

Honouring Rights Today: A Mock Consultation



Overview

In this mock consultation exercise, learners will experience the basics of treaty implementation in Mi'kma'kik, witnessing how the Mi'kmaq and the Crown work together to reach agreements in a modern context. Through a fictionalized case study on Unama'kik moose management, based on a real example of modern day consultation, learners will strengthen their understanding of how the treaties work today, and see what the phrase "we are all treaty people" can mean in practice.

Learners will...

- Be introduced to the modern treaty implementation process.
- Understand treaty implementation through a concrete example based on real experience.
- See the continuity of Mi'kmaw priorities between the 18th century treaties and contemporary treaty implementation.
- Understand themselves as part of treaty implementation as a "treaty person."
- Grasp some of the complexity in contemporary treaty implementation.

Focus

Before beginning the mock consultation, educators will share a brief introduction (included in the supplementary materials) to establish context for the activity.

Learners are then divided into two groups: one representing the Crown, and another representing the Mi'kmaq. Group members are assigned roles: a lead negotiator, associate negotiators (2), researchers, and community members (Mi'kmaq and non-Mi'kmaq).

Each group gets a copy of the one-page fictional case study on Unama'kik moose management (see supplementary materials) and will read it together. Individually, learners will make some inferences about what they believe the outcomes of the negotiation might be. The groups will then negotiate a solution, as described in the provided case study.

Ultimately, learners will understand that accommodations to treaty rights must 1) involve the Mi'kmaq in a meaningful dialogue; and 2) create an accommodation that addresses Mi'kmaw concerns. The case study is designed for there to be no "right" answers—just creative solutions that must address the concerns of both parties.

PE!

It is important that learners have a clear understanding of the following content:

- The Mi'kmaq as the indigenous people of Nova Scotia and the Atlantic region.
- Mi'kma'kik as the ancestral homeland of the Mi'kmaq.
- Understand the concepts of *netukulimk* and *msit no'kmaq*. (See LE F4)
- Mi'kmaw core cultural values. (See LE F8)
- The oral traditions inherent in Mi'kmaw culture and practice. (See LE F10)
- The basics of Treaty Renewal. (See Treaty Renewal introduction)

Additional Resources

- For additional resources, see the digital version of this LE at **Mi'kmawey Debert Cultural Centre website:**
<http://mikmaweydebert.ca/rr3>

Teacher Tip



This LE requires good listening and respect for a range of opinions and ideas. It is important to set some expectations for dialogue at the outside. Educators might find a helpful connection between RR3 and LE F12.

Mock Consultation: Moose Management in Unama'kik

Introduction for Educators

When Treaty Rights are affected by decisions the government makes, they must consult with the Mi'kmaw Nation. To consult means to talk with the Mi'kmaq about any concerns they might have. The goal of consultation is to figure out what changes will address any concerns the Mi'kmaq have. Changes that address Mi'kmaw concerns are called accommodations.

For example, in Debert, Nova Scotia, there are a series of very old (more than 11,000 years old) ancestral archaeological sites. When the government wanted to give land that was nearby away (to Colchester County), they entered into a consultation process with the Mi'kmaq before giving the land away. The Mi'kmaq didn't mind the land being given away, but they did not want any ancestral sites to be destroyed as a result of developing the land once it was given to the County. The solution the government and the Mi'kmaq worked out was to have archaeologists test the land for ancestral sites before it was developed. This special testing for ancestral sites in Debert is more than fifteen years old, and during that time the archaeologists have found and protected more than fourteen additional ancestral sites that date back to this early time period. The solution, in this case archaeological testing, is called an accommodation in the treaty-rights process.

In this LE's fictionalized scenario, learners are asked to role-play a consultation process about the care and protection of moose in Mi'kma'kik. Clifford Paul, the Moose Management Coordinator at the Unama'ki Institute of Natural Resources (UINR) helped to put this scenario together. You can read more about Moose Management at <http://www.uinr.ca/programs/moose/>. In addition, as part of the Learning Experience, learners are asked to read the Tia'm Fact Sheet that is available on the UINR website, <http://www.uinr.ca/tiam-facts-from-the-mikmaw-point-of-view/>, to view the Land and Sea episode, A Tale of Two Moose, <https://www.cbc.ca/player/play/2651378999>, and/or to read the Tia'm book, <http://www.uinr.ca/wp-content/uploads/2014/05/Tiam-This-is-our-Story-WEB-1.pdf>

Working together, learners will negotiate the attached case study. Solutions they might reach include:

- ✓ Track the new mainland moose and monitor their behaviour and actions
- ✓ Gather additional information such as illness, overall health, genetics, etc.
- ✓ Establish regular gatherings to let all groups discuss the progress and outcomes
- ✓ Establish a co-management agreement that is based on:
 - Shared values
 - Common goals
 - Ways to solve future disagreements