

# Living Treaties

## Narrating Mi'kmaw Treaty Relations

Marie Battiste, Editor

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Narrating the Treaties

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## Narrating Mi'kmaw Treaties: Linking the Past to the Future

Educating Canadians to their treaties and their meanings is long overdue. Negotiated and signed by our Mi'kmaw traditional chiefs with the King of Great Britain and his representatives in the early 18th century, the Mi'kmaw treaties are a significant part of the history of Canada and of the United Kingdom, yet marginalized in the Canadian education curriculum and in the minds and hearts of Canadians. Treaties were central to the legalization of the settlements of early Europeans and later immigrants in Canada, and to the acquisition of land and resources that today are still being contested.

Most Canadians think the treaties are irrelevant and most politicians and resource-extracting corporations view them as inconvenient, but they *are* still relevant and will continue to be. The treaties have a textual message that is clear enough; they articulate a shared relationship of peace and friendship, as well as negotiated principles and outcomes, yet governments, lawyers and judges are constantly reinterpreting them for contemporary contexts from various perspectives, few of which are focused on the Mi'kmaq. Mi'kmaq are also contesting interpretations, urging the courts to hear and understand our ancestors' understandings and meanings of the treaties through our knowledge systems and oral traditions. It is significant that the Supreme Court of Canada has admitted oral testimonies affirming the knowledge systems are a key to understanding treaties; their negotiation and subsequent implementation continue to reside in memory and in stories that remain part of the Mi'kmaw knowledge system. Sometimes our stories and testimonies offer different words and meanings that contest what lay in written text and beyond court decisions.

Treaties between the king of Great Britain and the federated districts and tribes of the Mi'kmaq nation (1630-1794) impart relationships of sharing based on negotiated peaceful settlements and

shared resources that enable Mi'kmaq and the settlers to live together peacefully as friends. Through treaties, settlers from foreign lands become beneficiaries of Canadian settlement though settlement did not give land to newcomers as is often thought. King George III in his Royal Proclamation of 1763 assured the Indians that all lands needed for settlement had to be purchased, and with their full consent (RSC 1985). The treaties, then, are a silent constitutional affidavit connecting us to the past, to agreements and to an oral and written history, one that is often forgotten among those who arrive on the shores of this country or across southern borders.

The imperial treaties are often also viewed by the Canadian public as irrelevant to contemporary relations, negotiated powers and resources, and that the source of power ended with Canada's independence from Great Britain. They fail to comprehend that the Mi'kmaq chiefs delegated authority to the King and Canada, accepting those treaties as the very foundation of Canada. That is why aboriginal and treaty rights are delegated to a separate section in the 1982 Constitution—section 35.

The administrative arm of the government, however, either ignores the Mi'kmaq treaties or constantly contests them, making Canadians believe over time that treaties are not an important issue for civil society, but only a political issue to be resolved by the government of Canada through their administrative methods or the courts. Superiority and indifference have flowed throughout colonial history through the relations of the government with the Mi'kmaq nation and—based on attitudes of entitlement, denial or bad faith—they have little to gain from the impoverished Mi'kmaq nation contesting the big powerful government. Regardless, the Mi'kmaq nation has continued to take their complaints and submissions to the federal government, sometimes to the Monarchy, sometimes to the Pope, leading to a long trail of correspondences that are often dismissed or ignored. The trail seems to end invariably with yet another long trail of court cases that are similarly lost or won—and those summarily dismissed and ignored still by Canada, the provinces and their citizenry.

To the Mi'kmaq nation, treaties are sacred pacts and legal covenants that are held as the fundamental source of their relations with successive waves of colonists and colonial governments. The treaties are the resource that they depend on for their present and future. Regardless of Canada's governmental attitude of entitlement, First

Nations, Métis and Inuit lands and resources are still tied to treaties and other documents negotiated in good faith with the King or Queen with an objective of shared benefits to both parties and members. So it is important to know about them, to read them, to hear them, and to comprehend their constitutional significance in contemporary life.

It is a duty and a requirement of Canadian citizens in Atlantic Canada to know their own constitution and history; most schools provide this foundation. It is their duty to include the perspectives of the Mi'kmaq nation on treaties as the courts have continuously affirmed. Mi'kmaq have always held the treaties to be an important part of our oral tradition and, while many of our traditions have been eroded by colonial education and residential schools, such traditions are still held in memory.

One such tradition, the taking out of the wampum belt or string, was firmly implanted in my parents' memory. They recalled with me how the wampum belt would be regularly and ceremonially recanted in oral stories of the event and the terms of the agreements by the *putu's*, or wampum keeper, of the Sante Mawio'mi, or Grand Council. I was raised under the understanding that the wampum belt symbolically represented our treaties with other indigenous nations and the kings of France and Great Britain. Over the last sixty or more years, most of these significant documentations have been lost, stolen or sold. For many Mi'kmaq today, the testimonies are still held in the memories and stories of our Elders. At the Nova Scotia Museum of Natural History are photographs of the late Grand Council Putu's Andrew Alex at Chapel Island Reserve holding wampum string and a wampum



*Andrew Alex with wampum string and belt, Chapel Island, 1930. William (Clara) Dennis collection. Courtesy Nova Scotia Museum, Ethnology Collection, 73.180.624; N-6107.*

belt. When I took my mother Annie Battiste there with Ruth Holmes Whitehead one day to show her these old pictures in a book, she



recalled the names of people in the pictures, by the landforms she recognized, where they were taken.

Written documents and oral testimony have shown to be not always the same. The treaties were written in the king's English, sent to England, returned to Nova Scotia and then stored. For more than two centuries, the written treaties negotiated in Nova Scotia area were not seen until recovered from the dusty dark public archives in the late 70s. Those shadowy documents, held for so long in their undignified quarters, concealed their importance and meaning from peoples they were meant to serve, both the Mi'kmaq and the settler society. However, the memory of the tradition, the power of the promises and their meaning could not remain hidden from the conscience and consciousness of settler society forever, as was probably hoped, judging by their humble storage.

When the Mi'kmaq treaties with the king were brought back to life by archival research by the first Mi'kmaq college students and the Union of Nova Scotia Indians in the 1970s, the treaties as written rejected the silent, racialized and colonial explanations for the losses Mi'kmaq had to endure for more than four centuries and the losses to their language, culture, land, resources and livelihood. In 1920, the Nova Scotia courts rejected Grand Chief Sylliboy's defense that the treaties protected his hunting rights, holding instead that, as uncivilized savages, the Mi'kmaq did not have treaty rights, they held no right of sovereignty. This kind of racism has been a major feature of Canadians relations with Mi'kmaq and other First Nations, Métis and Inuit men, women and children.

The treaties make sense of the idea, in the Mi'kmaq language, of *elikewake* (the king in our house), just what was aspired and committed to in living with the king as a friend and ally, not as oppressed subjects. The treaties affirm Mi'kmaq wisdom and tenacity in what they sought and provide the extra energy and commitment for the leadership of the Grand Council with Union of Nova Scotia Indians (UNSI) to reveal definitively how the colonists had failed to live up to the treaty vision and to urge final acceptance and implementation of the treaties. In particular, Grand Council Captain Alex Denny, who was then the president of UNSI, began the Mi'kmaq quest to resurrect the treaties and to mobilize a significant movement to ensure they were constitutionally protected in the patriation of Canada from Great Britain in 1982, and also in their future deliberations affecting

access to resources among Mi'kmaq and other treaty nations. Many of the essays in this book touch on the influence of Alex Denny's treaty imperative and Aboriginal rights initiatives.

Treaty mobilization began an alternative narrative to the meaning of a Mi'kmaw perspective in Atlantic Canada. Their story of the battle to have the Mi'kmaw treaties recognized and their Aboriginal rights understood is a more accurate story than the existing colonial narratives of dispossessions of the Mi'kmaq based on racist discourses and presumed cultural inadequacy.

The treaties are, decidedly, documents with a written text, but, equally important, they have multiple layers of history and perspectives told in many narratives since that time. They include colourful animated stories of diverse people, places and events, along with the deceit, treachery and racism of pre- and post-treaty colonial era. Some of the history and the stories have been lost with the erosion and loss of the Mi'kmaw language and with the governments' complicity to deny Mi'kmaq anything, and to take everything from them.

Several historians have attempted to capture the archival history written in colonial languages and these are shared here in this book as well. They bear witness to colonial perspectives of deceit and overt racism, both used in pursuing the domestication and acculturation of Mi'kmaq. We recognize that they have been written in the context of the times and address specific events, times, places and interests of importance surrounding the treaty-making period of the relations between the Mi'kmaq and the king and, later, with the federal government. Many writers, including some in this book, have researched the background of treaties in the course of their work and university or legal research to reveal the various ways the governments and Mi'kmaq used treaties, understood them, ignored them or have responded to them. These documents have served as valuable resources to the courts and to the parties involved in the court cases surrounding treaties, although most of that written research material retains the dominant narratives of and repeated biases and perspectives of one party—the English or the French, the church and the governments.

This book aims to reveal another side of the histories of the treaties, focusing on the stories from perspectives of Mi'kmaq and their allies who worked among them during various times over the last fifty years. These authors, both Mi'kmaw and non-Mi'kmaw allies, have had experiences contesting the Crown's version of the treaty story, or

have been rebuilding with the Mi'kmaq nation with the strength of their work from their understandings of Mi'kmaw history and the Elders' stories. They share how they came to know about treaties, about the key family members and events that shaped their thinking and their activism and life work. They elevate their Mi'kmaw leaders: people significant to them who taught them about their history and about their treaties' meaning from Mi'kmaw perspectives, about their ancestors and relatives who shared stories and memories of the meaning of the treaties, and of the backlash of racism that aimed to push Mi'kmaq back—into the forest, onto the reserves and into the black hole of history. That black hole of omission and marginalization of Mi'kmaw history has been constructed so as to erase the understandings among those who signed the treaties and the promises of the resources the British gave in return for Mi'kmaw favour and peace.

Racism and Eurocentric superiority and apathy have been effectively used as strategies for hiding the governments' and citizens' complicities in denying the treaties, to gain access to land and resources, thus reducing Mi'kmaq to poverty, marginalization and the fool's gold of welfare. Herein, the authors offer the stories of those who have lived under the colonial regime of a not-so-ancient time. Here are the passionate activists and allies who helped uncover the treaties and their contemporary meaning to both Mi'kmaq and settler society and speak to their future with them. Here also are the voices of a new generation of indigenous lawyers and academics who have made their life choices with credentials solidly in hand in order to pursue social and cognitive justice for their families and their people. Their mission to enliven the treaties out of the dark caverns of the public archives, to bring them back to life and to justice as part of the supreme law of Canada, and to use them to mobilize the Mi'kmaw restoration and renaissance that seeks to reaffirm, restore and rebuild Mi'kmaw identity, consciousness, knowledges and heritages, as well as our connections and rightful resources to our land and ecologies.

As a result of the stormy disputes in courts between settler interests and Mi'kmaw interests, it is significant that the Supreme Court of Canada has recognized the intended fundamental rule of construction of the treaties and how they are revealed. They have dismissed colonial interpretation of the Mi'kmaw treaties as dishonourable and lacking persuasion. The Court has been guided by the constitutional reforms of 1982 that affirm Aboriginal and treaty rights. It has been persuaded

by the arguments for reading the Mi'kmaw treaties as they should be read—as the Mi'kmaq would have understood them. This method reflects the most faithful application of the original meaning of the treaty negotiations and text. Therefore, while our Elders and families continue to share their stories in their homes, over tea, at their camps, on the land and in their fishing boats, we feel that it is important that Canadians also read about those stories and hear what the original meanings are from the people themselves.

Mi'kmaw treaties with the King are now a significant part of the supreme law of Canada and of the United Nations. The future of the Atlantic Provinces depends on a fair and just constitutional reconciliation between the treaties and other constitutional powers. Such constitutional reconciliation has to replace the colonial traditions of being legal adversaries. The hardened responses of the provinces and the citizens to the constitutional affirmation of the Mi'kmaw treaties by the courts ought not to perpetuate the colonial adversarial attitude—as reflected in J. M. Coetzee insights in *Waiting for the Barbarians* (1980: 133)—that the colonial mind is preoccupied with one thought alone: “how not to end, how not to die, how to prolong its era.”

In the process of constitutional reconciliation it will be crucial to have the treaties comprehended by every government, every institution and every person. Constitutional reconciliation has been a theme of annual October 1 Treaty Day observances in Halifax, and other places, over the last twenty years. It has to be a theme of Mi'kmaw month in Nova Scotia and beyond, as well as Aboriginal Peoples day (June 21). These treaties have to be explained; they have to be read according to the principles of the Supreme Court, and everyone has to hear and think about what they mean from the perspectives of many, not just the self-interested party that holds sway with the media, schools, universities, politicians and churches. These events should be held as equal in importance to Victoria Day and Canada Day. The people of Nova Scotia have only to look at the handshake on the original seal of Nova Scotia as part of the ancient reconciliation of friendship between the peoples. The Courthouse on Spring Garden Road must be remembered as the site of the 1761 treaties with the Mi'kmaq.

The ancient wampum belts and written Georgian treaties have to be moved from the Nova Scotia Museum and the dusty, nondescript boxes in the public archives of Nova Scotia to a new consciousness of

constitutional reconciliation and belonging to the foundational vision of Canadian society.

Mi'kmaq know that constitutional reconciliation by implementation of the Mi'kmaq treaties leaves Atlantic Canadians in an uncomfortable situation. We have been uncomfortable for centuries when the settlers denied our treaties. To begin treaty implementation, Atlantic Canadians and provinces must reject the tired old paths of denial and repression. Few people believe they are guilty of generating the denial and repression of the past, or at least would like



*Courtesy Province of Nova Scotia.*

to think so; most would like to see themselves as innocent, though evasive, victims of the past while they benefitted from the land, the resources, and their self-government. But, as the commissioners of the Truth and Reconciliation Commission have offered to Canada, everyone is now responsible for forging a better relationship with Aboriginal people in the present and in the future. To do this, they must begin to understand the meaning, significance and the need for implementing the treaties of peace and friendship from the Mi'kmaq perspectives.

Since the court decisions, the status quo in Atlantic Canada is no longer a neutral and morally defensible starting point. The status quo presumes that Mi'kmaq should accept what their existing reserves and welfare poverty provide under the *Indian Act* of Canada, but it is not clear why they should be content with that situation. Now is the time for Atlantic Canadians to live up to the high ideals they value, and to challenge the status quo as unacceptable. For many generations, most of the children in Atlantic Canada have learned historical and ideological misinformation and have not learned much about the Mi'kmaq nation and its treaties. While they are taught the relations between the federal government and the provinces, they are not taught

about the idea of treaty commonwealth or federalism that continue, against all odds, to live as the supreme law of Atlantic Canada. They do not understand the ongoing constitutional relationship that needs to be reconciled and implemented. One old saying comes to mind and is useful here: while the truth, at first, may make one uncomfortable, it will eventually set one free. The treaties are about sharing what the Mi'kmaq had in abundance and the idea of equal opportunity through trade and respecting human rights. They are not about military conquest, "might makes right," or other theories leading to injustice. Mi'kmaq and Atlantic Canadian educators need to rewrite the curriculum so that all our children understand the importance of the treaty process and how it has created the baseline of democracy and respect for the land.

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The chapters in this book are written from various perspectives of the authors—how they personally came to understand the importance of the treaties from Elders and teachers, their personal learning about the treaties and about the obstacles created to discredit the treaties both in and out of courts, as well as in schools and in the media. These stories are narratives of insight, integrity, dignity, hope and vision reflecting of Mi'kmaw consciousness and humanity at the beginning of the 21st century. In their stories are the justly emotive reactions to colonization, to maltreatment in society, to residential schools and their lament to the erosion or loss of their Mi'kmaw languages and cultures. These are stories that reveal the pain and passions of the past and feelings of hope of today's youth and their elders in the post-residential school and post-truth and reconciliation era. All of this is what we call treaty education and a beginning for all Canadians and their students to understand. Herewith we can expect a new society and new relationships built on respect, reciprocity, reverence and responsibility.

### **Note on Writing Systems**

The authors come from various parts of Mi'kma'ki—the Mi'kmaw territory that reaches a land base covering five provinces, from Gaspé Peninsula of Quebec through New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland. The Mi'kmaw language and its

written form varies depending on districts from where the author comes, as their orthographies were created in other times and contexts and were never standardized. All diversities are accepted as norm for Mi'kmaq; therefore, three distinctive orthographies are evident in the writings in this book. No attempt is made to standardize the orthographies, as standardization does not exist in Mi'kma'ki. The editor is from Cape Breton, Nova Scotia, and uses the Smith-Francis orthography; those in New Brunswick use the Pacifique-Millea system while also adapting increasingly to the Cape Breton usage, and Quebec uses the Listuguj or Metallic system.

## Chapter Overview

**Stephen Augustine**, former curator at the Museum of Civilization, is hereditary chief and *keptin* from Elsipuktuk, in the district of represent Sikniktok “district” on the Mi'kmaw Grand Council, and now dean at Cape Breton University. Beginning with his own family history, he positions his knowledge of Mi'kmaw oral traditions and ancient traditional teachings living on the land, as learned from his paternal grandmother, who learned from her father-in-law, who in turn learned from his great-grandfather. Stephen's story is a multilayered exposition of Mi'kmaw humanity, values, beliefs and livelihood that led to the historical relations of treaties with settlers and their continued importance to Mi'kmaq. Important to this story is that Mi'kmaw treaties, unlike the numbered treaties, are peace and friendship treaties that were not land transfers but promises of protection for settlement in exchange for promises of protection from conflict and guarantee of trade truckhouses, a term used in the 1752 treaty referring to government regulated trading posts, some types of staple foods and goods, blankets and ammunition.

**Pam Palmater** is a well-known Mi'kmaw activist, lawyer and professor at Ryerson University. Her essay relays her family upbringing with activist relatives passionate to keep her connected to their perspectives about their history and culture as learned from their ancestors. This strong familial socialization in Mi'kmaw perspectives, together with her strong educational foundation, supports an affirmative view of Mi'kmaw history of treaties and a strong voice for Mi'kmaw treaties and sovereignty. In her essay, she offers to Canadians



why treaties should be important to them and how they might view them from a Mi'kmaw perspective.

**Fred Metallic**, a Mi'kmaw fisherman from Listuguj, shares family teachings living on the land and off the water. These Elder teachings, drawn from the covenant with the Creator, provide the rights and responsibilities to the water, to the land and to the generations. Shared in wampum are the protocols and teachings of sharing — not just stories, food and hospitality, but their time, resources and, when needed, activism by allied peoples in their nation and beyond. Fred shares the inside story of the dispute over the fishing guidelines at Burnt Church, a story of violence enacted against the Mi'kmaq on the water, that brought them together in solidarity, as well as their calling on allied nations such as the Mohawk to support them.

**Patrick Augustine**, a member of Elsipuktuk First Nation, sketches Mi'kmaw concepts of law in the form of several Mi'kmaw relationships, among them Mi'kmaw cosmology, or how we know who we are and where we come from. In part, these reveal our relationships with the land, the water, the animals and ecology, as well as the importance of our relationships with each other and the spirit realm. He offers explanations and connections to the ancient stories of the Six Worlds, to the concept of *netukulimk*/sustainable harvesting, to the traditional districts, the impacts on Mi'kmaq resulting from colonial relations in trade, treaties and Canadian legislation.

**Jaime Battiste**, law graduate from Dalhousie University, a resident of Eskasoni First Nation, and a member of Potlotek First Nation, recalls his coming to understand treaties, first at home at the table with his parents (J. Youngblood Henderson and Marie Battiste) in conversations with Kji-keptin Alex Denny and many well known Mi'kmaw leaders, among them his neighbour, Cape Breton University professor, Joe B. Marshall. His essay shares the history of a case he first heard about at CBU, involving Grand Chief Gabriel Sylliboy, that was based on Aboriginal people's right to hunt in their own land and the values that still hold to the land, the animals and their respect for their ecologies. He relays the resulting deteriorating authority of Mi'kmaq in their land to settlers' laws, once promised to be the way to settle conflicts in a good way, and how it has been used to erode Mi'kmaw rights to their land and resources, language, indigenous knowledge and their ability to sustain themselves on their land. The



court overturned that early decision, and Jaime concludes with urging a posthumous pardon for Gabriel Sylliboy and his family.

Later in this collection, Jaime, in conversation with **Joe B. Marshall**, relays the wealth of knowledge an elder statesman such as Joe B. can impart when in conversation and story. Joe B shares how he came to be involved in and remains the elder statesman for the Union of Nova Scotia Indians and its allied leadership organizations such as Atlantic Policy Congress of Chiefs and Kwilmu'kw Maw-klusuaqn also known as Mi'kmaq Rights Initiative. With Joe B.'s permission for the use of his writings and ideas, and from their conversations, Jaime offers reflections on the history of Union of Nova Scotia Indians and other leadership organizations among Mi'kmaq and how they create a better understanding of Mi'kmaw advocacy for, and successes in, affirming treaty rights in Nova Scotia.

**Stuart Killen** is a former superintendent of the then federal department of Indian Affairs, assigned to Nova Scotia in the early 1960s. His story reveals that the object of Indian Affairs was made quite clear: assimilation and control of the Indians. Eventually he was sent to a position in La Pas, Manitoba, where he began a movement of supporting indigenous empowerment by his refusal to be the conventional controlling Indian agent boss on the reserve. His role on his return from Manitoba with his new training in popular education was finally used to help secure funds to fight the White Paper policy, which he secured for the Union of Nova Scotia Indians, thus leading to his many enriched years of service seeking to fight both the department's policies through researching treaties and generating the Nova Scotia Micmac Aboriginal Title Position Paper.

**J. Youngblood (Sa'ke'j) Henderson**, a law graduate of Harvard, a scholar of Aboriginal and treaty rights, and current Director of the Native Law Centre at the University of Saskatchewan, Sa'ke'j (a name given to him by Mi'kmaw Elder Annie Battiste) shares his early Eskasoni years and stories of finding a new mandate for justice emerging from his relationship with Grand Captain Alex Denny, stemming from his family relatives. Alex's vision in bringing him to Eskasoni with his wife Marie Battiste was to pursue the restoration of Mi'kmaq, Aboriginal and treaty rights and Mi'kmaw language education, both aspirations that were part of a well-articulated dream. Finding a fully inspired and capable team at UNSI—with energy, humour and tea in rich supply—he set out to carefully unlock the hidden treaty rela-

tionship between the Mi'kmaq and settlers. Insisting on organized, educated, strategic thinkers, like his ancestors, Alex advocated for the right research, mobilization of Mi'kmaw natural justice, and taking Mi'kmaw treaty infractions to the courts to inform Mi'kmaw people, the public and their politicians. The risks, plans, strategies and humour combine for an important story for the next generations.

**Russel Barsh**, a Harvard lawyer and geological scientist, a friend of the family of Alex Denny and Foreign Affairs Ambassador of the Mi'kmaw Grand Council, offers anecdotal scenarios of European-Mi'kmaw diplomacy in Europe during the 1980s and 1990s, leading to the final affirmative vote for the Declaration of the Rights of Indigenous peoples. He reminds us that residential schools, ignorant politicians, misguided bureaucrats, rising Canadian nationalism, neglectful scholarship, inadequate books and one-sided mass media have all eroded Mi'kmaw memory and self-confidence. Yet, in the hands of local leaders, and in particular guided by Alex Denny's profound and inspiring strategies, there came a change in climate at the end of the last century, ensuring that treaties are brought back to life and the path through the traumatic dark colonial history of misguidedness, racism and ignorance can be illuminated. His stories of Alex Denny and his work at the United Nations demonstrates a humanity in action, cultivating love with humour and connecting nations as friends and neighbours.

**Natasha Simon**, a Mi'kmaq from Elsipituk, begins with many curious questions about treaties with her family setting her on a journey to find the answers. In so doing, she begins to read the text and consider the context to the 1761 treaty between the Mi'kmaq and the British at Governor Belcher's farm, proving that the simplistic relationships of conqueror and conquered is not supported by the text of the letters and documents of the period among Mi'kmaq and the colonialists. This paper, reprinted with permission, offers an alternative interpretation of the 1761 treaty. Through the guidance of stories told by women in her family, the paper argues that historic treaty rights must be understood within the context of relationships instead of individual or collective rights. It concludes that stories about how we, as Mi'kmaq, are to relate to one another are central to the project of nationhood.

**Daniel N. Paul** is a Mi'kmaw Elder and passionate advocate for social justice and the eradication of racial discrimination. The

author of the seminal book, *We Were Not the Savages*, Danny shares some critical moments in his early years and early work experiences, leading to his passionate research of colonial relations and history with Mi'kmaq. He unpacks the historical experiences of racism and genocide experienced by Mi'kmaq and his direct experiences with Indian agents, with Indian Affairs. His research of Mi'kmaw history reaffirms his passion to show that racism is and has been widespread among the relations between Mi'kmaq and colonial governance and settlers and that it continues to be the critical factor in how treaties are resisted, dismissed and misunderstood.

**Douglas (Doug) Brown**, lawyer and nephew to Alex Denny, shares his personal background—from school, to the military, to UNSI, to law school and then, as a junior legal assistant researching a case that he encounters, a seemingly easy case involving Aboriginal food hunting rights of the Mi'kmaq that turns quite complex and long. Treaty rights to hunt for food were pitted against a Nova Scotia provincial regulation involving sporting principles for securing animals. Doug asserts that the Aboriginal right to hunt for food is one of the last remaining vestiges of the rights Mi'kmaq have exercised since time immemorial. Despite this right, white colonial settlers continue to wield the influence in the media and with politicians to counter any law applicable to them that is not also applicable to Aboriginal people.

**Kerry Prosper**, a Mi'kmaw leader from Paq'tnkek First Nation, writes about his life living around water where people fished in quiet, hidden from the settler communities around him that would target the Mi'kmaq as criminals if and when they exercised their treaty rights to hunt or fish. His anecdotal, humorous and poignant stories tell of his early years filled with fishing and hunting with friends and relatives, long before such rights were acknowledged by the courts, relaying how Mi'kmaq learned to dodge officials who did not believe they had a right to hunt and fish. He urges his children to honour their rights and their responsibilities they have now from the use of all the resources they have access to and that the courts have affirmed.

**Victor Carter Julian** is a Mi'kmaw lawyer from Pictou Landing, whose memories of his aunt's home and her dining room table draw him to the treaties and their mysteries, unlocked when he goes to university and then law school. He begins to understand the importance of those treaties to his family and his people as he stretches his understanding to the court cases involving the Mi'kmaw hunting and

fishing rights, but also the hegemony, resistance and silence that is displayed among non-Mi'kmaq with regard to the treaties signed by their ancestors.

**Naiomi Metallic**, lawyer and daughter of Emmanuel “Manny” Metallic, a famous linguist from Listuguj, relays her personal history in “Becoming a Language Warrior.” Her family’s experiences with colonialism resulted in part to her father choosing not to teach her Mi'kmaw; later he came to pursue with passion Mi'kmaw language teachings, grammar and writing systems, becoming the local expert. **Naiomi’s** passion for language evolved from a research project examining the Aboriginal language situation in Canada and the losses and rights that are available for Mi'kmaq to retain their language(s). She urges us all to consider what is lost when we lose our language as it affects all of these things, but also cautions us to consider how we want it regulated or legislated, if we do want that.

**Eleanor Bernard** explains the many changes that the Mi'kmaq of Nova Scotia have undergone in educating their children. Prior to European contact, the Mi'kmaq taught their children through oral traditions and hands-on learning but, with contact, the government and church set up schools wherein the children were taught to forget their traditional ways and made to feel ashamed of their ancestry. The day schools and provincial schools, which followed Indian Residential Schools, were similar in design and result. Eleanor closes with the return of Mi'kmaw control over education, which is increasing the graduation rates within high schools and increasing Mi'kmaw children’s confidence in themselves and sense of pride in their ancestry.

**Marie Battiste’s** family lived within treaties on both sides border of USA and Canada; their priority was their children’s access to education and economic opportunities needed to succeed and led to their leaving the reserve and working and remaining in Houlton, ME, throughout all of their children’s basic education before returning to their homeland of Potlotek. This education and years in Maine provided the rich experiences led to Marie’s understanding of both the injustices of education in Canada for Mi'kmaq and those of diverse Native Americans in the U.S., and to working in education for Mi'kmaw learners and treaty reconciliations. This chapter is both remembrances and teachings that evolved in a life lived before treaties were recognized by the courts, and how the need for awareness of them still exists. Treaties are foundational to education for all Canadians.