Native painter Gerald R. McMaster has printed on one of his paintings the phrase "Trick or Treat-y". I favour this humorous and yet sad commentary on the treaties. I do not know McMaster’s specific intent, but one might be that the aboriginal peoples were given a dubious choice, either a trick or a treaty. Another interpretation might be to collapse this disjunctive phrase, Trick or Treat-y, and regard the treaty as a trick.

Such a trick or sleight of hand seemed to be at work in the formulation and acceptance of Treaty #3 (1873) in northwestern Ontario. Evidence from Ojibwa customs and traditions shows that the treaty as published by Canada, "The North-West Angle Treaty, Number Three", the so-called official document (Morris 1880:320–7), on the one hand, and the "Agreement known as Treaty #3" and the Paypom Treaty, on the other, are in disagreement on several important issues. But the reason I call into question the legitimacy of the official document is that there seems to be ample evidence that these formulations date from the year prior to the signing, that is from 1872, and that the treaty in this form was not amended to take into account terms desired by the Ojibwa.

On the basis of Simon J. Dawson’s records, W. E. Daugherty (1986:64, 66) concludes that a draft of the treaty was made in 1872, and that this very draft "was finally adopted and signed at the Northwest Angle of the Lake of the Woods in 1873." This reasoning seems logical since if the Ojibwa had had the treaty read and explained to them, they would have noticed some glaring omissions.

1 This is the title given to "records of the negotiations, and recollections of the participants" (Grand Council Treaty #3 1995:2).

2 A set of notes presented by Lieutenant-Governor Alexander Morris to Chief Powassan at the signing of the treaty. "Chief Powassan of Northwest Angle gave this copy to Carl Linde, for safe keeping. Linde gave the document some time later to Chief Alan Paypom of Washagamis Bay First Nation" (Grand Council Treaty #3 1995:22). For the genesis of the Paypom Treaty alongside the "official document", and alongside Joseph Nolin’s notes and commentaries, see Daugherty (1986).
Thus a focus on the document published by Canada is a distorted form of the agreement. The imperative to widen the context of the treaty comes, therefore, in part as a redress to the flawed nature of the treaty process itself. Mainstream interpretations, archival sources, and other documentation might fill in the gaps in this lopsided rendering of the treaty.

However, since the treaty is bilateral, that is, nation to nation, the imperative to widen the terms of the treaty comes from an additional source, the Ojibwa themselves. This more extensive consideration of the treaty negotiations and the ceremonial aspects of Ojibwa life disclose interpretations and practises in accordance with the continuous celebratory and practical nature of the Ojibwa. Treaty data then include the more practical aspects of life such as fishing, hunting, use of wood, water and tobacco. Harold Cardinal (1977:148–9) reasons that Natives would never have surrendered these practices and items which have spiritual and cosmic meanings and are an inherent part of Native life.

Also, the sacred medicine society of the Ojibwa, the Midewiwin, manifested the spiritual relationship between land and water in its ceremonies (Grand Council Treaty #3 1995:4). In a previous instance, in the 1842 treaty at La Pointe, Chief Martin, representing the Ottawa Lake, Chippewa River, and Lake Chetac bands, stated: “We have no objections to the white man’s working the mines & the timber & making farms. But we reserve the birch bark & cedar, for canoes, the Rice and Sugar trees & the privilege of hunting without being disturbed by the whites” (Vennum 1988:257). Specific geographical sites are also value-laden in more than a pragmatic sense; some sites are chosen because they were the locale of certain manitous (Brightman 1993:82).

An underlying and often unstated supposition in the official treaty document is that the Ojibwa did not understand their land and resources prior to treaty time. The contrary is the case. Tim Holzkamm (1986: 143–154) documents the Ojibwa as horticulturalists, utilizing large tracts of land for gardens, relying on their own resources for harvesting rice and supplementing and diversifying this crop with others. Also, Ojibwa engaged in mining in the Treaty #3 area, Holzkamm (1988:89–97) notes, discovering and using minerals such as copper and silver. Consequently, they knew the value of land and minerals prior to negotiating the treaties (McNab 1992:79).

I would like to focus on a practice rooted in Ojibwa life and ritual, but
omitted from the official treaty and negotiator Lieutenant-Governor Alexander Morris's report (1880:52–76), that of ricing.

At a previous Algonquian conference, Kathi Avery Kinew presented a case for ricing as a form of self-government based on historical and legal claims of land and resources. There she ably pointed out the failure of the 1873 treaty to recognize ricing as an inherent way of life among the Ojibwa nations, and noted the inclusion of ricing as a part of Native understanding reflected in the Paypom Treaty, commentaries on that treaty, and attempts to redress this omission in the Wild Rice Harvesting Act. Kinew's main point (1995:191–2) was to focus on "technopoly's" dissociation of the "Anishinaabe from the Great Spirit's Garden". A proper and broadened interpretation of Treaty #3 and its context includes instead of written literature alone, the oral traditions, ceremonies, and "Indian common law" or "customary law".

The gaps left in the official treaty document are filled in part by Dawson's 1870 report that rice harvesting was an important part of the Native economy. However, as Grand Council Treaty #3 (1995:2) states, "No single document completely covers all terms of the Agreement known as Treaty #3." Morris also states that some items discussed were not included in the treaty (Daugherty 1986:64). According to Grand Council Treaty #3 (1995:2), "True knowledge of the Agreement known as Treaty #3 was held by the chiefs and repeated when Canada later breached its promises."

What is this "true knowledge" held by the chiefs? Where does the chiefs' true knowledge and their true intentions reside? It resides in part in written forms — in Grand Council Treaty #3 documents and in the Paypom Treaty. But in general, trying to ascertain the Ojibwa's meaning intending act is risky. It is easier, however, if weight is given to the commission of promises to memory. But which memory? Again, the answer must be more expansive than written documentation alone to include the memory of chiefs, the memory residing in cultural objects, stories, ceremonies, in the nation, and in the whole cosmos (Berbaum 1999:156–9). Cardinal (1977:148–9) points to the entire Cree world as the repository of the spiritual, as Basil Johnston (1976:12) does for the southeastern Ojibwa.

Just as the Canadian government's intentions — to secure a unity for the new Dominion from sea to sea, to colonize the country, to mine, and to
provide a thoroughfare for the railroad — are part of the treaty, so Native intentions also must be factored into the agreement and acknowledged. Some of these intentions are manifest in the published treaty, which mentions fishing and hunting rights; the Paypom Treaty adds the freedom to pursue rice harvesting. These disclosures point to an original and aboriginal understanding of the treaty.

The memories embodied in oral narratives aids the recovery of the true intent of Treaty #3. I employ Johnston’s (1995:14-15) writing on manitous to gain a spiritual insight into the stories involving rice and ricing, a traditional Ojibwa enterprise and ritual phenomenon. In this way I am reinstating the legitimacy of rice and ricing in the treaty process. Through rice, according to my general adaptation of Johnston’s themes gleaned from southeastern Ojibwa life, manitous (1) serve and fulfil humans’ and animals’ physical needs and appetites, (2) evoke a sense and appreciation of beauty, (3) impart a spiritual presence, and (4) become teachers for the Anishinabe.

**IN RICE, MANITOUS SERVE PHYSICAL NEEDS AND APPETITES**

In the latter part of the 19th century, Albert E. Jenks wrote:

> Wild rice is the most nutritive single food which the Indians of North America consumed. The Indian diet of this grain, combined with maple sugar and with bison, deer, and other meats, was probably richer than that of the average American family to-day. [Jenks 1900:1083]

A point of clarification before we proceed. The term “wild” in *wild rice* echoes early contact times (Thwaites 1896–1901, 44:247), which depicts the Anishinabe as “mere gatherers with a limited understanding of the plant”, Kinew (1995:193) notes, “rather than the reality that their management of manomin enabled it to grow and expand its territory.” In this latter understanding, rice has a prior and superior importance over contemporary scientific and technological development and management. Kinew (1995:183, 185) suggests that there are at least three related meanings to the Ojibwa term for rice or manomin: (1) On the basis of a rock painting, rice is part of the people and their spiritual life, for its representation on this painting is next to a medicine man, his shaking tent, and near sturgeon, central to Anishinabe feasts and ceremonies. (2) The etymology of *manomin* is *man-*, referring to the Great Spirit, and *-min*, referring to a berry or delicacy; hence, a berry, the gift of the Great Spirit. (3) There is
a more ancient term than *manomin*, that is, Manito Gitigaan (*manidoo-gitigaan*), the Great Spirit’s Garden:3

This term indicates the sacred relationship of stewardship and caretaking which the Anishinaabe people have for manomin. Historically, the locations of village sites and reserves have been adjacent to rice fields that the people sowed themselves. [Kinew 1995:185]

If we combine the meanings, we arrive at manito, the original care-giver of these spirit-filled rice fields, offering them as gifts and as a garden to the Anishinabe for continued care. The term *wild rice* is used in this paper only in quotations from other sources.

Rice is extremely rich in carbohydrates and converts readily to energy in the body. It is also low in fat, and contains protein essential for growth. Rice is easily digested, and is rich in thiamin, riboflavin, and vitamin B. “Even the cultivated cereals introduced to North America (oats, barley, wheat, and rye) rank below wild rice in over-all nutritional value”, Vennum writes (1988:39).

While foods other than rice may have been equally important, they were often combined with rice in a stew or gruel or served with rice as a side dish. Rice, added to soup, was used to wean babies at about ten months of age. John Mink, “master healer of most of the healing arts” at Lac Court Oreilles in the 1940s, recalled his diet change during infancy: “I remember the taste of my mother’s milk. It tasted rich and good like bear fat and I remember crying for the breast. When I was able to eat wild rice and venison and blueberries, I stopped nursing” (Casagrande 1960:470). Rice was as common a staple as bread is today.

Since rice was quickly recognized as a valuable food for sustaining a trading post, Europeans often established settlements near the plant’s natural habitat. “So vital was this foodstuff that one resident of Fort Frances in 1837 stated: ‘[O]ur sole dependence and principal food for the winter: Wild Rice may be truly called the staff of Life, of this post’” (Vennum 1988:199).

Native health problems and illnesses seem to be related to the shift away from traditional foods toward more reliance on foods from mainstream stores. Vennum notes that as early as the 18th century, both Natives and white connoisseurs of wildfowl found that ducks eating rice were more

3 [It should be noted that this etymology of the word *manoomin* does not account for the medial long *oo*, nor the fact that the Old Ojibwe form was *maloomin* — with *l*, not *n* — whereas *manidoo* ‘god, spirit’ has always had *n*. – Ed.]
delicious that those eating fish. In the 1760s, explorer Jonathan Carver (1956:523) observed that “the sweetness and nutritious quality of it [rice] attracts an infinite number of wild fowl of every kind, which flock from distant climes to enjoy this rare repast; and by it become inexpressibly fat and delicious.”

Rice is both an everyday food, and one with medicinal properties. Rice boiled with meat or fish broth served as a nursing mother’s milk substitute. Broken rice was also boiled, strained, and the liquid mixed with specific herbs to form a salve for skin inflammations. John Mink used the rice root as a cure for gonorrhea (Vennum 1988:68).

IN RICE, MANITOUS EVOKE A SENSE AND APPRECIATION OF BEAUTY

The rice manitou did much more than serve and fulfil humans’ and animals’ physical needs and appetites. In its stages of growth and throughout the seasons, rice, among other plants, “inspired and evoked in men and women a sense and appreciation of beauty, ...curiosity, and wonder and stirred in their souls joy and sometimes gloom” (Johnston 1995:14). People paused to gaze on the swaying rice reflected in the water and silhouetted on the horizon.

For Ignatia Broker, ricing recalls images of one of the highlights of the yearly cycle. During that season, “precious wild rice” was popped and mixed with maple sugar and eaten with fish, deer, and rabbit:

The ceremony and feast were held in the beautiful autumn season. Although the days were cooling, they were yet sunny. The green of the forest was turning to orange, gold, and brown; this orange, gold, and brown fell and cushioned the earth and reflected the glory of the trees. [Broker 1983:15]

IN RICE, MANITOUS IMPART A SPIRITUAL PRESENCE

Why was such a staple food not replaced with one as nutritious but more easily procured and processed? The answer is that traditional Ojibwa see in rice more than stuff for consumption and barter. Rice transcends its utilitarian purpose and is therefore regarded as sacred; it marks the temporal cycles of growth and renewal, is a special gift, and features in communal and ceremonial celebrations.

*Rice as sacred*

Stories abound concerning prohibitions against eating rice at certain
times, leading to the conclusion that rice, “at least in the past, approached the status of a sacred food” (Vennum 1988:58). In its symbolic and allegorical representations, rice is accorded a special mystique (Smith and Vogel 1984). Acknowledging the sacred nature of rice, Paul Buffalo states: “You gotta remember before you pick rice, take that tobacco, put it in water. Water’s a big thing, dangerous” (Vennum 1988:74). As Earl Nyholm, an Ojibwa from L’Anse, Michigan, states: “It seemed that the old people really enjoyed that time of the year... They would really go about the whole process like it was sacred; they really put themselves into it” (Vennum 1988:196).

Denise Sweet (1994:275) from White Earth, Minnesota, writes of the power of the “good grain”:

when we dance... we caress the earth
we carry power in the way we present ourselves
as dancers, as singers, bringing the rice home;
this power enters each stem of manomin
but it must be a gentle step, the padding of feet
against the good grain; they hold our dreams
and we must be slow and gentle when we dance the rice
or they can quickly turn to broken stems and then to dust
then we have nothing and the manomin will not return.4

Broker writes of “precious wild rice”, and of manomin as “the precious gift to the Ojibway”. She comments that the “new system [government laws for ricing] was a desecration” (Broker 1983:15, 117–8).

Rice marks a season

In the lives of Ojibwa, ricing demarcates an important time. It is a time for socializing, for dating, as well as for joking and teasing. Direct or indirect communing with the spirits led to and still leads to a joie de vivre during ricing. As Frank Jackson states: “Yeah, we had a good time when we riced” (Vennum 1988:188). Prizes for those who could hull the quickest and the best, and communal horseplay took place during hulling (Vennum 1988:190). As Ernie Landgren of Nett Lake states: “There’s a feeling you get out there that’s hard to get other places. You’re close to Mother Nature, seeing things grow and harvesting the results of the water

4 My thanks to Lawrence T. Martin for bringing this poem to my attention.
and sun and winds... We sort of touch our roots when we’re among the rice plants” (Vennum 1988:194–5). According to Stuart Berde (1980:125), “local people often say that rice gatherers seem to enjoy ricing activity for its own sake.”

“The rice harvest of the Ojibway is not just an event with temporal boundaries of weeks — namely the weeks of ripening of the harvest fruit and its processing and storage”, Eva Lips (1956:212) writes; “it is the decisive event of the year, of the total economic life and with it, life itself.” In 1993, during the summer powwow on the Wabigoon Reserve, rice was part of the ritual feast, and in Sioux Lookout, part of feasting the drum (Berbaum 1999).

Costumes are often used for the ricing season. At ricing, entire families participate as they relocate and process food. There is a reliance on animals, for close attention to their behaviour enables the rice chief and his assistants to make accurate predictions, since the movements of the wildfowl tell much about the conditions of the rice, and muskrats starting to build large nests indicate a cold winter (Vennum 1988:91, 153, 169, 171).

Jenks (1900:1089–90) notes that rice transcended in value all other products. Rice was connected to the cycles of nature itself. The September moon is called Manoominike-giizis ‘the moon of wild rice gathering’, corresponding to late September and early October.

Rice has a privileged place in the manitou world. There are stories about the origins of rice, how Native people found it, and how, mysteriously, the grain sustains the spirits of the Anishinabe.

Rice as special gift to the Anishinabe

Some Ojibwa, such as Chief Peter Kelly of the Sabaskong Band, have watched their people’s land and fish resources dwindle and now see ricing as the last, best hope for a Native industry and spiritual growth: “We know that it is related in the birchbark scrolls of our religion that wherever our people travelled, they sowed wild rice. Manomin is the foundation of our belief system... Manomin belongs to the Anishinahbaig... Wild rice is our tradition, our right. It is non-negotiable” (Avery and Pawlick 1979:35–36).

Thus, rice symbolizes Ojibwa culture, part of the aboriginal world. It is significant that while the Ojibwa use a mainstream approach to dwelling, namely, frame houses, and camp in tents while picking berries, rather than
a traditional one, they frequently use wigwams in the rice camps (Vennum 1988:297).

Ricing nations believe that rice is the gift of the Great Spirit from whom they derive all beneficial items and learn the crafts and techniques needed to survive and flourish. For the Ojibwa, Nanabush’s brother, Wenabozhoo, gave rice, created the earth and established the medicine lodge. Their stories indicate that this food was intended especially for the Ojibwa people. For the Menominee, Manabush was the giver of rice (through Bear, whom he created for the task), and the giver of fish and maple sugar, their other principal staples.

Christopher Vecsey suggests that representations of the bear, a land animal, and sturgeon, a water being, as the owners of rice may reflect the position of rice as a water crop, making it a land–water boundary-crosser (Vennum 1988:310, n.7).

Today a large part of ricing has been wrested from Native hands and has been industrialized and commercialized. Another illustration of this mainstream appropriation is the fact that the state of Minnesota displays rice as its official grain (Vennum 1988:1).

The tradition of ricing, however, was and is deeply rooted among Native people. Rice characterized a people, for the Ojibwa as well as the French called the Menominee at Green Bay “rice people” (manoominiig) (Vennum 1988:5). Since ricing rights were never ceded, control of the crop and its harvest still belong in Native hands. Already in 1900, John W. Powell, director of the Bureau of American Ethnology, spoke of ricing as an additional debt “of Caucasian to Indian” (Powell 1900:liv).

During Wenabozhoo’s puberty fast, rice appears in his vision; because each vision is personal and unique, the grain he encounters is “the first ever seen”. He admires its beauty. Wenabozhoo and his grandmother then sow rice seed from the lake of its origin into another lake. This corresponds to a widely held Ojibwa belief that rice, once discovered (given by Wenabozhoo to the Natives), was deliberately but spiritually sown from its original source into other bodies of water. Wenabozhoo falls ill because he violated the law of fasting; he sees the rice, eats it, and discovers its name. Rice, then, is a special gift, with medicinal as well as nutritional powers — a belief reflected in the Ojibwa use of rice as a food to promote recovery from sickness as well as for ceremonial feasts (Vennum 1988:61–62). Since rice is a gift, it is generally not sold but shared and
given away. By not harvesting all the available rice, the Anishinabe share it with the animals, that is, with other-than-human persons (Vennum 1988:298).

Celebrating rice

The special place of rice in Ojibwa stories helps explain its ceremonial use. Throughout North America, Native people always celebrate the harvest of their most important staples with thanksgiving feasts and religious rituals. Since rice has sacred properties, it is incorporated into rites of passage, celebrations of the first fruits, child naming, and healing. In 1966, at Mille Lacs, rice played a central role during the Midewiwin seasonal dances. As a gesture of thanksgiving, green rice was offered to the four winds and the Great Spirit in the course of the dance. Rice gives protection against windstorms. It is used in funerary practices, included in memorial feasts, and left at graves. In the journey to the afterlife, rice was used as food. Those menstruating or mourning refrain from the harvest (Vennum 1988:58, 68).

The manitou character of rice is apparent. Since rice is from the spirit world, stories indicate that the Great Spirit would always provide it and that the crop should be left undisturbed, and if humans sowed it, the spirits would destroy the grain.

Rice is not only central to the food supply but governs the harvest itself. Lips (1956:269) stated that “what serves the rice is law; what harms the rice is illegal.” The organization of the rice camps was based on protecting the crop; the nature of the rice crop influenced the selection of the rice chief and committee, contributions to the rice fund, observance of proper thanksgiving rituals, and the meting out of punishment. Traditionalists consider this system of harvest control part of “the old [correct] way” of doing things.

Rice Teaches the Anishinabe

In the beauty and changes of rice, the Anishinabe people discovered the existence of Kitchi-Manitou and reasoned that the Great Mystery was the creator of all things and beings... By observing the relationship of plants, animals, and themselves to [the rice and to] the Earth, the Anishinaubae people deduced that every eagle, bear, or blade of grass had its own place and time on Mother Earth and in the order of creation and the cosmos. From the order of dependence on other beings, the Anishi-
naubaek determined and accepted their place in relation to the natural order of Mother Earth. [Johnston 1995:14–15]

Denise Sweet writes of the gentle pedagogy of rice winnowing:

Tiny whirlwinds of chaff spring forth like dervishes released from a magic lamp. The wind sails them away from the winnowed rice — the grain chinks against the birchbark baskets in cadence with the dropping wrists and the young man’s swaying black hair — it is a dance of sweet and gentle love — warming hearts and pleasing the old man who watches and sees in circles, our survival embodied in the winds of October. [Sweet 1994:276]

CONCLUSION

Rice was so intimately woven into the spirit of the Anishinabe (and still is today) that even the trickery involved in treaty formulations did not erase it from their collective memory and practice. Despite trickeries, it was and remains a treat!

With this in mind, it does not seem possible that the Ojibwa would have omitted concerns about perpetuating ricing from the treaty. The memory and practice of ricing must be part of the reinterpretation of an expanded Treaty #3.

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