
Enduring Pasts and Denied Presence: Mi'kmaw¹ Challenges to Continued Marginalization in Western Newfoundland

Angela Robinson *Memorial University*

Abstract: Prior to the 1970s much of the anthropological research conducted in Newfoundland and Labrador focused on either Inuit, Innu or Beothuk populations, a fact that can be attributed to the failure of provincial and federal governments to formally recognize the Ktqamkukeweq (Newfoundland) Mi'kmaq. This study documents the ways in which the Newfoundland Mi'kmaq challenge the institutions and practices that serve to assimilate and suppress them. As an anthropology of decolonization, this research supports Aboriginal peoples in resisting colonial projects of assimilation and the dispossession of lands and resources by providing a counter-discourse to settler notions of what constitutes Aboriginal rights and claims to Aboriginality.

Keywords: Aboriginal, Mi'kmaq, Qalipu First Nations, Ktaqamkuk, Newfoundland, identity, assimilation, Aboriginal rights, neocolonialism, decolonization

Résumé : Avant les années 1970, la plupart des recherches anthropologiques menées à Terre-Neuve et au Labrador portaient sur les populations Inuits, Innues, ou Beothuks, un fait qu'on peut attribuer à l'incapacité des gouvernements fédéral et provincial de reconnaître les Mi'kmaqs Ktqamkukeweq de Terre-Neuve. Cette étude documente les manières par lesquelles les Mi'kmaqs de Terre-Neuve affrontent les institutions et les pratiques qui visent à les assimiler et les faire disparaître. Dans le cadre d'une anthropologie de la décolonisation, l'article soutient les peuples autochtones qui résistent aux projets coloniaux d'assimilation, de dépossession de leur territoire et de leurs ressources, et ce, en fournissant un contre-discours aux notions coloniales de ce que constituent les droits Autochtones et les revendications du statut d'Autochtone.

Mots-clés : Autochtones, Mi'kmaqs, Première Nation Qalipu, Ktaqamkuk, Terre-Neuve, identité, assimilation, droits autochtones, néocolonialisme, décolonisation

Tyranny, stupidity and lack of vision have brought about what is now alluded to as the "Indian Problem."
Luther Standing Bear, Sioux, 1933

Introduction

In Canada, the forms of domination and preferred interest that marked colonization continue to affect the lifestyles and lifeways of Aboriginal peoples. This article derives from and responds to the need to approach Aboriginal studies in the context of applied anthropology, particularly as a form of social action focusing on the well-being of Canada's Aboriginal peoples. By foregrounding the negative effects of state policy and by critically examining the cumulative effects of colonial and state control, the centrality and persistence of dominant state discourses are called into question. Here, the struggle of the Ktqamkukeweq (Newfoundland) Mi'kmaq to extricate themselves from a socio-political milieu, birthed in the colonial past and nurtured by the Canadian state, is examined.

At first glance, the formation of Qalipu Mi'kmaq First Nations Band (hereafter Qalipu Band) in September 2011 can be seen as a positive step forward for the majority of Mi'kmaq in Newfoundland and Labrador. However, as a landless band, its formation can also be viewed as a form of state repression within which Qalipu Band self-determination will be eclipsed by the state: under the Qalipu Band agreement, federal agencies will determine social and political orders and all rights to lands and resources are to be forfeited. In addition, the process through which the Qalipu Band was formed can be viewed as inherently flawed, in that approval for status is based on a set of criteria deemed legitimate by state agencies that is challenged by existing Mi'kmaw political organizations, such as the Grand Council and Mi'kmaw Kwilmu'kw Maw-klusuaqn Negotiation Office (MKMNO). In effect, the Newfoundland Mi'kmaq are to be governed by rules and regulations not of their own making and over which they have limited control.

Arguably, while events of the past reveal the power of the state to define, control and forcefully assimilate the Mi'kmaq of Newfoundland, the formation of the Qalipu Band may be seen as another stage of the same process. Rather than viewing its formation as a point of arrival, it may be seen as a point of departure or as a tentative first step in a protracted struggle. Essentially, the true point of arrival will be marked by the validation of Aboriginal lifeways, rights and freedoms as determined by the Newfoundland Mi'kmaq themselves.

Methodology

The information presented here is based on ethnographic research and data drawn from historical documents, media reports, social media sites, archival data and court documents pertaining to the Newfoundland Mi'kmaq. Ethnographic data were collected between 2006 and 2012, during a series of community consultations, private and public meetings, personal interviews and informal conversations, through participant observation and via print and social media sites. I work and reside in the western region of Newfoundland, and, although non-Aboriginal, I am an active member of the Corner Brook Aboriginal Women's Association (CBAWA) and the Newfoundland Aboriginal Women's Network (NAWN), which has allowed for direct and significant personal experience with those seeking Qalipu Band membership.

The ethnographic data informing this study were collected in the western, southwest and northwest regions of island Newfoundland and include general information on Mi'kmaw populations distributed throughout the province and within Eastern Canada. West Coast Newfoundland populations were selected because the majority of Newfoundlander residents claiming Mi'kmaw descent reside in the region, I live in close proximity to the target population and the Qalipu Mi'kmaq First Nations Band office is located in Corner Brook, the largest West Coast centre in Newfoundland.² Of the estimated 103,000-plus applicants for membership in the Qalipu Band, many, possibly the majority, reside outside the province. Non-resident Newfoundland Mi'kmaq, for whom no official figure is available, number in the tens of thousands and, as such, constitute a diverse and widely scattered population not included in this study. In addition, the Mi'kmaq of Miawpukek (Conne River) are not included, as this group obtained status in 1987 under a separate agreement, received self-government in 2013 and negotiated the terms of Miawpukek membership in collaboration with federal agencies and the Mi'kmaw Grand Council.³ Other regions of the province were excluded principally because social and cul-

tural contexts are considerably different from one region to another and require separate study.

Both the phenomenological method, as used and defined by anthropologist Michael Jackson (1996:1–3), and Gerald Sider's (2014:xv) observational methods were employed in the data collection and participant observation components of this research. My observations and their elaboration and expression are very much the culmination of an extended period of living among and acting as a direct witness to the recent experiences of local Mi'kmaq who reside in the western region of Newfoundland.

Ktamkukeweq (Newfoundland) Mi'kmaq in Context

The Mi'kmaq are an Algonquian group of speakers, residing primarily throughout Canada's Maritime provinces, the Gaspé Peninsula (Que.), the island of Newfoundland and regions within the United States, particularly Massachusetts and Maine. According to archaeologist Charles Martijn (1989), in pre-contact times and historically, the Mi'kmaq of Eastern Canada were competent marine travellers who made use of an archipelago of islands and coastal regions throughout the Gulf of St. Lawrence. Mi'kmaw annual seasonal rounds involved extensive travel throughout Mi'kma'ki (traditional territory).⁴ The arrival of Europeans irreversibly changed Mi'kmaw subsistence patterns and created major shifts in their lifeways. For instance, Prince Edward Island and the Magdalen Islands, territories once favoured for hunting and fishing by Mi'kmaq, were claimed by European settlers to exploit the significant resources they offered (Martijn 1989). Written documents, dating from the early 16th and 17th centuries, pertaining to Mi'kmaw presence in Newfoundland attest to Mi'kmaw occupation and use of the region (Marshall 1996:45; Wetzel 1995:132–136; Whitehead 1991:22). The displacement of the Mi'kmaq from their traditional hunting territories is a primary consideration when assessing the impact of European immigration and settlement in Eastern Canada, one that offers a compelling argument for Mi'kmaw claims to Aboriginal rights in Newfoundland. Arguments supporting the rights of Newfoundland Mi'kmaq inform the constitutional claims made by the Federation of Newfoundland Indians (FNI) in 1989 and contribute to the premise of systemic marginalization experienced by the Mi'kmaq imposed by British imperialism and upheld by the Canadian state.

Under both British imperial policy and responsible government, which remained intact in Newfoundland and Labrador until 1949, the presence of the Newfoundland Mi'kmaq was officially ignored (Tanner 1998:238).

However, when the former colony became Canada's tenth province, the denial of a Mi'kmaw presence was taken to an extreme; at that time, the position taken by both federal and provincial representatives presaged the universalism of Trudeau's White Paper (Government of Canada 1969), by claiming all peoples in the province to be one and the same with no substantive provisions being made for its Innu, Inuit, Métis and Mi'kmaw populations (Wetzel 1999). This one-identity-fits-all approach to governance asserted a form of neo-colonialism that ensured continued and, arguably, increased repression of Aboriginal peoples in the province. Quite possibly meant as a political coup, this approach did not work as intended and set in motion a series of events that have yet to be addressed to the satisfaction of the province's Aboriginal populations. The lack of attention to the rights of Aboriginal peoples and the neglect of state institutions to uphold their responsibilities to them are characteristic of countries with racist histories, particularly those where forced assimilation, dispossession and extermination were in evidence and where present-day injustices continue to be tolerated (Keal 2003:165). The Canadian state shares many of these characteristics and continues to hold Indigenous peoples under a form of federal control rendered valid by the application of the Indian Act in 1876, to which all status "Indians" are subject and that may be viewed as a set of terms and conditions upholding the colonial ideologies and practices that reinforce the political, social and economic marginalization of Aboriginal populations. Interestingly, in Canada's Constitution Act (Government of Canada 1982), Part I, Section 25 of the Charter of Rights and Part II, Section 35 of the Rights of the Aboriginal Peoples of Canada clearly establish Aboriginal and Treaty rights as the supreme law of Canada. Although provisions within the Constitution Act supersede the Indian Act, the Government of Canada is delinquent in reconciling the provisions that affirm Aboriginal and Treaty rights (Bird 2011).

For the majority of Newfoundland Mi'kmaq, the Canadian government's Agreement in Principle (AIP) with the FNI in 2007 represents long-awaited acknowledgment of their rights as Aboriginal peoples. The intent of the AIP was to formally recognize Mi'kmaw peoples (and their descendants) who were eligible for status under the Indian Act when the Terms of Union between Canada and the Dominion of Newfoundland was signed in 1949. The AIP set in motion a process to recognize a "new regime" with the formation of a landless band, the Qalipu Mi'kmaq First Nation. Emerging from this process were applications in excess of 103,000 people for potential registration as status Indians under the band.

As noted on the Qalipu Band official website, landless band status ensures funding in support of non-insured medical and dental benefits, post-secondary education and training, band administration and programs to promote business and various other community-based initiatives. However, it does not provide exemption from federal, provincial and municipal taxation (including property, gas, sales and income tax). While realization of the landless band is not an ideal solution for Mi'kmaw registrants, it represents an initial step in addressing a series of historical and present-day injustices. The formation of the Qalipu Band in November 2011 spurred increased activity among Newfoundland-based Mi'kmaq, who are now in the process of reclaiming their identities as First Peoples, revitalizing their heritage and culture and asserting a renewed sense of community. However, while progress is being made in these areas, other areas of conflict and adversity have emerged.

Generally, the formation of the Qalipu Band is a historical milestone that marks the end of an era and the beginning of the so-called new regime that, in terms of justice for the Newfoundland Mi'kmaq, promises much but offers little restitution. Ahead, I outline the direct effects of social, economic, political and cultural marginalization that resulted from state oppression of the Mi'kmaq. In the section following, the political foundations of the FNI, the registration process for claims to "Indian" status and the founding of the Qalipu Band are considered. And the final section discusses the ways in which the formal recognition of Newfoundland Mi'kmaq as status Indians has given rise to personal and collective identity and a renewed sense of community. Here, I also consider some of the challenges that accompany such transformations, notably that, with membership in the Qalipu Band and registration under the Indian Act, new sets of problems are emerging.

Colonialism, State Repression and the Newfoundland Mi'kmaq

Jennifer Reid maintains that, in the case of the Mi'kmaq, throughout Mi'kma'ki the Christianity and civility of British colonials ran counter to what they perceived as the "savagery and heathenism" of the Mi'kmaq: "like the uncultivated land that was without meaning, the Mi'kmaq were regarded as lacking human significance and so were ignored altogether or imagined to be material for further acts of transformation" (1995:98).⁵ Reid's observations characterize the experience of the Newfoundland Mi'kmaq under British and Canadian rule, whereby the Newfoundland Mi'kmaq were subjected to assimilation policies that privileged Eurocentric ideologies and philosophies that forcefully subverted and

radicalized Mi'kmaw traditions and lifeways—policies that culminated in the outright denial of a Mi'kmaw presence in the province (Hanrahan 2003; Lawrence 2003; Robinson 2012). The domination and suppression of the Newfoundland Mi'kmaq have a complex history, one that is not easily reconstructed owing to the fact that the province's early history almost exclusively focused on immigrant populations on the east coast, with scant attention paid to the western, interior and northern regions. For the purposes at hand, more recent Mi'kmaw history and experiences are foregrounded, beginning with 19th-century British colonial rule (1855 and following), Newfoundland's inclusion within the British Dominion (1907–49) and the impact of confederation on the Mi'kmaq.⁶

From the time the British claimed sovereignty over the region, Aboriginal populations were either completely ignored or subjected to severe and effective government oppression. Throughout Canada Aboriginal peoples were forced to bow to the authority of foreign rule through enforced repressive policies and strategies (including warfare), which pushed them to the margins of society, facts to which the political, social and economic marginalization of Aboriginal peoples in Canada stands as testimony. In Newfoundland, the political strategies employed by controlling authorities follow a similar pattern; warfare was a common tactic of domination which precipitated the demise of the Beothuk and, more generally, throughout Mi'kma'ki, resulted in the drastic reduction of Mi'kmaw populations (V. Miller 1982).

During the early phases of colonial expansion, the rights of Aboriginal peoples to traditional resources, including lands, were upheld through treaty negotiations (Keal 2003; Lawrence 2003; J. Miller 2004; Wicken 2004) but no such rights were extended to the Aboriginal peoples of Newfoundland and Labrador. Anthropologist Adrian Tanner argues that, between the late 18th and early 19th centuries, Aboriginal peoples “soon found themselves transformed from independent peoples . . . to refugees in their own land, outnumbered by newcomers and no longer able to support themselves as they had always done” (1998:239). The overarching project to assimilate involved transformative ideas about education, a sedentary agricultural economy and the imposition of beliefs and values that detracted from traditional teachings and socialization processes. David McNab notes that

British Imperial Policy towards the Mi'kmaq nation in Newfoundland by the mid-nineteenth century was a half-way house from the earlier policy of extermination towards a new policy of indifference, neglect and gradual amalgamation. [1995:2]

The writings of Herman Merivale, a British civil servant responsible for the Mi'kmaw nation, reflect prevailing mid-19th-century attitudes about Aboriginal peoples; “natives” were regarded as a lower class like the Irish or the poor in Britain, and British liberals sought to better the material condition of these people by means of the panaceas of education and religion. Their object was humanitarian and their methods were usually paternalistic (McNab 1995:9). Merivale considered the “native question,” or the questions of “civilizing”/assimilating peoples, to be the “greatest moral difficulty of colonization” (McNab 1995:21) and the most significant challenge to European expansion. In effect, the problems raised by the “native question” were intimately connected to other concerns, such as free trade, missionary enterprises, responsible government, commercial enterprise and imperial defence (20). However, Merivale also felt that the difficulties associated with colonization were detrimental to Aboriginal populations and were practically unsolvable.

The hunting tribes that first became known to Europeans were the mere fragments of a great family of the human species, losing, in every successive generation, something of the qualities which had distinguished their predecessors, diminishing in numbers and resources, and on their way to extinction; and there are some who hold the same opinion respecting all the races commonly called savage. [McNab 1995:7]

Accordingly, for the Newfoundland Mi'kmaq, the imposition of British colonial rule radically altered most aspects of their being. As with many Aboriginal peoples, the Newfoundland Mi'kmaq were considered “savage/uncivilized whereas settler populations, particularly the English and Irish, were viewed as civilized” (Bartels and Bartels 2005:253). Moreover, Mi'kmaw affiliations with the French resulted in added discrimination. British colonials were notorious for their ill treatment of the Mi'kmaq throughout Mi'kma'ki, particularly in Nova Scotia, where local Mi'kmaq were noted allies of the French.⁷ For the Mi'kmaq of western Newfoundland, geographic isolation from their mainland counterparts added to a decline in traditional ways. In time, isolation and increased pressure to assimilate resulted in the loss of many aspects of traditional lifeways, including social organization, cultural practices, the use of traditional language and, in many cases, their very identity as Mi'kmaw peoples (Robinson 2012).

Across Canada, colonial and federal policies were guided by the dual fallacies of gradual but progressive assimilation and/or the certain extinction of Aboriginal

populations, neither of which occurred. The short-sightedness of such policies caused and continues to cause extensive and persistent problems for Aboriginal peoples. A rather graphic reminder of the ways in which altering subsistence strategies destabilizes communities can be seen in the instance of present-day Labrador Inuit communities. Recent studies have shown that government policies designed and implemented for relocation have had a detrimental effect on Inuit populations, resulting in lack of meaningful livelihoods, low self-esteem, widespread substance abuse and general social disintegration (Government of Canada 1996; Samson 2003). Although Canadian Aboriginal policies were not imposed on the Newfoundland Mi'kmaq in the 1930s, when success and status became associated with the European class-based system, coercive assimilationist forces resulted in the suppression of personal and social identities, in that ancestral lines, traditions and cultural heritage were publicly and privately subverted. In many cases, they were forgotten or, quite simply, never known. Dorothy Anger notes that Mi'kmaq ancestry was downplayed, "remaining only alive within family circles," principally because it was often accompanied by negative attributes, such as "dirty, thieving or lazy" (Anger 1988:x). One man informed me that his family was locally known as "the savages on the hill" and was targeted as culprits if property was stolen or damaged in the area (personal communication, February 24, 2009).

Local Mi'kmaq were often referred to pejoratively as *jakatars*, a term which has various interpretations (Robinson 2012). Significantly, throughout the Bay St. George, Bay of Islands and Port au Port regions, among non-Aboriginal the term was universally applied to local peoples regardless of their ancestral backgrounds. Historian Gerald Thomas (1977) suggests that, in its original context, "jackotar" was used to refer to French national fisherman who had deserted the fishery to avoid military service and who were attracted to the French Shore because it lacked laws and policing.⁸ While the term is ascribed different meanings by different people, over time it was applied generally, and again pejoratively, to those of French/Indian descent. John Mannion maintains that "some [Mi'kmaq] intermarried with the local Acadians and French and were called Jack A' Tars" (1977:237). However, like their counterparts in Nova Scotia, many Mi'kmaq in the region spoke several languages, predominantly French, English, Mi'kmaq and Gaelic. French was commonly spoken along the western region of the province, particularly in Port au Port and Bay St. George's, as these names suggest. Commonly referred to as the French Treaty Shore, from 1783 to 1904 the French were given exclusive fishing rights to

the area in accordance with the Treaty of Versailles. However, historical evidence also suggests that several Mi'kmaq families in Bay St. George descended from the earliest settlers to the region, predating mass European immigration.⁹ One regional genealogist informed me that distinguishing between the several French populations in the region is a difficult task since "some Mi'kmaq have French ancestry while others do not" (personal communication, July 23, 2009). Hence, many can be more accurately described as French-speaking Mi'kmaq and not French-Mi'kmaq. Tanner and Anger point out that, within local communities, social distinctions between "proper French," the Mi'kmaq and the British were made clear (1995:78). These distinctions were marked by religious backgrounds (Protestant and Catholic) and by community: the communities of Flat Bay, St. Theresa's and Fishells were Catholic and Mi'kmaq, while the neighbouring community of Heatherton was British and Protestant (79).

Tanner and Anger (1995) also maintain that a clear social hierarchy was established between groups in the region, with the British (English speakers) positioned as the local elite, followed by the French, with the Mi'kmaq situated at the bottom of the social scale. This social order was evident in most areas where Mi'kmaq resided, particularly in centres such as Stephenville and Corner Brook, where wage-based jobs were available. For instance, the majority of those interviewed in Stephenville and Stephenville Crossing remarked that during the construction and operation of the Harmond Air Force Base, people of Mi'kmaq descent were discriminated against in the hiring process. I was told by one woman that her father would "never admit to being Indian" because "you would not be hired" (personal communication, July 8, 2008).

One region of Corner Brook, Crow Gulch, was a dilapidated area that housed the city's poorest population. Many Crow Gulch residents were of Mi'kmaq descent, mostly unemployed and, by many accounts, unemployable. Crow Gulch had no electricity, running water, sewage or garbage disposal and consisted of a series of "shacks" built along the sides of an old stone quarry cut through by railway tracks. Crow Gulch overlooked Corner Brook Pulp and Paper Limited, but few of its residents worked there. A resident of nearby Curling told me that "respectable people" never entered Crow Gulch as they did not want to be associated with its residents. Even taxi drivers stayed on the fringes, dropping fares off near the "last street light" at the end of Broadway, a local street bordering Crow Gulch (personal communication, January 18, 2009).¹⁰

Economic Transitions and Transformed Communities

Eric Wolf (1982) notes that the fundamental contradictions between Aboriginal and Western capitalist modes of production and the tensions precipitated by their intersection have deep roots in the process of colonization. Accordingly, recent studies in development anthropology that identify the subordination of receiving, “developing” populations to the interests of the “developer” reveal strikingly similar characteristics to Newfoundland Mi’kmaq experiences during the transition from a subsistence-based to a wage-based economy. As in other regions, colonial and subsequent state governments conveniently denied or ignored Mi’kmaq concepts, beliefs and values to serve dominant interests (Reid 1995:101–102). Across Newfoundland and Labrador, the onset of WWII brought significant economic changes that transformed relative rural independence and autonomy into “unprecedented dependency” (Kennedy 1997:307). For the Mi’kmaq in western Newfoundland, radical economic changes were instituted in the late 1930s when the rise of commercial industry in the region brought a significant demographic shift marked by a “diversity of cultures” (Mannion 1977:243). At the time, populations throughout the Port au Port peninsula and St. George’s Bay were predominantly Catholic, deriving from Acadian, French, Irish, Scottish and Mi’kmaq origins (Mannion 1977:236–243). In a 1995 study, anthropologists Adrian Tanner and Dorothy Anger made the following observations:

Industrial development, white settlement, ecological deprivation and assimilationist acts of government, church and school have undermined and left it [Mi’kmaq society] on the verge of destruction ... [The Newfoundland] Mi’kmaq went from socio-cultural and economic independence, [and were subject to] externally-imposed social and economic change causing cultural loss and demoralization. [1995:12]

Arguably, introduced settler, market-based systems forcefully subverted and radicalized traditional subsistence strategies and lifeways, while simultaneously privileging Eurocentric ideologies and philosophies.¹¹ Unfortunately for the Mi’kmaq, an increased European presence and the rise of industry, coupled with their physical isolation from other Mi’kmaq communities, meant that the Mi’kmaq of western Newfoundland¹² were left with few resources with which to combat the destructive forces that accompanied dispossession and marginalization (Robinson 2012).

Although the Newfoundland Mi’kmaq quickly and selectively adapted to the ever-changing economic and

social conditions imposed by colonizer/settler society, few employment options were available to them.¹³ Key to understanding the situation among the Mi’kmaq of western Newfoundland is the fact that Mi’kmaq forebears and, until recently, their descendants have borne the burden of being labelled Indian without sharing in the rights that accompany status recognition. The effects of outright discrimination, negative labels and stereotyping accompanied systemic social, economic and political marginalization within a class-based system diametrically opposed to accommodating traditional Mi’kmaq lifeways (Reid 1995; Robinson 2005). Along with the rise of industry in the region came the process of dispossession. While displacement typically occurred throughout Mi’kma’ki during the early contact period (McGee 1983; Prins 1996; Reid 1995; Upton 1979), in Newfoundland there was a dispossession by degrees. Notably, the impact of European expansion on Aboriginal populations in Newfoundland involved local and regional Mi’kmaq populations taking on labour-intensive jobs, many of which their non-Aboriginal counterparts rejected. According to the 1921 and 1945 Newfoundland censuses, the Mi’kmaq lived off the land in occupations such as forestry, fishing, coopering, farming, guiding and trapping/“furring.”¹⁴ The 1945 census notes that a small number of Mi’kmaq males were employed by the railway; none, however, claimed employment at U.S. Harmon Air Force Base (HAFB)¹⁵ in Stephenville. In western Newfoundland, it is commonly known that racial profiling greatly influenced whether a person gained employment at HAFB or at the Corner Brook Pulp and Paper Limited (Bartels and Bartels 2005). Anger observes that in Corner Brook, ethnic and social boundaries existed between local Mi’kmaq and Mill workers:

The English and Anglo-Newfoundland executives formed the upper social echelon. Mill workers, office staff and loggers scrambled for their place in the hierarchy ... The “Frenchies,” Micmacs from Bay St. George, did not take part in the paper industry and were marginalized by all other sectors of Corner Brook society. They eked out an existence based on subsistence activities, legal and illegal. Their part of town [Crow Gulch] was avoided by “respectable” people. [Anger 1997:n.page]

Similarly, for the Mi’kmaq in Stephenville, the construction of the HAFB had a transformative effect on local populations; it entailed the loss of community and the forfeiture of farmlands and homesteads which were co-opted in the late 1930s.¹⁶ This precipitated radical changes to the way that many people made a living,

transformed social relations and disrupted the pre-existing community structure. Local residents were no longer self-sufficient: prime agricultural land was lost in the construction of HAFB, and there was less access to wildlife resources as the influx of civilian construction and support/maintenance workers placed additional stress on local resources. Family and other social networks were seriously disrupted owing to the fact that many householders were forced to relocate to other areas, becoming dispersed throughout the bays, miles away from family members. The forced relocation of families physically distanced members of family networks and fractured the community. Tanner and Anger note that "increased white settlement and industrial development meant that Micmac communities became isolated from each other ... [and] destroyed much of Micmac hunting lands. Yet there is almost no recognition of these events in the white historical record" (1995:52).

Local residents were faced with a new set of social challenges, since along with the base came a new wave of immigrants in the form of American servicemen, who quickly established a division between themselves and local residents. One respondent told me that she felt intimidated by the Americans, but soon learned that "we could survive where they all would die in a pile ... but I think they enhanced what the British had already done to us" (personal communication, July 8, 2008). Accordingly, people in the region actively promoted an Anglo-European identity. By most accounts, it was felt that by claiming French or, worse, Indian extraction, you were denied assurance of success in the emerging economy. Another respondent commented that "my father couldn't identify that he was Mi'kmaw ... [He] was told straight out, if you identify as a Mi'kmaw, you will not get a job with the Americans. They will not hire Indians ... So, he never admitted he was Mi'kmaq" (personal communication, June 25, 2011). The HAFB, as one person put it, was "the final blow" for the Mi'kmaq. Although the construction and operation of HAFB from 1941 until 1966 provided economic advantages to the area, for Aboriginal peoples its presence proved to be yet another form of dispossession and marginalization.

Blatant as well as more discrete forms of discrimination persist today. Collected qualitative data obtained through interviews, informal conversations and participant observation reveal two very specific forms of systemic discrimination relating to the registration process: among eligible registrants many were either unaware of their ancestry until recently or they were reluctant to publically acknowledge their ancestral connections. In the first instance, many applicants discovered their Mi'kmaw roots when their relatives were accepted into

local band organizations. One man told me that he accidentally discovered his ancestral roots in a casual conversation in which it was revealed that his cousins were accepted for membership in the Qalipu Band. Until this discovery, he had "absolutely no idea" that his grandmother was a "full-blooded Mi'kmaq" (personal communication, July 10, 2008). Another respondent told me that although her mother knew she was of Mi'kmaw descent, she vehemently denied it. Out of respect, the family did not pursue their Mi'kmaw roots until after her death. However, it was also suggested to me that there are and were varying degrees of discrimination from region to region. For instance, I was told that in Corner Brook it is "generally understood and accepted that, of those born within 'the bay' [Bay of Islands] two generations or more back, the majority have Aboriginal ancestry" (personal communication, August 12, 2010). The respondent added that Mi'kmaw ancestry was so common that it was rarely commented upon and that she perceived no negative associations with being Aboriginal. However, for a respondent from Flat Bay, an acknowledged Mi'kmaw community, there was no escaping an Indian identity or the negative slurs and taunts that went along with such recognition (personal communication, May 12, 2008). The Corner Brook perspective noted earlier is, however, at variance with most of the information gathered recently and conflicts with Anger's commentary on the "Frenchies" from Crow Gulch, who were reviled as an unsavory lot and were economically and socially marginalized within greater Corner Brook society (Robinson 2012). One possible reason for discrepancies between these accounts could be, as Anger notes, that the residents of Crow Gulch, like the "Indians" from Flat Bay and Bay St. George, were economically marginalized, were more visibly "Indian" and were among those Mi'kmaq who did not fare well within a largely industrialized economy (Anger 1997).

Confederation, the Terms of Union and the Newfoundland Mi'kmaq

For the Mi'kmaq, the end of British rule in Newfoundland did not mark the end of suppression, but was arguably the beginning of transformed repression. Confederation, according to John Omohundro (1985), brought swift and radical economic change to Newfoundland and Labrador, changes which could not be accommodated readily by receiving populations. As noted, colonial domination proved to be an almost insurmountable obstacle for Mi'kmaq in the province. Thereafter, Newfoundland and Labrador's entry into confederation served to further marginalize the Mi'kmaq through increased political and economic domination by the Canadian state, whereby

they fell victim to almost complete social and cultural assimilation. While small pockets of the Mi'kmaw population managed to retain aspects of their social and cultural integrity, many were compelled to adopt the ways of mainstream settler society. With assimilation and often seamless incorporation into prevailing society and culture, individual and collective identity as Mi'kmaq was radically obscured, becoming discretely hidden or completely eclipsed. State denial of a Mi'kmaw presence in the province, as encoded in the Terms of Union, is indicative of deeper, broader and more systemic forms of marginalization that serve to deny rights to lands, resources and access to many aspects of Aboriginal birth-right for Mi'kmaq residing outside Miawpukek.

Maura Hanrahan argues that Mi'kmaq omission from the Terms of Union "has had lasting negative repercussions ... in terms of community health, community infrastructure, and land claims" (2003:n.pag.). Ultimately, what emerged out of this omission were deliberate efforts to reinforce continued political impotency and ethnic discrimination supported by Eurocentric interpretations directly pertaining to land and resource rights in Newfoundland. I have argued elsewhere (Robinson 2012) that the Newfoundland Mi'kmaq are victims of a politicized geography since they are seen predominantly as an immigrant population. With the exception of the Beothuk, the only other group accepted as having any legitimate claim to a land base on the island is the Miawpukek Mi'kmaq. The long-held "Mi'kmaq as immigrant" argument is firmly located within the Eurocentric notion that a rightful claim to land is predicated on a *terra nullis*, or "discovery" argument. However, the official position of the federal and provincial governments to assign ownership based on European settlement patterns is itself rooted in a selective interpretation of historical documentation. For instance, Don Downer notes that the Mi'kmaq were the first settlers to arrive in the western region, followed in the late 18th and early 19th centuries by English, Irish, Jerseymen, French and Acadians (1997:17–20). However, this fact is frequently overlooked within the historical and social scientific literature, which focuses on European immigration. An important and related consideration is the fact that documentation pertaining to the immigration of Nova Scotian Mi'kmaq to Newfoundland during the 18th century is not fully contextualized as resulting from the dispossession of lands and physical dislocation, but is most often used to support the immigration perspective which is based on the notion of permanent settlement. From the immigration perspective, the Newfoundland Mi'kmaq are not recognized as First Peoples in the province. This argument appears to be

the basis for their omission from the Terms of Union¹⁷ and is one that gained increasing credibility thereafter.¹⁸ However, according to Mi'kmaq oral history and as previously noted, the Mi'kmaq carried out traditional, seasonal occupation and use of lands along the Gulf of St. Lawrence including many regions throughout island Newfoundland (Martijn 2005). The argument privileging permanent versus seasonal occupation is soundly entrenched in a colonial/settler frame of reference that rejects Mi'kmaw traditions and lifeways.¹⁹ Accordingly, Eurocentric interpretations of land occupancy, use and "ownership," which form the legal basis for the Mi'kmaw dispossession of land, are central to understanding the negative effects of colonizer/settler frameworks of meaning imposed on Aboriginal populations.

A different form of political marginalization is evident in what Dennis Bartels (1987) refers to as the "Micmac Mercenary Myth" (MMM). Taught in public schools until the late 1960s,²⁰ this account of Mi'kmaw presence in Newfoundland suggests that they were introduced to the island by the French during the 18th century to wage war against the then "troublesome" Beothuk. However, such claims have been refuted by several scholars (Bartels 1987; Caddigan 2009; Pastore 1978; Upton 1977) and have been replaced (particularly within scholarship) with a more comprehensive version of Beothuk "extermination," involving a combination of factors, not the least of which was the hunting of Beothuk by European settlers, most notably the newcomer residents of central and northeastern Newfoundland.

While political marginalization by federal and provincial governments led to the historical subversion of the Newfoundland Mi'kmaq, it did not suppress their insistence on formal recognition within the province. As mentioned, Flat Bay, a small community in St. George's Bay, is widely acknowledged as a Mi'kmaw community, with the majority of its residents being recognized as "Indian." With the exception of Miawpukek, Flat Bay has emerged as the locus of a legal challenge to the Canadian state. Flat Bay resident Calvin White, elder and former president of the FNI, was one of the first and most vocal promoters for the recognition of Mi'kmaq in the province. Beginning in the early 1970s and coinciding with the American Indian Movement (AIM), White and others consistently lobbied for status under the Indian Act, claiming that the formal recognition of the Newfoundland Mi'kmaq was long overdue.²¹

The main impetus behind the formation of the FNI was to address issues resulting from Newfoundland's entry into confederation. For the next four decades, the FNI sought redress through formal means and from 2004 to 2011 actively engaged in negotiations with Ottawa to

establish First Nations status for its membership.²² In 1989, the FNI filed court action against the Government of Canada in violation of the Canadian Constitution, claiming that under Section 91(24) the federal government failed to provide the “benefits, entitlements and rights provided to other Indians, and Indian bands” and is, therefore, in violation of its fiduciary obligations under Section 52(4) of the Charter (*ER v. White* [2011]). The resolution of this action resulted in the Agreement in Principle (AIP) signed in November 2007, and in September 2011 the Harper government announced the recognition of the Qalipu Mi’kmaq First Nation as a landless band.

Once set in motion, registration with the Qalipu Band was not to proceed uninterrupted. On February 1, 2010, Calvin White filed a court injunction expressing concerns about the process leading up to the foundation of the band, demanding that all eligible members be registered on the First Founder’s List (Government of Canada 2011).²³ The Plaintiff’s main concern was that a failure to make the initial list would result in the creation of “two classes” of membership, whereby members on the First Member’s List would have rights and privileges denied those added after the formation of the Qalipu Band (Government of Canada 2011).²⁴ White alleged that non-inclusion on the initial list would impact on “a person’s ability to vote or run Band elections, apply for certain jobs offered to Status Indians, partake in benefits and social programs offered by the Department of Indian Affairs and Northern Development and access benefits currently offered by the Federation of Newfoundland Indians” (Government of Canada 2011). In sum, there was the overriding concern that of those eligible for membership in the Qalipu Band, members added after its founding would be relegated to lesser positions within the organization and that political, economic and social discrimination would remain a reality for at least half or possibly the majority of potential registrants. The creation of a two-class membership is reminiscent of the historical separation of the Miawpukek Mi’kmaq and the Federation of Newfoundland Indians in 1983 (Qalipu Mi’kmaq First Nation Band n.d.) and is a situation that White perceived would thrust second-class Indians into a protracted legal struggle that would take years or even decades to settle.

Although the registration process served to address several issues pertaining to Mi’kmaq marginalization in Newfoundland, it also uncovered the continuing negative effects of colonization. While Calvin White’s attempt to create an equal opportunity registration process proved successful for some potential registrants, the inequalities

he anticipated are now becoming evident. Since the burden of proof rests firmly on the shoulders of those wishing to claim Indian status, there are few solutions to the many problems encountered in the registration process. First and foremost, there is the issue of documenting a legitimate claim to Mi’kmaq ancestry. Fortunately, many Mi’kmaq have ready access to church and government documents, archival records and historical proof (oral or otherwise); however, many others do not. The fact that the Mi’kmaq are now required to show incontrovertible proof of ancestry is complicated by the fact that oftentimes the assignment of Indian was not registered in legal documents, particularly census, birth, marriage and death records. Various applicants have related to me reasons for these omissions, which include the failure by church and government officials to register ancestry and attempts by those of Aboriginal descent to avoid the types of discrimination discussed earlier. In addition, many potential registrants claim that lost, misplaced or inaccurate documents often frustrate the process: names changed or misspelled by notaries and clergy cause complications; personal and official documents lost in fires and floods or otherwise destroyed often result in a failure to establish proof or add to financial costs associated with securing other forms of documentation; and many of those who knew the oral history and heritage of a region are either at an advanced age or are deceased. Alternatively, several people have subjected themselves to DNA testing, which alleviates some issues, but there are numerous ethical implications to consider and many people remain suspicious of this procedure.

The problem of literacy and access to administrative supports has proven to be an obstacle as well. In many areas of the province, those who worked in land-based occupations, such as the lumber and fishing industries, often have low literacy skills and require assistance to navigate through and properly complete registration forms. Lack of access to administrative supports prevents some eligible registrants from filing applications. An associated problem for those living in remote and distant locations in the province and elsewhere is a general lack of access to the regional processing centres located in Stephenville, Grand Falls and Corner Brook. In areas throughout the Northern Peninsula, such as Hawke’s Bay, Bartlett’s Harbour and St. Anthony, this particular issue has proven to be a deterrent. In addition, financial costs associated with registration are problematic for some potential registrants. Average costs associated with filing applications range from hundreds to thousands of dollars, depending on the amount

and type of documentation required. Again, in regions where most are pensioners, unemployed or underemployed, out-of-pocket expenses are unaffordable and many people are reluctant to invest funds into a registration process that may prove futile. If travel is required to consult public archives or to retrieve other required documents, either within or outside the province, then additional costs are incurred, which in some cases become formidable obstacles.

Another significant obstacle to full registration is the fact that many of those eligible for membership are/were completely unaware of their ancestry (Robinson 2012). A member of a local Mi'kmaw woman's group informed me that of the "countless people" who had contacted the organization, many had just learned of their ancestry and were seeking a way forward (personal communication, May 15, 2012). She also commented that, in her view, the main factor contributing to this lack of knowledge pertains to the fact that Aboriginal identity and lineages were hidden, owing to fear of discrimination. The degree to which identities were hidden is a common encumbrance met with in the process of reclaiming Mi'kmaw ancestry, heritage and identity. The inherent irony here is that the governments responsible for the suppression of all things Mi'kmaq are now demanding that proof of being Mi'kmaq was miraculously retained over time and can be retrieved upon demand. No doubt many required documents can be provided, but time constraints and missing documentation ensure that injustice and inequality will prevail to some degree.

In addition to the foregoing, the official response of representatives of the broader Mi'kmaw community presents a further complication and a formidable challenge to Qalipu Band formation and the registration process. In more recent years, particularly 2011–2014, the Maritime Mi'kmaw nation at large has become increasingly proactive on the topic of citizenship. In a letter dated October 14, 2013, to United Nations Special Rapporteur on the Rights of Indigenous Peoples James Anaya, the Mi'kmaw Grand Council formally objected to the 2007 AIP (noted earlier) and the formation of the Qalipu Band, stating that the "unilateral federal action" to potentially qualify 100,000-plus members for membership in the Qalipu Band violates "article 33 of the Declaration that affirms the ability of Indigenous people to determine their own identity and membership" (Grand Council of the Micmacs 2013). The letter establishes that the Grand Council reserves

the jurisdiction and rights to create or recognize any individuals as "Mi'kmaq" in accordance with our custom and traditions ... [That] the Grand Council has never been consulted by the federal government or the Qalipu Mi'kmaq, during the creation or negotiation of this band ... [And, although the formation of the band seeks] to remedy historical wrongs of Newfoundland ... their large numbers of new Mi'kmaq is our concern ... These new Qalipu members we simply do not know and do not recognize as Mi'kmaq. [Grand Council of the Micmacs 2013]

Another Nova Scotia-based group, the Mi'kmaw Rights Initiative or Mi'kmaw Kwilmu'kw Maw-klusuaqn Negotiation Office (MKMNO), was established to seek "consensus on the best ways to implement our Aboriginal and treaty rights" (Kwilmu'kw Maw-klusuaqn n.d.). Citizenship is a topic of primary concern for the MKMNO, which focuses on the issue as a "two part question—Who is a Mi'kmaq person and why?" Responses to this inquiry entail the involvement of the Mi'kmaw people in determining the criteria for band inclusion and exclusion. Throughout 2013, MKMNO's Citizenship Officer held meetings in communities throughout Nova Scotia, focusing on the very issue. For both the Grand Council and MKMNO representatives, federal government involvement in matters of citizenship did not go unchallenged. However, such proactive responses do not bode well for potential Qalipu Band registrants, as the criteria for membership were devised by both the FNI and the federal government with no input, either sought or received, from the larger Mi'kmaw community.

The observation that the restoration of Aboriginal cultures and societies is a lengthy and complicated process involving extended periods of resistance and strife is fitting in the Qalipu case (Battiste 2000). However, while often disruptive, such processes and periods are necessary to effect significant change.

Reclaiming Mi'kmaw Ancestry, Heritage and Identity in the 21st Century

Among the positive outcomes emerging from the formation of the Qalipu Band is the renewed pride and interest in all aspects of Mi'kmaw culture and heritage, the rise of various cultural groups throughout Newfoundland and the re-emergence of a strong sense of community. Historically, some Newfoundland Mi'kmaq managed to retain aspects of their culture and heritage; many did not, however. Arguably, at a collective level, the majority of Newfoundland Mi'kmaq residing outside Miawpukek rank among the most westernized/assimilated in Eastern

Canada. Hence, for some, reclaiming, retaining and promoting Mi'kmaw culture and heritage are of primary importance. The reasons behind Mi'kmaw integration into mainstream society, many of which were identified earlier, precipitated the loss of ancestral ties, contributed to the fracturing of community and pre-empted a strong Aboriginal presence in the region (Robinson 2012). However, the registration process and the anticipated formation of the Qalipu Band have helped to promote a sense of community, owing in no small measure to the uncovering of ancestral lines. Rather than limiting the notion of community to fictive kinships (i.e., ethnic concepts of "brothers and sisters"), many Newfoundland Mi'kmaq create community through tracing blood relations and connecting with relatives along one or more ancestral lines. In turn, the formation of a personal and collective sense of Mi'kmaw identity deriving from these connections has given rise to a cultural revival or "awakening," primarily focused on expressions of Aboriginality that uphold strong, personally held beliefs about what it means to be Mi'kmaw and an affirmation of the right of Mi'kmaq peoples to develop and maintain teachings and knowledge pertaining to their Aboriginality (Robinson 2012).

In reference to personal and collective identity among the Newfoundland Mi'kmaq, an interest in many aspects of material and non-material culture is on the rise, including participation in drumming and singing and the production and use of material culture (e.g., drum-making, beading, carving and basket-making workshops), accompanied by heightened interest in teachings on Mi'kmaw spirituality, medicines and culturally specific beliefs and practices (personal observation). For instance, the popularity of the annual Flat Bay powwow, now in its eighth year, indicates a renewed interest in Aboriginal traditions more generally. For many Newfoundland Mi'kmaq powwows are among the most important events in their annual calendar. The communities of Miawpukek and Flat Bay hold powwows on consecutive weekends in early July, strategically organized to encourage participation from outside the province. Ex-patriot Newfoundland Mi'kmaq and representatives from other Canadian and American Aboriginal groups are arriving in increasing numbers to participate in the events.²⁵ Importantly, the construction and maintenance of public and private identities through ritual processes cannot be overstated. I note elsewhere that powwows operate "as a medium through which cultural identity and a sense of community can be reclaimed, maintained and reinforced. In a more particular sense it is a repository for expressing personal identity and celebrating Aboriginal culture through individual and collective ritual

expression" (Robinson 2012:19). For many Newfoundland Mi'kmaq, powwows have become key occasions for teaching, celebrating and reclaiming Aboriginality.

Notably, community-based organizations, such as the St. George's Cultural Circle, the Corner Brook Aboriginal Women's Association and the province-wide Newfoundland Aboriginal Women's Network, have gained ascendancy and are instrumental in promoting an Aboriginal presence in the province (Robinson 2012). In addition to reviving Aboriginal culture and heritage these organizations have contributed significantly to creating a strong sense of community (Robinson 2012). Instituted programs mainly focus on community-based events that encourage participation in traditional teachings and practices. For instance, in addition to powwows, sweats, fasts, pipe ceremonies and talking/healing circles, the community of Flat Bay has developed strategies to revive and celebrate Mi'kmaw identity in the region. In particular, the local film *L'nug Agnutnaqan* [The native's story] and the "Tajike'k Creating Wellness Program" are designed to reinforce traditional beliefs and practices.

While mostly positive, the rise of traditional ways and the call to community also reveal compound social divisions (personal observation). For those Mi'kmaq who recently learned of their ancestry and among those distanced from their culture and heritage, reclaiming a Mi'kmaw identity and the acquisition of traditional knowledge and skills may hold little or no appeal. However, those who take pride in their ancestry and who seek to establish strong cultural identities are often critical of those who do not. For some cultural observers, non-practitioners are viewed as opportunists who remain in denial of who they are. Several respondents intimated to me that such persons are Aboriginals "in name only," who dishonour the memories of their ancestors and who use their lineage for material gain only, not to promote a strong Aboriginal presence on the island. From an academic standpoint, however, value judgments are to be avoided and personal motivations behind claims to Aboriginality bracketed.

Undoubtedly, there are other issues associated with registration for the Qalipu Band, many of which will unfold as the process continues. However, the most current and compelling issue to emerge is the fact that the number of applicants has far exceeded those anticipated by the FNI and by federal agencies. Recently, the Harper government and the FNI devised a set of new criteria for membership under Bill C-25 (Qalipu Act) that will significantly reduce eligibility (Government of Canada 2014). The new set of criteria promises to raise innumerable questions and will continue to pose significant challenges to those seeking membership in the Qalipu Band.

Conclusions

Although the Newfoundland Mi'kmaq have made significant inroads, several areas of concern arise from the struggle to claim rights as Aboriginal peoples. That the processes of reclaiming and reasserting Mi'kmaq ancestry, identity and rights as First Nations peoples has been marked by struggle speaks to the necessity of furthering decolonization processes, by formally recognizing the rights of all Aboriginal peoples to self-determination and by promoting the means and conditions through which such autonomy can be realized. As it stands, Canada's federal agencies place restrictions on Aboriginal populations through the Indian Act, the terms and conditions of which all status "Indians" must comply with. Indeed, with the formal recognition of the Qalipu Band as a landless band the membership will forfeit all claims to lands and resources. From an advocacy perspective, formation of the Qalipu Band ensures that continued supremacy, territorial integrity and the economic opportunism of the settler state will in no way be affected by the agreement, in that the Indian Act offers fewer freedoms for its membership and increases personal and collective controls by the state. Under the Indian Act the state holds complete control of membership status, political processes, economic supports, education and social programs and, with few exceptions, inserts itself into most aspects of Aboriginal peoples' lives. The question as to whether the founding of the Qalipu Band is a Pyrrhic victory must be posed: Have the Ktqamkukeweq Mi'kmaq sacrificed greatly to obtain far too modest gains?

In addition, the issues of citizenship and political autonomy are further complicated by the interests of Mi'kmaq communities represented by the Grand Council and the MKMNO, who, in the interest of seeking treaty rights and obligations, fundamentally challenge the right of the federal government and the FNI to determine criteria for inclusion/exclusion for registration in the Qalipu Band.

Arguably, there is no "new regime" on the horizon that will address the violation of personal and collective rights and freedoms. Although commonly perceived as a victory, the formation of the Qalipu Band can be viewed as a form of defeat that embraces political domination. Essentially, this "new regime" can be viewed as new attire for an old one, wherein few significant changes occur. Consequently, rather than taking the formation of the Qalipu Band as a political *fait accompli*, it is a call to anthropologists to conduct forms of academic surveillance in support of Aboriginal peoples in their struggles against continued inequality, repression and

injustice. A truly "new regime" involves Aboriginal self-determination and autonomy, which, it seems, cannot accommodate the rights of both Qalipu Band members and Mi'kmaq communities more broadly.

Angela Robinson, *Social/Cultural Studies, Grenfell Campus, Memorial University, P.O.Box 2000, Corner Brook, NL, A2H 5G4, Canada. E-mail: arobinson@grenfell.mun.ca*

Notes

- 1 In compliance with the Smith-Francis orthography, the terms *Mi'kmaq* (plu.) and *Mi'kmaq* (sing.) are used throughout this article. The singular form is also used adverbially and adjectively within this orthographic system.
- 2 For instance, 19 out of the 36 pre-Confederation Mi'kmaq communities listed in the qualifications for membership are/were located in the western region of the province, with Corner Brook, Bay of Islands and Port au Port holding significant populations. For details of the AIP and documents associated with the Qalipu Band, refer to the official website: qalipu.ca/qalipus-story/formationof-qalipu.
- 3 The Mi'kmaq Grand Council (or Sante Mawio'mi), the traditional governing body of the Mi'kmaq, consists of appointed members, including the grand chief, grand keptin, putus (wampum keeper) and regional representatives, primarily local keptins and prayer leaders who represent local and regional populations throughout Mi'kmaki. The primary role of the Grand Council is to represent Mi'kmaq spiritual, cultural and political interests.
- 4 The term *Mi'kma'ki* refers to the traditional Mi'kmaq land base—that is, of "usual occupation and use"—throughout New Brunswick, island Newfoundland, Nova Scotia, P.E.I. and a portion of Gaspé, Quebec.
- 5 Reid provides a thorough treatment of the ways in which Europeans subverted Mi'kmaq beliefs, values and lifeways.
- 6 The island of Newfoundland was included in the British Dominion from 1907 to 1949, before which time it was a self-governing British colony. It was granted independence in 1931, but responsible government was relinquished on February 16, 1934, when governance reverted to direct control from London. From 1934 to 1949, a Commission of Government administered Newfoundland, reporting to the Dominions Office in London until it became a province of Canada.
- 7 The majority of Mi'kmaq resided in the western region of the province or the French Shore (1783–1904), a geopolitical area agreed upon in the Treaty of Versailles. However, while most Mi'kmaq were clustered in this region, Mi'kmaq families settled in smaller, more isolated groups throughout the province, particularly the central and eastern regions of Newfoundland.
- 8 In *Turbulent Tides*, Don Downer suggests that "jackatar" is a derivative of Jacques au terre, a term ascribed to the progeny of Mi'kmaq women and the French sailors who jumped ship; the *Dictionary of Newfoundland English* references it as "a Newfoundlander of mixed French and Micmac Indian descent; the speech of such a person. 1857

Lind MS Diary [I] went to see a poor man who has been very ill for 7 months, he & all his family belong to a much despised & neglected race called 'Jack a Tars,' they speak an impure dialect of French & Indian, R.C.'s and of almost lawless habits" (Story et al. 1982:272); Gerald Thomas considers the term "jackotar" to mean a French national "fisherman who had deserted the fishery in order to avoid military service. The few good French elements were those who wintered in the area to watch over the fishing installations" (1977:7).

- 9 In 1667, Captain James Cook reported a "tribe of the Micmack Indians" located in Bay St. George, but made no mention of European occupation. The earliest accounts of European settlement in the region refer to the French, who frequented and settled along the French Shore after 1783.
- 10 Similar to Africville in Halifax, Nova Scotia, Crow Gulch was razed and its residents moved to other areas of the city. Many former residents of Crow Gulch were relocated to social-housing units built in the early 1960s.
- 11 The immigration of Acadian Mi'kmaq to Newfoundland during the mid-19th century was partly in response to increased social and economic pressures experienced throughout Maritime Mi'kma'ki. Historical documents indicate that land dispossession, disease and European encroachment had significantly reduced the Mi'kmaw population (Whitehead 1991; see also Bartels and Janzen 1991).
- 12 For a more thorough treatment of the European domination over the Mi'kmaq, refer to Reid (1995).
- 13 Stephen Marglin suggests that "in the West workers have largely accommodated themselves to the capitalist project of dominating the workplace because Western culture provides neither compelling reasons nor compelling means for workers to resist this project" (McNab 1995).
- 14 While Mannion notes that furring and gaming declined after 1850 (1977:256), adapted game-based occupations remain an important feature of the 21st-century Mi'kmaw economy. In Newfoundland, "a number of local Mi'kmaq are involved in the tradition of guiding/outfitting, specifically in the pursuit of black bear, caribou and moose which have broad appeal in international markets" (Robinson 2012:6-7).
- 15 Many of those interviewed reported experiencing difficulty while tracing their Mi'kmaw ancestry, owing to surnames being changed from the French to their English equivalent—for example, Le Jeune to Young, or Benoit to Bennett. Some respondents claimed that English-speaking priests altered spellings when recording births, deaths and marriages, while others reported that their ancestors purposely changed surnames in order to avoid discrimination and secure better futures for their children. The latter claim, however, cannot be substantiated.
- 16 I collected data on the HAFB for a 2008-09 research project titled "Mi'kmaq Relocation in the Humber River Basin Region of Western Newfoundland at Crow Gulch (Curling) and Stephenville: An Ethnohistorical Perspective."
- 17 Jerry Wetzel argues that during the 1947 negotiation of the Terms of Union, Canadian officials accepted that "the Aboriginal peoples of Newfoundland would come under the jurisdiction of the Canadian Government and the Indian Act. This position was put in writing as an Appendix XI of the Terms of Union and became part of the agreed upon terms for Confederation between Canada and Newfoundland" but that this document was "deliberately hid" by senior Canadian officials, and does not appear in the final document (1999:24).
- 18 Since 1949, the Inuit, Innu and Métis of Labrador, as well as the Miawpukek (Conne River) Mi'kmaq, have gained some federal support and recognition, albeit with restrictions. For details on post-confederate legal processes undertaken by various Aboriginal groups in NL, see Hanrahan (2003). Hanrahan maintains that Mi'kmaq, Innu and Métis have been "unable to participate equally in programs and services aimed at Aboriginal people ... [In addition] the Conne River Mi'kmaq have not been able to catch up to First Nations elsewhere in Canada in terms of land claims and other processes" (2003:217).
- 19 For a more comprehensive treatment of Mi'kmaw lifeways and seasonal occupation, see Martijn (2005); Speck (1922); Upton (1979); and Wicken (2004). One of the earliest accounts is offered by Nicholas Denys in *A Description of the Natural History of the Coasts of North America*, 1908 (1672).
- 20 The MMM appeared in Frances Briffett's *The Story of Newfoundland and Labrador*, published between 1949 and 1964, and was part of the general school curriculum throughout Newfoundland and Labrador.
- 21 The original FNI membership also included Miawpukek; however, political affiliation with the FNI was severed in 1981 when, out of political necessity, Miawpukek leaders opted to establish a separate political entity. Subsequently, the Miawpukek reserve was founded in 1987, becoming the only Aboriginal community in the province "to enjoy the full range of programs afforded other First Nations in Canada" (Hanrahan 2003:268). Although Miawpukek representatives lobbied heavily to have other Mi'kmaw communities included in negotiations, it appears that pressure from the provincial and federal governments forced Miawpukek leaders to relinquish ties with the FNI in exchange for status recognition. In 1984, Miawpukek became the only Aboriginal group in the province "to enjoy the full range of services afforded other First Nations in Canada" (Hanrahan 2003:268).
- 22 The seven original members of the FNI were Benoit's Cove First Nations (now Elmastogoeg), Conne River Band, Corner Brook Indian Band, Flat Bay Indian Band, Gander Bay Indian Band, Glenwood Mi'kmaq First Nation and Port au Port Indian Band, followed by the addition of Exploits Indian Band (now Sple'tk First Nation), St. George's Indian Band and Stephenville/Stephenville Crossing Band (now Indian Head First Nations) in the late 1980s (QMFNB official website, qalipu.ca/qalipus-story/formationof-qalipu).
- 23 Federal Court Document, T-129-89, 2010/09/14, St. John's, NL, 36 pages.
- 24 The initial date was pushed forward from September 2011 to November 2012 in response to concerns about the registration process.
- 25 On my first visit to the Flat Bay powwow in July 2006 the number of participants was significantly less than the estimated 5,000-6,000 attending in the years following.

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