

Decolonization Learning Journey

A four-part Learning Journey with Mi'kmaw Elders and knowledge sharers.

Community Sector Council of Nova Scotia

Decolonization Learning Journey – Resource document

Webinar #4 - June 23, 2020

Hosting team:

- Elder Jane Meader, Elder, BACS & MEd
- Mary Beth Doucette, Assistant Professor and Purdy Crawford Chair in CBU's Shannon School of Business
- Nicole Cammaert, Associate Executive Director, CSCNS

Guest speaker:

Cheryl Knockwood, Governance Coordinator, Membertou Heritage Centre

Topic:

Indian Reserves, the Indian Act, and Confederation

Highlights

Map of Mi'kma'ki:



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What is a wampum belt?

The Mi'kmaq and the other members of the Wabanaki Confederacy often held meetings. They recorded their agreements on a series of Wampum Belts. The Wampum Belts were made of shells arranged in a special pattern. These belts told the story of the Mi'kmaq and the treaty agreements they had with other First Nations. The Wampum belt was the responsibility of the Pu'tus who knew how to record and read the messages of the belt. ^{1 2}

What is the Mi'kmaw Grand Council?

The Grand Council was the governing body of the Mi'kmaw nation prior to the implementation of the *Indian Act*. After the *Indian Act* was instituted, reserves and elected band councils became the recognized model of governance for Indigenous people. The Grand Council is still in existence today and is led by several officers, including a kji'saqmaw (grand chief), a pu'tus (treaty holder and counselor), and a kji'keptan (grand captain, advisor on political affairs).³

What is the significance of the *British North American Act, 1867* ⁴?

The *BNA Act* is the foundational document of Canada's Constitution. It outlines the structure of government in Canada and the distribution of powers between the central Parliament and the provincial legislatures.⁵ Under section 91(24) of the *BNA Act*, the federal government was given jurisdiction or control over "Indians and Lands reserved for Indians," providing exclusive authority over Indian affairs.

¹ Definition sourced from this downloadable PDF: <https://www.nben.ca/en/first-nations-treaties?download=1143:mikmagacanadiangovernments#:~:text=The%20Mi'kmaq%20and%20the,had%20with%20other%20First%20Nations>

² Stephen Augustine goes into detail about the history of wampum belts: <https://www.youtube.com/watch?v=kvDNAIiZAGI>.

³ Hereditary Chief on the Grand Council, Stephen Augustine, goes into detail: https://www.youtube.com/watch?time_continue=11&v=zm0zpKQUVh0

⁴ Read the *British North America Act, 1867*: <https://www.justice.gc.ca/eng/rp-pr/csj-sjc/constitution/lawreg-loireg/p1t11.html>

⁵ Further reading: <https://www.thecanadianencyclopedia.ca/en/article/constitution-act-1867>

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What is the *Indian Act*⁶?

The *Indian Act* was an attempt to assimilate First Nations people into “Canadian” society as quickly as possible. It is a piece of Canadian legislation that governs some Indigenous people in Canada, as well as the system of reserve land. First implemented in 1876, it has been amended several times over the past 140 years, and it still in force today. The *Indian Act* fundamentally changed the way that First Nation people live by granting wide-ranging authority to the Canadian federal government. In the past, it banned cultural ceremonies, resulted in the loss of Indian status for women, and imposed colonial election procedures and governance structures on First Nation communities. Today, as Indigenous nations exercise their rights to self-governance and self-determination, federal policy and legislation is being adapted and changed to provide Indigenous nations with more control.^{7 8}

What was the Pass System?

The pass system was a way of controlling the movement of Indigenous people. It aimed to prevent large gatherings, seen by many White settlers as a threat to their settlements. The federal government developed the system, which was a process by which Indigenous people had to present a travel document authorized by an Indian agent in order to leave and return to their reserves.^{9 10}

What were residential schools?

The Indian Residential School System emerged as a result of a partnership between the Canadian government and participating churches. There were approximately 130 schools within the system, and roughly 150,000 Indigenous children attended between the years of 1880 and 1996. The goal was to educate the "Indian" out of the children by teaching them in English and French with Christian values and to discourage them from speaking their Indigenous languages or practicing their traditional spiritualism. The Truth and Reconciliation Commission¹¹ of Canada described the Indian Residential School System as "cultural genocide" in 2015. The legacies of residential schools are seen in communities today through survivors and intergenerational trauma.

⁶ Read the *Indian Act* online: <https://laws-lois.justice.gc.ca/eng/acts/i-5/>

⁷ Bob Joseph explains the *Indian Act*: <https://www.youtube.com/watch?v=OhBrq7Ez-rQ>

⁸ Tanya Talaga on the *Indian Act*: <https://www.youtube.com/watch?v=vx00oxGzoi8>

⁹ Further reading: <https://www.thecanadianencyclopedia.ca/en/article/pass-system-in-canada>

¹⁰ Further reading: <https://www.ictinc.ca/blog/indian-act-and-the-pass-system>

¹¹ Visit <http://www.trc.ca/>

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Who was Donald Marshall Jr.?

Donald Marshall Jr. was a Mi'kmaw leader and Indigenous activist who was wrongly convicted of murder in the 1970s. Donald Marshall's imprisonment (1971–82) became one of the most controversial cases in the history of Canada's criminal justice system. He was the first high-profile victim of a wrongful murder conviction to have it overturned, paving the way for others such as David Milgaard and Guy Paul Morin. In the 1990s, Marshall was also the central figure in a significant Supreme Court of Canada case on First Nations hunting and fishing rights.¹² The Supreme Court of Canada's September 17, 1999 decision in the Donald Marshall case affirmed a treaty right to hunt, fish and gather in pursuit of a 'moderate livelihood,' arising out of the Peace and Friendship Treaties of 1760 and 1761. The Decision affected 34 Mi'kmaq and Wolastoqiyik First Nations in New Brunswick, Prince Edward Island, Nova Scotia, and the Gaspé region of Quebec.^{13 14 15}

What is the KAIROS blanket exercise?

The KAIROS Blanket Exercise program (KBE) is a unique, interactive and participatory history lesson developed in collaboration with Indigenous Elders, knowledge keepers and educators. The KBE covers more than 500 years of history in a 90-minute experiential workshop that aims to foster understanding about our shared history as Indigenous and non-Indigenous peoples. Since its creation, the Exercise has been updated several times to include new information, such as the 2015 Truth and Reconciliation final report.¹⁶

¹² Definition sourced from: <https://www.thecanadianencyclopedia.ca/en/article/donald-marshall-jr>

¹³ Further reading: <https://people.stfx.ca/rsg/srsf/researchreports1/FactSheets/Factsheet1.pdf>

¹⁴ Read further about the Marshall Decision: <https://www.dfo-mpo.gc.ca/publications/fisheries-peches/marshall-1999-eng.html>

¹⁵ Globe and Mail: <https://www.theglobeandmail.com/news/national/the-life-and-death-of-donald-marshall-jr/article4283981/>

¹⁶ Visit their website: <https://www.kairosblanketexercise.org/>

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Summer reading list and additional resources

Books

- Borrows, John et al, *Braiding Legal Orders: Implementing the United Nations Declaration on the Rights of Indigenous Peoples* - <https://www.mqup.ca/braiding-legal-orders-products-9781928096801.php#!prettyPhoto>
- Kimmerer, Robin Wall, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants*- <https://www.chapters.indigo.ca/en-ca/books/braiding-sweetgrass-indigenous-wisdom-scientific/9781571313560-item.html>
- King, Thompson, *The Truth About Stories*- <https://www.upress.umn.edu/book-division/books/the-truth-about-stories>
(audio version: <https://www.cbc.ca/radio/ideas/the-2003-cbc-massey-lectures-the-truth-about-stories-a-native-narrative-1.2946870>)
- McMillan, Jane L., *Truth and Conviction: Donald Marshall Jr. and the Mi'kmaw Quest for Justice* - <https://www.ubcpres.ca/truth-and-conviction>
- Talaga, Tanya, *All Our Relations: Finding the Path Forward CBC Massey Lectures*- <https://houseofanansi.com/products/all-our-relations>
- Talaga, Tanya, *Seven Fallen Feathers*- <https://houseofanansi.com/products/seven-fallen-feathers>
- Regan, Paulette, *Unsettling the Settler Within*- <https://www.ubcpres.ca/unsettling-the-settler-within>
- Robertson, David A., *When We Were Alone* - <https://www.portageandmainpress.com/product/when-we-were-alone/>
- Weatherford, Jack, *Indian Givers: How the Indians of the Americas Transformed the World*- <https://www.penguinrandomhouse.com/books/187629/indian-givers-by-jack-weatherford-author-of-the-bestselling-genghis-khan-and-the-making-of-the-modern-world/>
- Wicken, William C., *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Junior*- <https://utorontopress.com/ca/mi-kmaq-treaties-on-trial-3>
- Wilson-Raybould, Jody, *From Where I Stand: Rebuilding Indigenous Nations for a Stronger Canada*- <https://www.ubcpres.ca/from-where-i-stand>

Films

- *The Pass System* (a documentary film)- <http://thepasssystem.ca/>
- *The Doctrine of Discovery: Unmasking the Domination Code* by filmmaker Sheldon Woldchild- <https://doctrineofdiscovery.org/the-doctrine-of-discovery-unmasking-the-domination-code/>

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Other online resources

- 8th Fire Wab Kinew- 500 years in 2 minutes- <https://www.youtube.com/watch?v=L7LY-fXzhZI>
- Pam Palmater's Youtube channel- <https://www.youtube.com/user/pp2cool/videos>
- The Turtle Lodge Center of Excellence in Indigenous Education and Wellness is a place for reconnecting to the Earth & sharing Indigenous ancestral knowledge, founded on the 7 Sacred Laws- <http://www.turtlelodge.org/>
- The Stories From The Land Podcast- <https://www.indianandcowboy.com/stories-from-the-land-podcast>