Introduction

Foundations, Treaties, and Renewal and Reconciliation

What is Treaty Education?

Many people hear the term "Treaty Education" and assume that it is education about treaties. But Treaty Education is not just about treaties. As one Mi'kmaw educator explains it, "Treaty Education is *who we are*." Another way to understand it is to consider what knowledge and skills individuals need to live as treaty people, since all Canadians have roles to play as treaty people. Treaty Education gives learners an opportunity to build a foundation to live as treaty people. It is very difficult for learners to understand the treaty relationship they are a part of without understanding:

- Who the Mi'kmaw people are today and who they have been historically;
- What treaties are and why they are important;
- What has happened to the treaty relationship in Nova Scotia and Mi'kma'kik over the last four hundred years; and
- What people are doing to reconcile a shared history to ensure justice and equity.

In 2015, the Provincial government and Mi'kmaw communities agreed to a Memorandum of Understanding (MOU) that supports and advocates for Treaty Education in every school, every grade, and every class across Nova Scotia.

Treaty Education creates opportunities for Nova Scotians to learn about the Mi'kmaq, inherent Aboriginal and Treaty rights, and our shared history. It promotes an understanding of the Peace and Friendship Treaties as historical and living documents that are rooted in Mi'kmaw treaty-making practices that existed for thousands of years before Europeans arrived in Mi'kma'kik. The Crown has several historic treaties with the Mi'kmaq dating back to the 1720s. The significance of the treaties is not only the words contained in the documents, but in the conversations and ceremonies that accompanied the negotiations, establishing meaningful relationships. Reconciliation is a central part of the mandate of Treaty Education Nova Scotia.

As a resource designed to be adaptable for most learners, this volume is structured through three levels: Foundations, Treaties, and Renewal and Reconciliation. The first level, Foundations, is built to help learners understand fundamental concepts about Mi'kmaw history and culture. The Foundations level is key to learner success in the second and third levels.

The Treaties and Renewal and Reconciliation levels follow a loose chronological sequence from the 18th century through to the present. At the end of each level are consolidation activities that will help learners move to the next stage.

Everything that follows in this resource and its supplementary materials has been developed to allow educators and learners to explore the questions above in creative and thoughtful ways at grade appropriate levels. Elders, educators, leaders and learners themselves helped to create the content. There is no doubt that everyone's knowledge and understanding of these questions will evolve; like the treaties, Treaty Education is a lifelong journey.

What does "indigenous" mean?

Indigenous means that a group originated from a particular place.

Mi'kmaw culture has been created over thousands of years here in Mi'kma'kik: it is indigenous to this place. This is unlike other Canadians whose ancestors arrived in the last four centuries. The cultures that have arrived more recently were, and in many ways still are, very different from Mi'kmaw culture. Understanding and appreciating the differences in worldviews, historical experience and culture are key to treaty education.

The Mi'kmaq

The Mi'kmaq are the indigenous people of Mi'kma'kik. The Mi'kmaw ancestral homeland includes all of present-day Nova Scotia, Prince Edward Island, central and eastern New Brunswick, the Gaspé Peninsula and Newfoundland. The culture and language of the Mi'kmaq are rooted in Mi'kma'kik and the generations of ancestors that have grown up along with it.

For at least 13,000 years, we as Mi'kmaq and our ancestors have called Mi'kma'kik home. Mi'kmaw people are culturally, linguistically and historically related to our neighbors, the Wolastoqiyik (Maliseet), Abenaki, Innu, Peskotomuhkati (Passamaquoddy) and Penobscot, as well as many other Algonquian-speaking nations. The Abenaki, Mi'kmaq, Passamaquoddy, Penobscot and Wolastoqiyik make up the Wabanaki Confederacy, a political alliance that existed prior to Europeans' arrival in North America.

Mi'kma'kik

Mi'kma'kik is a remarkable place, known for its diversity, richness and beauty. From the relative warmth and protection of the Bay of Fundy, to the rugged Atlantic coastlines, to webs of rivers winding their ways through every corner, to the highlands of Unama'kik (Cape Breton) and to the large expanses of Kespe'k/Kespe'kewa'kik, the homeland of the Mi'kmaq is extraordinary.

To Mi'kmaw people, seascapes are as important as landscapes and islands are as important as interior forests. The rivers and oceans were highways and common living places. Today, the Nation dedicates itself to protecting them and to restoring right relationships between communities and the waters that have sustained life for generations.

Mi'kmaw knowledge of the cycles and seasons, tides, plant habitats, animal behaviours, and much more is at the heart of a sophisticated culture that harvests and uses resources in sustainable ways. Life requires keen observation and the recognition of patterns throughout Mi'kma'kik. These core skills have been passed down through generations and continue to inform and enrich Mi'kmaw life today.

Think carefully about this: what does it mean to see Mi'kma'kik from the inside looking out, rather than observing the land, sea, plants and animals as separate from yourself? This perspective is key to ecological protection and sustainability since damaging any part of it damages oneself and one's community. This perspective says much about the relationship that the Mi'kmaw people have with Mi'kma'kik.

The Peace and Friendship Treaties (1725-1786) made between the Mi'kmaq and the British are often referred to as the Covenant Chain. This is because they all share common core concepts and promises. Like a chain, each treaty builds upon the last, which in turn, strengthens every treaty in the chain. The Mi'kmaq and the British used these treaties to create mutual obligations that would facilitate peace and friendship and put an end to hostilities.

First Nations People & Terms

It is appropriate and respectful to use the term "Mi'kmaq" to describe the indigenous people of Mi'kma'kik. If you are including other First Nations, Inuit, or Métis groups, however, the terms "Indigenous" or "Aboriginal" are appropriate.

Native A person born in a specific place: a local inhabitant.

Indian A person who is registered as an Indian under the *Indian Act*. The term Indian has declined in use since 1970's when the term First Nations came into common use.

First Nations A collective term that is used to refer to the original people.

Métis A distinct group of people with a distinct culture whose ancestry is based on 18th century intermarriages between Europeans and First Nations. Their homeland is in Western Canada.

Inuit People living mainly in Northern Canada. Original inhabitants of the Arctic.

Aboriginal The descendants of the original inhabitants of North America. Section 35 of the Canadian Constitution recognizes three groups—Indian, Métis, and Inuit.

Indigenous All inhabitants indigenous to their land or territory, has been increasingly used since the UN Declaration on Rights of Indigenous Peoples.

Mi'kmaq The First Nations people whose ancestral homelands include NS, PE, as well as parts of NB, QC and NL.

The treaties did not cede any land or resources, but they all include two key promises: the Mi'kmaq could continue to hunt, fish, and gather as they had always done (i.e., netukulimk), and the British could live peacefully on the land areas where they were already living at the time of signing. Some treaties freed prisoners (1725-28); some established Treaty Day (1752-1753); some had few signatories (1749); others had many signatories (1761-1763).

Despite decades of intense negotiation and persistent agreements on core promises, the British increasingly ignored the treaty relationship, marking the beginning of the Treaty Denial period.

Brief descriptions of primary treaties follow below:

1725-1728 The first Peace and Friendship treaty between the Mi'kmaq, the British, and other indigenous nations was negotiated in Boston, Massachusetts in 1725, and then ratified by other key leaders across Mi'kma'kik between 1726 and 1728.

1752-1753 A treaty signed by a number of saqmaq, including John Baptiste Cope, and Governor Hopson of Nova Scotia. As with other Peace and Friendship Treaties, the 1752-1753 treaty promised "Free liberty of hunting and fishing as usual" as well as protected trade with the British. The Treaty of 1752-1753 establishes October 1st as Treaty Day and provides instruction on the annual renewal of promises between the British and the Mi'kmaq.

1760-1763 This treaty was significant and marked the end of years of hostilities with the British. It had a large number of signatories, including Mi'kmaw, Wolastoqiyik (Maliseet) and Peskotomuhkati Chiefs. It is also the treaty upheld by the Supreme Court of Canada during the 1999 Donald Marshall Jr. fishing case (*R v. Marshall*).

1776 The Watertown Treaty established relationships between saqmaq and the new government of the United States. The United States promised to approach their relationship with the Mi'kmaq more like the Acadians, rather than the British.

Treaty Denial (1795 to 1985)

Unfortunately, shortly after the last treaty was signed in the 1780s, a period of Treaty Denial began. For nearly two hundred years, the British, and then Canadians, would ignore treaty responsibilities. This difficult and destructive period is marked by a long list of damaging events: land loss; habitat destruction; reduced mobility; the creation of reserves; ongoing disease epidemics; the passage of the *Indian Act* and its amendments; loss of status for Mi'kmaw and other indigenous women; extreme assimilationist policies that were genocidal in intent; the creation of the Shubenacadie Indian Residential School; lack of citizenship in Canada; no right to vote; and the harmful policy of centralization. There were ongoing discriminatory policies across the public and private spheres in terms of employment, education and recreation.

Reckoning with, and then healing from, the devastating consequences of Treaty Denial are at the heart of reconciliation efforts today.

Treaty Renewal (1985 to present)

Treaty Denial began to erode with the 1985 *Simon* case. Here, the Supreme Court of Canada found that the 1752-1753 Treaty was not only valid, but binding and enforceable. This initiated the period of Treaty Renewal, in which the Crown and the Mi'kmaq continue to determine what the modern context is for the Peace and Friendship Treaties.

The Peace and Friendship Treaties have been repeatedly affirmed by the Supreme Court since 1985. This legacy of affirmation is crucial to Treaty Renewal and to the emergence of the movement for reconciliation.

Are we all Treaty People?

Yes, all Canadians are treaty people! Why? Because the treaties signed between the Mi'kmaq and the British Crown created rights and responsibilities for both groups; they are not one-sided agreements. These rights and responsibilities continue to this day. The Peace and Friendship Treaties were created over generations and were repeatedly agreed to by both the Mi'kmaq and the British. Treaties are a part of what defines Canada, and all Canadians have a role to play in upholding them.

The Truth and Reconciliation Commission's (TRC's) Calls to Action

In June 2015, the Truth and Reconciliation Commission released an Executive Summary of its findings along with 94 "Calls to Action" regarding reconciliation between Canadians and indigenous peoples. The Commission officially ended in December 2015 with the publication of a multi-volume report that concluded the residential school system amounted to "cultural genocide." This term was largely based on the forced assimilation of indigenous people across Canada. Federal policy meant to "kill the Indian in the child."

Indian residential schools operated for more than a hundred years in Canada. The Canadian government, with support from churches and the RCMP, used threats and coercion along with physical force to remove children as young as four years old from their communities, confining them in the schools. Conditions at many residential schools were deplorable, and many children were physically, sexually, emotionally, and spiritually abused.

The Shubenacadie Indian Residential School was one of the handful of schools across Canada where children were used for nutritional experiments that involved denying food and health care. During World War II, one in 26 soldiers who served did not come home to their families; during the residential school era, one in 25 children sent to residential school did not come home to their families. The impacts of this history continue to ripple through generations, and are felt intensely. Communities are working hard to heal the trauma these intergenerational experiences have caused.

Is it Mi'kmaq or Mi'kmaw?

The word **Mi'kmaw** has three uses—

It is the adjectival form of the word "Mi'kmaq" ("Mi'kmaw communities"), as well as the singular noun form ("Jane, a Mi'kmaw, crossed the street"). It is also the term used for the language (We speak Mi'kmaw").

The word **Mi'kmaq** is the plural noun form ("The Mi'kmaq are indigenous").

Indian residential schools were just one of many government polices that sought to assimilate indigenous peoples. Other federal policies, like those outlined in the *Indian Act,* prevented First Nations people from leaving their reserves, gathering to discuss their rights, or practicing cultural events like dances and songs.

Many learners have limited, if any, knowledge about residential schools. It is very difficult to comprehend the need for reconciliation if learners do not understand the experience of survivors and descendants. The process of reconciliation is an ongoing effort—one that takes two sides. Paths to healing can be complicated for both individuals and communities. The hope is that this resource will support all learners as individuals who are members of communities from all backgrounds as they move forward along those paths.

General Resources

The following websites are dedicated to aspects of Mi'kmaw history and culture. They are referenced in specific Learning Experiences, but are useful more generally as well:

The Mi'kmawey Debert Cultural Centre website has a wide range of cultural content and educator specific resources. See www.mikmaweydebert.ca

The Mi'kmaw History Month website has a wonderful series of introductory videos, many of which are young people sharing to other young people. See http://mikmaqhistorymonth.ca/video/

The Sister Dorothy Moore L'nu Resource Centre at Cape Breton University is an excellent overall resource for Mi'kmaw content. See https://www.cbu.ca/indigenous-initiatives/lnu-resource-centre/

The Unama'ki Institute of Natural Resources www.uinr.ca for stories and information about Unama'ki (Cape Breton) as well as broader cultural contexts and information.

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