the gathering focused on "education as a key investment necessary to achieve a better quality of life for Aboriginal peoples. Life long learning is a cornerstone for the federal government" (Canada-Aboriginal Peoples Roundtable, 2005, p. 18). The *Roundtable* recognized the need "to deal with education. It is a starting point from where we can begin to make that transformative change" (p. 51).

Building on the report and dialogue of the *Roundtable*, Indian Affairs recognized "education is a key factor in enabling First Nation individuals and communities to develop to their full potential and achieve a quality of life comparable to that of other Canadians" and stated "Canada's commitment [was] to improve First Nations education" (Indian Affairs & Northern Affairs, 2005, pp. 2-3) by "enhancing the quality, accessibility and relevance of

educational programs and supports for First Nations" people (p. 5). The Assembly of First Nations who had participated in the Roundtable, published its *First Nations Education Action Plan*, 2005, which identified "education as a life long learning process" and demanded Canada fulfill "its responsibility" (AFN, 2005, p. 8) for First Nations education and "properly fund [it] so that education outcomes meet or exceed those of the general Canadian population" (p. 1).

CONCLUSION

During the treaty negotiations, both the Chiefs and Treaty Commissioners understood the economic benefits of western education in the changing environment of the prairies. At the treaty negotiations, in agreeing to share their land with the newcomers, the Chiefs sought a number of services from the Crown. Canada's treaty commitments encompassed a spectrum of educational services from elementary to post-secondary education. However, while Canada accepted its responsibility for First Nations education and established an administrative system, it did so with minimal input from First Nations people; provided inferior educational services in contrast to those provided to non-Aboriginal students in provincial school systems; and set its own parameters to limit post secondary educational opportunities. Not until the 1970s, when Canada transferred administrative responsibility for education to First Nations, were the latter involved in the education delivery for their children. Despite Canada's commitment to *Indian Control of Indian Education*, Canada did not transfer sufficient resources to achieve equity of educational services provided by provincial educational systems. Furthermore, Indian Affairs ended its adult education program in the 1980s and subsequently "capped" post secondary educational funding, thus limiting the number of qualified First Nations students who applied and were accepted into post secondary institutions. In 2000 and 2004, the Auditor General identified that the educational attainment gap between First Nations students and Canadian students in general continued to increase. Canada has failed to meet its treaty obligation to First Nations people in relation to education, particularly in the area of post-secondary education while First Nations people have upheld their obligation to share their land "with the newcomers." A century ago, the Crown committed to providing First Nations with the skills necessary to participate in the new economy. It is time to uphold the Crown's obligations by funding and instituting viable and appropriate elementary

and secondary educational systems, and to ensure that all qualified First Nations students, accepted into post secondary institutions, are funded to pursue their treaty right to education.

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