

***Mi'kmawey Mawio'mi: Changing Roles of the Mi'kmaq Grand Council***  
**From the Early Seventeenth Century to the Present**

by

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## Abstract

The *Mi'kmawey Mawio'mi* or Mi'kmaq Grand Council is a spiritual and political body of the Mi'kmaq of the Atlantic provinces. It is an aboriginal construct governing the Mi'kmaq people and remains salient to Mi'kmaq culture and society today. This thesis explores the changing roles of the Grand Council historically from colonization to the implementation of the Indian Act. Today the Grand Council is experiencing a resurgence in its importance to Mi'kmaq national identity and distinctiveness. As the Mi'kmaq move toward self-government, the nature of the Council is pivotal to understanding the construction of Mi'kmaq political, spiritual, and social identity. How the Mi'kmaq negotiate their public identity and presence is analysed through a theoretical framework of identity formation and invented tradition. The Council is a fluid and dynamic structure which is constantly enduring the pressures of authentication. The Grand Council is confronted with new political and spiritual roles and responsibilities. It is in a transformative process allowing for a diversity of interpretations of those roles as the Mi'kmaq people strive to create an identity best suited to their needs.

## **List of Abbreviations**

**UNSI - Union of Nova Scotia Indians**

**UN - United Nations**

**NCNS - Native Council of Nova Scotia**

**RG - Record Group**

**JR - Jesuit Relations and Allied Documents published by Thwaites**

**CO - Colonial Office Files**

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## **Introduction**

The Mi'kmaq Grand Council is the political and spiritual organization of the Mi'kmaq people of the Maritime provinces. Evidence suggests that the Grand Council is an aboriginal construct, predating contact with European missionaries, traders, explorers, settlers, and the earliest fishers. Early seventeenth century sources hint at the power and importance of the Mi'kmaq Grand Council; however, its political power diminished in the eighteenth century as Europeans colonized Mi'kmaq territory. The Grand Council all but disappeared from European view in the nineteenth and early twentieth centuries.

Although many sources mention or discuss briefly the Mi'kmaq Grand Council, there is no cohesive account of it. Despite European attempts at acculturation and assimilation, the Council has demonstrated resilience through the centuries and it remains a very important part of Mi'kmaq history, culture, and identity. As such, it is deserving of study.

As the Mi'kmaq take steps toward self-government and autonomy, the nature of the Grand Council is becoming more important. It is pivotal to understanding the construction of Mi'kmaq political, spiritual and social identity, both inside and outside Mi'kmaq society. Native peoples have long been forced to claim and continually negotiate their public identity and presence, a process creating ongoing internal and external struggles. Many instances exist of complex struggles over symbols and traditions utilized by the Grand Council in their day-to-day activities within Mi'kmaq society, and in their dealings with non-Native communities. What is chosen, what is discarded, who chooses, who does not, how this is done, are all of significance in the creative process of

identity formation and the cultural expression of the Mi'kmaq. These processes may be understood, in part, by examining the roles of the Grand Council in Mi'kmaq culture history and by examining how those roles shift to satisfy needs at the local community level and at the national level.

The primary research question of this thesis is to determine what the roles of the Mi'kmaq Grand Council are today, and whether these roles have changed from the early seventeenth century to the present. In order to do this, the research will describe and contrast the Grand Council as it existed and functioned in the early seventeenth century and today. This thesis will identify and analyse changes that have occurred in the organization and functions of the Grand Council through time, paying particular attention to the social, political and spiritual roles. The roles the Grand Council plays in Native and non-Native identity of Mi'kmaq people will be examined. The thesis will also explore processes employed by the Grand Council that have enabled its survival through five hundred years of contact with the dominant European culture. Finally, future roles of the Grad Council will be considered.

### **Theoretical Framework**

Ethnography in most cases is considered to be an account of the concrete conditions of everyday life in a certain place and at a certain time. Due to the importance of ethnography to the field of anthropology, people who do ethnography are concerned with providing accurate depictions or representations of those they study; however, ethnographies do much more than merely describe people in a particular time and space.

They explore and examine the social relations, the development and redevelopment of culture and cultural practices, both within the community studied and within the larger global system. The people studied must also be situated in a historical context.

Theoretical social analysis may be conducted in a variety of ways in an ethnographic format.

The central focus of this ethnographic project is the changing role(s) of the Mi'kmaq Grand Council. In order to identify what the Grand Council was in the past and what it is today, the Council must be placed in as accurate a historical perspective as possible. Placing the analysis in a historical perspective will make it possible to analyse the role of the Mi'kmaq Grand Council in identity formation of the Mi'kmaq society and culture through time, and why changes, if any, have taken place. Three concepts central to this process are historical analysis, identity formation, and the invention and revival of culture and tradition.

During the classical period of anthropology, it was assumed that traditional societies did not change, that they could be studied with complete objectivity through methods of codification and classification, and the creation of general laws to explain cultural traits. The discipline's dominant objectivist view held that social life was fixed, constraining, and static. Culture had a pattern, society was a system and anything that did not seem to fit the pattern or system was considered unanalysable (Rosaldo 1993:32).

Today, theoretical trends have developed away from compartmentalization of restrictive categories, and the subjectivity of the researcher and participants has been validated. The heterogeneity of individuals studied, their diverse expressions of culture,



and their interpretations of their position in that culture are no longer marginalized; rather, they are valorized. Expressions of diversity are necessary to understand the subjective experience of individuals studied and may be accomplished, in part, by relating the historical experience of individuals and their culture history.

The concept of culture is complex, and one not easily defined, nor is it easy to avoid reification of the concept. Culture is not static; rather, it is fluid and ever changing. The essence of culture is the form and manner in which people perceive, define, articulate, and express their mutual relations (Sider 1986:120). Culture is defined and made up of the social institutions in which it is situated. What is experienced as culture depends on the interconnectedness within and between material, social and psychological and emotional self and the expressions of those relations. Cultural learning is dependent on the capacity to use symbols (Geertz 1973).

The symbols through which culture is conveyed are verbal and nonverbal, that arbitrarily and by convention stand for something other than the natural or necessary connection of it. What symbols mean is sought through the supposition that “they are tangible formulations of notion, abstraction from experience fixed in perceptible forms, concrete embodiment of ideas, attitudes, judgements, longings and beliefs (Geertz 1973:91). Symbolic meaning(s) are publicly acknowledged in ceremony and ritual, and informally in language, stories, and everyday ritual interaction. It is through this public domain that beliefs regarding tradition and ideas are connected to symbols. In this study, the symbols employed by Mi’kmaq society to identify the Grand Council will be examined historically.

Cultural symbols are not homogeneously learned, experienced, and understood by every member in any particular culture, or by those studying that culture. Out of diverse experience, diverse information emerges. Socio-economic, political, and symbolic factors differentiate and express the social differentiations found within and between cultures. Such differentiation of learning, experience and understanding is found in cultural settings where there are structured forms of inequality and social relations of domination, subjugation and subordination. These relations are entrenched within and reproduced through culture and culture processes. Cultural symbols and meaning characterize the attributes specific to the dominant, the subordinated, and their relations to each other; they will be explored in the context of identity formation within the changing roles of the Grand Council in Mi'kmaq society.

Gerald Sider in his work *Lumbee Indian Histories*, suggests a strategy that defines culture in a way useful to the development of a framework for exploring identity formation as it celebrates the diversity of cultural expression:

The notion of culture as “shared values” should not be taken to be a simple fact of social life; rather, it delineates a terrain of necessary struggle. Just as the notion of class is historically meaningless unless it is understood to point toward processes of struggle and change, so also the notion of culture, of shared values, must be understood to be about who is going to share what sorts of values, in what ways, why, and with what effects...We must call into question the anthropological notion of culture as “shared values.” This concept is simplistic, for people must - just in their ordinary lives and not as an explicitly “political” act - struggle against and learn not to share some of the values of the dominant society and of each other. Further, the notion of culture as shared values implicitly takes the point of view of the powerful and particularly of the state, which operate both on this assumption and toward this end. We should thus pay more attention to culture both as an arena of struggle not just between but within the ethnic groups and classes, and as a wholly integral part of other transformative projects (Sider 1993:285-287).

Sider's framework helps bring to light the diversity of struggles the dominated experience as they try to resist that domination. His theory also exemplifies the fluidity of culture and cultural practices, useful here because the Mi'kmaq do not exist isolated from other cultures and societies. Mi'kmaq society has experienced the pressures and negative consequences of unjust domination. How the Grand Council has responded to that and the role they play in the struggle to overcome oppression will be analysed by exploring the tensions and antagonisms that develop as part of the creative process of identity construction of the Mi'kmaq and their perceptions of the Grand Council.

Celia Haig-Brown in *Power and Contradiction in First Nations Adult Education*, agrees with the notion of culture as being dynamic and of individual conception of culture as being diverse but identifiable to a group through their shared experiences.

Differences, dynamism, struggle, and accompanying change must be explicitly recognized as integral to culture. Culture is not a static notion but is socially constructed in people's interactions, both historically and contemporarily. It is important to assert not what culture is but what it does. Culture serves as a medium through which individual human minds interact with one another in communication...It is a dynamic field within and through which individuals make contact with one another. It lies as it were, between people and is shared by them (Haig-Brown 1995:18).

For the purpose of this thesis, the concept of culture will be taken to mean a total way of life that is expressed, perceived, defined and articulated through reciprocal relations of those individuals who define and express those relations. Cultural processes are those dynamic processes that reproduce and shape relations of interconnectedness with both material and symbolic expressions of cultural identity. In this case, the

Mi'kmaq culture is understood to be distinct from the surrounding European-Canadian cultures and that the processes that define that distinctness also shape and reproduce variations within those cultures and the signifiers of cultural identity. What cultural symbols are appropriated, articulated and struggled over through time by the Mi'kmaq Grand Council will be the location of identity formation analysis.

The concept of identity formation will be the basis of analysis in this thesis utilizing the above conceptualization of culture. One aspect of Native identity formation significant to research is the role of history (Dickason 1993; Povinelli 1993; Sider 1986, 1993; Trigger 1985). A central component of Sider's work is exploring how Native people produce and reproduce their own history in opposition to imposed histories, and for what ends. He examines the tensions and antagonisms that arise as different people accept and reject various aspects of what it means to be Native historically. Sider also demonstrates how these tensions and antagonisms, while rooted in the past, have importance to the present and future constructions of Native identity (Sider 1993). In order to understand the present social, political, economic, and cultural situations of the Mi'kmaq, one must look to historical processes, to how their histories are imbued in the social realities of daily life, and how those historical symbols are contested in their formation of Mi'kmaq identity.

How the Mi'kmaq have been able to resist assimilation or complete genocide, how some Mi'kmaq people gain agency and how they respond in minority-majority social relations, may be explored through an analysis of identity formation theory. One strategy of survival, according to Gerald Sider, is that "vulnerable ethnic peoples are

constantly forced to learn and relearn how to situate themselves historically across, rather than impossibly against, the breaks that power imposes” (Sider 1993:284). This suggests that identity formation may be seen as the locus of Native struggle. Much of Native struggle is against the identity imposed upon them by the dominant society. Identity is not simply a matter of ideas and values, but is reflected in the material conditions of everyday reality such as: housing, health, land claims, economic sustainability, political and judicial autonomy, freedom in religious and spiritual practices, language, and education.

Identity formation or ethnic group formation must be fluid due to the constant pressures imposed upon it. Native groups are constantly forced to redefine who they are. By reaching into their own histories rather than those histories imposed upon them, and by focusing on those symbols which can be used to represent positive aspects of Native identity from which they can gather strength and pride, ethnic group formation becomes solidification or nation building. These identities are often in opposition to the larger society’s views and stereotypes.

Identity has become a key word in contemporary politics. Like any other key word, it bears not one unitary meaning but a range of competing definitions and uses as different actors invest different meanings in one and the same sign. Identity is a contested concept. Identities are contested both within Native cultures and between Native cultures and the dominant society. As Hedican illustrates:

The processes that create divisions among Aboriginal people are mechanisms that tend to undermine their political identity because they bring into question their very right to exist as a people with special status, or citizens plus within Canada.

As a consequence Native people are under continual pressure to reaffirm their identity in order to maintain their sociopolitical integrity in the face of pressures that are apt to dissolve it (Hedican 1995:212).

Within the Mi'kmaq culture and their struggle with forming an identity that will best suit their needs and enable collective improvement of conditions, Mi'kmaq people must overcome the negative identities imposed by dominant society. "The issue for many resolves around reaffirming a cultural identity imbued with positive attributes. It also involves counteracting the divisive effects of various ethnostatus distinctions that have been imposed upon them by the social, legal, and political institutions of the larger society" (Hedican 1995:217).

John Fiske's theoretical inquiry of identity formation proposes exploring the culture of everyday life within subordinated social formation. For Fiske, the material, symbolic, and historical experiences are not separate categories but interactive lines of force whose operations structure the macro social order, the practices of those who inhabit different positions and moments of it. By distancing ourselves from the construction of these interactive forces, Fiske argues, we create generalizations that are detached and idealized and therefore do not reflect everyday realities of the subjects studied (Fiske 1992:157).

The practices of everyday life within and against the determinate conditions of the social order construct the identities of difference of the social actors amongst various formations of the subaltern. Theories of subjectivity stress the top-down construction of social identity or social consciousness. Fiske wants to develop a cultural theory that can both account for and validate popular social difference, for it is in these differences that

we find what people bring to the social order. According to Fiske:

Popular difference exceeds the difference required by the white patriarchal capitalism. They are bottom up differences which are socially and historically specific, so they cannot be explained by psychologically based theories of individual difference, nor by idealist visions of free will. Popular differences are not the product of biological individualism nor of any ultimate freedom of the human spirit. The embodied, concrete, context-specific culture of everyday life is the terrain in which these difference are practised, and the practice is not just a performance of difference, but producer of it (Fiske 1992:161).

In addition to Fiske's theoretical inquiry, the concept of identity formation as suggested by Kobena Mercer is useful in this research. For Mercer, "the challenge is to go beyond the atomistic and essentialist logic of identity politics in which differences are dealt with only one at a time and which therefore ignore the conflicts and contradictions that arise in the relations within and between various movements, agents, and actors in contemporary forms of democratic antagonism" (Mercer 1992:425).

One method of analysis of the struggles and contests involved in identity formation that will be used in this thesis is derived from Mercer's notion of symbols and the importance they have as signifiers of identity, particularly as individuals and groups vie for appropriate and positive self-definition. In the case of the Mi'kmaq, it is in part the struggle for recognition of their distinctiveness and inherent rights and the creation of appropriate definitions of what it means to be Mi'kmaq in which identity formation processes may be located. Mercer states:

We inhabit a discursive universe with a finite number of symbolic resources which can nevertheless be appropriated and articulated into a potentially infinite number of representations. Identities and differences are constructed out of a common stock of signs, and it is through the combination and substitution of these shared elements that antagonism becomes representable as such (Mercer 1992:427).

By locating the symbols that the Mi'kmaq Grand Council accepts and rejects as symbolic of Mi'kmaq identity, we can trace the formation of that identity. By exploring people's conceptualizations and perceptions of the Grand Council, we can see how they validate or invalidate the symbols that represent the Mi'kmaq cultural identity.

Mercer stresses the need for valorization of difference. To deny difference denies the historical presence of varieties of peoples and reduces the opportunities for counter-hegemonic action. Denial creates huge voids in social analysis and the process of selective erasure and active forgetting only serves to perpetuate relations of domination and subordination (Mercer 1992). Thus, this study will present different interpretations individuals have of the roles of the Grand Council in Mi'kmaq society.

Mercer goes on in his analysis of identity to indicate that "identities are not found but made...that they have to be culturally and politically constructed through political antagonism and cultural struggle" (Mercer 1992:427). Different actors appropriate and articulate different meanings out of the same system of signs. The meanings of the signs are not fixed but are "constantly subject to antagonistic efforts of articulation as different subjects seek to hegemonize discourses which support their versions of each signified over alternative versions proposed by their adversaries and opponents" (Mercer 1992:426).

Fiske, Hedican, Mercer and Sider locate identity formation in analyses of resistance or struggle. In the case of the Mi'kmaq, identity formation may also be located in the arena of resistance, particularly as they take steps toward self-government in which they must define what it means to be Mi'kmaq. Identity issues also play a leading role in



legislation, particularly in land claim settlements and treaty based rights and freedoms. In this area of identity formation, the Mi'kmaq resist externally imposed identities by constructing identities better suited to their political, social, spiritual and economic needs, that are also historically specific. What role the Grand Council plays in this ongoing creative process will be the major thrust of this thesis. The effects of imposed identities, dominant ideologies and relations of power can be explored by examining the signs and symbols articulated and rearticulated, the ambiguity of their meanings, in social processes of resistance.

Serious and controversial identity issues are both internal and external. The Mi'kmaq have been forced to claim and to continually negotiate their public identity, a process which creates ongoing internal struggles. In order to understand identity formation in this context, the communicative events in which the constraints to cultural creativity are subject must be acknowledged.

The historical career of any ethnic group is characteristically punctuated by breaks, by sudden and fundamental changes, and by rapid shifts in the direction and momentum of change. The social, legal, economic, and political status and situation of an ethnic people, their internal political organization, the content of their ethnic culture, their connectedness to the dominant society - all these factors and more are always and necessarily fluid (Sider 1993:8).

Tord Larsen's work *Negotiating Mi'kmaq Identity* examines identity formation in a theoretical framework similar to Sider, Mercer, Hedican and Fiske. Larsen explored techniques of symbolism by means of which the Mi'kmaq manage to transform, recontextualize and reinterpret known facts and events in order to understand how cultural edifices are constructed and maintained (Larsen 1983). Larsen found:

The counter-definitions and counter-symbols developed by the Mi'kmaq do not seem to be relegated to the private sphere. Rather, they are directed towards the encompassing society. Their purpose is to generate consequences for relations between Indians and whites, not to exist simply as an abstract world view, divorced from practical politics. The Mi'kmaq do turn inward when they build their own educational institutions, reactivate forgotten forms of sociability and emphasize the importance of learning the native language, but the main thrust of their ideological offensive is geared towards redefining Indian/white relations. And the rationale for this redefinition is found in historical events and present realities (Larsen 1983:43).

By examining identity formation within the history of the Grand Council and by contrasting its present day constructions, we can begin to understand some of the strategies employed in the struggle for survival and independence in Mi'kmaq culture and society. This will enable a more accurate and appropriate understanding of Mi'kmaq experiences and conditions through an analysis of the primary spiritual and political organization, the Grand Council. One further aspect of identity formation to be explored within this context is the concept of invented tradition. This concept fits well into the theoretical framework in which the changing roles of the Mi'kmaq Grand Council will be analysed as it is interrelated to the concepts of culture, history, and identity formation as outlined above.

Invented tradition is taken to mean a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with a suitable historical past (Hobsbawm 1992:1).

Invented traditions indicate a process of transformation. In this analysis of the changing roles of the Grand Council, it will be useful to explore invented traditions that are constructed and formally instituted by the Council. Whether these are socialized into

the belief systems of the Mi'kmaq, and how they affect identity formation processes among the Mi'kmaq nation will be considered.

Furthermore, in order to understand the processes of culture change in Mi'kmaq society and in particular the roles of the Grand Council, it is important to examine how notions of tradition are taken from history and reformulated to suit present and future needs. The processes of how the Mi'kmaq transform their identity will be explored by examining the internal workings of the Grand Council and their external relations with their nation and the larger society as they respond to events affecting their identity.

Gerald Alfred suggests:

External factors play a key role in the transformation of identity and the process of goal formation, but they operate only intermittently as shocks or stimuli to a largely endogenous process in which history and reality are constantly reinterpreted by internal actors. At different times in the process, the relative importance of exogenous and endogenous factors fluctuates, but the overall character of the process remains mostly internally driven (Alfred 1995:22).

By examining both the internal and external forces that act as impetus for change, we can learn the strategies employed by the Grand Council that have enabled it to remain salient to Mi'kmaq culture both spiritually and politically for over five hundred years. The perspectives presented here will represent a variety of views from the Mi'kmaq community as well as those of researchers. Taking together Alfred's ideas on identity and Hobsbawm's ideas of invented traditions, we may explore how the Grand Council sustains legitimacy as a historical and contemporary tradition that is continuously shaped against the ruptures that the larger society imposes on Mi'kmaq society.

Today as the Mi'kmaq struggle to gain autonomy, self determination, and

recognition of their distinct society, they are constantly forced to negotiate their identity. From spiritual to political to the economic situations, traditional Mi'kmaq customs, values and beliefs are revived as well as invented in order to effect better social conditions. The Mi'kmaq Grand Council as a traditional governing and spiritual body plays a significant role in this identity formation. In order to provide an analysis of culture change in Mi'kmaq society, history, identity formation and invention of tradition must all be considered integrally in order that an accurate ethnographic study of the Mi'kmaq Grand Council may be made.

### **Methodology**

In order to provide a detailed description of the organization and activities of the Mi'kmaq Grand Council in historical times, an ethnohistorical approach has been used to gather data from primary and secondary archival and ethnographic sources. These works have been reviewed for information on Mi'kmaq political structures and associated issues so that we may reconstruct the Grand Council as it existed and changed from the seventeenth century to the present.

The Mi'kmaq relied on oral tradition; therefore, there are no written Mi'kmaq accounts describing their ways of life and the roles of the Grand Council prior to first contact with Europeans.<sup>1</sup> Early fishers such as the Basque left no written records of their

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<sup>1</sup> There is a system of Mi'kmaq hieroglyphs; however, there is a debate over whether or not hieroglyphs served as a writing system prior to contact. Several research participants suggested they were used for a variety of reasons prior to contact. Missionaries first saw the Mi'kmaq use hieroglyphic symbols during the

trading with Mi'kmaq. During the contact and post-contact period, missionaries, explorers, settlers and traders made records of their contact with the Mi'kmaq. These records are from a European, male, and often religious perspective, and as such, have certain biases.

Early literature regarding the history of Native groups in Canada tended to focus on situations of conflict, battle, violence and defeat. These early histories of Native people discussed the 'savagery,' the 'childlike ignorance,' as well as the dependence on Europeans for salvation from their "pagan" ways. Much of the historical record regarding Native peoples, written by non-Natives, tended to valorize European concepts rather than forms of knowledge of Aboriginal peoples. Canadian history has often been portrayed as the European discovery of a great, uninhabited, unexploited land where Native peoples were seen largely as a hindrance and inconvenience to its development (Dickason, 1993; Trigger, 1985).

Until recently, historical perspectives have largely distorted or ignored Native roles and Native cultural organization and complexity. Native groups were often depicted as homogeneous, inferior, primitive, unchanging and vanishing. These depictions have contributed to negative stereotypes, subordination, and marginalization of Native groups since the time of first contact to the present. In order to combat inaccurate representations of Native peoples, historians and anthropologists such as Dickason, Hickerson, Sider and Trigger stress the importance of recognizing biases of early writers of Canadian history

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1600's and appropriated them to develop a communication system with which to teach the Mi'kmaq Catholic catechism.

and how those biases contribute to the present day identity of Native peoples:

The view that native people have played more than an insignificant role in shaping the national history of Canada must be entertained if scholars are to overcome their own heritage of racism and ethnic bias. A more objective understanding cannot be achieved simply by inverting old prejudices but must be based on detailed insights into the social, political, and economic relations, as well as the differing cultural values, that governed the reciprocal interactions between specific groups of native people and European settlers. Such studies will almost certainly provide the basis for a more complete and objective understanding of Canada's historical development (Trigger 1985:49).

Taking into account possible biases, mistakes, and incomplete data, writings of seventeenth century missionaries, explorers, and settlers have been reviewed in this study. Contrary to many reports, Mi'kmaq socio-political structure seems to have been the most complex of any known nonagricultural group in the Northeast (Hoffman 1955: 705).

In addition to archival and library sources, fieldwork and interviewing have provided important information. For this thesis, eighteen semi-structured, taped interviews were conducted with people in the Mi'kmaq community having special knowledge of the Grand Council. The research participants do not represent a random sample; they are an elite group including present and past members of the council as well as other individuals closely associated with it. The interview process involved asking open ended questions about the organization, activities, and functions of the Grand Council. Questions were also asked regarding changes over time, personal views and perspectives of the Grand Council in its past, present and future roles. The purpose of the project was explained, and all participants signed consent forms and agreed to be identified in this document. The variety of consultants ensured that different perspectives were represented and that the conscious, creative process of what is important for the

Mi'kmaq in terms of the political and spiritual organization of the Grand Council might be recorded.

As with most research involving recollections of the past by people who were not there, how knowledge is transferred becomes an issue. Some of the well informed participants in this research gained their knowledge of former Mi'kmaq life ways from reading historical and anthropological documents. Other participants' information was passed down through oral traditions. Thus, some data collected reflects the views of historians and anthropologists rather than truly Mi'kmaq perceptions and others do not.

Additional information on the Mi'kmaq Grand Council was collected through participant observation in events such as Mi'kmaq Treaty Day and Saint Ann's Mission at Chapel Island over the past five years. Other events such as powwows, General Assembly meetings of the Union of Nova Scotia Indians and the Native Council of Nova Scotia, marriages, baptisms, funerals and other rituals and ceremonies in which members of the Grand Council participated in an official capacity, were also attended by the researcher.

Taken together, these data sources have been used to identify the past, present and possible future roles of the Mi'kmaq Grand Council. It is important that the Mi'kmaq people be given a voice in their own history and that this thesis provide an accurate account of the Grand Council's roles and activities according to the Mi'kmaq people.

Chapter One of this thesis provides a general description of Mi'kmaq life ways prior to and at the time of early contact, including information on the roles and activities of the Grand Council during that time. Chapter Two explores the effects of early

European contact and events that began to change the Grand Council, particularly Mi'kmaq conversion to Christianity. Chapter Three discusses the decline of Mi'kmaq society and the effects of continuous contact with Europeans on the political, social and spiritual roles of the Grand Council. Chapter Four examines the Grand Council in the twentieth century. Chapter Five discusses and analyses present Mi'kmaq interpretations of the Grand Council and the role it plays in the creation and maintenance of Mi'kmaq identity. Conclusions are presented in Chapter Six.



## **Chapter One: Mi'kmaq Life ways at Early Contact**

### **Traditional Times**

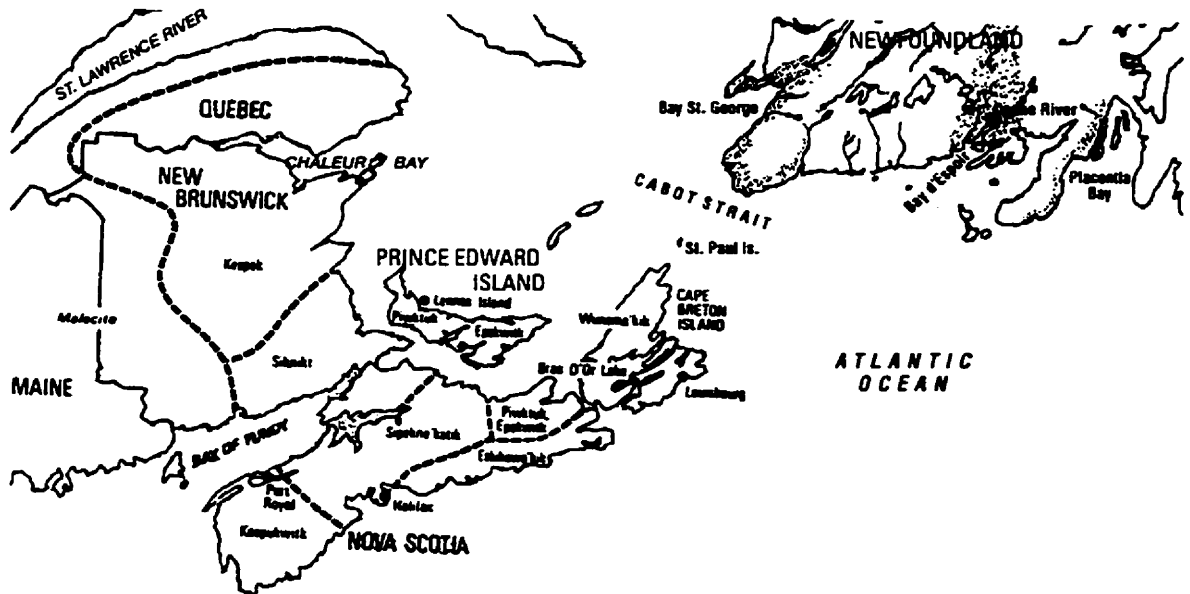
Traditional Mi'kmaq territory includes most of what is now the Atlantic provinces. It stretches from southern and western Newfoundland to Prince Edward Island, from the Gaspé Peninsula of Quebec to New Brunswick and all of Nova Scotia. Hence, the Mi'kmaq were largely a maritime group [Map One]. It is believed that the Mi'kmaq have occupied most of this territory for a very long time. Archaeological investigations in Nova Scotia found artifacts that date within the Woodland Period indicating the Mi'kmaq have been in the area for at least two thousand years (Nash 1986:25). The Mi'kmaq are part of the Algonquian language family who migrated from the Great Lakes area to the east coast of what is now Canada (Miller 1995: 348). Culturally they are considered to be of the Eastern Woodlands. They were semi-nomadic (Miller 1995; Tuck 1984).

### **Population**

Although there is no way to determine the exact pre-contact size of the Mi'kmaq population, there have been many estimates made ranging from three thousand to seventy-five thousand. Early estimates made by the Jesuit priests, are now considered to be too low. Anthropologist V.P. Miller has reviewed the available evidence and has arrived at an aboriginal Mi'kmaq population of somewhere between thirty-five thousand and seventy thousand (Miller 1976; 1982).

These higher population figures would correspond with the high levels of social and political complexity experienced by aboriginal Mi'kmaq. "What is certain is that the Mi'kmaq are more complex than their subarctic neighbours the Montagnais, Algonkian,

Map One: Traditional Mi'kmaq Territory



Source: Miller 1995: 350.

Cree, and Naskapi. The complexity is manifested for example in the system of traditional political districts in the Maritimes” (Nash 1986: 3).

### Abundance of Food

Life in Mi'kmaq territory before the arrival of the first Europeans revolved around hunting, gathering and fishing, and trading and warring with other aboriginal nations. Food supplies were abundant and diverse. Relatively stable food supplies permit greater populations and may result in the development of more complex cultures than among inland hunting and gathering groups at corresponding latitudes (Miller 1982).

The Mi'kmaq were well adapted to their habitats. Aboriginal Mi'kmaqs practised a seasonal round and they were dependent on the sea for as much as ninety percent of their diet (Hoffman 1955). The following passage describes a possible version of the Mi'kmaq seasonal round:

The people moved with the seasons in a regular cycle. Small bands frequented the coast in January for smelt, tom cod, seals, and walrus. Slightly larger groups spent the critical months of February and March inland, hunting for game: beaver, moose, bear. By the end of March the people were moving back to the coasts to congregate in villages where they lived from April to October taking fish, shellfish, lobster, crabs, and eels in season and intercepting the spring and autumn migrations of wildfowl. From July to September their diet was supplemented by berries, nuts, and roots. As October approached, the villages began to break up as the people retired inland in smaller units to hunt, take fish from the rivers, and catch the occasional wildfowl. In January the Micmacs returned downstream to start the annual cycle again (Hoffman 1955).

The Mi'kmaq were healthy people with balanced diets. Prior to sustained contact they lived long, prosperous lives, “They liv'd without Care & never ate neither Salt nor Spice, drinking but good Soup, very fatt. This it was which made them Live so long & multiply much” (Denys 1993: 12).

### Pre-contact Technologies

The Mi'kmaq had complex and diversified manufacturing techniques prior to European contact; their art works, tools and other implements attest to this, as supported by archaeological evidence (Nash 1986). They were skilled fishers and very adept at harvesting shell fish. Fish were taken by hook and line, harpoon, or in weirs and traps. Beginning in late winter when the ice began to break up, the Mi'kmaq moved to bays and river mouths where experience and intimate knowledge of the environment prepared them for fish harvesting. When autumn arrived, "they began laying in a supply of eels in September to prepare for the hard days ahead" (Tuck 1984: 73).

Further evidence of Mi'kmaq technological expertise was demonstrated in their use of all parts of the catch:

In the centuries before the arrival of the first Europeans, the Micmac people had mastered techniques which enabled them to manufacture the necessities of life from animal bone, ivory, teeth, claws, shells, quills, hair and feathers, fur and leather; from clays and native copper, from stone, wood, roots, bark, and a variety of plants. Nothing was wasted. From the moose, for example, they took meat, blood and marrow for food, and fur and hides for clothing. Rawhide strips became woven snowshoe filling. Moose brains were used in tanning skins, antlers were worked into tools, dew-claws became rattles, the shin bone was carved into dice, the hair used in embroidery, and the tendons became sewing thread. Even the hoofs were important - as an ingredient in a remedy for epilepsy (Whitehead 1980:8).

The Mi'kmaq methods of travel enabled them to go great distances by water. These methods of travel facilitated intertribal communications and contributed to development of political organization and national unity. The Mi'kmaq had a variety of canoes, usually birch bark, which allowed for easy travel. "They are eight or ten feet long; moreover so capacious that a single one of them will hold an entire household of

five or six persons, with all their dogs, sacks, skins, kettles, and other heavy baggage. And the best part of it is that they can land wherever they like” (Biard JR 3: 84).

### Language

The Mi'kmaq have an oral tradition full of grand mythologies, legends and stories. The Mi'kmaq language is very fluid and contains hundreds of prefixes and suffixes, allowing the speaker to create vocabulary as he or she tells a story (Whitehead 1988). The purposes of Mi'kmaq stories and legends are complex and convey an understanding of the ways of the world. They explain the behaviours of nature and explore social problems:

In their transformational properties, both Micmac language and Micmac tales have the same structure as does the Micmac universe. As stories hold many levels of meaning, the cosmos holds many levels of existence: the World Beneath The Earth, the World Beneath The Water, Earth World, Ghost World, the World Above the Earth, the World Above the Sky. These are the six worlds of the People which their legends depict... They make up a universe which forms itself out of Power (Whitehead 1988: 3).

Mi'kmaq taxonomy was extensive. Mi'kmaq knowledge of medicinal plants and their familiarity with plant properties supports the fact that they have lived in this territory for a very long time<sup>2</sup>. Knowledge of medicinal plants and their uses contributed to the good health and longevity of the Mi'kmaq.

Amerindians are all by nature physicians, apothecaries, and doctors, by virtue of the knowledge and experience they have of certain herbs, which they use successfully to cure ills that seem to us incurable. That this knowledge had roots that went deep into the past is not questioned. The process by which the

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<sup>2</sup> Laurie Lacey has collected and published data on traditional and contemporary production and uses of Mi'kmaq medicine (Lacey 1993).

Amerindians acquired their herbal lore is not clearly understood, but there is no doubt about the results. More than 500 drugs in the medical pharmacopoeia today were originally used by Amerindians (Dickason, 1993: 44).

The Mi'kmaq also used wampum belts to record events and communicated information through hieroglyphs:

It has been supposed by some writers that the savage tribes of North America had no means of recording events. The wampum belt was generally applied to the different parts of a speech, or the different articles of a treaty; and on great occasions, when these belts were brought forth, individuals were found who, from memory or tradition, could explain each section of the precious girdle: but, besides this mode of record, the Micmacs and Melicites [Maliseets] had pictorial representations of certain events, and communicated information through the medium of hieroglyphics. Rocks and trees in conspicuous situations have had figures cut or engraved upon them, which convey to the Indian traveller in concise terms the knowledge necessary for his safety and comfort (Gesner in Whitehead 1991:231).

### Spirituality

The religious beliefs of the Mi'kmaq include the concept of a supreme being or Great Spirit that is closely related with the Mi'kmaq view governing behaviour. The Mi'kmaq worshipped the sun. "The sun and the moon, both heavenly bodies, seem to have been regarded as manifestations of the Great Spirit, a concept shared with other Algonquian tribes" (Miller 1995: 360). The Mi'kmaq had lesser deities who assisted the Great Spirit such as Glooscap, a cultural hero who was the great teacher of important technologies and spiritual knowledge. Glooscap was human in form but immortal with supernatural powers.

Glooscap spent time on earth, during which he created the natural features of the land inhabited by the Micmacs. Some accounts say that Glooscap created animals. Glooscap also instructed the Micmac in making tools and weapons before he departed the earth, after foretelling the coming of the Europeans and promising to

return to help the Micmac in the event of war (Miller 1995: 360).

Pre-contact spirituality revolved around respect and harmony with nature and was conveyed in all actions and functions of everyday life. Mi'kmaq religion was considered circular in that the meaning of existence was to maintain the equilibrium inherent in nature. Humans were seen as a link in the ecosystem and not superior to it (Brooks 1986). The Mi'kmaq world view "encompasses all living things. Knowing that all animate and many inanimate beings are alive and embraced with spirit, we are obligated to respect and honour them" (Native Council of Nova Scotia 1993:4). The Mi'kmaq had many ceremonies imbued with spiritual rituals, dances and chants. Possession of supernatural powers was very important in Mi'kmaq social organization.

The Mi'kmaq had religious leaders, shamans, who were typically men, although older, post-menopausal women may have also become shamans. "Duties of the religious leaders included predicting future events, directing hunters in the quest for game and curing the sick" (Miller 1995: 360). Shamans used medicinal plants and other items thought to have supernatural powers to perform healing ceremonies that also involved singing, chanting, blowing and sucking rituals. Politically shamans were significant. In Mi'kmaq society shamans had almost as much status as chiefs: "an individual combining shamanic abilities with chiefly qualities, was regarded as particularly powerful" (Miller 1995: 359).

The Mi'kmaq also practised sweat baths. Nicolas Denys observed the use of sweat lodges for cleansing as well as preventing disease:

Nor were they subject to the Gout, Gravel, Fevers, or Rheumaticks. Their chiefest Remedy was to make themselves Sweat, which they did each Month or Oftener. For that Purpose, they construct a little round cabin or wigwam to hold as manie as four, five, six, seven & eight, or more. These wigwams are cover'd entire with bark from topp to bottom save onlie a small hole for entering. They cover them also with all their garments; so they are wholly naked. Mean while Other are gathering large Rocks & placing them in fyre until red Hott. Then wou'd they enter the wigwam & seat themselves all around. Being therein, their wyfes, or some boys, wou'd give them the rocks, all red Hott, with a big dish of water & a small dish for to pour the water on the rocks which they had placed in the middle of the Circle. When this water is poured upon the rocks it makes a great steam which fills the wigwam & heats it so greatly that it makes Sweat, yet they still continue to pour on more water from tyme to tyme & when the Pocks wou'd grow cold they throw them outside & are furnish'd more, all red hott. Nor do they make haste in the Sweating, but heat up little by little but so thorough that the water trickles from them in all Parts, & these, they wipe down betimes with the hand. They stay there as long as they can - an hour or two hours - Chanting songs & telling storys to make themselves Laugh (Denys 1993: 26).

### Pre-contact Social and Political Organization

The Mi'kmaq nation had systems of polity, economy, religion, education and social behaviour. Although the Mi'kmaq were semi-nomadic, they exhibited a higher degree of sedentism than is usual among northern hunters and gatherers. Due to the expansive territory, the abundance of diverse resources, and the ability of the Mi'kmaq to extract those resources they had a higher population density, this in turn required social and political organization beyond the local territory. The primary social unit of the Mi'kmaq was the family.

Mi'kmaq society was ranked. "A ranked society is one in which positions of valued status are somehow limited so that not all those of sufficient talent to occupy such statuses actually achieve them" (Fried 1967: 109). Mi'kmaq polity was divided into three levels: local, district and national. At the bottom of the social order were slaves, usually



persons captured in war. Above slaves were ordinary people. Division of labour at this level was along gender lines, “Commoner males spent their time fishing, hunting, going to war, while females prepared and preserved fish and game, collected plants and took care of the children and the living area” (Miller 1995: 362).

The Mi’kmaq lived in extended family units. “Nuclear families among the Mi’kmaq were grouped into living units of bilaterally extended families, with a tendency for these units to be patrilocal” (Miller 1983: 42). Other people who were not blood relatives may have been present in these kin groups if they chose to align themselves with the head of the family, the Sagamore or Chief. Several family groups together formed a local band; each local band had its chief. The territory of local chiefs seems to have been coextensive with the area occupied by the inhabitants of a single summer village. Within the village, the chief headed the council of elders, which consisted of the heads or representatives of the families in the settlement (Hoffman 1955: 516). Membership in the local band was fluid:

The outstanding characteristic of the local band was the fluidity of its membership. Flexibility in residence was fostered by bilateral kinship reckoning, bilocal postmarital residence, the absence of exogamous unilineal kin groups, and considerable personal choice in marriage partners. This flexibility of Micmac social organization increased its ability to redistribute people to different locations as economic and personal situations warranted. Groups could alter their size with relative ease. This characteristic of cognatic and composite tribes creates residential groups which have adaptive advantages in environments where outstanding concentrated resources existed, but where year to year and season to season variability in location and abundance also occurred (Nietfeld 1981: 457).

Such relocation would have been accomplished through chiefs’ decisions and group consensus. Father Pierre Biard, an early Jesuit priest among the Mi’kmaq,

indicated that decisions of the council of elders and the chief depended upon a unanimous vote of the members, and that only such decisions were regarded as giving the chiefs authority to act upon a certain matter (Hoffman 1955: 516).

### The Seven Districts of the Mi'kmaq Nation

Local bands were grouped together into districts. According to oral history, the Mi'kmaq nation was comprised of seven districts.<sup>3</sup> Each district had a head Sagamore. "These Sagamies divide up the country and are nearly always arranged according to bays or rivers" (Biard JR 3: 90).

One of the seven districts was *Gespogoitg* [Kespukwitk].<sup>4</sup> This district covered the southernmost part of the Nova Scotia and contained at least four or five summer villages, each with its own head chief (Hoffman 1955: 522). Lescarbot, a French lawyer among the Mi'kmaq during the early seventeenth century indicated that the chief of the Lahave drainage was named Messamoet (Lescarbot 1911: 323). *Gespogoitg* district included Port Royal, the location of the famous Grand Chief Membertou, leader of the Mi'kmaq Nation during the sixteenth and seventeenth centuries.

The district of *Segepenegatig* [Sipekn'katik], or "ground nut place" consisted of

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<sup>3</sup> Oral history tells us that the Mi'kmaq Nation was divided into seven districts as outlined above. When the districts were formed is not precisely known. Some researchers argue that this complex division of territory came about following contact. Hoffman's research suggests a pre contact division existed.

<sup>4</sup> Hoffman's terminology for the Mi'kmaq's seven political districts is followed by the modern terminology as illustrated on Miller's map. Little is know about Newfoundland's role in the seven district political structure.

the modern day counties of Colchester, Hants, Kings, and Lunenburg and LaHave, “including the entire Minas Basin drainage system but only fronting upon the Atlantic between St. Margaret’s Bay and Lunenburg, and upon the St. Lawrence Gulf at Tatamagouche” (Hoffman 1955: 533). There were at least four summer villages in this district; however, due to a lack of French activity in the area, little is known about political activity in this area in the early historical period. Later, however, it is known that chiefs resided in the Shubenacadie and Truro areas.

The district of *Esgigeoagig* [Eskikewa’kik] or “skin dressers territory”, included seven important settlements and occupied present day Antigonish and Guysborough counties. Indian Point in Ship Harbour was traditionally the residence of the district chief. Chedabucto Bay was an important fishing village, as was Port Mulgrave, because of its protection from ice packs in winter. Pomquet, Tracadie and Antigonish were major Mi’kmaq settlements in the district. The Capuchin Fathers who visited the area of Antigonish indicated this was a favourite meeting place of the Chiefs of the area (Hoffman 1955: 537). According to Denys, this was also an important trading district (Denys 1908: 173).

Cape Breton Island made up the district of *Onamagi* [Unama’kik] or “foggy land”. This area was heavily populated because of abundant resources, particularly its fishery. *Onamagi* was traditionally known as the head of Mi’kmaq territory, with mainland Nova Scotia as the torso and the other districts as the limbs (Hoffman 1955: 540). Intensive contact with Europeans first occurred in this district with the establishment of a Portuguese fishing colony (Hoffman 1955: 543). French official

reports suggest that the *Onamagi* district was a principal gathering place of the Mi'kmaq of the entire country (Pacifique 1933: 40). In *Onamagi*, at least nine important villages were located (Hoffman 1955: 546).

The district of *Pigtogeog* [Piwktuk] “exploding or farting place” and *Epegoitg* [Epekwithk] or “lying in the water,” includes the Pictou region and Prince Edward Island. Located in this district is the important site of Merigomish, home of the district chief. Tradition indicates that Pictou was an important gathering place and the place where Glooscap taught the Mi'kmaq their arts and crafts (Hoffman 1955: 548). Pictou harbour was the site of a number of Mi'kmaq battles with other aboriginal nations such as the Kennebec of Maine and the Kwedech [Iroquois] (Pacifique 1931: 96). There were at least three major villages on Epegoitg, with Malpeque being the location of the district chief of the island (Hoffman 1955: 553).

The district of *Sigenigteoag* [Siknikt] included the early historic counties of Cumberland, Westmorland, Albert, Kent, St. John, Kings and Queens. “The region thus contained a number of important drainage systems, each of which probably had a village and a local chief at some time during the early historic period” (Hoffman 1955: 556). The Petitcodiac and the Richibucto drainage systems were important Mi'kmaq locations. According to Denys, there was a mean and conceited chief at Richibucto named Denis, whom everyone feared. “...They all wish for his death; he is not liked by a single one. If they are delinquent in their duty, he beats them, but not when they are together, for in this case he could not do it with impunity” (Denys 1908: 195). A village at Cumberland Basin was considered to be the residence of the Grand Chief Tomah Denys before he moved his

family to Cape Breton during the war of Quebec in the mid-eighteenth century (Hoffman 1955: 557). Memramcook has also been considered as the residence of the district chief (Hoffman 1955).

The final of the seven districts was *Gespegeoag* [Kespek] or “last land”.

According to Mi’kmaq tradition, this was the last acquired territory as it was surrendered by the Kwedech as a result of Mi’kmaq wars. This was the largest district containing three major river systems: the Miramichi, the Nepisiguit and the Restigouche, where important chiefs were located (Hoffman 1955: 561). Chief Mejelabegadasich from Miramichi was responsible for the final defeat of the Kwedech. Nepisiguit Basin was the site of early intense missionary activity (Hoffman 1955: 564). Restigouche, in traditional Mi’kmaq history, was the river on which the Mi’kmaq - Kwedech war originated and was the ancient boundary between the two tribes (Hoffman 1955: 564). An important chief named Tonal or Tunel was said to reside here; however, little else is known about this chief (LeClercq 1910: 234).

#### Political Organization - The Structure and Roles of the Grand Council

Each district Sagamore belonged to the national political organization called *Mi’kmawey Mawio’mi*, or the Mi’kmaq Grand Council. The Grand Council was the apex of Mi’kmaq political organization. Heading the Grand Council was a Grand Chief and an executive consisting of a Grand Captain and a *Putus*. A Grand Captain or war chief, who was a great warrior, was second in command to the Grand Chief, and the *Putus*, a messenger, keeper of the wampum, and an important story- teller, were among the Grand

Council's leadership structure. District chiefs were chosen from among the local chiefs. Local chiefs were chosen from the head man of the most powerful local family. Early writers did not provide any evidence that there was ever a female chief in the *Mi'kma'wey Mawio'mi*.

Mi'kmaq tradition indicates that the Grand Council developed in response to a need for organized interaction with other aboriginal nations in matters of war and trade and to organize the nation internally in social, ecological, economic and ceremonial matters.<sup>5</sup> Chieftainship was the product of kinship affiliations and superior personal ability, and was customarily passed down through families having a tradition of chieftainship and members capable of assuming the role. Such an arrangement also held for the Grand Chiefs (Hoffman 1955: 570).

The *Kji Sagamaw wjit Mi'kmaq* or the Grand Chief of the Mi'kmaq, was the head of the entire nation. The Grand Chief achieved his position by demonstrating the following qualities: leadership ability, superior intelligence, generosity, courage and aggressiveness in war, and superior hunting ability (Miller 1983: 47). Chiefly authority was secured by means of example, customs, kinship, and family alliance, rather than by coerced obedience (Nietfeld 1981: 466). Belonging to a large and powerful family was a

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<sup>5</sup> According to Wallis and Wallis, the formation of the Mi'kmaq Grand Council was a result of the Wabanaki Confederacy, but they fail to provide evidence to support that claim. Indeed the Mi'kmaq belonged to the Wabanaki Confederacy for a period of time; however, they withdrew after a conflict of interest arose. Today a revitalization of the confederacy in the form of the Atlantic Policy Congress is taking place. Further research is needed in the area of the Wabanaki confederacy and the roles the Mi'kmaq played in that alliance.

precursor for becoming a chief and in particular, a Grand Chief.

### Characteristics and Roles of the Grand Council

Local Chiefs, District Chiefs and Grand Chiefs were great orators and could convince their followers to undertake actions such as warring or forming alliances with other nations, and accepting divisions of hunting and fishing territories. Another example of the necessity of oratory skills for a chief was the requirement that he be able to recite his family ties in order to remind his people of their kin ties and obligations:

They have thus developed into a custom the recital of their genealogies, both in the speeches they make at marriages, and also at funerals. This is in order to keep alive the memory, and to preserve by tradition from father to son, the history of their ancestors, and the example of their fine actions and of their greatest qualities, something which would otherwise be lost to them, and would deprive them of a knowledge of their relationships, which they preserve by this means; and it serves to transmit their alliances to posterity. On these matters they are very inquisitive, especially those descended from ancient chiefs; this they sometimes claim for more than twenty generations (Denys 1908: 410).

Family alliances were significant in determining chieftainship. Chieftainship was predominantly hereditary. The eldest son in a chiefly family began training at an early age in order to meet the requirements expected of him if he was to receive the position of chief at any of the three levels. If the eldest son of a chief did not demonstrate the expected qualities of leadership or there were no male children directly descended from the chief, the chief would go to his sister and ask for her son. Thus, extended family networks were important in chiefly families. Biard described the relationship of the Chief and his family as follows:

There is the Sagamore, who is the eldest son of some powerful family, and

consequently also its chief and leader. All the young people of the family are at his table and in his retinue; it is also his duty to provide dogs for the chase, canoes for bad weather and expeditions. The young people flatter him, hunt, and serve their apprenticeship under him, not being allowed to have anything before they are married, for then only can they have a dog and a bag; that is, have something of their own, and do for themselves. Nevertheless they continue to live under the authority of the Sagamore, and very often in his company; as also do others who have no relations, or those who of their own free will place themselves under his protection and guidance, being themselves weak and without following. Now all that the young men capture belongs to the Sagamore; but the married ones give him only a part, and if these leave him, as they often do for the sake of the chase and supplies, returning afterwards, they pay their dues and homage in skins and like gifts (Biard JR 3: 89).

The Mi'kmaq practised polygyny, which allowed chiefs to expand their networks of followers and alliances with other family groups. The greater the family size, the greater the contributions to the chief, which improved his ability to redistribute goods to a larger number of people. Fulfilling such economic roles would enable the chief to gain respect needed in matters of war and other chiefly duties. Biard suggested that Mi'kmaq practised polygyny for the following reasons:

...One is, in order to retain their authority and power by having a number of children; for in that lies the strength of the house, in the great number of allies and connections; the second reason is for their entertainment and service, which is great and labourious, since they have large families and a great number of followers, and therefore require a number of servants and housewives (Biard JR 2: 101).

Grand Chiefs, district and local chiefs, were expected to provide subsistence. It was the chiefs' responsibility to care for orphans. The chiefs were obliged to distribute the orphans among the wigwams of the best hunters, where they were to be brought up as if they were natural children of the head of the family (LeClercq 1910: 238). Taking in orphans was another way for chiefs to extend their networks of followers.



Generosity was a trait common among chiefs. In ranked societies, generosity is an important redistributive function often manifested in feasting ceremonies, which enables chiefly authority to be regular and repetitive and thereby extending into other aspects of social life. “When they visit each other it is the duty of the host to welcome and to banquet his guests, as many days as he can, the guests making him some presents; but it is with the expectation that the host will reciprocate, when the guest comes to depart, if the guest is a Sagamore, otherwise not” (Biard JR 3: 89). Thus the practise of polygyny and the importance of the support of large extended family units were instrumental requirements in the daily life of the chiefs at all levels of Mi’kmaq political organization. There was an exception to this chiefly generosity in the case of the Chief Denis from New Brunswick. He gained notoriety by the fact that he was selfish and cruel rather than generous. “The Chief at Richibucto, named Denis, is a conceited and vicious Indian. All the others of the Great Bay fear him...he makes them receive him, more through fear than through friendship. They all wish for his death; he is not liked by a single one” (Denys 1908:195).

Another significant trait of leadership was the superior warring ability of the chiefs. The Mi’kmaq were involved in war exploits against other aboriginal nations prior to contact. Situations of war would bring the local, district and national chiefs together. The major cause of war was revenge rather than material gains. Chiefs were respected for their war exploits to such a degree that being a Sagamore seems to have been synonymous with being a great warrior. Biard describes Mi’kmaq chiefs’ warring as follows:

They have Sagamores, that is, leaders in war; but their authority is most precarious, if indeed, that may be called authority to which obedience is in no wise obligatory. The Indians follow them through the persuasion of example or custom, or ties of kindred and alliance; sometimes even through a certain authority of power, no doubt. They wage war as a tribe on account of wrongs done to a private individual. The whole race is very revengeful and, after the fashion of (savages), insolent in victory, carrying about the heads of their captives as trophies and spoils of victory (Biard JR 2: 73).

Father Biard indicated that Mi'kmaq warring was international and did not occur between the seven districts of the Mi'kmaq territory, "Their wars are nearly always between language and language, or country and country, and always by deceit and treachery. They have the bow and shield, or buckle..." (Biard JR 2: 91).

An example of an incident of an insult turning into revenge and then an all-out battle was the Mi'kmaq war with the Armouchiquois, which lasted from 1605 to 1615 (Lescarbot 1911). Mi'kmaq Chief Messamouet from LaHave went to the Armouchiquois at the Saco River in southern Maine to seek out trade and alliance. Messamouet was insulted by the reception he received there from Chief Olmechin and vowed revenge. Raiding was carried out and some Armouchiquois were killed. Thus, the Armouchiquois sought revenge and killed Mi'kmaq Chief Panoniac who had travelled to the Saco River to trade. Grand Chief Membertou vowed revenge and recruited his allies.

War and raids almost always occurred in late spring and summer, after the critical first fish runs (Lescarbot 1911). Avenging the death of a comrade was important to Mi'kmaq social and political unity:

If someone of their number has fallen in the combat, they go into a particular mourning for him, and give up several days to grief and sorrowing. Then they make feasts for the dead, at which the chief sets forth in his speech the fine actions of those who have distinguished themselves and who have been killed in

the combat. A profound silence follows forthwith, but it is broken suddenly by the relatives of the deceased, who cry aloud with all their might and say, that it is not a question lamenting further a misfortunate for which there is no remedy, but rather of avenging the death of their countrymen by a complete ruin of their enemies (LeClercq 1910: 270).

War also enabled a chief to increase his family unit size by taking captives.

Captives were usually incorporated into the Mi'kmaq society and were used to collect food, gather wood and other such tasks. A *ginap*, was a person with super-extraordinary physical ability. Persons possessing such qualities were usually chiefs who were considered *ginap* due, in part, to their successes in war. A chief who was also a *ginap* was a more powerful chief than one who was not. War was thus very important in maintaining a chief's prestige. Chiefs would use their oratory skills to arouse their people to follow them into war.

...when therefore they wish to make war, the Sagamos most in credit among them sends the news of the cause and the rendezvous, and the time of the matter. On their arrival he makes them long orations on the subject which has come up, and to encourage them. At each proposal he asks their advice, and if they consent they all make an exclamation, saying *Hau*, in a long-drawn out voice; if not, some Sagamos will begin to speak, and give his opinion, and both are heard with attention (Lescarbot 1914:264).

Once war had been decided upon, the chief would use his influence and bring in his allies for support. During the actual war, the chief would be in command giving orders and directions, utilizing some strategy to ensure success. "Young people must strictly obey the orders of the chiefs. When it is a question of going to war, they must allow themselves to be led, and must attack and fight the nation which they wish to destroy, in the manner which has been planned by the head of their council of war" (LeClercq 1910: 235). Following the fighting, the chief was the principal feast leader and

speech-maker (Lescarbot 1914: 264). The chief played an important role in war as his role promoted group solidarity and renewed alliances or formed new ones.

Another significant factor in determining chiefly authority was the possession of supernatural powers. Individuals who had such powers were called *Bouin*. Success in hunting and war was often attributed to supernatural powers and conferred additional prestige. If a chief was not a shaman, then he had one closely associated with him (Hoffman 1955). Possession of the dual statuses of shaman and Sagamore was particularly important in the creation of a hierarchy of prestige among local chiefs.

Religion and spiritual beliefs permeated all aspects of Mi'kmaq life. The duties of the religious leaders included predicting future events, directing hunters in the quest for game and curing the sick; possession of these abilities certainly raised a chief's status, prestige and influence.

One of the duties of the district chiefs was to assign hunting and fishing territories. Chiefs would use their superior hunting knowledge and their shamanistic powers to determine the most successful divisions possible. " ...what the Jugglers [shamans] are chiefly consulted upon, and what gives them the greatest credit, is to know whether the chase of such a particular species of beasts should be undertaken; at what season, or on which side of the country" (Lescarbot 1914: 205). The Grand Chief would assign areas to the District Chiefs, and the District Chiefs would assign territories to the Local Chiefs within the districts; any future divisions of land were left to the families. Chiefs would be careful to be fair in this assignment as their followers could chose to leave them at any time. The power of the chiefs depended on their capacity to provide for

their followers, as well as their powers of persuasion.

Chiefs also had to set an example for their followers. It was important that chiefs did not accumulate material wealth because sharing among the Mi'kmaq was an important survival tactic and a way to ensure loyalty.

The occupation of this chief was to assign the places for hunting, and to take the furs of the Indians, giving them in return whatever they needed. This man made it a point of honour to be always the worst dressed of his people, and to take care that they all were better clothed than he. He held it as a maxim, as he told me one day, that a ruler, and a great heart like his, ought to take more care for others than for himself, because good hunter as he was he always obtained easily everything which he needed for his own use, and that as for the rest, if he did not himself live well, he should find desire in the affection and the hearts of his subjects. It was as if to say that his treasures and riches were in the hearts and in the affection of his people (LeClercq 1910: 236).

LeClercq also wrote:

It is the right of the head of the nation, according to the customs of the country, which serve as laws and regulations to the Gaspesians (Mi'kmaq), to distribute the places of hunting to each individual. It is not permitted to any Indian to overstep the bounds and limits of the region which shall have been assigned him in the assemblies of the elders. These are held in autumn and spring expressly to make this arrangement (LeClercq 1910: 237).

### Grand Council Activities

The Grand Chief would call meetings of the Grand Council as needed, usually twice a year. The Grand Chief and his retinue would gather into a council with the district and local chiefs to discuss the assignment of hunting and fishing territories, seasonal movements, and matters of ecology. Matters of treaties and alliances, trade, births, deaths, marriages and the general welfare of the people would also be addressed.

It is principally in Summer that they pay visits and hold their State Councils; I mean that several Sagamores come together and consult among themselves about

peace and war, treaties of friendship and treaties for the common good. It is only these Sagamores who have a voice in the discussion and who make the speeches, unless there be some old and renowned *Autmoins*, who are like their priests, for they respect them very much and give them a hearing the same as to the Sagamores. It happens sometimes that the same person is both *Autmoin* and Sagamore, and then he is greatly dreaded. Such was the renowned Membertou, who became a Christian, as you will soon hear. Now in these assemblies, if there is some news of importance, as that their neighbours wish to make war upon them, or that they have killed some one, or that they must renew alliance, etc., then messengers fly from all parts to make up the more general assembly, that they may avail themselves of all the confederates, which they call *Ricamanen*, who are generally those of the same language. Nevertheless the confederation often extends farther than the language does, and war sometimes arises against those who have the same language. In these assemblies so general, they resolve upon peace, truce, war, or nothing at all, as often happens in the councils where there are several chiefs, without order and subordination, whence they frequently depart more confused and disunited than when they came (Biard JR 3: 93).

The local, district and Grand Chiefs were also responsible for settling disputes.

Dispute resolution was accomplished through consensus. “The Gaspesians [Mi’kmaq] have at present no fundamental laws which serve them as regulations. They make up and end all their quarrels and their differences through friends and through arbiters” (LeClercq 1910: 236). If someone has killed another, then it was expected that they would be killed in return, “This was often carried out by command of the elders, who assemble in council upon the subject” (LeClercq 1910: 236).

Thus, the bases of a chief’s authority were derived from his kinship ties with a family of chiefly descent, fortified by the extended family network, polygyny and adoption and other alliances. Chiefs were greatly respected for their superior hunting ability and as great warriors. If they happened to possess supernatural or shamanistic powers and the physical powers of the *Ginap*, they were respected even more and derived greater power from these attributes. Chiefs were responsible for settling disputes fairly,

and for making sure that the needs of their community, district or nation were met. A combination of these traits in one individual were the necessary requirements for becoming a Grand Chief of the Mi'kmaq Nation. Age was another important characteristic as the Mi'kmaq had tremendous reverence for those who lived to advanced ages.

### Grand Chief Membertou

One such chief was Membertou, a well known Grand Chief during the late sixteenth and early seventeenth centuries. Membertou was the first Grand Chief the French encountered at Port Royal in the District of Gespogoitg in 1604; he ruled from about 1550 to 1611.<sup>6</sup>

This was the greatest, most renowned and most formidable savage within the memory of man; of splendid physique, taller and larger-limbed than is usual among them; bearded like a Frenchman, although scarcely any of the others have hair upon the chin; grave and reserved; feeling a proper sense of dignity for his position as commander. God impressed upon his soul a greater idea of Christianity than he has been able to form from hearing about it, and he has often said to me in his savage tongue: "Learn our language quickly, for as soon as thou knowest it and hast taught me well I wish to become a preacher like thee." Even before his conversion he never cared to have more than one living wife, which is wonderful, as the great Sagamores of this country maintain a numerous seraglio, no more through licentiousness than through ambition, glory and necessity; for ambition, to the end that they may have many children, wherein lies their power; for fame and necessity... ( Biard JR 2: 23).

Membertou's great physical appearance and strength was accompanied by his possession of supernatural ability. He was a renowned shaman and a great warrior.

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<sup>6</sup> The word savage was mistranslated from the French word *sauvage*, which has less negative connotations than those ascribed to *savage*. Indeed the Mi'kmaq were not savages. *Sauvage* relates to those people who live in the wilderness.

According to Lescarbot, as a shaman Membertou “has done it so well that his reputation is far above that of all the other Sagamores of the country, he having been since his youth a great Captain, and also having exercised the office of Soothsayer and Medicine-man” (Lescarbot JR1: 75).

One of Membertou’s great exploits as a formidable warrior was his involvement in the Mi’kmaq war with the Armouchiquois mentioned previously. This war was called the Tarrantine war<sup>7</sup>. Lescarbot writes of Membertou’s ability to marshal his supporter in his poem, “The Defeat of the Armouchiquois Savages by Chief Membertou and his Savage Allies”. With the help of his sons, Membertou was able to inspire Mi’kmaq from the Gaspé peninsula to southern Maine, from Nova Scotia to Nepisiguit, to assist him in his war effort, which suggests this Grand Chief’s authority went beyond the seven districts of the nation.

“The Defeat of the Armouchiquois Savages by Chief Membertou and his Allied Savages”

Starts to cry out in a frightful voice:  
 What then, Membertou,  
 Will he leave unpunished such a vicious outrage?  
 What then, Membertou will not have satisfaction  
 For the excesses against his own and even his house?...  
 We have close to us the support of the French  
 To whom these dogs have done a similar wrong.  
 It is resolved, it is necessary that the countryside

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<sup>7</sup> The Mi’kmaq were known as the Tarranteens to the tribes that they traded with to the north and south of their territory. According to olive Dickason, the word Tarranteens was said to mean traders. The Mi’kmaq had extensive trade relations into the United States and the great Lakes Region. The Treaty and Aboriginal Rights Research Centre in Indian Brook, Nova Scotia, has done extensive research on Mi’kmaq trade pre and post contact (Dickason 1993).



Soon be bathed in the blood of these murderers.  
 Actaudin my dear son, and your youngest brother  
 Who have never once abandoned your father,  
 It is now necessary to arm yourselves with force and courage  
 Now then, go quickly one following the shore,  
 From here to Cap Breton, the other through the woods  
 Towards the Canadians and the Gaspeiquois,  
 And the Etechemins to announce this insult,  
 And say to our friends that I beseech them all  
 To carry in their souls a spirited resentment,  
 With the result that they arm themselves promptly  
 And come to find me near this river,  
 Where they know I have planted my banner.  
 (Lescarbot *in* Whitehead 1991:30).

Lescarbot also wrote, "Membertou has been a very great and cruel warrior in his youth and during his life. Therefore rumour runs that he has many enemies, and is well content to keep close to the French, in order to live in safety" (Lescarbot 1911: 354). Thus we can see that Membertou had great powers to arouse allies, and ability to right wrongs against members of his nation. He was also able to maintain close ties with the French and was likely the first middleman for trade between his people and the French in the area. Furthermore, Membertou demonstrated the chiefly quality of generosity. This passage illustrates Membertou's acknowledgement of his position as leader or Grand Chief of the Mi'kmaq Nation, and that he considered himself to be like the King of France.

This Membertou told us at our first coming thither that he wished to make a present to the King of his copper mine, since he saw that we held metals in high regards, and since Sagamores must be honourable and liberal one toward the other. For being himself a Sagamore, he considers himself the equal of the King and of all his lieutenants, and often said to M. De Poutrincourt that he was his great friend, brother and companion, and equal, showing this equality by joining together the fingers of each hand which we call the index or pointing finger (Biard JR 3: 355).

Further insight into Membertou's character comes from the following excerpt:

...At Port Royal, the name of the Captain or Sagamore of the place is Membertou. He is at least a hundred years old, and may in the course of native life live more than fifty years longer. He has under him a number of families whom he rules, not with so much authority as does our King over his subjects, but with sufficient power to harangue, advise, and lead them to war, to render justice to one who has a grievance, and like matters. He does not impose taxes upon the people, but if there are any profits from the chase he has a share of them, without being obliged to take part in it. It is true that they sometimes make him present of Beaver skins and other things, when he is occupied in curing the sick, or in questioning his demon (whom he calls *Aoutem*) to have news of some future event or of the absent: for, as each village, or company of Savages, has an *Aoutmoin*, or Prophet, who performs this office, Membertou is the one who, from time immemorial, has practised this art among his followers. He has done it so well that his reputation is far above that of all the other Sagamores of the country (Biard JR 1: 75).

Thus was the character of Grand Chief Membertou. Membertou played a very important role in the conversion of the Mi'kmaq to Christianity, an event that will be described in the next chapter.

Prior to and during early contact, Mi'kmaq society was well organized, reasonably harmonious and socially, politically and spiritually complex. The political system of the Mi'kmaq, divided into the three levels of local, district and national, was able to handle the affairs of the nation through the authority and control of Grand Council. As indicated above, the Mi'kmaq polity was integrated into the social and spiritual spheres of Mi'kmaq life ways, in all, a holistic organization that facilitated societal health, harmony and productivity. Mi'kmaq society, although ranked, was largely egalitarian without the hierarchical structures found in European societies. During the initial stages of contact, Mi'kmaq polity did not undergo rapid change; however, material culture and diet changed very quickly (Miller 1983: 51). As contact became sustained and

extensive, the Mi'kmaq polity experienced new pressures.

## **Chapter Two - The Collision and the Conversion**

In chapter one we saw that the Mi'kmaq Grand Council was the traditional governing body of the Mi'kmaq people and that it was the ultimate or supreme authority. Grand Council power and authority was much different from European notions and structures of government. When Europeans encountered the Mi'kmaq they did recognize that the Mi'kmaq had a form of government, but discredited it because it was premised on egalitarianism rather than accumulation of wealth and coercive power in an individual or small unit. The Mi'kmaq Grand Council system was problematic for the Europeans because it was not based on a written legal code of conduct. Rather, the Mi'kmaq system was based on centuries of traditions that stemmed from the fulfilment of well being of the entire population by conjoining the spiritual with the political and economic to maintain a harmonious society. This chapter will examine some key events and results of sustained contact with Europeans during the seventeenth century.

Living on the east coast, the Mi'kmaq have probably experienced one of the longest periods of Native contact with Europeans in Canada. Estimates indicate that first European contact was made with the Beothuk in Newfoundland about 1000 AD. by the Vikings. Several hundred years later the Basque fishers arrived in Eastern Canada. Sustained Mi'kmaq-European relations began in the 1500's with the arrival of the French. Relations were based on trade, not settlement, "...this relationship began with the fisheries, which had first attracted European attention to the area" (Dickason 1993: 106). During this earliest stage of contact, the influence of Europeans on the political structure

of the Grand Council was minimal as contact was not continuous and colonization was a not a priority.

*Netukulimk* is a Mi'kmaq concept which includes the use of the natural bounty provided by the Creator for the self-support and well-being of the individual and the community at large (NCNS 1993). This was a concept central to Mi'kmaq social structure at the time of early colonization by the French and British. The Mi'kmaq, within the context of *Netukulimk*, provided the early settlers with a knowledge of the environment. The Mi'kmaq "shared with the settlers the bounty of the forests, lakes, rivers, their hunting, fishing and transportation techniques, trade routes, medicine and other skills required for survival" (Campbell 1993:2). Thus, early relations with the French in particular were amicable. Indeed, French success in Mi'kmaq territory during the early seventeenth century was due to Mi'kmaq generosity and friendship.

### Effects of Early European Contact

Material culture of the Mi'kmaq was significantly altered by the early contact period. Introduction to European goods quickly changed day-to-day living patterns. Knives, kettles and other technology accepted by the Mi'kmaq changed hunting and fishing patterns and resource extraction procedures. Diet changed, diseases were introduced. Early contact began to affect negatively Mi'kmaq population, availability of resources, spirituality and other aspects of culture. The entire cultural pattern of the Mi'kmaq changed rapidly after AD. 1500 as a result of contact with European fishing ships. As the Mi'kmaq became caught up in the fur trade with the crews of these ships,

their entire life style and seasonal round were forced to change (Miller 1976: 120).

Initially, trade between the Mi'kmaq and the French was amicable; however, competition caused demands on stocks of both the French and the Mi'kmaq. The Mi'kmaq developed a dependency on European goods, a dependency that altered traditional seasonal rounds and technologies.

By the need for the things which come from us, the use of which has become to them an indispensable necessity. They have abandoned all their own utensils, whether because of the trouble they had as well to make as to use them, or because of the facility of obtaining them from us, in exchange for skins which cost them almost nothing, the things which seemed to them invaluable, not so much for their novelty as for the convenience they derived therefrom (Denys 1908:441).

European trade items that disrupted Mi'kmaq traditional economy and hence the social, spiritual and political organization included: alcohol, food stuffs, kettles, decorations, religious articles such as rosaries, crucifixes and religious medallions, clothing and tools (Denys 1908; Lescarbot 1911). As dependency on European goods increased, competition for obtaining furs increased and the ecological role of the Mi'kmaq political organization in assignment of hunting territories was undermined. According to Denys, the depletion of game in some areas led to the concentration of Indians in other areas where hunting was still good, thus upsetting the ecological, and socio-political balance previously enjoyed by the Mi'kmaq in each district (Denys 1908: 157).

With the introduction of weapons, furs could be taken more easily; this hastened the depletion of stocks. Guns also altered the political structure. Recall that a chiefly quality was superior hunting ability; the use of guns allowed for more persons to achieve

a high status. Since superior hunting ability was also associated with supernatural powers, as more people had access to guns, the uniqueness of these powers would have diminished. Attainment of furs by and for individual trade rather than for the chief eroded the position of the chief as middleman in Mi'kmaq trade with Europeans.

As trade began to alter aspects of traditional society, the establishment of missions in Mi'kmaq territory significantly altered the spiritual context of Mi'kmaq leadership. In many situations, European contact and settlement has proved devastating for Native cultures. One of the most important factors in the acculturation and assimilation of Native peoples has been the introduction of European religions:

European religions, though ecumenical in spirit, were exclusive and intolerant, as well as hierarchically organized and controlled. While sectarian difference complicated and exacerbated national rivalries in Europe, Christianity gave Europeans a strong and rarely questioned sense of superiority over peoples who did not share their religious faith. Increasing scientific knowledge, which allowed them to construct mechanical instruments and predict eclipses, added to this sense of superiority. It also provided them with further means to impress and intimidate peoples who did not possess such knowledge. A growing awareness of history gave Europeans a heightened sense of importance of what they were doing and of their fitness to dominate and exploit other peoples. While all non-Christian societies were viewed as morally and technologically inferior to European ones, tribal societies were also viewed as politically inferior (Trigger 1985: 121).

When Europeans encountered the Mi'kmaq, they saw the Natives as inferior and without religion. Biard wrote:

It is true that Monsieur de Biancourt, who understands the savage tongue better than any one else here, is filled with earnest zeal, and every day takes a great deal of trouble to serve as our interpreter. But, somehow, as soon as we begin to talk about God he feels as Moses did, - his mind is bewildered, his throat dry, his tongue tied. The reason for this is that, as the savages have no definite religion, magistracy or government, liberal or mechanical arts, commercial or civil life, they have consequently no words to describe things they have never seen or even conceived (Biard JR 2: 11).

Indeed this quote points to the huge contradictions between the European world view of the early seventeenth century and the reality of Mi'kmaq life ways. However, it was with this world view that the French Jesuits and other priests set out to convert the Mi'kmaq Nation to the beliefs and practices of Christianity. One of the greatest accomplishments of the Jesuits was their conversion of Grand Chief Membertou at Port Royal in 1610.

### The Conversion of Grand Chief Membertou

In 1604 Pierre du Gras, Sieur de Monts erected a small fort at Port Royal (Lescarbot JR 2: 217). At this time living in the St. Mary's Bay area adjacent to Port Royal was the famous Grand Chief Membertou and his family. In 1610, the Jesuit lay brother Abbe Jesse Fleche arrived at the fort. Prior to Fleche's arrival, French lawyer Marc Lescarbot had been teaching the Mi'kmaq about the Christian faith, since one of the responsibilities stipulated by King Henry IV for people travelling to New France was conversion of the Natives. It was in part through Lescarbot's efforts that Fleche was able to celebrate the sacrament of baptism among the Mi'kmaq. The circumstances of this occasion are as follows:

Grand Chief Membertou became ill, and so he sought out shamans to cure him. Membertou was unable to use his shamanistic powers on himself because of his weakened state. However, the shamans had no success and Membertou sent to the French for help.

...[He] asked Sieur de Poutrincourt [a prominent French settler] to come and see him that very day, otherwise he would be dead. At this request the Sieur went to seek Membertou at the farther end of Port Royal, four leagues away from his fort;



to him the said Membertou related his story, saying he did not care to die yet. The Sieur consoled him. Then, when they arrived at the Fort, he had a good fire prepared for him, and placing him near it upon a good bed, had him rubbed, nursed, well cared for, and doctored; and the result was, at the end of three days, behold Membertou up and about, ready to live fifty years longer (Lescarbot JR 2: 153).

When the shaman's attempts to heal Membertou failed and the French attempts succeeded, it was an event that irrevocably altered aboriginal Mi'kmaq belief systems. Grand Chief Membertou may have interpreted the Jesuits' ability to heal him as a demonstration of great supernatural powers, not long after, he allowed himself and his followers to be baptized. On June 24, 1610, Grand Chief Membertou and twenty-one members of his family were baptized in the Christian faith, the first rite of baptism performed in what is now Canada. This was the start of the official relationship between the Mi'kmaq Grand Chief, leader of the Grand Council, and the Catholic church. The signing of the Concordant between Grand Chief Membertou and the Holy See, the Pope, was the first known instance of the Mi'kmaq Grand Council entering into a formal agreement with a foreign organization.

Lescarbot describes Membertou's baptism as follows:

Sieur de Poutrincourt had hardly taken breath after so many labours, when he sent for Membertou, chief and oldest Captain of this country, to refresh his memory in regard to some of the principles of the Christian Religion, which we had previously taught him, and to instruct him more fully in things which concern the salvation of the soul; so that, he being converted, many others might follow his example. As in truth it came to pass. For after having been catechized for some time, and his family with him, he was baptized, as were also twenty others of his company, upon saint John the Baptist's day, 1610. Now these baptismal ceremonies were not without solemnity. For Membertou (and consequently the others), before being introduced into the Church of God, made an examination of all his past life, confessed his sins, and renounced the devil, whom he had served. Then each one joined heartily in singing the *Te Deum*, and there was a joyful

discharge of cannon, so that the Echoes lingered in Port Royal nearly a quarter of an hour. He was named Henry, after our late King, Henry the Great (Lescarbot JR 2: 135-139).

According to the baptismal records of the church at Port Royal, Membertou's family were baptized with him as follows:

1. Membertou, "a great Sagamore," named Henry.
2. Membertoucoichis, the eldest son of Membertou, over sixty years old, named Louis.
3. The eldest son of Membertoucoichis, aged five, named John.
4. The eldest daughter of Louis, aged thirteen, named Christine.
5. The second daughter of Louis, aged eleven, named Elizabeth.
6. The third daughter of Louis, named Claude.
7. The fourth daughter of Louis, named Catherine.
8. The fifth daughter of Louis, named Jeanne.
9. The sixth daughter of Louis, named Charlotte.
10. Actaudinech, the third son of Henry Membertou, named Paul.
11. The wife of Paul, named Renee.
12. The wife of Henry, named Marie.
13. The daughter of Henry, named Marguerite.
14. A wife of Louis, named after Mme. De Sigogne.
15. The other wife of Louis, named after Madame de Dampierre.
16. Arnest, cousin of Henry, named Robert.
17. Agoudegoven, cousin of Henry, named Nicholas.
18. The wife of Nicholas, named Philippe.
19. The eldest daughter of Nicholas, named Louise.
20. The younger daughter of Nicholas, named Jacqueline.
21. A niece of Henry, named Anne (Lescarbot JR 1: 109-113).

Godparents were assigned to the baptized Mi'kmaq. The priests picked famous and wealthy French people as godparents and appealed to them to send money for their godchildren in order to support the mission at Port Royal. The priests were hoping to obtain financial assistance from the godparents in order to begin cultivation of the land around Port Royal to make the Mi'kmaq less mobile, and thus easier to convert to Christianity ( Lescarbot JR 2: 153-165). Indeed the baptism of Grand Chief Membertou and the subsequent baptism of many members of the Mi'kmaq Nation would change

Mi'kmaq culture, polity, spirituality and economy.

Conversion was not a simple straightforward process. It is difficult to determine how effective the missionaries and Jesuits were in making the Mi'kmaq understand their religious concepts. From the initial conversion, there was an upheaval of the traditional ways of life, politically, spiritually, economically, socially and culturally. One factor affecting the conversion process was the sporadic presence of Jesuits and other priests as the French were preoccupied with wars in Europe, the repercussions of these conflicts were felt throughout Mi'kmaq territory. Jesuits priests did not receive much financial support from the French government, and some priests could not tolerate the hardships they were forced to experience including bad weather, famine, disease or violence.

Grand Chief Membertou died on September 11, 1611, a little more than one year after his baptism.<sup>8</sup> Grand Chief Membertou's death was described as follows:

He received the last sacrament and gave noble exhortations to his children on the concord which they should maintain among themselves and the love which they should bear to M. De Poutrincourt, whom he called his brother, and to his friends. And above all charged them to love God and to remain firm in the faith which they had received, and thereupon gave them his benediction. When he had passed from this life his body was carried to the grave in arms, with beat of drum, and he was buried with the Christians (Lescarbot JR 3:56).

Very little information is available regarding the traditional transferral of Grand Chieftainship in this period; however, because the Mi'kmaq practised hereditary chieftainship and apprenticeship, the Grand Chief's eldest son, Louis Membertou, likely

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<sup>8</sup> The actual date of Membertou's death is unknown. Of the several suggested dates, the one used above is the most common.

became Grand Chief. Louis Membertou was apprenticed by his father in shamanic abilities. “Among these people this office is successive, and they teach the secret thereof by word of mouth to their eldest sons. For Membertou’s eldest son told us, that after his father, he would be *Aoutmoin* in that precinct” (Lescarbot 1914:111). It follows that Membertou would have also prepared his son to be Grand Chief . We do know that Louis Membertou did not achieve the fame his father had.

Mi’kmaq political and spiritual leaders were not power or fame seekers, rather; their decisions were influenced by a concern for the prosperity of future generations. Traditional Mi’kmaq government was based on integrity, justice, spirituality and equality. The seven socio-political regions of the Mi’kmaq were related to one another through political alliance, language, common values and beliefs, as well as spirituality. Transferral of leadership was made with consensual decisions among community members in conjunction with hereditary right. The creation of new communities, or moving and allying with another community was not an uncommon method of handling differences of opinion or disputes. The Mi’kmaq were considered to have lived in harmonious groups. “The Mi’kmaq have no recorded or legendary history of warring amongst themselves” (Brown 1991:46).

The conversion of Grand Chief Membertou and of successive Mi’kmaq who followed his lead, formed an important turning point in the structure of the Grand Council; however, it was not until well after Membertou’s death that the changes were recognized. By the time of sustained contact, the Mi’kmaq political, social, economic and spiritual organizations were beginning to experience great upheaval as they felt the full

effects of European colonization.

### **Chapter Three - Decline of Mi'kmaq Society During Colonization**

During the latter part of the seventeenth century and into the eighteenth century, the Mi'kmaq Grand Council continued to be the governing body of the Mi'kmaq Nation. Councils were still held to discuss important matters of war, alliance, and trade. Some council meetings may have dealt with the increased stresses on Mi'kmaq life ways. The decline in availability of food was devastating to an already dwindling Mi'kmaq population suffering from European diseases and increased warfare. As colonization became more intense, the Mi'kmaq began to lose control over their material and economic relations and their conditions of existence. Colonial institutional forms began to override Mi'kmaq institutions.

The Mi'kmaq concept of community undoubtedly remained important, individual involvement in the community being essential for an individual's feeling of completeness and belonging. The decision-making process by consensus continued to reinforce Mi'kmaq respect for individuality. People were invited to express their opinions at general meetings, thus providing situations that allowed for individual participation in the group process. This type of participation enabled individuals to have identity within the group.

Mi'kmaq spirituality was part of the foundation for traditional socio-political organization. From spirituality, the natural order and the relationship between people and nature was established, a relationship based on respect and preservation. A fundamental element to the Mi'kmaq spiritually reverential system of governance was the belief in equality of all living things. This belief protected all resources and served as a basis for

the continuation of the culture.

As European conquest of Mi'kmaq lands proceeded, the French began making land grants to French subjects in Acadia. "France had no doubts as to her sovereignty in Acadia, and aimed to dispose of Amerindian lands without consultation with the aboriginals" (Dickason, 1993: 108). As mentioned previously, in the Charter for *La Compagnie des Cent Associes* (1627), Article 17 provided for the Christianized Mi'kmaq to be considered as French subjects; this included proprietary and inheritance rights. "Any property he acquired came by right of the French crown, not by aboriginal title" (Dickason, 1993:108). This provides evidence of the beginning of the denial of aboriginal right and title by colonial forces. Thus, Europeans discredited the validity of the Mi'kmaq religious and spiritual belief system, as a result, the socio-political structure of the Mi'kmaq was altered.

In the latter half of the seventeenth century, the decline of Mi'kmaq society was more rapid. Recollect Priest Chretien LeClerc was among the Mi'kmaq of northern New Brunswick and Quebec during this phase of social, political and religious disruption, and found:

One sees no more among these people those large assemblies in the form of councils, nor that supreme authority of the heads of families, elders, and chiefs, who regulated civil and criminal affairs, and in the last resort decided upon war and upon peace, giving such orders as they thought absolutely essential, and enforcing the observance thereof with much submission and fidelity...There are now only two or three Indians who, in their own districts still preserve, though feebly, a sort of power and authority, if one can say that such is found among these peoples...We had among us, at the River Saint Joseph (Restigouche), one of these old chiefs whom our Gaspesians considered as their head and their ruler, much more because of his family, which was very numerous, than because of his sovereign power, of which they have shaken off the yoke, and which they are not

willing any longer to recognize (LeClercq 1910: 234).

The quote indicates a decline in chiefly authority. It is possible that at this time of unrest, Grand Council meetings became secretive, and that the regular feasting ceremonies took a back seat to more pressing issues of dealing with imposed colonization. It is also possible that the encroachment of settlers on traditional gathering sites forced meetings to be held elsewhere. Furthermore, with more Mi'kmaq individuals involved in trade, communal events did not have the priority they once had.

Nicolas Denys, a fur trader and adventurer, who lived forty years among the Mi'kmaq in Nova Scotia and eastern New Brunswick in the mid-seventeenth century, described changes he observed. Denys has provided significant information on the rapid decline of the Mi'kmaq population, negative effects of the introduction of alcohol, and changes that took place in traditional Mi'kmaq society. Literally everything, including hunting technologies, changes in the seasonal round, even burial practices, were altered.

The following excerpts are from one of Denys' descriptions:

As for the festivals, they make these as they did formerly. The women do not take part in them; and those that have their monthlies are always separate. They always make speeches there and dances; but the outcome is not the same. Since they have taken to drinking wine and brandy they are subject to fighting. Their quarrelling comes ordinarily from their condition; for, being drunk, they say they are all great chiefs, which engenders quarrels between them...All of these attentions have been introduced in the past to attract the Indians to the establishments (truck houses and trading posts) in order to be able more easily to instruct them in the Christian faith and religion. This has already been done for a very great number, through the labours of the Reverend Jesuit Fathers, who have retired thence seeing that there was nothing more to be done with these people, whom the frequentation of the ships kept in perpetual drunkenness...All these frequentations of the ships have entirely ruined them, and they care no longer for Religion...They do not divorce their wives now as they formerly did, and they have not so many, not being good hunters. This is because of their drunkenness and the animals not being so



abundant...Such is the great difference between their present customs and those of the past. If they have always the liberty of frequenting the ships, it will be still worse in the future. For their skins are not worth so much as they have been (Denys 1908: 442-452).

As the Mi'kmaq became increasingly dependent on European trade goods, their habits of self-sustained resource extraction changed. The depletion of game increased because of the desire to kill as many fur-bearing animals as possible, well beyond the number needed for food and clothing. Before the fur trade, the Mi'kmaq "never made an accumulation of skins of Mooses, Beaver, Otter, or others, but only so far as they needed them for personal use" (Deny 1908:426).

As the number of settlers increased, the Mi'kmaq were pushed out of their seasonal hunting and fishing locations. The settlers depleted the food stocks in the woods and waters that the Mi'kmaq relied on. A relationship of debt to European traders developed as the Mi'kmaq were forced to seek out European foodstuffs to survive the winters. Mi'kmaq indebtedness was further heightened by the Europeans trading alcohol with the them. This led to a relationship of European dominance in what was once an equitable and flourishing trade for the Mi'kmaq.

Traders rendered themselves, by this miserable kind of trading, the masters not only of the Indians, but also of their blankets, guns, axes, kettles, &c., which the traders have sold them at a very dear rate. Thus these poor barbarians find themselves wholly naked, and deprived of the furs and goods which they had brought and traded for their own use, and for the support of their families (LeClercq 1910: 255).

### Drastic Population Decline

Sustained contact and the subsequent colonization of Mi'kmaq territories brought

about drastic changes in Mi'kmaq population. Father Biard had noticed a decline in the population early in the seventeenth century.

The countries of New France are very sparsely populated, especially those of the Souriquois [Mi'kmaq] and Etechemins, which are near the sea; although Membertou assures us that in his youth he has seen Savages, as thickly planted there as the hairs upon his head. It is maintained that they have thus diminished since the French have begun to frequent their country. During this year alone sixty have died at Cape de la Heve, which is a greater part of those who lived there (Biard JR 1: 178).

Biard remarked further that:

They [Mi'kmaq] often complain that, since the French mingle with and carry on trade with them, they are dying fast and the population is thinning out. For they assert that, before this association and intercourse, all their countries were very populous and they tell how one by one the different coasts, according as they have begun to traffic with us, have been more reduced by disease (Biard JR 1: 105).

Dietary changes to European foods brought about poor health (Miller 1976). Biard commented on the incidence of disease: "Since then [the arrival of the French] they do nothing all summer but eat; and the result is that, adopting an entirely different custom and thus breeding new diseases, they pay for their indulgence during the autumn and winter by pleurisy, quincy and dysentery which kills them off" (Biard JR 1: 177).

The food stuffs traded to the Mi'kmaq had little nutritional value and furthered the population decline and susceptibility to diseases. The Mi'kmaq at times felt they were being poisoned by the French:

Others complain that the merchandise is often counterfeited and adulterated, and that peas, beans, prunes, bread, and other things that are spoiled are sold to them; and that it is that which corrupts the body and gives rise to the dysentery and other diseases which always attack them in Autumn...Nevertheless the principal cause of all these deaths and disease is that in the Summer time, when our ships come, they never stop gorging themselves excessively during several weeks with various

kinds of foods not suitable to the inactivity of their lives; they get drunk (Biard JR 3: 106).

### Changes in Social and Spiritual Organization

The effects of conversion to Christianity were also beginning to dismantle aboriginal Mi'kmaq social organization. Encroachment of settlers and the establishment of trading posts coincided with the location of missions. The Mi'kmaq began to move closer to the missions rather than remain at their traditional locations. There can be little doubt that aboriginal social binding mechanisms, especially councils, weakened as the old kinship bases of local bands were destroyed in the new artificial settlements (LeClerc 1910:234).

Recollect missionary LeClerc's missions were in Restigouche [Quebec] and Nespiguit and Miramichi [Northern New Brunswick] in the late seventeenth century where he discovered that the Mi'kmaq in this territory used the symbol of the cross in aboriginal times. LeClerc encouraged them to continue its use; to the Mi'kmaq, the cross was a chiefly symbol:

The chief was distinguished from the commonality in this, that he had a special one [cross] upon his shoulders adjoining that on his breast, and both had a border of porcupine quills dyed in red of the most vivid flame colour. Besides that, the three crosses of wood, each of two feet and half in height, of which he used one in the front of his canoe for voyages, and the two others of which he sat in the midst of his wigwam and at the door against perils and for councils (LeClerc 1968: 149).

LeClerc hoped that the Mi'kmaq's reverence for the cross would make them easier to convert to Catholicism. During his stay in Miramichi, LeClerc also noticed children drawing figures:

I noticed some children were making marks with charcoal upon birch-bark, and were counting these with the finger very accurately at each word of prayers which they pronounced. This made me believe that by giving them some formulary, which would aid their memory by definite characters, I should advance much more quickly than by teaching them through the method of making them repeat a number of times that which I said to them. I was charmed to find that I was not mistaken (LeClerc 1968: 80).

From these drawings, LeClerc developed the hieroglyphic system to symbolize Catholic prayers and worked to convert the Mi'kmaq to Christianity.

The conversion of the Mi'kmaq also altered Mi'kmaq culture drastically. The missionaries forbade polygyny. This reduced the size of many chiefs' bands of followers and removed one of the main ways in which chiefs created alliances with other bands and assured themselves of the support of a large number of followers.

Along with the decline in polygyny and extensive kinship networks came a decline in the power of the shamans. "Missionaries of course took every opportunity to expose shamans as frauds and to undermine the Micmacs' fear of their supernatural powers" (Nietfeld 1981: 545). This led to upheaval in the traditional Mi'kmaq belief system, and consequently, the Mi'kmaq political system. As more Mi'kmaq became converts to Catholicism, the status formerly ascribed to chiefs and shamans diminished.

### Political Strategies - Wars and Alliances in the 1700's

Relations between Britain and France in North America were largely dictated by events in Europe during the eighteenth century. These events also affected Mi'kmaq culture and land holdings. The British conducted slave raids along the Atlantic coast, which, "aroused the hostility of the Mi'kmaq and pushed them into their alliance with the

French” (Dickason 1993:108). Additionally, the British made claims to Mi’kmaq territory after 1621, while the Mi’kmaq allied themselves with the French because of their religious covenant with Catholicism and amicable past relations (Denys 1908). As a result of wars between England and France, the Treaty of Utrecht in 1713 ceded Acadia to the British. Acadia became Nova Scotia and a royal colony. The Treaty left the French on Isle Royale [Cape Breton] and Isle St. Jean [Prince Edward Island]. At this point the French constructed a fortress at Louisbourg on Cape Breton Island. French settlements brought priests and made them responsible for converting the Mi’kmaq and giving them presents to ensure their alliance.

During the eighteenth century, the Mi’kmaq Grand Council was active politically in war efforts against the British and their Mohawk allies, trying to protect Mi’kmaq lands and resources. Unfortunately the historical sources are inadequate for this period and little is known specifically about Grand Council activities. However, during this time we do know that Mi’kmaq chiefs began to make demands on both French and British for presents, for protection from trespassers on their land, and for the abolition of the sale of liquor (PANS RG 1, vol.15:61).

The Mi’kmaq fought the British from 1613 until 1763. This ongoing warfare was the longest of all Native conflicts in North America. Rather than continual fighting, this war was a series of raids (Dickason, 1993: 149). Because of their political organization, the Mi’kmaq managed to play off the European forces against each another, and for a time were able to profit from the Europeans’ warring. Successful attacks and ambushes carried out by Mi’kmaq warriors were likely the result of strategies designed by the

collaboration of the district, local and war chiefs.

In this long struggle, Mi'kmaq, Maliseet, and Abenaki had shown themselves astute in turning imperial rivalries to their own advantage. When it came to self-interest, there was not much to choose between Amerindians and the colonial powers. The differences lay in the fact that both France and Britain were building empires, whereas Amerindians, after a brief initial period when some attempted to use European alliances to expand their own hegemonies, had soon found themselves struggling to survive. Their capacity to keep the colonial powers off balance became their most formidable weapon. Louisbourg's role was vital: for the French, whatever their original intentions for building the fortress, its greatest military usefulness turned out to be as a headquarters for the maintenance of Amerindian alliances and the encouragement of their guerilla warfare; for the Mi'kmaq and Maliseet it represented a reprieve from European economic and cultural domination, because as guerrillas they were able to dictate to a surprising extent their own terms as allies, particularly with the French (Dickason 1993:161).

Hostilities largely took place at sea. Mi'kmaq political leadership and military strength enabled them to capture more than one hundred vessels, ships and fishing boats. The Mi'kmaq were strategically well organized in order to carry out such an achievement. However, between 1722 and 1726 the intensity and violence of the conflict heightened, and the British initiated a campaign of genocide against the Mi'kmaq which was to last for more than fifty years (Miller 1995: 364).

English attempts at genocide took various forms: they served poisoned food to the Natives at a feast in 1712, they traded contaminated cloth to some Mi'kmaq in 1745, setting off an epidemic that caused the deaths of several hundred; they sent groups of English soldiers to roam Nova Scotia and destroy Mi'kmaq camps, murdering the Natives without regard to sex or age. The English even imported companies of Mohawks and New England Algonquians, traditional enemies of the Mi'kmaq, to track down and kill them. All these tactics cost the lives of an uncalculated number of Mi'kmaq (Miller 1995: 365).

Throughout the colonizing period and beyond, the British did not regard the Mi'kmaq's political and social systems as sophisticated, but they did see the Mi'kmaq as a military threat, perhaps the reason they entered into treaty negotiations.

### The Treaty Period

During the treaty period from 1725 to 1779, the historical record fails to note explicitly roles of the Grand Council. District and local chiefs were involved in the treaty process, but the accounts of government officials, Jesuits and traders are not complete and often are confusing. It is probable that the British were aware of the political organization of the Grand Council, but did not acknowledge it as it would have been detrimental to the process of colonization to recognize an active aboriginal political organization. Furthermore, the British may not have understood the principles of Mi'kmaq leadership and authority since they differed so greatly from European perspectives. It is safe to say that whatever system the British understood the Mi'kmaq to have, the British assumed it was inferior to their own and thus justified its demise. We can gather from the historical record that Mi'kmaq chiefs continued to act on the traditional notion of consensus. The consent of as many chiefs as possible was sought to ratify or sign a treaty and to discuss the implications treaties would have on their people. Due to dispersement of the Mi'kmaq over large areas and the amount of time it took to assemble all the chiefs in one meeting place, the Mi'kmaq were at a disadvantage in the treaty process. However, they did not change their Grand Council policy of consensus or ever surrender their status as an independent nation in the treaties; to the contrary, the process seemed to affirm it.

European nations regarded treaty making as a device to control and manipulate for their own ends. Treaties made by the British did not recognize Mi'kmaq as sovereign and independent people. Furthermore, the British did not strictly and rigorously adhere to the

mandates of their treaties. Yet treaties are legally binding, and the fact that treaties were entered into with the Mi'kmaq suggests that the British legally recognized the Mi'kmaq as a form of political group with national identity and national claims. British entered into treaties to protect themselves from the Mi'kmaq. One important role of the Grand Council was to ensure that the articles in the treaties were protected.

### Treaty of 1725

Hostilities were great during the early treaty period. British settlers were expanding into Mi'kmaq territory and, although there were agreements to purchase land, the colonial government was not fulfilling its obligations. Thus, the Treaty of December 15, 1725 was entered into at Boston in order to make peace with the Mi'kmaq. The signatories on this ratification represent most known Mi'kmaq villages, including one from Cape Breton, even though Cape Breton was still under French control; some representatives of the Maliseet Nation of New Brunswick also signed. Provisions were made in this treaty to regulate trade and commerce and to release prisoners of war. Promises were made to end hostilities. Major Paul Mascarene, Council for His Majesty's Province of Nova Scotia, promised on behalf of the government to protect the Mi'kmaq hunting and fishing grounds. Fishing, hunting and fowling rights were explicitly recognized. Along with land rights these rights were to be protected in exchange for peace. Any future disputes were to be settled according to British law; Mi'kmaq were to have the same privileges as British people.

In 1726, the agreement was ratified and confirmed by the Mi'kmaq at Annapolis



Royal [Port Royal]. Ratification was made by chiefs representing; Cape Sable, Shubenacadie, Richibucto, Shediac, Minas, Chignecto, St. John, Pentaquit, Annapolis Royal and Cape Breton, as well as other eastern tribes (CO. 217, vol.5:3-5). These representatives indicate the presence of district chiefs and consensual agreement in this political matter.

The British had almost no settlements apart from military stations in Mi'kmaq territory prior to the establishment of Halifax in 1749. However, developments at Halifax caused concern for the Mi'kmaq Nation's future. The terms of the 1725 Treaty were not being complied with and the Mi'kmaq resisted the expansion of British settlement.

#### Treaty No. 239 or Mascarene's Treaty 1728

This treaty was designed to bring the Mi'kmaq into submission to the British Crown by having them accept the Treaty of Utrecht in order for the British Crown to be recognized as the "rightful possessor of the Province of Nova Scotia". Due to translation difficulties, it was not likely that the implications of signing this treaty would be understood by the Mi'kmaq, particularly the concept of exclusive ownership by the British Crown. There is no evidence that suggests the Mi'kmaq were protected by this treaty.

British emphasis on settlement of Mi'kmaq territory was seen as a great threat. The French from their base in Cape Breton discouraged peace between the British and the Mi'kmaq by continuing to give gifts and foster alliances with the Mi'kmaq. In 1745, a British expeditionary force from New England captured Louisbourg and the British were

consequently in control of Cape Breton until it was given back to the French in 1748 by the Treaty of Aix-la-Chapelle. During this period the Mi'kmaq were sympathetic to the French and greatly assisted them (R. v Marshall Decision 1996: 17).

By the mid-eighteenth century, accounts of the Grand Chief were in disorder. Grand Chief Tomah Denys of Cumberland County, near Amherst, in the Mi'kmaq district of *Signigteoag*, moved his family to Eskasoni, Cape Breton in 1749. This move likely came about because of hostilities around Amherst. However, Chief Jean Baptiste Cope residing in the District of *Segepenegatig*, was also considered by some to be a Grand Chief. If there were two Grand Chiefs during this period, it demonstrates that the Grand Council had undergone serious alteration by this time. The British may have recognized a Grand Chief on the mainland in order to facilitate relations with the Mi'kmaq there. The French may have recognized a Grand Chief on Cape Breton for the same reasons. Jean Baptiste Cope was probably a war chief and a renegade rather than a Grand Chief or national leader of the Mi'kmaq; Cope was often referred to as Major (Whitehead 1991:126).

In September, 1749, some Mi'kmaq declared war on the British, a renewal of a declaration made in 1744. By 1752, the Mi'kmaq population was greatly reduced through to disease and war. Even with a reduced and weakened population, the Mi'kmaq were still seen as a threat to British settlement in Nova Scotia. Lord Cornwallis, the governor at Halifax, offered a reward of ten Guineas for every Mi'kmaq taken or killed (Paul 1993: 108). Indiscriminant slaughter of the Mi'kmaq ensued.

### Treaty of 1752 <sup>9</sup>

The 1752 Treaty is one of the most significant Mi'kmaq treaties. Provisions made in the treaty are at the heart of establishing Aboriginal title and rights of the Mi'kmaq. The foundation of the 1752 Treaty was a commitment to peaceful coexistence between nations. In September of 1752, Jean Baptiste Cope went to Halifax to meet with Cornwallis' replacement, Peregrine Thomas Hopson, to demand compensation for illegal occupation of Mi'kmaq lands.

At a Council hold on at the Governor's House, On Thursday, Sept. 14th, 1752...His Excellency the Governor acquainted the Council that one of the Mickmack Indians, who called himself one of their Chiefs, was come in, with proposals of renewing a peace &c., who was sent for before Council, and being told he was welcome was desired to sit - Then the Govenour desired he would acquaint the Council what proposals he had to make, who replied that he was come in upon the Encouragement given him in a letter from Govr. Cornwallis, and that his proposals were - That the Indians should be paid for the land the English had settled upon in this Country. He was asked if he was one of the Chiefs, who replyd, That he was chief of that part of the Nation that lived in these parts of the province and had about forty men under him. He was then asked, why no more of them came in with him? Who replyd That they had empowered him to treat in behalf of them all.

He was also asked, How he proposed to bring the other tribes of the Mickmack Nation to a Conference here-who replyd That he would return to his own people and inform them what he had done here, and then would go to the other Chiefs, and propose to them to renew the peace, and that he thought he should be able to perform it in a month, and would bring some of them if he could, and if not would bring their answer (P.T. Hopson. *Selections from the Public Documents of the Province of Nova Scotia*, In Whitehead 1991: 124).

From this meeting, the 1752 Treaty was drafted. Cope reportedly took the proposal to the rest of the Grand Council chiefs of the Mi'kmaq Nation for them to ratify

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<sup>9</sup> The original document of the 1752 Treaty is at the Nova Scotia Public Archives, Halifax.

it. Cope also asked William Piggot, a British government official, to go to Beaver Harbor where a large number of Mi'kmaq had gathered to discuss renewing the peace (PANS RG1, vol.186:234). It is possible that this gathering was a Grand Council *Mawio'mi*. On November 22, 1752 Cope and several other Chiefs were in Halifax, where the principles of the 1725 Treaty were reaffirmed and a new treaty, known as the 1752 Treaty, a Treaty of Peace and Friendship was established (UNSI 1992). However, the Mi'kmaq of Cape Breton were upset that Cope entered into this treaty with the British, and the next year, Cope himself attacked a British sloop (Whitehead 1991: 132-138). Thus, communication breakdown within the Mi'kmaq nation was becoming problematic in political dealings with the Europeans and was negatively affecting the unity of the Mi'kmaq Nation.

Wars between the British and the French continued in North America. "The British perceived the Acadian population as being allied with and assisting the French and the Mi'kmaq. 1755 saw the beginning of the expulsion of the Acadians from Nova Scotia" (R. v Marshall 1996: 20). During the conflicts between the British and the French, Governor Lawrence, who succeeded Hopson, authorized the killing and capturing of Mi'kmaq throughout Nova Scotia in May of 1756. Again the British offered rewards. The Mi'kmaq and Acadian alliances were very strong at this time. Acadians at Louisbourg, who sent large quantities of food to the Mi'kmaq and the French in Cape Breton, "were relying on Mi'kmaq assistance in almost every aspect of their military plans including scouting and reconnaissance, and guarding the Cape Breton coast line" (R. v Marshall 1996: 20). Nonetheless, Louisbourg fell to the British in June of 1758.

The subsequent treaties between the Mi'kmaq and the British were concerned

largely with trade regulations. District chiefs Sagamore Paul Laurent of LaHave and Sagamore Michel Augustine of Richibucto met with the Governor and Council to conclude a treaty of peace. They expressed satisfaction with the treaty and declared on behalf of all district chiefs that all Mi'kmaq would be prepared to make peace on the terms of this treaty. The British realized it would be difficult to arrange for all of the Mi'kmaq representatives to attend at Halifax at once, so it was resolved to present a separate treaty to each Sagamore as he arrived (R. v Marshall 1996: 22).

The British wanted to eliminate trade between the Mi'kmaq and the French because they feared such trade would create alliances problematic for themselves. Treaty making, after 1760, demonstrated British determination to dominate the Mi'kmaq. The establishment of truck houses and the rules that regulated them indicated British intentions to reduce Mi'kmaq economic freedom. Other treaties between 1753 and 1794 reaffirmed the principles of the 1752 Treaty which otherwise was largely ignored by the British government and colonists.

During this time it was difficult for the Mi'kmaq Nation to act as one nation as they were pulled between French and British efforts. However, eventually all seven districts of the *Mi'kmawey Mawio'mi* signed and ratified the treaty of 1752, a unity achieved through the consensus mandate of the Grand Council.

### Royal Proclamation of 1763

The Royal Proclamation of 1763 by King George III of Britain was another important document for the Mi'kmaq. In the proclamation, "...the sovereign recognized

and affirmed the rights of aboriginal peoples” (Asch 1984: 46). Thus, the Proclamation protected Native usufructuary rights, particularly the right to use collectively and occupy the land for the purposes of hunting, fishing, and trapping. This Royal Proclamation was the first general policy made by the British regarding the State’s role in land acquisition:

This policy stipulates that (1) no one except the representative of the sovereign is authorized to purchase aboriginal lands; (2) the formalization of the transfer must be made by an authorized representative of the aboriginal group; (3) the transfer must take place at a public meeting attended by the other members of the aboriginal group; and (4) most importantly, the policy also asserts that: ...whereas it is just and reasonable, and essential to our interest, and the security of our Colonies, that the several Nations or Tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them or any of them their Hunting Grounds (Asch 1984: 58).

Major settlements in Mi’kmaq territory were established after the Royal Proclamation of 1763. During these years, provisions of the Proclamation were largely ignored in Nova Scotia. As time went on, terms of the treaties were ignored and rights of the Mi’kmaq were minimized and denied as their political situation became marginalized via hegemonic processes of the British.

### Effects of the Missionaries in the Eighteenth Century

During the treaty period, there occurred events of significance to the polity and spirituality of the Mi’kmaq people and their Grand Council. Missions and missionaries became increasingly influential among the Mi’kmaq. In 1714, Father Gaulin, a Seminary priest, became a missionary to the Natives and Vicar General for Acadia. Gaulin went to Cape Breton and he gathered about twenty five Mi’kmaq families around him at

Malagawatch on the Big Bras d'Or Lake. Malagawatch remained the headquarters of the missionaries until about 1750 (Johnston 1960 vol.1:32).

In 1735 Father Pierre Maillard arrived at Louisbourg and remained among the Mi'kmaq until his death in 1762. Maillard is well known for his dedication to the Mi'kmaq; he learned to speak their language, then revived the hieroglyphics of Father LeClercq, which he used to teach the Mi'kmaq about Christianity. Maillard was responsible for moving the Catholic mission from Malagawatch to Chapel Island in 1750.

On Chapel Island:

Father Maillard directed his Indians in the building of a chapel which was the first of the five small churches successively erected on Chapel Island. He dedicated the new mission in honour of the Holy Family... In 1757 the governor of Louisbourg requested the court of France to reimburse Father Maillard for the 3,600 livres he had spent. According to tradition, it was Father Maillard who brought to Chapel Island the wooden statue of St. Ann and Our Lady which, to this day, is carried in procession each year on the feast of St. Ann (26 July) or the Sunday which occurs during the Indian mission. It will be remembered that St. Ann was chosen by the Jesuits in 1629 at the Patron Saint of the Micmac (Johnston 1960 vol.1: 67).

After the fall of Louisbourg to the English in 1758, Maillard participated in the peace process between the Mi'kmaq and the British. This may be seen as a sign of the further decline of the position of chiefs and an indication of the trust placed in Maillard by the Mi'kmaq. The British asked Maillard to live in Halifax and establish the first Catholic chapel for use by the Mi'kmaq and Acadians. Maillard interpreted for the Mi'kmaq during the 1761 treaty negotiations. A number of chiefs and followers appeared before the council:

The Abbe Maillard being introduced, interpreted the treaty to the Chief...The Chief then laid the hatchet on the earth, and the same being buried the Indians went through the ceremony of washing the paint from their bodies, in token of

hostilities being ended, and then partook of a repast set out for them on the ground, and the whole ceremony was concluded by all present drinking to the King's health and their Sachems ( Atkins *in* Whitehead 1991: 154).

After Maillard's death in 1762, the Mi'kmaq were again deprived of a priest, a position they had regularly found themselves in since the baptism of Grand Chief Membertou.

In this plight the Micmacs had at times some of their children baptized and married by different Protestant ministers and good-naturedly listened to their sermons. Accordingly the missionaries of the Church of England entertained high hopes for a speedy "conversion" of the Catholic Indians. But they were to be disillusioned before long (Lenhart 1969:9).

Throughout the time that the Mi'kmaq had no priests, the roles of the priests were filled by local chiefs or captains of the Grand Council, who would conduct marriages and baptisms, and lead prayers. Through the 1760's, Mi'kmaq chiefs continued to request the British to provide a priest for them. In 1766, they were also trying to prevent settlements on their gathering places at Pictou and Chapel Island. From Governor Franklin's letters, we learn that many Mi'kmaq gathered at Chapel Island in the summer, threatening to destroy English settlements. "This year [1766] they assembled again and some declared they will not allow any Settlements to be made at Pictou, and that part of the coast of this Continent that lays nearest St. Peters. Priests they seem determined to have, whether permitted by the government or not" (CO. 217, vol.44: 89-97r). Chapel Island by this time had become an important site for the Grand Council as a safe meeting place to discuss military and religious affairs. In 1767, the priest Abbe Bailly arrived in Halifax, the second Catholic priest to be paid by the British. Bailly left in 1772 (Lenhart 1969:11). After Bailly came Reverend Joseph Bourg who commenced his mission in northern Nova



Scotia. Other priests soon joined him; however, those priests tended mainly for the French and Irish settlers, and the “Indians in their reservations did sometimes not see a priest for a whole year” (Lenhart 1969:12).

Conditions of Mi'kmaq life were declining at an astonishing rate. Their religion had changed since the early 1600's but evidence indicates that the Mi'kmaq were still holding their annual council gatherings. The Grand Council during this period declined in importance politically, but gained spiritual significance. What is interesting is that the spiritual path the Mi'kmaq chose was not their traditional belief system, but Catholicism. Grand Council meetings became largely associated with celebrations of St. Ann, their patron saint.

In 1776, the British sent an officer named Binney to regulate trade and the fishery at Canso and:

...to disperse a very large body of the Indians, assembled from all parts of the Province, on the Island of Madam, with an avowed intention of deliberating on a declaration of War, who had in the year before by their menaces, and Hostile appearance, terrified the Inhabitants of the River Saint John, and the County of Cumberland, to so great a degree, that some families removed (CO. 217, vol.51: 171r-174r).

In 1779 another such meeting occurred. The following passage is an old man's

recollection of what he saw as a boy; it may be an account of one of the earliest St.

Ann's Day celebrations:

A great alarm was excited here (Pictou) in 1779 by a large gathering of Indians from Miramichi to Cape Breton, probably a grand council of the whole Micmac tribe. In that year some Indians of the former place having plundered the inhabitants, in the American interest, a British man-of-war seized sixteen of them, of whom twelve were carried back to Quebec as hostages and afterwards brought to Halifax. This is what led to this grand gathering. For several days they were

assembled to the number of several hundred, and the design of the meeting was believed to be, to consult on the question of joining in the war against the English. The settlers were much alarmed, but the Indians dispersed quietly...But every year, usually in the month of September they assembled in large numbers, from Prince Edward Island, Antigonish and other places, their usual place of rendezvous being either the Fraser's Pt. A person brought up at the latter place, has told me that he has counted one hundred canoes at one time drawn up on the shore, and it was said that they would sometimes number one hundred and fifty. Sometimes two days would be spent in racing or similar amusements. At night came feasting. My informant, on one occasion, when a boy, spent an evening at one of these entertainments. He says that they had twelve barrels of porridge prepared, which the women served out to the men, ladling it into dishes, that, he supposed, would hold near a peck each. Two moose were also served up on the occasion, with a quantity of boiled barley. Afterward they had various plays and games; but the last night they spent in singing and praying. These gatherings continued yearly, till a vessel with small pox was sent to quarantine at the mouth of the Middle River, about the year 1838. They have now similar gatherings annually, in the month of July, on Indian Island, Merigomish (St. Ann's Day) (Pacifique 1931:89).

By 1780 pressure on Mi'kmaq land intensified as loyalist settlers moved to the Maritimes. "As hunting and gathering opportunities declined and disappeared for the Natives and as the fur trade dropped off after 1780, the Micmac people found themselves without food or goods to trade for food" (Miller 1995: 368). The ensuing starvation further decreased Mi'kmaq population and the nineteenth century saw the Mi'kmaq come under what was almost complete cultural domination by the British. By the time the British had full control over Nova Scotia, they did not recognize the Grand Council as the legitimate political body of the Mi'kmaq. They themselves had taken over that responsibility, thus denying the Mi'kmaq their traditional government.

### Mi'kmaq Society in the Nineteenth Century

The Mi'kmaqs' dependence on government had increased dramatically in the late

eighteenth century. In 1800, a House of Assembly committee assigned to study conditions among the Mi'kmaq found them dismal. By the 1820's the British government designed a reservation system to encourage the Natives to settle and become productive members of Nova Scotian society. "After more than a century of uncertainty, the English government had finally evolved a system for rendering more effective their authority over the Indians, as the establishment of reserves meant the gathering together of these people into several distinct locations throughout the province" (Hutton, 1961). By this time, traditional bases of chiefly authority, status and prestige had been greatly undermined by loss of lands and subsistence bases. The failure of the British to uphold their end of the treaty process led to social change and decay. The Mi'kmaq Grand Council and Mi'kmaq chiefs were no longer a threat to the British.

### Grand Council Succession: the Death of a Grand Chief

Grand Chief Toma Denys died at Eskasoni in Cape Breton sometime in the latter half of the eighteenth century. His successor, and likely his son, King Tomah, died in 1834 at Eskasoni. Thus the Grand Chieftainship at this time was still in the Deny family. Some of the chiefly characteristics of earlier eras were still revered:

He [Tomah] exercised his Royal Prerogatives with disinterested impartiality towards his subjects, and died at the advanced age of eighty years. He succeeded his father of the same name who lived to complete his 102nd year, and is said to have inherited many of his virtues, but resembled him little in his warlike and manly pursuits. Thoma the I was endowed with extraordinary natural strength and courage; it is recorded that he killed seven large full grown Bears in one week, with his Tomahawk - two of which at the same time most furiously attacked and wounded him, but such was the prowess of this Chieftain that he conquered his enemies and brought their skins in triumph to his residence...About 100 years ago the then King of France who heard of the warlike disposition of Thoma the I, engaged him in his service by presents of large value, amongst them were a seal and pipe of exquisite workmanship, and [the King] placed much confidence in the tribe under his command for assistance in the wars of that period (*The Cape-Bretonian*. Sydney, 28 January 1834 in Whitehead 1991:212).

The following passage offers some insight into the political structure of the Mi'kmaq during the first half of the nineteenth century:

Demise of a Native Sovereign and Consequent Interregnum: Whilst in Spain the

departure from this life of the “Beloved Ferdinand” has involved that kingdom in a civil war, it is gratifying to observe the comparative tranquillity which has prevailed in this quarter of the Globe, notwithstanding the late demise of the King of the Aborigines of this Island. It will be within the knowledge of many of our readers that the Sovereignty over the Indians of Cape Breton is stated to have been conferred by a former King of France upon a particular individual of the tribe of Indians here, and by whom in virtue thereof, the sceptre was borne. The last of this tribe, invested with the Kingly office here, was his late Majesty King Tomah, who notwithstanding the adverse and conflicting claims of other, finally ascended the Throne and was fully admitted to sovereign power over his tribe several years since - his authority not being merely acquiesced in by his subjects, but reported to have been acknowledged by a Right Reverend Prelate on the part of the See of Rome, and by His Excellency Sir James Kempt on behalf of the Court of St. James’s. King Tomah having now quitted this transitory scene, the Throne has become temporarily vacant. The succession therein we believe was formerly more hereditary than elective - that is, the regal line was kept in view, provided its members were eminent warriors, the question in such a case being merely which individual in that line should be elected: but of late the elective principle has been so extended as to admit others not of the regal line to the throne, to the exclusion of the whole of such line. The Royal line of Googoo which was formerly in possession of the Throne has consequently been debarred from the Crown, and which family it is reported is now in possession of one of the emblems of Royalty or symbols of authority; but which its enemies state it clandestinely obtained from a late King, in a manner somewhat similar to that by which we read in the history of England, Blund obtained the Crown from the Tower. It is said that the late King a few hours before dying, expressed a wish that his brother Christmas should be his successor and left with him the Royal Archives: others state that his son-in-law Francis Gregoire was left in charge. Further rumour exists that the Googoo family will be Candidates for the Crown ... Some time will probably elapse before the vacancy to the Indian Throne will be filled, as we understand that the election of a Sovereign will not take place until July next (*The Cape-Bretonian*. Sydney, 25 January 1834 in Whitehead 1991:210).

This is a non-Native perspective of Mi’kmaq sovereignty in the 1800’s. The description indicates that the selection of a new Grand Chief was not a straight forward and undisputed process. It is interesting that the position of leadership was given the title of King and was acknowledged by French and British governments according to this writer. It is doubtful that the position ‘King of Mi’kmaqs’ was created by the King of

France as suggested above; rather, the position of Grand Chief was already in place and the French chose to recognize and legitimize it by according it a title suitable to their needs. The article describes the extent of power of the Throne as being, “very limited, though a responsible and burdensome office, and is exercised in full subordination to the British Government and to the Government of the Colony” (Whitehead 1991:210). It is significant that the vacancy would be filled in July as this suggests that the ceremony took place at the annual St. Ann’s mission.

The funeral of Tomah the II went as follows:

The remains of Tomah the II were interred after remaining in *state* for 4 days, in the Royal Cemetery [*sic*] allotted to his race on the Island in the Bras D’Or lake which supports the Chapel built under his auspices, and exclusively the property of the Indians. The procession was conducted with great precision - the greater part of the tribe having assembled to take the last view of their chief, with grief silently but strongly depicted in their countenances, chanted a Requiem to the departed soul in a solemn strain characteristic of the Religious ceremonies, of those once warlike aborigines.

The body having been closed in its narrow shell, made out of a solid truck of hemlock, was removed to the sea side and laid across two canoes lashed together, which were paddled by eight Indians, these were headed by twelve of his principle officers [Grand Council Captains], in three canoes, attended by six young [females] who sung a funeral hymn in their native tongue; immediately after, followed his eldest son, bearing the tomahawk, spear, and gun of his deceased Father; the various branches of his family in succession and order formed a curious sight to such as never witnessed the manners of this harmless people. Several canoes of the tribe closed the scene, their inmates joined the chorus of the youthful songstresses who feelingly painted the virtues and deeds of their departed leader...Previous to Tomah the II’s death, he left the charge of his people to his son-in-law, Francis Gregoire, in whose care he deposited the Ensigns of Royalty, charging him to act as their supreme till the choice is made and a Chief *Legally* chosen to whom he shall deliver all the Royal property (Whitehead 1991:212).

After Tomah the II’s death, the historical record is obscured. Who actually became Grand Chief is not clear. However, one tradition suggests that a direct relative of

Tomah's, Michel Tooma, became the next Grand Chief on Cape Breton. In 1841 on the mainland of Nova Scotia another Grand Chief existed named Paussamigh Pemmeenauweet. If there were two Grand Chiefs, it indicates a break down in traditional Grand Council structure.

### Grand Council Appeals for Help

That Grand Chiefs and the Grand Council existed through the nineteenth century is evidenced by the fact that Grand Chief Paussamigh Pemmeenauweet, also known as Louis Paul, wrote the following letter to Queen Victoria in 1841.

To the Queen,  
Madam,

I am Paussamigh Pemmeenauweet, and am called by the White Man Louis Paul.

I am Chief of my people the Micmac Tribe of Indians in your Province of Nova Scotia and I was Recognized and declared to be the Chief by our good Friend Sir John Cope Sherbrooke in the White Man's fashion Twenty-five years ago; I have yet the Paper which he gave me. Sorry to hear that the King is dead. Am glad to hear that we have a good Queen whose Father I saw in this country. He loved the Indians.

I cannot cross the great Lake to talk to you for my Canoe is too small, and I am old and weak. I cannot look upon you for my eyes cannot see so far. You cannot hear my voice across the Great Waters. I therefore send this Wampum and Paper talk to tell the Queen I am in trouble. My people are in trouble. I have seen upwards of a Thousand Moons. When I was young I had plenty: now I am old, poor and sickly too. My people are poor. No hunting grounds - No Beaver - No Otter - no nothing. Indians poor - poor for ever. No store - no Chest - no Clothes. All these Woods once ours. Our Father plodded them all. Now we cannot cut a Tree to warm our wigwams in Winter unless White Man pleases. The Micmacs now receive no presents, but one small Blanket for a whole family. The Governor is a good man but he cannot help us now. We look to you the Queen. The White Wampum tell that we hope in you. Pity your poor Indians in Nova Scotia. White Man has taken all that was ours. He has plenty of everything here. But we are told that the White Man has sent to you for more. No wonder that I should speak for myself and my people.

The man that takes this talk over the great Water will tell you what we want to be

done for us. Let us not perish. Your Indian Children love you, and will fight for you against all your enemies.  
My Head and my Heart shall go to One above for you.

In addition to the Grand Chief, the letter was signed by a Second Chief of the Mi'kmaq, likely a Grand Captain, and Francois, a First Captain of the Mi'kmaq Warriors. Therefore, the Mi'kmaq Grand Council still had the traditional three person administration in the nineteenth century (Pans, CO 217/179/406).

Grand Chief Paussamigh Pemmeenauweet was from the Shubenacadie area. At the same time there resided another individual in Cape Breton who likely the real Grand Chief, Michael Tooma. By the mid-nineteenth century, the Mi'kmaq nation may have been divided along geographical, if not social and political lines. Such a division was probably encouraged by the British, who found that a divided policy among the Mi'kmaq facilitated British domination.

In 1844, Grand Chief Paussamigh Pemmeenauweet died. Two people claimed the succession and a dispute arose. Because of their increasing reliance on the Catholic church, the Mi'kmaq approached the Catholic Bishop in Halifax to resolve the dispute.

The aisles of the chapel were trodden by the moccasins of the tribes; the claims were severally preferred in the house of their worship; the decision was made before the altar; the interference of the Bishop was satisfactory; the right of the decision unquestioned, being received with unqualified submissions; the newly elected chief [Francis Paul, brother of the former chief] was then invested with the insignia of office; homage was tendered to him by every Indian present; and a procession was afterwards formed, which wended its way to Government House, when the whole party presented their chief; tendered their respects to their "great mother's" representative, and concluded their visit to the Governor, Lord Falkland, with the native dance (Churchill, *Memorials of Missionary Life in Nova Scotia*. 1845:188 in Whitehead 1991:224).

That the dispute was resolved by the appointment of the deceased's brother, indicates that

the traditional pattern of hereditary chiefly relations was altered.

During his tenure as Grand Chief, Francis Paul made applications to the Legislature in Halifax for aid. At this time, the Mi'kmaq were suffering greatly. The reserves they had been forced to live on were, "chiefly barren, and spots removed from the sea coast," according to Indian agent William Chearnley (Paul 1993:189). Furthermore, white settlers also occupied lands set aside for the Mi'kmaq, and they were desecrating ancient burial grounds of Mi'kmaq ancestors.

The appearance of the ten Chiefs and Captains, dressed in their gay and ancient costume, and decorated with medals received by the tribe from different ancestors of Her Majesty - in former times, when the Indians outnumbered the British inhabitants of the country - was at once novel and interesting. The admirable proportions and symmetry of these fine stalwart fellows are such as will bear a comparison with the inhabitants of any country. Among the number was old *Saagauch* Paul, the Chief of Shubenacadie, a truly venerable and respectable man, remarkable for his wisdom and sagacity. He is the *Winjeet Sagamore* (High Chief) of this people... The appearance of the representatives of the ancient Lords of the Soil, to urge their claims, recall to our minds the melancholy fact that the whole tribe is fast fading away...(*The Acadian Recorder*. Halifax, 24 February 1849 in Whitehead 1991:239).

In 1856, Chief Francis Paul resigned due to poor health. Because of this resignation, one wonders whether Francis Paul truly considered himself to be a Grand Chief, for oral tradition tells us that Grand Chief is a position for life and no one has ever resigned. After the resignation, Jacques-Pierre Peminuit Paul of Shubenacadie was installed as Grand Chief at St. Mary's Cathedral in Halifax on September 15, 1856 and presented with a medal from Pope Pius IX.

Another petition to Queen Victoria for help was sent by an unnamed Grand Chief in 1860 possibly, Frank Tooma, Jr., descendent of Tomah the II and Michel Tooma; it is



likely that this was written by an Indian Agent assisting the Grand Chief in Cape Breton as the subject matter deals with poor conditions for Mi'kmaq there:

...That from time immemorial, certain lands in Cape Breton have been in the possession of the Cape Breton Indians, and to these lands their claims have at all times, by the Provincial government, been distinctly recognized, their limits marked out and clearly defined, and all applications to the Government hitherto, by white men, for any part of these lands, refused... That as the Crown lands in Cape Breton became closely settled, some white men took forcible possession of parts of those tracts of land on the Wagmatcook and at Whycocomagh, but on the complaint of the Indians, these men were from time to time warned by the Government to remove from off them, but in so inefficient a manner, that instead of removing, others were encouraged to settled on these lands also... That such lawless and unrestrained aggression and of inefficient and nominal protection have been, and still are the direct cause of indescribable suffering and misery to many of the Cape Breton Indians, who deterred as said, by lawless violence from cultivating, or even to a great extent, from occupying their lands, and denied any redress of the injuries thus inflicted upon them; have been driven from their homes; the strong men to other Countries, and the aged and feeble to the wayside, there to perish of hunger and cold (Unpublished collection of papers - Grand Council Applications to United Nations).

Thus, during the first half of the nineteenth century, the Grand Council continued its attempts to deal directly with the sovereign in England. These attempts were politically successful, as Pemmeenauweet's [Louis Paul] 1841 petition was in part responsible for Joseph Howe's appointment as the first commissioner for Indian Affairs in Nova Scotia in the 1840's (Ralston 1981:482).

### Reverend Silas Rand

In 1840, Protestants continued their efforts to proselytize among the Mi'kmaq and Reverend Silas Rand, a Baptist minister, formed the Micmac Missionary Society at Halifax (Lenhart 1969:12). Rand had a great gift for languages and mastered the

Mi'kmaq language. "The Dominion of government paid the cost of publishing his English-Micmac dictionary in 1888, when his cousin, Sir Charles Tupper, was the federal Minister of Finance" (Johnston II:343). During Rand's missionary labours, he collected stories for a book, *Legends of the Micmac*, published in 1894. The Micmac Missionary Society was short-lived, but Rand continued to work among the Mi'kmaq, relying on his own resources until his death in 1890. Despite all his efforts, Rand succeeded in converting only one Mi'kmaq from the Catholic faith, so strongly did the Mi'kmaq adhere to Catholicism (Lenhart 1969:13). A Capuchin priest describes Rand's missionary work among the predominantly Christian Mi'kmaq:

The Micmacs treated him very civilly, listened attentively to his readings of the Bible or his sermons, discussed with him the points of difference between Catholics and Protestants, read his printed translations of parts of the Bible, but remained steadfast in their faith. He made only one convert among the Micmac, one who had been laboring as a colporteur [a travelling bible distributor] among his people, and since May, 1858, also a preacher receiving a salary of 78 pounds sterling. But strong drink ruined this poor Indian, the outcast of his tribe who on his deathbed called out for a priest but did not get him. Thus died the first and last Protestant Micmac (1882) (Johnston II:343).

In his writings, Rand has left some valuable information about the Mi'kmaq in the mid-nineteenth century [Figure One]. He comments on the manners and customs of the Mi'kmaq and the detrimental effects of their contact with European settlers:

There are no wars with bordering tribes. No ambitious chieftain gains immortal fame by pursuing for months his enemy, waylaying and killing him. The Micmac chief does not reckon among his regalia the scalps of his slaughtered foes; and there are no torturings and burnings of prisoners. Chiefs are, however, duly elected. The Indians assemble, on such occasions, to give their votes; and any one who knows any just cause why the candidate should not be elected is at liberty to state it. Councils too are held, to which ten different tribes, extending from Cape Breton to Western Canada, send their delegates; and they seem to consider the affair as important as it ever was (Rand 1971: xxx).

Figure One:

The Reverend Silas Rand and Two Mi'kmaq Boys in Amherst, Nova Scotia

ca 1880-1887



Photo: R. S. Pridham

Courtesy of the Nova Scotia Museum of Natural History, Halifax.

From this passage, we learn that in the mid-nineteenth century, chiefs no longer achieved their position by traditional methods, their bases for attaining their status had changed. More important is the evidence that the political and religious aspects of Grand Council had not entirely disappeared in the mid- nineteenth century.

### Mi'kmaq Government Denied - The Creation of the Indian Act

In 1867, with the establishment of the British North America Act, a patriarchal relationship between the federal government of Canada and the Mi'kmaq was established. The implementation of the Indian Act in 1876 was likely the most severe blow ever to Mi'kmaq society politically, economically, spiritually and culturally. In 1880, a separate department of the federal government was established to deal specifically with Native people. The federal government assumed the responsibility of appointing chiefs through elections. The act defined very limited powers for Natives in relation to both the federal and provincial governments. A paternalistic view of government saw the Mi'kmaq Grand Council as a spiritual organization rather than a political form of government. This act disrupted ancient social and political processes of chiefly status, authority, and prestige, and ultimately marginalized traditional forms of Mi'kmaq government. The power of the chiefs and Grand Council was usurped by the appointment of Indian Agents. The Mi'kmaq struggled for survival as the Indian Act and the government took increasing control over all aspects of Mi'kmaq life.

The following passage recounting an event just before Confederation in 1867 suggests that the Mi'kmaq were fearful of what Confederation would mean for them and

their treaty rights:

I also faintly remember the great agitation the Confederation of the Provinces of Canada brought upon Indians. To most of them, it spelled a complete loss of every Right and privilege they enjoyed. For a false Rumor got among them, That at the event that the so-called Confederation became a fact, the Indians in Nova Scotia would be deprived of all their former Treaty Rights (pretty darn near that now). Powwows or Council Meetings were held at Shubenacadie Reserve and at the Preston Road Indian settlement and other Reserves, in an endeavor to find out if that Rumor really came from the Headquarters in England in other words. From the Queen Victoria.

I remember the last General Pow-wow held at Peter Cope's house at the fork of the Preston and Guysboro Roads (which is still standing). The Captains of Council men were, the Grand Chief James Paul [Jacques-Pierre Peminuit Paul], John Noel [his adopted son], Joe Gloade, Peter Cope, old Lewis Paul, Christopher Paul, and one Council Man from Pictou, Gabriel Niggiachoo. In that Pow-wow two captains were selected to go over to England: John Noel and Peter Cope. (The only two who could express their ideas in the English Language better than the Rest).

A day was decided upon when these two Captains would embark on their important mission. Everything apparently moved along satisfactorily for some time. Funds were collected to defray these Captains' expenses. The necessary Indian Costumes or clothing suitable to be worn in presence of the Highest authorities in England were made by the greatest Bead worker women. Mrs. Prosper Paul made Peter Cope's great Coat and I think old Mary Thomas [his mother-in-law] made John Noel's; of course other women assisted however. Before the time appointed came, everything was OK. A short Council meeting was held again at the Preston Road settlement, every Council Man attended, but one most important man, John Noel, who showed a white Feather, one day before the Inman Line steamer was due to leave Halifax for England. So Peter Cope had to paddle his own Canoe alone to England. If I remember right I think he went over on the Inman Line steamer, City Cork, and came back on the city New York. However, he was over to England to the Colonial office, where he met Dr. Tupper and Joseph Howe, who, it appears, were also over there on the same Business, the Confederation. The above-mentioned Gentlemen introduced Cope to the Authorities of the Colonial Office, and assisted him, regarding his missions, where Cope was informed that as long as any Indian remained a True Ward of the English Government, so long His Treaty Rights would be respected and adhered to, to Hunt, Fish and Camp wherever He like. No Bye Law can ever alter of change His Treaty Rights and Privileges. Indian's status as a "ward" is his only Protection and I am afraid some Magistrates and Judges don't know that ("Joe C. Cope, Indian," to Harry Piers. Nova Scotia Museum Printed Matter File in Whitehead 1991:271-272).

By the middle of the nineteenth century, another important concern for the Mi'kmaq was their lack of a priest to perform the sacraments; they feared they would die unabsolved from sin and therefore subject to agony in the afterlife. Some Mi'kmaq communities solved the problem by appointing leaders to perform provisional marriages and baptisms (Brooks 1986:114). These religious leaders were usually members of the Grand Council. As the system of district and local chiefs broke down, a new system emerged. Individuals were selected from and by each community and the Grand Council to take on the roles of priests. These individuals were *keptins* or captains of the Mi'kmaq Grand Council. Although no Mi'kmaq chiefs ever became priests, some did play an important Christian religious role. "During much of the nineteenth and early twentieth centuries, the Grand Chief was reduced to a largely ceremonial position and was often entrusted with the supervision of religious affairs, especially the celebration of Saint Ann's Day" (Nietfeld 1981: 546).

In 1881 John Denny Jr. inherited the Grand Chieftaincy from his father, also named John, who was Grand Chief from 1869 to 1881. The elder John Denys was the great grandson of Grand Chief Tomah Dennis [Denys], mentioned earlier. Grand Chief John Denny, Jr. was a renowned Mi'kmaq prayer and choir leader, and a great reader of the hieroglyphics (Christmas 1983: 48).

Thus, through the seventeenth century, Mi'kmaq leadership and political organization were maintained largely through the aboriginal system according to aboriginal criteria. During this time, economic, social, spiritual and political functions

carried on by the Grand Chief and the Grand Council still adhered to aboriginal Mi'kmaq constructs. By the middle of the eighteenth century the traditional roles of the Mi'kmaq Grand Chief and Council were altered significantly. The Grand Council's political authority decreased as the Council became increasingly dependent on European governmental and religious support to validate their position.

However, through all this, the Mi'kmaq Grand Council still maintained an important place in Mi'kmaq culture. The Grand Council was able to avoid complete domination by Europeans. Chapter Four will examine the Grand Council in the Twentieth Century as it continues to function and change. A closer look at the Grand Chiefs of this century will help to understand changes in the Grand Council as it responds to a changing society.

## **Chapter Four - Mi'kmaq Grand Council in the Twentieth Century**

In the twentieth century, Mi'kmaq society experienced the pressures of two world wars, entrenchment of the reservation system, creation of a welfare state of dependency, poverty, racism, health problems, residential schools, centralization, forced assimilation, disunity, internal and external conflicts, court battles over treaty rights, and changes within the structure of the Grand Council itself. As the Canadian government initiated policy after policy of assimilation, and undermined traditional forms of Mi'kmaq government by imposing a system of elected chiefs and band councils, the Grand Council shifted and adapted to meet these pressures.

After Confederation, the seven political districts of Mi'kmaq territory were ignored by the government of Canada. With the establishment of reserves and the issuance of provincial travel passes for Natives, the traditional communication processes broke down. In response, the Mi'kmaq Grand Council restructured itself to serve the Mi'kmaq people to the best of their ability. Changes in the Grand Council were not immediate; rather, they evolved over time, dictated by necessity.

Rather than local and district chiefs, the Grand Council restructured according to reserve locations. At the beginning of the century, each district selected one captain to represent the district in the Grand Council. As time passed, captains were selected from reserves. There was no explicit set of rules for the selection process. Patterns of selection did not become apparent until later in the century. However, it is likely that outstanding people from families with a history of chieftainship were selected; undoubtedly they were very spiritual and involved in their communities.



### Grand Council Structure in the Twentieth Century

The Grand Council at the turn of the twentieth century had the following structure: a Grand Chief (*Kji Sagamaw*), a Grand Captain (*Kji Keptin*), and a *Putus* formed an executive. Beneath this executive administration were the captains from each reserve in the Mi'kmaq nation, which still consisted of Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and eastern Quebec. Captains were equal in rank and authority and each was entitled to one vote in council matters. An emphasis on consensus continued to guide the Grand Council's decision making. Meetings were held to discuss community issues and problems; socio-economics, politics, education, ecology and spirituality were still on the agenda.

The Canadian government, however, chose to ignore the traditional Mi'kmaq government. The federal and provincial governments implemented the Indian Act Chiefs and Band Councils in order to facilitate their fiduciary responsibility and bring about Mi'kmaq assimilation. Band chiefs were ascribed power and authority that did not come from traditional bases. This power was not particularly strong during the first half of the century as Mi'kmaq rights were very restricted; the Mi'kmaq had little freedom and a financial base inadequate to function in a capitalist society. Gradually, Indian Act bands became the primary locus of political activity for Mi'kmaq people instead of regular Grand Council meetings. The Grand Council, although still expressing some political power, tended to focus more on spiritual unity manifested by the annual St. Ann's gathering on Chapel Island.

As mentioned earlier, John Denys, Jr. was *Kji Sagamaw* at the turn of the

century. Existing documents indicate action taken by some mainland Mi'kmaq to select a Grand Chief for the mainland. For example, a letter written by Jeremiah Lonecloud at Shubenacadie Indian Reservation to Chiefs of the various surrounding locals, dated August 15, 1916 said:

This is to inform you that a Grand Meeting of the Micmac Tribe of the District comprised in Halifax, Lunenburg, Kings, Hants, Colchester, Cumberland, and Queens Counties, will be held at the Chapel at Indian Reservation, Spring Brook, Shubenacadie, Nova Scotia, on Tuesday afternoon, the 22nd August 1916, for the purpose of electing a permanent Grand Chief for the said seven counties of Halifax, Lunenburg, Kings, Hants, Colchester, Cumberland, and Queens. Please take notice and inform the members of the Tribe in your county (Nova Scotia Museum printed matter file).

Whether the meeting took place is not known. Further documentation suggests that a chief named John Denny Paul was elected in the Shubenacadie area in 1916, but only for a three year term. In the declaration, it is clear that this chief is an early Indian Act chief rather than a traditional Grand Chief because of the three year term stipulation. What is interesting to note, however, is that this declaration was made in Cape Breton, rather than in Halifax. Three years later another meeting was called to elect another "Grand Chief". It seems likely that the term "Grand Chief" was adopted by the Indian Act agents for a time, in order to distinguish that chief from the chiefs of individual counties or reserves. It was also possible the British adopted the name in order to give legitimacy to the individuals they chose to recognize. These elections for Grand Chief were sanctioned by the government of Canada. Evidence suggests that the Grand Chief of the Shubenacadie area was only responsible for the six counties mentioned in Lonecloud's letter, not for the entire Mi'kmaq Nation.

Meanwhile, in Cape Breton at the turn of the century, anthropologist Frank Speck conducted research among the Mi'kmaq. Unfortunately, Speck did not record detailed information on the nature and roles of the Grand Council; however, he did record this:

The Micmac on the island of Cape Breton form now about the most conservative group of this widely distributed tribe. Here, furthermore, is the seat of Native government and the residence of the Grand Chief who has control of all the Micmac bands from Newfoundland to Nova Scotia and Quebec. The island of Cape Breton is called *Unama'gi* and the people style themselves *Unama'wax*. They inhabit six fairly large settlements having a population of 604 in 1911; one, the capital of the Micmac, is at Eskasoni, where John Denys, the Grand Chief, lives; others are at Whycocomagh, Middle River, Malagawatch, and Chapel Island respectively, while the last [Membertou reserve], dating back only 50 years or so, is in the outskirts of Sydney. This interesting band still preserves its national existence and the records of its alliance with the Mohawk. The former intertribal negotiations with the Iroquois at Caughnawaga and the ceremonial procedures with wampum are still distinctly remembered (Speck 1922: 107).

#### Wampum Belt Tradition Continued

Historical documents are fragmentary, and it is difficult to trace patterns of chieftainship between the mainland and Cape Breton. However, by this time, Cape Breton was generally considered to be the headquarters of the Mi'kmaq nation as Speck indicated. The preservation of records of Mi'kmaq alliance with the Mohawk was maintained in a wampum belt. The wampum was made of shells, stone beads and fish teeth, sewn into a leather band in patterns that recorded Mi'kmaq alliances (Denys 1993:25). The wampum continued to be used and recognized in the mid-nineteenth century by Paussamigh Pemmeenauweet, who enclosed a wampum belt with his letter to Queen Victoria to remind her of the treaties made between the Mi'kmaq and the British.

Use of wampum belts dates back to the early seventeenth century. It was a pre-

contact practice that continued to be used until in the twentieth century. When Grand Chief Membertou in 1610 agreed to the Concordant with the Holy See, he assumed the Mi'kmaq Nation would be recognized as a sovereign nation. "For that occasion, a wampum belt became part of the ceremony. The wampum belt demonstrates the symbolism of the deep faith of Grand Chief Membertou and the Mi'kmaq Nation" (Paul 1989:19).

### The Roles of the *Putus*

In this century, it has been the role of the *Putus* to read the wampum at Grand Council meetings. The *Putus* was chosen by consensual decision of the Grand Council, and the individual was selected from the captains on the Grand Council. There is some evidence that this role was hereditary, as were most of the positions on the Grand Council until this century. Training a son or close relative of the *Putus* was usually started at a young age, ten or eleven, by his father and elders in his community. This important position called for dedication as well as excellent oratory skills and a good memory. The *Putus* at the turn of the century was Andrew Alek from Chapel Island [Figure Two]. Like the position of *Kji Sagamaw* and *Kji Keptin*, the *Putus*' position is for life. At Andrew Alex's death, the position went to his son, Isaac. Isaac Alek would read the wampum at the *Mi'kmawey Mawio'mi* meetings at Chapel Island during St. Ann's Mission. These meetings of the Grand Council also came to be known as the *Santeo Mawio'mi* in reference to the spiritual aspect of the Grand Council. Unfortunately, because *Putus* Isaac

Figure Two: *Putus* Andrew Alex with Mi'kmaq Wampum Belt

ca 1930



Photo: Clara Dennis

Courtesy the Nova Scotia Museum of Natural History.

Alek was the last person able to read the wampum, the tradition died with him about 1965. The position of *Putus* remains today, but in a changed form, and the wampum has disappeared.

Along with the vanished Wampum belt, there are a number of symbols associated with the Grand Council. There is a flag, consisting of a red cross on a white background; in the upper corners are a red crescent and a five pointed star [Appendix I]. This flag was first raised by Jesuit priests at Restigouche in 1900. The Grand Council members all wear coloured sashes to ceremonies and meetings; unfortunately, it is not possible today to learn the meaning associated with the colours. The *Kji Sagamaw* has a dark blue sash, the *Kji Keptin* wears yellow, the *Putus'* sash is brown, and the *keptins* all wear light blue. The *Kji Sagamaw* has a special medallion, and several *keptins* wear crescent shaped medallions. Although headdresses are sometimes associated with Native chiefs, this is not a traditional Mi'kmaq custom; however, it is one often adopted in order to distinguish a chief for non-Natives and Grand Chiefs throughout the twentieth century have donned headdresses when participating in ceremonies with non-Natives. Traditional Mi'kmaq chiefs wore great coats embroidered with intricate bead work of Mi'kmaq symbols.

#### Grand Chief John Denny, Jr. - Last of the Hereditary Grand Chiefs

As related earlier, *Kji Sagamaw* John Denys, Jr. came from a long line of Grand Chiefs. Bernard Hoffman has suggested that Denys may have been a descendant of the powerful, greatly feared mid-seventeenth century chief of Richibucto, Chief Dennis (Hoffman 1955: 572). There is little information recorded on the life of *Kji Sagamaw*

John Denny, Jr., however; it is known that he was determined to keep customs and tradition alive despite the decline of Mi'kmaq society. Oral history tells us that Denny, Jr. was a very intelligent man who was able to write and speak both Mi'kmaq and English fluently. He was a spiritual man, greatly involved in the catholic church, who worked at unifying the Mi'kmaq nation. "Grand Chief Denny would send letters to the captains of the Grand Council to ensure that they would pray and celebrate sacred events such as Christmas and Easter whether or not a priest was there" (Marshall *in* Cape Breton Magazine 1985, 40:32). The captains had to perform the duty of Grand Chief on their reserves. At assemblies, they read the Grand Chief's letters and led the group in prayer (Marshall 1985: 33).

In 1904, with fifty Micmacs from various Maritime reserves, Grand Chief Denny attended a small mission church in Indian Brook, Shubenacadie, the High Mass celebrated by the Bishop of St. John New Brunswick and assisted by Father R.P. Pacifique of Quebec. During the mass, 29 children received their confirmation. On June 24th, 1910, the Grand Chief was among other Micmac leaders from the Atlantic region to visit Ste. Anne de Restigouche, Quebec to commemorate the 300th anniversary of their beloved brother, Grand Chief Membertou's first baptism to Roman Catholic faith.

Throughout his reign as Grand Chief of the Micmac Nation, John carried on the legacy left by his ancestral predecessors.

Each year at Chapel Island on the Bras d'Or Lakes, he summoned his Grand Council and Chiefs. Shortly after the St. Ann's Procession, they met in a traditional manner inside the largest wigwam called *gtjioigoom*. They sat on the ground in a circle and smoked in turn the pipe of peace. They then talked about their fishing and hunting fortunes of the previous year and reviewed their tribal laws concerning lands and local government.

Like all Grand Chiefs before him, Grand Chief Denny insisted that the proceedings be carried out with due regard for all the ancient customs and formalities of the tribe.

After the feast, Grand Chief Denny read the wampum belt *Inapsgog*. The ceremonies closed with chanting and dancing around the *gtjioigoom*, an event marking the successful close of yet another year and their beloved mission. Grand Chief Denny was praised for his religious contribution in the construction

of the Holy Family Church in Eskasoni. On October 9th, 1910, he and the members of his Grand Council, clergy, Chiefs and the general population witnessed the blessing of the new chapel and the laying of the corner stone by Father R.P. Pacifique.

After 37 years of noble service, Grand Chief John Denny Jr. died on April 12, 1918 at the age of 77 - the last of the hereditary Micmac Grand Chiefs (Christmas 1982: 48).

This passage illustrates the fact that the Mi'kmaq leaders were not only political leaders, but important spiritual leaders as well. While the Catholic church continued to play a significant role in the lives of the Mi'kmaq, St. Ann's Mission at Chapel Island, Cape Breton, became the focal point of Grand Council activity. However, in the early twentieth century, St. Ann's Mission turned into a tourist attraction. "The religious character of the day was obviously in danger of being lost, but it was saved as the result of efforts of the Reverend Father Pacifique," [a well loved priest among the Mi'kmaq of Restigouche].

According to Upton:

Early in the twentieth century, he [Pacifique] established a mission at Restigouche and set about making it the focal point of Micmac life. The tercentenary of the baptism of Chief Membertou was celebrated there with great pomp in 1910. Father Pacifique published prayer books, hymnals, and catechisms in hieroglyphics and edited a Micmac language monthly, *Le Messenger Micmac*. He also wrote on the history of the people, but with a rather undue emphasis on the centrality of Restigouche to their life. At his passing, Restigouche dwindled in importance, and Chapel Island reasserted its primacy as a religious centre (Upton 1979: 176).

*Kji Sagamaw* John Denys Jr. was the last of the hereditary Grand Chiefs. He had several sons but did not want them to take on the position of Grand Chief. One can only speculate why; it is possible that he did not wish to bequeath the rigorous Grand Chief life to family members, so he made his decision with the welfare of the Mi'kmaq Nation and his family in mind. After Denys's death, an election was held on Chapel Island



during the St. Ann's Mission of August, 1918, to choose a successor.

When the mission opened on Thursday, August 1, the Grand Council assembled inside the *Gtjioigoom* to select the new Grand Chief. By consensus, the Council decreed that a young son of the late Grand Chief John Denny [Denys] be chosen to carry on the hereditary legacy. The youth refused because his father foreordained that he not assume the rigours and the sanctity of the lifetime office. When Father Pacifique, the Indian missionary from Restigouche, Quebec was consulted, he agreed with the youth's refusal saying "It's a grave dishonour to disobey your parent". The Council then decided to elect a new Grand Chief. These six candidates were nominated: Stephen Paul, Barra Head; Gabriel Sylliboy, Whycocomagh; Samuel Joe, Malagawatch; Isodore Pierro, Wagmatcook; Frank Gould, Eskasoni; and Joe C. Marshall, Membertou (Christmas 1982:49).

### Grand Chief Gabriel Sylliboy

Gabriel Sylliboy, renowned religious leader in Whycocomagh and a *Kji Keptin* representing Whycocomagh on the Grand Council, won the election, Thus becoming the first elected *Kji Sagamaw* in the history of the Grand Council. Sylliboy was forty-four years old when elected to the lifetime office of Grand Chief; he was inaugurated into his new position by Father Pacifique [Figure Three]. <sup>10</sup>

Father Dugald Gillis of Bishop's House, Antigonish, gave the inaugural address. Following his induction, *Kji Sagamaw* Gabriel Sylliboy led his first St. Ann's procession, wearing the Grand Chief's medallion. "Standing near the spot where Father Maillard first

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<sup>10</sup> In 1894, the Reverend Father Pacifique, a Capuchin, born at Valigny, France settled in Restigouche where he began an extensive missionary which reached all Micmacs in Quebec, New Brunswick, Prince Edward Island and Nova Scotia. He was the most successful missionary since Maillard; the influence of his publications is deeply felt today. He is still held in high esteem and his prayer books are considered sacred (Christmas 1985:5).

Figure Three: Father Pacifique

ca 1905



Photo: Father W.E. Young

Courtesy of the Nova Scotia Museum of Natural History, Halifax.

preached in 1747, he delivered his maiden speech in an eloquent style that earned him his cherished trademark as a master of Micmac oratory” (Christmas 1982:49).

According to a visitor to Chapel Island in 1923, Grand Chief Sylliboy gave many speeches. “In one of his many exhortations by the Grand Chief at the close of the church service, he urged parents not to oppose their girls getting married, here was a good chance, with the priest coming; it was “safest” to let them marry...” (Parsons in *Cape Breton Magazine* 1985, 40:34). Marriages were conducted at the Saint Ann’s mission on Chapel Island by visiting priests until 1949 (Notes 1996).

During *Kji Sagamaw* Sylliboy’s leadership, dispute resolution and ecological issues were still dealt with by the Grand Council in meetings at Chapel Island. A consultant recalls this tradition as told to him by an elder:

At Pentecost they got together and the problems would come out. There was a big Grand Council wigwam there and everyone of the captains would come out with their problems and their needs. They decide among them, if they have a problem, maybe it is about the land or the sea, or maybe it is hunting and fishing. Sometimes people go hunting in an area and the hunting runs out, so they need additional land. I cannot just go and take over the land that is there, there has to be consensus of the whole council. They used to chant out after the request was accepted or denied. They used to have certain ways they would chant, a certain tone. If it is a happy chant then you know the request has been accepted. The people would all wait outside for the answer, if it was a sad chant, then the request was rejected.

The position of *Kji Keptin* opened up when Gabriel Sylliboy took on the role of *Kji Sagamaw*. The Grand Council decided that former Grand Chief Denny’s son Simon should become the next *Kji Keptin*. Grand Captain Simon Denny maintained his position until his death in the 1960’s.

According to the Mi’kmaq today, Gabriel Sylliboy was a charismatic leader who

commanded great respect wherever he went [Figure Four]:

You could not help yourself as a Mi'kmaq to respect the man, the respect was automatic as soon as you confronted the man, you would stop in your tracks no matter how powerful you were, when you were face-to-face with the Grand Chief all humility moves on you. When he spoke, you listened (President of the Union of Nova Scotia Indians 1996).

Another research participant said:

The Grand Chief Gabriel Sylliboy stood out very well. I remember the first time I saw him in Eskasoni. I was fourteen years old. My father and I were in a store waiting for someone and the Grand Chief and his wife came in and said they needed groceries. I was surprised, they just gave to him what he wanted. I asked my father who that man was and he said he was the Grand Chief. He wanted chewing tobacco and tea. I was surprised at the authority he had. That is how I knew him, he had a lot of authority, people listened to him, everyone listened to him (Captain of Grand Council from Membertou 1996).

As much as Grand Chief Sylliboy was a spiritual leader, he was also actively involved in political matters. In 1928, Grand Chief Sylliboy and two Mi'kmaq men from Newfoundland were charged with illegal hunting. During the trial, the Grand Chief relied on the terms of the 1752 Treaty to protect his rights to hunt, trap and fish wherever and whenever he wanted. The following excerpt from the court case reveals that the Grand Chief may have had a deputy. Joe Christmas apparently served as Assistant Deputy Chief, a position not commonly held by any individual; he may also have acted as a temporary Grand Captain. It is uncertain but probable that sub-chiefs cited in the document may have been Grand Council Captains.

Port Hood, C.B., July 4/28

King versus Gabriel Sylliboy

Mr. MacLennan KC for prosecution

Mr. Joseph MacDonald & Mr. John MacKenzie for defence

Joe Christmas called: Live at Sydney, Nova Scotia. Am 74 years of age. Chief of

Figure Four: *Kji Sagamaw* Gabriel Sylliboy St. Ann's Day, 1930



Photo: Clara Dennis

Courtesy of the Nova Scotia Museum of Natural History, Halifax.

Micmac Sydney Band, North Sydney Band. Assistant Deputy Chief to Grand Chief...When Chief, I had to make rules for tribe. Made myself familiar with traditional rights of tribe. While I was chief made rules for people not to disturb other people's rights. Told them they must not hunt when fur not fit, but that they could any other time...Heard according to treaty we had rights to hunt & fish at anytime. I cannot read. Heard it from our grand father. Heard that King of England made treaty with Micmacs, with the whole tribe...

Gabriel Sylyboy [sic] called: Sworn: Exd. (Examined) Mr. MacDonald: Accused. Live at Whycocomagh on Indian reservation there. I am Grand Chief Micmacs of Nova Scotia. All Nova Scotia as well as Cape Breton. Start to go trapping on Halloween. For last 34 years. Get few muskrats then. Did not kill fox. Found fox dead in an old snare. Killed the muskrats whose pelts were found. Am a Micmac Indian of Nova Scotia tribe. Never interfered with in my hunting before. Heard of some Indians on other side of Truro being interfered with a year ago. Since I was a boy heard that Indians got from King free hunting and fishing at all times. Still believe Treaty good. When officer took pelts I told him I had treaty. He said he knew nothing about that. I said let me go and I will show you copy of treaty. I said if I wanted I could prevent him taking furs but he did not know about the Treaty I would let him take furs. Under Treaty get from government blankets and flour and some shoes & long coats. Still get them. Haven't got any for a year. From Mr. Boyd Indian Superintendent River Bourgoise. Where there is no game in hard months get order for \$10.00 for goods in store...

Cross examined by Mr. MacLennan: Grand chief elected for life. Have about six subchiefs under me. I am a sort of king among Indians. Had been hunting four days at Askillou before skins taken...Indians law-abiding since Treaty...Told officer that I had treaty with King and that I had right to furs. Have not got furs back... (Inverness County Court. King vs Sylyboy. Minutes 1928. PANS in Whitehead 1991: 332-330).

*Putus* Andrew Alek was also called as a witness. Thus, the Grand Council, headed by *Kji Sagamaw* Sylliboy, used the courts in an attempt to establish treaty rights in hunting and fishing. Gabriel Sylliboy was convicted in this case in 1928; many years later the decision was overturned and his name cleared. *Kji Sagamaw* Gabriel Sylliboy may have been the first Grand Chief to argue in a court of law the validity of the Treaty of 1752 and the rights and freedoms it guarantees the Mi'kmaq Nation.

The first half of the twentieth century was the time of the Canadian government's harsh policies of assimilation, the development of residential schools and the attempted centralization of the Mi'kmaq people. These dominant society policies were employed to eradicate Mi'kmaq culture, tradition, and identity in order to assimilate Mi'kmaq into non-Native society.

Residential schools are representative of the horrors the Mi'kmaq faced from the 1920's to 1964. At these schools, Mi'kmaq children were taught that it was a sin to speak their own language and to practice their traditional faith. Families were broken up and ties to local communities were severed when children were forced to attend residential schools. Mi'kmaq culture and history were not taught; most children were led to believe that they were inferior to the white society. Negative stereotypes about Natives were perpetuated, leading to low self esteem among the Mi'kmaq children. The treatment of the people who attended these schools would have negative repercussions on their lives long after the schools were shut down. Physical and mental abuse carried out by some of the nuns and priests in charge of the schools created contradictions for those who had placed their faith in the Catholic church. During this time the Grand Council was unable to protect the Mi'kmaq nation from these harmful effects of assimilation.

In the late 1930's, the federal government tried to centralize the Mi'kmaq people on two large reserves, at Eskasoni and Shubenacadie. This centralization was to facilitate Mi'kmaq assimilation into the larger society and for the convenience. To carry out this policy, the government sought the support of Mi'kmaq leaders. Grand Chief Sylliboy and some of the Mi'kmaq leaders accepted the idea that centralization would strengthen

Mi'kmaq culture and improve standards of living. *Kji Sagamaw* Sylliboy was acting on behalf of his people and wanted to rid them of poverty and poor living conditions. Tensions within the Grand Council and the Mi'kmaq communities must have been great at the time, particularly as opponents to centralization became more vocal. Due to increased opposition on the part of some Mi'kmaq leaders such as Chief Ben Christmas, the plan failed (Paul 1993:290-298).

In 1942, *Kji Sagamaw* Sylliboy took political action again. He wrote a letter to Canadian Prime Minister MacKenzie King, appealing for the exemption of Mi'kmaq men from compulsory military training. The Grand Chief wrote:

...This is my direct personal appeal to you on behalf of my Nova Scotia Micmac Indians, for exemption from compulsory Military Training...Personally, I was never informed of existing Regulations, as a matter of fact, I was reasonably assured by our local Indian Agent, that my Indians will not be affected. As you may know, in the last war Indians were fully exempted from conscription. In my humble opinion, however I do not believe, that the existing National War Services Regulations were ever intended to include Indians. I am proud and always endeavoured to be a loyal Canadian Indian, under the British flag; but I am certainly not recognized as a Canadian Citizen, or an "Ordinary Resident" in Canada. I am not an immigrant, and according to the Indian Act, I am not even recognized as a "person". Consequently, in my humble judgment the words "Ordinary Resident" as used in National War Services Regulations, is not applicable to an Indian. I humbly ask you therefore, to be good enough to reconsider the decision of the Department of National War Services of September 8, 1942, as signed by Honourable J.T. Thorson.

*Kji Sagamaw* Sylliboy's request was granted, and Mi'kmaq were no longer obligated to participate in Canadian or British war efforts. However, this did not stop some Mi'kmaq from volunteering their services and going to war for a country that did not even recognize them as citizens. For some, going to war may have been an escape from the hardships of reservation life during the mid-twentieth century and also offered



adventure, a chance to see the world and earn some money.

*Kji Sagamaw* Sylliboy's leadership was spiritual as well as political. While Grand Chief, he gave many exhortations at the St. Ann's Day ceremonies [Figure Five]:

Grand Chief Gabriel Sylliboy was unique because he would give the same sermon every time. In Mi'kmaq he would talk about the story of St. Ann herself. In those days they did not have a public address system such as now, but I could hear him very clearly. I do not know what it was but everybody could hear him and hear his sermon. There would be two thousand people there and an old fashion pulpit and he used to crawl up there and preach for a good half hour (Mi'kmaq Research Participant 1996).

He celebrated the appointment of new captains, and maintained the spiritual integrity of the Grand Council. "Captains were appointed by reserve and inaugurated by the Grand Council. In the proceedings all the Captains present touch the new apprentice on the shoulder, to give him strength. This is done in the Grand Council wigwam. At the church, the priest blesses or anoints the new Captains. Then there is a feast with lots of singing and dancing" (Noel Marshall *in* Cape Breton Magazine 1985,40:31).

By 1958, the government of Canada had divided Nova Scotia Mi'kmaq into twelve 'bands', further reducing the Mi'kmaq land base; it also set up the Indian Act chief system that still functions today. The Grand Council was not consulted on these major changes to the Mi'kmaq political and economic structure. Instead, Indian Affairs representatives told the Grand Council that they were no longer needed and would be replaced by band councils and elections (Notes 1996). The Grand Council was scarcely recognized by the Canadian government. Grand Chief Sylliboy regularly met with the Indian Agent for his community at his home. During this time interview participants say that the Grand Chief was able to unite the Mi'kmaq Nation as "he had the charisma for

Figure Five: *Kji Sagamaw* in St. Ann's Day Procession, Chapel Island, 1930



Photo: Clara Dennis

Courtesy of the Nova Scotia Museum of Natural History, Halifax.

unity". When his health began to fail, *Kji Sagamaw* Sylliboy had been leader of the Mi'kmaq Nation for forty-six years. In his last days, the Grand Chief called his family members to him and told them to look after Chapel Island and not to forget the fight for treaty rights they had started (Grandchild of Grand Chief Sylliboy 1996). Indeed, Chapel Island had truly become the centre of Grand Council activity and needed protection.

While sick in hospital in his final illness, *Kji Sagamaw* Gabriel Sylliboy summoned Donald Marshall, Sr., a captain of the Grand Council for Membertou reserve and his wife to his bedside. Marshall's widow recalls:

I remember when he (Grand Chief Sylliboy) was sick. He called Donnie to the hospital, and he was sick, but he had power, I remember that time, I don't remember ever seeing any Grand Chief with such power. He had a very strong power to God. He told Donnie to come and he started talking. Now, the Grand Chief never used to wear his glasses, he would always use his hand cupped over his eyebrows to help him see. He told Donnie, "when I die, it is your part, you are going to do my job next," and he put up his hand and said "all mighty God". I got this tense feeling and chills, and then he said, "All mighty God, right now, he give you the power to help and to help me when I pass away". What he was trying to say was that Donnie might be picked for taking over his job, and I was like a witness to this, Grand Chief wanted me to witness it...(Notes 1996).

#### Grand Chief Donald Marshall, Sr.

Donald Marshall Sr. had been selected by the Grand Council to assume his father's captaincy after his father's death in 1953. As a *Keptin*, Marshall's duties were to attend Grand Council meetings at Chapel Island on Pentecost Sunday when the Council would decide who would be responsible for the various activities of the St. Ann's Mission celebrations. Another an important duty of *Keptins* was to assist people on their reserves in times of need, such as a death in the family. *Keptins* would make funeral

arrangements, conduct the *salite*, an auction to raise funds for the funeral costs, and generally be available for the grieving family; they would also lead prayers and inform other communities about the death. *Keptins* also were responsible for collecting donations for the priest on each reserve.

Donnie always helped Grand Chief Sylliboy in Barra Head [Chapel Island]. The whole family went to Barra Head, even when they were little. He would help the Grand Chief by picking rose petals for the procession of St. Ann. He would do whatever they [Grand Council] would need in Barra Head, even doing the windows or something, so more than likely after that, when the Grand Chief became sick, he thought of Donnie (Notes 1996).

At *Kji Sagamaw* Sylliboy's death in 1964, his family asked Donald Marshall to take the *Kji Sagamaw's* medal for safekeeping until a successor could be elected at the next Saint Ann's mission. A process which also occurred after Tomah the II's death in 1834, and still carried out today. When it was time to return the Grand Chief's medal, Donald found himself a candidate for the Mi'kmaq Nation's top leadership position. There were four other candidates at that time for the position of *Kji Sagamaw*. During the Mission of 1964, eight members of the Grand Council were present for the election of the new Grand Chief. Three separate ballots were taken among the captains; as they voted, captains made speeches explaining their votes. After three ballots unanimously voted for Donald Marshall, Sr., Marshall was declared Grand Chief for life (Notes 1996).

After the selection, *Kji Sagamaw* Marshall sought out his elders for insight as to what his role should be. According to his widow, "It was from the elders that he picked up his knowledge" (Notes 1996). *Kji Sagamaw* Marshall's role was a busy one. He attended political, religious, social and recreational functions, throughout the Mi'kmaq

Nation; for example, he presided over the opening of Indian Summer Games and held meetings with government officials. One of his key objectives was to promote Mi'kmaq unity, like Gabriel Sylliboy before him. The preservation of St. Ann's Mission at Chapel Island was also a primary objective. *Kji Sagamaw* Marshall's position was both spiritual and political. Like Gabriel Sylliboy before him, Marshall served his people during a time of political upheaval from 1964 to 1991.

During the early years of Marshall's leadership, *Kji Keptin* Simon Denny died and a new *Kji Keptin* was needed. Noel Stevens from Eskasoni reserve was appointed temporary *Kji Keptin*. The late Chief Noel Doucette of Chapel Island reserve was approached to fill the position; however, after careful consideration, he declined for personal reasons. In 1968, *Keptin* Alex Denny from Eskasoni reserve was appointed *Kji Keptin*; Denny's role is to maintain Mi'kmaq culture and to work to obtain international recognition of the Mi'kmaq Nation (Notes 1996).

In 1969, the Canadian federal government announced its White Paper policy; the goal of this policy was to turn responsibility for Natives over to the provinces. It stressed the minimal nature of the Canadian government's legal obligation to Indians (Boldt 1993:45).

The 'consultation' process mandated by Trudeau to legitimate the 1969 White Paper engendered a feeling of empowerment among Indian leaders, and the subsequent sense of betrayal the White Paper policy evoked among Indian leaders served to raise their consciousness about their shared colonial experience, circumstance, and condition... In effect, the 1969 White Paper brought to an end a century during which the Canadian government successfully fragmented Indians into hundreds of isolated communities (Boldt 1993: 85).

Native groups across Canada joined to fight implementation of the White Paper and a

new era of Native resistance movements began. In Nova Scotia, the Union of Nova Scotia Indians was formed in reaction to the White Paper, and frustration with various community problems on reserves. The Union was formed in part because the Department of Indian Affairs was not taking the advice of the Mi'kmaq Advisory Council, a lobby group representing band chiefs which preceded the Union. The Union formed as a lobby group to speak for all Mi'kmaq people in Nova Scotia to promote their well being. There was no formal recognition of the Grand Council as political leaders within the structure of the Union. Thus, the Grand Council lost its small amount of political influence and became a ceremonial body responsible for Mi'kmaq spirituality.

During the development of the Union of Nova Scotia Indians, two other lobby groups were also formed: the Confederacy of Mainland Mi'kmaqs in 1970 and the Native Council of Nova Scotia, representing off-reserve Mi'kmaq, in 1975. These groups acted as the political units of Mi'kmaq society. During the early 1970's, there was also talk of establishing two separate Grand Councils in Nova Scotia, one for the mainland and another for Cape Breton. This never came about but the discussion reveals rifts among the political groups struggling for recognition as legitimate governing bodies of the Mi'kmaq. Through these years, the Grand Council retained its position in Mi'kmaq culture as the primary spiritual organization; it did not play as significant a political role with the provincial government as did the elected Indian Act chiefs and bands and their lobby groups.

*Kji Sagamaw* Marshall was a well respected Grand Chief well known in both Native and non-Native communities. He was involved in many activities but his political

activities were largely ceremonial. Marshall was a working man with thirteen children as well as several adopted children to raise. Grand Chiefs, like all Grand Council members, receive no salaries, so during his leadership, *Kji Sagamaw* Marshall continued to work as a dry-waller. On numerous occasions he was called to represent his people at ceremonies in Native communities across Canada and at non-Native functions in Nova Scotia. *Kji Sagamaw* Marshall maintained the tradition of St. Ann's Mission as an annual meeting place for the Grand Council. Donald Marshall, Sr. achieved much during his term as Grand Chief. Space allows discussion of only those that have had the greatest impact on the Mi'kmaq Nation.

One of *Kji Sagamaw* Marshall's priorities was to rebuild the church on Chapel Island after it was struck by lightning and burned in 1976. The Grand Chief needed support from the Grand Council to start a fund raising drive. With much hard work and determination, the Grand council and the Mi'kmaq community were able to raise the funds. However, this period marked a time when Grand Council and Mi'kmaq spiritual unity was minimal. An important meeting of the Grand Council was called by the Grand Chief in January 1978, to discuss the matter of the church on Chapel Island, but very few members attended. Marshall was discouraged and suggested an increase in *Keptins* on reserves to help boost moral and ease the pressures on the individual *Keptins* to fulfill their duties on their reserves. *Kji Sagamaw* Marshall continued to call meetings and ultimately was able to reestablish a sense of unity among the Grand Council (Marshall 1990 :4). *Kji Sagamaw* Marshall, along with the Grand Council, established a security force at Chapel Island Mission to reduce problems associated with alcohol abuse during

the annual celebrations and meetings. This helped improve the reputation and status of St. Ann's Day and encouraged more Mi'kmaq to participate and celebrate their traditions and their patron saint. Consultants state that when the Mission goes well, the status of the Grand Council is improved; if it does not go well, support weakens (Notes 1996).

In recognition of his spiritual leadership, *Kji Sagamaw* Marshall met with Pope John Paul II in 1984 [Figure Six]. The Pope's meeting with the Mi'kmaq Grand Chief was in recognition of the Concordant of 1610 when Grand Chief Membertou signed the treaty with the Holy See. The Pope suggested to Marshall that the Mi'kmaq incorporate their belief system into the Roman Catholic system. The blending of traditional Mi'kmaq symbols, such as sweet grass ceremonies and prayers in Mi'kmaq within the Catholic church became commonplace. Grand Chief Marshall met various other dignitaries such as Queen Elizabeth and other government officials from across Canada. In these meetings, the *Kji Sagamaw* wore his full ceremonial regalia to celebrate his heritage, his identity, and his position (Marshall 1991: 3).

#### The Mi'kmaq Grand Council and International Affairs - Roles of the *Kji Keptin*

In the years following the failure of the White Paper of 1969, Native Nations around the world began to speak out against the domination they had experienced. Confronted with the Canadian constitutional stalemate on aboriginal and treaty rights in the 1980's, and the failure of Nova Scotia to adequately address the 1752 Treaty, the Mi'kmaq Grand Council appealed elsewhere for recognition. The Grand Council played a role in the fight against this hegemony by designing an agenda to achieve recognition for



Figure Six: *Kji Sagamaw* Marshall and Pope John Paul II



Photo: Micmac News, 1984

Courtesy of Steven Marshall.

the Mi'kmaq Nation by the United Nations. In 1980, *Kji Keptin* Alex Denny sent a petition to the United Nations Human Rights Committee to complain of Canadian governments' treatment of Mi'kmaq people. Supported by the Grand Council, the *Kji Keptin* declared that Mi'kmaq have the right to self-determination by virtue of their Treaties and the religious Covenant. Also, in 1980, Grand Council *Keptin* Simon Marshall was appointed to the position of *Putus*, where he assisted other members of the Grand Council executive in these international matters. Grand Captain Denny has worked extremely hard in his role of maintaining the international affairs of the Mi'kmaq Grand Council.

In the years following this initial application to the United Nations, the Grand Council filed a declaration of grievances to the U.N. against Canada in 1981. In 1983 the Chancellor of Austria recognized the Grand Council as a protected state under Mi'kmaq Treaties in international law. In 1986 the United Nations made an interim decision indicating that the right of self determination was a collective right of the Mi'kmaq. Meanwhile the Canadian government fought back, arguing that the Mi'kmaq were guilty of secessionism. In 1987, the United States of America recognized its 1776 Watertown Treaty with the Grand Council in an elaborate ceremony in Boston attended by *Kji Keptin* Alex Denny. "With the signing of the Treaty in 1776, the Mi'kmaq Grand Council became the first government in the world to make a treaty with the United States and the first to recognize its independence from Great Britain" (*Micmac News* 1990, 29 (9):31).

In accomplishing these submissions, the Grand Council sought help from lawyers, historians, political scientists, and community members. During this time it was

important for the Band Chiefs and the Grand Council to work together closely. So the Grand Council regained some of its political structure as it was drawn into negotiations with the Canadian government. The Band Chiefs endorsed the political activities of the Grand Council but some tensions did develop. “The majority of the chiefs expressed [that] there must be more accessibility between the work of the Mi’kmaq Grand Council and the National Council of Mi’kmaq Chiefs” (Paul 1989:6). In response to the chiefs, Grand Council *Keptin* Ben Sylliboy of Whycocomagh said: “the Grand Council has come a long way since we decided that the government of Canada was not going to listen to us. The chiefs cannot criticize the Grand Council for not being able to share the information with everybody. We [Grand Council] just do not have the funds to spread the word as effectively as we could” (Paul 1989:6). Not all submissions by the Grand Council were successful; however, they continued to fight for recognition as a nation. Apart from international recognition, the Grand Council felt it was time that the Mi’kmaq Treaties were recognized in Nova Scotia (Notes 1996).

### Treaty Day - The Invention of a Tradition

According to Mi’kmaq people, one of the greatest achievements of the Grand Council during *Kji Sagamaw* Marshall’s leadership, was the creation of Treaty Day. In 1980, James Matthew Simon was charged under the Lands and Forests Act with being in possession of a shotgun and illegal shells in a closed hunting season. It has been suggested by some members of the Grand Council that this incident may have been an effort by the Grand Council to get treaty issues into court so that they could be validated

and the Mi'kmaq would have the economic opportunities promised in the treaties. Simon was convicted by the Nova Scotia Provincial Court and the decision appealed to the Supreme Court of Canada, which in 1985 upheld the validity of the Treaty of 1752 and acquitted Simon (UNSI 1987: 13). Treaty Day was established in celebration of this.

In 1986 the Grand Chief of the Mi'kmaq Nation invited all Mi'kmaq to observe the first day of October, 1986, and every year thereafter as Treaty Day.

#### Mi'kmaq Treaty Day Proclamation

When the English began to make their new homes in our land our forefathers protected the livelihood and survival of the Mi'kmaq by signing the treaties with their Kings. Throughout the seasons the treaties have remained.

On November 21, 1985, the Supreme Court of Canada affirmed that the Treaty of 1752 is still strong. The Mi'kmaq are still protected by its articles and we call upon Her Majesty to honour this Treaty and others made with the Mi'kmaq Nation.

On this 234th year of the Treaty of 1752, I as Grand Chief of the Mi'kmaq invite every Mi'kmaq to observe October 1 this year and every year thereafter as "Treaty Day" to commemorate the unique and special relationship that exists between the Mi'kmaq and Her Majesty.

Proclaimed at Halifax, Nova Scotia, this 1st day of October, A.D. 1986.

Signed Donald Marshall Grand Chief

Treaty Day was intended to commemorate the unique and special relationship that exists between the Mi'kmaq and the British Crown. However, just because the Mi'kmaq declared Treaty Day, it did not necessarily follow that the provincial government would recognize such a day. In fact, the Union of Nova Scotia Indians had tried unsuccessfully for years to establish a Treaty Day (Notes 1996). However, with the Simon decision the Grand Council used an extensive letter-writing campaign to have the day officially recognized [Appendix II]. From 1986 to 1992 federal and provincial governments were invited to attend ceremonies renewing the Treaty of 1752, but they did not accept the

invitation (Douglas 1989:5). In 1992, Premier Donald Cameron was the first when he attended the celebration. Today Mi'kmaq from all of the traditional seven districts attend the ceremonies in Halifax which include a feast, raising of the Grand Council Flag, a reception at Province House, and speeches and awards ceremonies for outstanding Mi'kmaq persons. Dances, art displays and other activities are also part of the celebrations.

A further example of Grand Council involvement in treaty and aboriginal rights issues came in 1988 when several Grand Council members participated in a moose hunt to protest provincial efforts to curtail Mi'kmaq hunting rights despite their protection in the 1752 Treaty. In September of 1988 the Mi'kmaq had received two of the two hundred moose licenses allocated in Nova Scotia. In reaction to this, Mi'kmaq hunters and the Grand Chief and Council organized their traditional moose harvest in the Cape Breton Highlands to protest lack of government action in settling treaty rights disputes. The province declared the hunt illegal and fourteen people were arrested, including *Kji Sagamaw* Marshall (Douglas 1989:2). After a long and expensive court battle, all twenty-seven charges were dropped and the 1752 Treaty was reaffirmed another time.

Grand Chief Marshall wanted to make sure his people were aware of the treaties that defined the Mi'kmaq society's relationships with the larger society and ensured their rights and freedoms. In order to promote this knowledge, Grand Chief asked Charles Bernard, Jr. from Waycobah First Nation, to learn as much as he could about the treaties and then report back to him. Having done this, the Grand Chief and Grand Captain, along with the Union of Nova Scotia Indians, sent Bernard as a representative to the United

Nations in Geneva to promote Mi'kmaq rights and to Sweden to protest clear cutting by Stora Forest Industries on Mi'kmaq lands. Although not a member of the Grand Council, Bernard acted as their emissary. In an interview he said:

Grand Chief Marshall was a very cautious man. He would not jump into a situation. He would consult his advisors. He did not make individual decisions, there would be some sort of consensus among the Council and with the Union. He often told me he had to be careful with how he dealt with Canada. The only way he wanted to deal with Canada was on a nation to nation basis and they [Canadian government] have to recognize that first. They cannot just recognize us as municipalities, we have a lot more at stake. After Junior's case [the Inquiry of the wrongful imprisonment of the Grand Chief eldest son Donald, Jr.] the Grand Chief wanted the report from the Royal Commission, he wanted to know what was going to come of it. When the report came out he said that now was the time to go to Geneva, to take the inquiry report and the treaty handbook as evidence of why we want our own government to be respected as it was before.

When I went to Geneva Grand Chief Marshall gave me a passport. He said this passport will give you the acknowledgement you need, that you are a representative of the Grand Council and this passport will give you the freedom to travel to the countries we have as alliances. There were some dates that showed the times of treaties signed with the United States [Watertown Treaty 1776], and France and Britain, and that they signed treaties with the concordant. I do not know where the passport came from, it has the Grand Council flag on it and looks like an official passport. I do not think anyone else was given one except for maybe the *Kji Keptin*, he may have one. I was very honoured.

Thus, Grand Chief Marshall took an active role in international politics as well as local politics. He took seriously his role as protector and promoter of the Mi'kmaq treaties.

Observance of Treaty Day marks the start of another significant achievement of the Grand Council, Mi'kmaq History Month. October in Nova Scotia has been set aside for promoting and educating people about Mi'kmaq history, life ways, traditional government, and language and culture. Mi'kmaq History Month is a joint effort of the

province and the Grand Council and involves all Mi'kmaq organizations and agencies. Not only does this month help to educate Mi'kmaq people about themselves, but it also helps non-Natives to understand what being Mi'kmaq is all about. This initiative was begun by the Grand Council under *Kji Sagamaw* Marshall and continued its implementation by Mr. Marshall's successor as Grand Chief, Ben Sylliboy. The agreement between the Grand Council on behalf of the Mi'kmaq Nation and the province of Nova Scotia states:

#### Mi'kmaq History Month

Whereas the Government of Nova Scotia recognizes that the Mi'kmaq have the inherent right to self government within Canada:

Whereas the Province of Nova Scotia and the Mi'kmaq Nation recognize their mutual need to live in peace and friendship in accordance with the spirit of their treaty and nation to nation relationship:

Whereas the Government of Nova Scotia recognizes all Treaties which were signed in good faith between the Crown and the Mi'kmaq:

Whereas the Province of Nova Scotia and the Mi'kmaq Nation recognize that their mutual peace and friendship requires the public awareness of the history, values and the diversity of cultures:

Whereas the Government of Nova Scotia and the Mi'kmaq Nation wish to promote public awareness for all citizens of Nova Scotia:

Now Therefore, we John Savage, Premier of Nova Scotia, and Ben Sylliboy, Grand Chief of Mi'kmaq, do hereby proclaim the month of October as Mi'kmaq History Month

In Witness of we have hereunto set our hands in peace and friendship and caused our seals to be affixed at Halifax on this first day of October, 1993.

Treaty Day not only celebrates the political role of the Grand Council in its maintenance and recognition of Mi'kmaq treaties, but it also demonstrates the Grand Council's ties with the Catholic church. On Treaty Day, the Mi'kmaq Grand Council leads a procession to St. Mary's Basilica in Halifax, where the Concordant of 1610 is celebrated. The Concordant is considered by some Mi'kmaq to be a political as well as

religious agreement (Googoo 1994:3).

Further evidence of the Grand Council's spiritual role was the celebration in 1985 of the 375th Membertou *Signtasimgeoeim*, or Grand Chief Membertou's baptism at Port Royal. The purpose of this event was to promote cultural exchange of Mi'kmaq traditions between Natives and whites and to involve the Mi'kmaq in the preservation and appreciation of traditional and contemporary Mi'kmaq life ways. It was also a vehicle to include the Mi'kmaq of Nova Scotia in provincial and national events (Lewis 1985:17). A Parks Canada plaque at Port Royal commemorates the event and two Captains of the Grand Council were inducted at the celebrations there in 1985.

*Kji Sagamaw* Donald Marshall developed cancer in 1990; despite his illness, he remained active in the affairs of the Grand Council. He was unable to attend St. Ann's Mission at Chapel Island on July 26, 1991; however, he sent a taped message to the many Mi'kmaq assembled there, urging them to keep their faith. During his illness, *Kji Sagamaw* Marshall asked his eldest son, Donald, Jr. if he was ready to accept the position of Grand Chief. For many reasons, Donald, Jr. declined, not being a member of the Council and having been removed from the community for eleven years. Wrongfully imprisoned for a murder he did not commit, Donald, Jr. was denied an opportunity to maintain the community connection and apprenticeship necessary to achieve the Grand Chieftainship. During this very difficult period in the Marshall family's and the Mi'kmaq communities' history, *Kji Sagamaw* Marshall was always supported by the Grand Council and respect for the man never wavered.

In the latter stages of his illness, the Grand Chief asked his wife to have *Keptin*



Ben Sylliboy keep his medallion and sash after his death, much like Grand Chief Gabriel Sylliboy had done in his time. These articles, symbolic of Grand Council chieftainship, are passed on from Grand Chief to Grand Chief. *Kji Sagamaw* Marshall passed away on August 25, 1991. According to his wife, *Kji Sagamaw* Marshall's most important role was, "helping people, all people, any time, any place". According to elder and World War II veteran Henry Knockwood, "Donald was a good leader because he took the time to understand and respected the differences of his people" (Marshall 1991:1). *Kji Sagamaw* Marshall was considered a father and a grandfather to many Mi'kmaq. At the time of his death, he was Godfather to almost one hundred Mi'kmaq. *Kji Sagamaw* Marshall's leadership has been honoured by many dedications to his name; a portrait of the late Grand Chief now hangs in Province House in Halifax as a tribute to him and his nation. The Chapel at Mi'kmaq Lodge in Eskasoni was named after him, as were scholarship funds, the Grand Chief Donald Marshall Aboriginal Youth Camp and the Donald Marshall, Sr. Aboriginal Award presented annually on Treaty Day.

#### Succession of the Grand Chieftainship in 1992- Present Day Grand Council Structure

Following *Kji Sagamaw* Marshall's death, a new *Kji Sagamaw* was needed. The following newspaper article reports:

Micmac leaders say there is no hurry to immediately replace Grand Chief Donald Marshall. In the months ahead, captains from each of the 30 Micmac reserves across Canada and the United States will meet and then set a date to elect a new Grand Chief. Grand Chief is essentially a spiritual post, requiring the holder to promote Micmac unity and Christianity. As Grand Chief, Marshall attended numerous weddings, funeral and other social activities. Millbrook Chief Lawrence Paul said it's possible an interim chief will be selected to hold the position until a council is called to vote on a successor to Marshall. Since it has been three

decades since the last Grand Chief was elected, the wheels of power may be a little rusty, Paul said. It's almost like the Pope and the Cardinals, Paul said. The Captains from each Micmac community, like the Cardinals in Rome, will elect the new Grand Chief from among themselves (McLaughlin 1991:3).

Captain Ben Sylliboy was selected to serve as acting Grand Chief until another leader was selected. Acting *Kji Sagamaw* Ben Sylliboy's first official function was to open the Mi'kmaq Family and Children's Services building at Indianbrook. To honour Mr. Sylliboy as acting Grand Chief, he was presented with a headdress from the president of Mi'kmaq Family and Children Services, Chief Lawrence Paul from Millbrook reserve (*Micmac News* 1991:21(25):1).

The following article from the *Micmac News* of September, 1992, describes what happened next:

The Mi'kmaq Nation has selected Ben Sylliboy as their new spiritual leader. A sixteen year member of the Grand Council, Sylliboy, 51, of the Whycocomagh Band, was elected to the post by a majority of Keptins [Captains] present June 7, 1992 at Chapel island's Pentecost Sunday celebrations and succeeds the late Grand Chief Donald Marshall who passed away August 25, 1992. Sylliboy, who was chosen as interim leader September 19 of last year, following a request made by the former Grand Chief that he serve on until a leader is chosen, will receive another blessing at this year's annual St. Ann's Mission at Chapel Island. Those who have been added to the Grand Council and the ones with newly appointed positions will also receive a blessing this summer by the bishop. Charlie Herney of Membertou, now succeeds the late Simon Marshall for the life-time position of Putus and Melvin Paul fills his position of captain for the Membertou community. Gary Metallic of Restigouche and Pictou Landing's Raymond Francis were also sworn in as captains.

It was decided at a recent Grand Council meeting that the Grand Chief and Putus would be chosen at this year's Pentecost Sunday [rather than on the traditional St. Ann's Day] and the waiting period was not extended another year and the process went ahead.

Also nominated for the position of Grand Chief was Norman Sylliboy of Eskasoni. Sources said that the debate was not bitter and Mi'kmaq are generally pleased with the outcome. A total number of three Grand Council members were nominated for the position of Grand Chief. They included Grand Captain Alex

Denny and captain Norman Sylliboy. Denny declined his nomination because he already holds a lifetime position as Grand Captain.

Grand Chief Sylliboy said the goal of the Grand Council and the Mi'kmaq Nation, will be to build nationwide strength in all seven districts in the Atlantic region, and to encourage our political leaders to be careful when making decisions that effect [sic] the people as a whole (Marshall 1992:7)

Grand Chief and Grand Council executive positions are life positions; at the death of an incumbent, the Grand Council chooses a successor. Captains resign from the council periodically if they feel they cannot fulfill their obligations, but this does not happen often. Executive positions of the Grand Council last for life; and there is no evidence to suggest that there was ever a 'bad' Grand Council executive member. Individuals are expected to conduct themselves as befitting Council members. If an individual did act in ways not consistent with Grand Council ideologies, it is likely that another member would talk about it with him and remedy the situation or resign.

Captains are selected in their communities. Community members may nominate people they think would be suitable Grand Council members; this is usually accomplished through church meetings held after mass. Other Grand Council members, particularly the executive, play a role in this selection; they will seek out people who are active in their communities and who lead clean, sober lives and demonstrate a sincere desire to help people. When a captain dies, a space becomes available on the council and is be filled by a person from the same community. There is no time limit in which to fill the position. The process is fairly informal but the position is one of great respect and it is a tremendous honour to be nominated. Once an individual has been selected, his name is presented at Pentecost Sunday during the Grand Council gathering. He is given about a

year to decide whether or not to take the responsibility. Some captains have accepted the position immediately and were inaugurated at the next St. Ann's Mission on Chapel Island at the end of July. Other captains took more time to consider whether they were worthy of such an honoured position. If they felt they could not commit to the Grand Council, they would decline without any animosity toward them. All Grand Council positions are voluntary and offer no salary.

The Grand Council is not exclusively a Nova Scotia institution. Efforts are made to ensure that all seven traditional districts of Mi'kmaq territory are represented on the council, so members also come from New Brunswick, Newfoundland, Prince Edward Island and Quebec. When asked if the executive base of the Grand Council could leave Nova Scotia, respondents thought it unlikely but not impossible [Figure Seven].

Interview participants have differing interpretations of what the roles of the Grand Council are and what they should be. Interestingly, all agree that the Council was the traditional governing body of the Mi'kmaq Nation before contact with Europeans. The Council's duties included resolving disputes, initiating war and peace, assigning hunting and fishing territories, providing spiritual leadership and conducting international affairs. Members of the Grand Council were always people of exceptional talent and character, brave warriors, great hunters, extremely fair in their judgements, and spiritually healthy. All research participants agree that changes have taken place over time with respect to spiritual and political significance, yet the Council has never disappeared through more than five hundred years of contact. Although the bases of chieftainship and authority have changed, the underlying and fundamental principles required of a Grand Chief have not

Figure Seven: Grand Council Procession Treaty Day 1996



Photo: Donald Marshall, Jr. 1996

changed much.

Today, members of the present day Grand Council are well respected because they are spiritually and socially healthy and because they themselves respect their positions and honour their duties to the best of their abilities. The Grand Council is always there for the Mi'kmaq people in times of need. The Grand Council members serve the communities as mediators in dispute settlements and as grief counsellors in times of loss; they also counsel people in other matters. If someone needs help they can call or visit their local *Keptin* and he gives advice or directs people to the Grand Council executive in more complex matters such as treaty rights or information on sacred sites. If a group or individual wishes to meet the Grand Council as a whole they may write a letter of intent to a *Keptin*. He will then bring the letter to the council for consideration; if accepted, the individual or group will be invited to meet with the Council at Pentecost or Saint Ann's mission when all members are present. Usually when a meeting of this nature occurs, the party will meet with the Grand Council only to discuss the issue laid out in the letter and then leave. One cannot just go to a Grand Council meeting and join in. Another method of bringing an issue to the Grand Council's attention is to simply request that a letter be read and discussed at a meeting, after which the Grand Council will respond. Also, a verbal message can be given to a local *Keptin* to take to the Grand Council meetings.

Today, all research participants state that the Grand Council is experiencing a resurgence in its importance to the Mi'kmaq community that is politically, spiritually and socially significant to Mi'kmaq culture and identity and to the notion of nationhood.

There is no one clear definition of what it is to be Mi'kmaq or what is the Grand Council. The processes of defining and creating those roles and identities are fluid and dynamic. Several trends and numerous tensions exist that indicate how Mi'kmaq identity is invented and revitalized in today's society. By examining these trends and tensions, we can learn how the Grand Council maintains its legitimacy, its authority and significance in Mi'kmaq culture. This analysis will be discussed in the next chapter.

## **Chapter Five - Present Day Mi'kmaq Constructions of the Grand Council**

The previous chapter discussed the twentieth century history of the Grand Council to demonstrate changes the Council underwent as a result of external and internal pressures. As the Canadian government increased its control over the political and material conditions of the Mi'kmaq, the Grand Council responded to an internal cultural need to maintain spiritual and ceremonial leadership as its political leadership declined in the first three quarters of the century. With the formation of Mi'kmaq political organizations after the 1960, the political role of the Grand Council was taken over by chiefs, band councils, and lobby groups. However, since 1980 the Grand Council has experienced a resurgence of political significance. This chapter will discuss the Mi'kmaq community's visions of the Grand Council by presenting interview data from people involved directly as members of the Grand Council or having a special knowledge of the Grand Council. There is no homogeneous perspective of the Grand Council, its roles and responsibilities; rather, perspectives presented here demonstrate the diversity that exists in Mi'kmaq society. This chapter will discuss tensions that occur as a result of these diverse views and how these tensions are dealt with in the social construction of the Grand Council.

### **History, Identity and Invented Traditions**

Conversations with Mi'kmaq research participants reveal common underlying themes of Mi'kmaq visions of the Grand Council ranging from a traditional governing body to providing spiritual leadership for the nation, and it that represents the entire



Mi'kmaq Nation. Within these common themes may be seen tensions and antagonisms occurring as different people define and articulate their visions of Mi'kmaq identity. These tensions will be explored through an analysis of the appropriation of history, invention of tradition, and identity formation.

Through the contact period, the Mi'kmaq people have resisted domination and assimilation; they fight to resurrect their culture and identity in a framework which is distinctively Mi'kmaq. As Gerald Sider says, culture is not static, rather it is fluid and ever-changing. Culture does not exist isolated from other aspects of life, rather it refers to a total way of life. The essence of culture is the form and manner in which people perceive, define, articulate, and express their mutual relations (Sider 1986:120). How Mi'kmaq people perceive, define and discuss their views of the Grand Council reflects the Council's importance to them. An individual's life experience in Mi'kmaq society results from gender, economic position, status, and family history; all play a role in determining how that individual experiences the Grand Council. Because Mi'kmaq society is not isolated from the larger society, external institutions from media to education to government also influence cultural constructions of the Grand Council.

A cultural studies approach looks to the relational and contextual process of identity formation rather than the compartmentalization and standardization of categories. This form of analysis is useful in examining Mi'kmaq social constructions of the Grand Council because its main goal is the "holding of identities in the foreground, acknowledging their necessity and potency, examining their articulation and rearticulation, seeking a better understanding of their function" (Grossberg, Nelson and

Treichler 1992: 18).

Cultural symbols and cultural meanings are not homogeneously learned, experienced, and understood by every member in any particular culture. From diverse experience, diverse information emerges. Differences in everyday lived experience such as whether or not one goes to church on the reserve, participates in a sweat, goes to school or work, has enough food to feed their family, will affect what they understand and express as traditional, modern, political and spiritual. This explains why there are different interpretations of the Grand Council.

From an interconnection of everyday experiences with history, an analysis may be made of the different visions the Mi'kmaq have of their Grand Council. Anthropologists such as Gerald Sider and Elizabeth Povinelli stress the importance of understanding how social histories are linked to identity formation and its articulation. Povinelli, in her work on Belyuen Aborigines discusses how the Belyuen utilize their history in their resistance to the state and their constructions of their difference in order to form that resistance:

Belyuen Aborigines play with the terms of economic, cultural, and historical arguments, but they are also cognizant of the multiple ways in which resistance is rearticulated into dominant relations of power. History, then, neither dictates cultural forms or is subsumed by them, but rather emerges in processes of social action and association, including various social ways of organizing memory, and their institutional supports (Povinelli 1993:14).

By looking at the histories of the Grand Council that research participants stated as appropriate for their identity construction, the strategies they employ in formulating their identity as Mi'kmaq may be seen. Tensions and factionalisms of everyday life among the Mi'kmaq people may also be seen. Mi'kmaq have often come into conflict

with the larger society when their histories are denied, as the present situation of treaties and land claims attests. Gerald Sider describes Native historical experiences as follows:

Ethnic histories are inevitably histories of ruptures, from the origin of ethnic groups either in major population dislocations or in an usually brutal and relatively sudden incorporation into the political and cultural economics of the expanding state. Further, the more vulnerable ethnic people, such as Native Americans...have histories that characteristically are marked by continuing sudden and substantial changes in their circumstances and situation. Behind these continuing ruptures and breaks are often found long-term trends that have to do with how minority ethnic people are incorporated into and simultaneously marginalized by the larger society - for instance the violent confinement of Native Americans to reservations and the subsequent brutal reduction of native social life on the reservations by land allotment policies and intensified missionary control...From such continuing pressures, manifest in continuing, imposed ruptures (and the internal divisiveness that constantly accompanies such events), vulnerable ethnic peoples are constantly forced to learn and relearn how to situate themselves historically across, rather than impossibly against, the breaks that power imposes (Sider 1993:284).

Using Sider's notion of history, the historical visions of the research participants will be examined. Bearing in mind that the Mi'kmaq have been forced to create and recreate their identity to suit a number of different demands at different times in their lives, we can better understand the diversity of their interpretations.

### Constructing the Past - The History of the Grand Council Today

One question asked of all the participants was, *When did the Grand Council begin?* All respondents agreed that the Grand Council existed prior to European contact, usually as a political body with social and spiritual responsibilities. In response to the question, "*Who belongs to the Grand Council?*," the Grand Chief said:

Everyone belongs to the Grand Council. It is the Grand Council of the entire Mi'kmaq nation, the traditional seven districts.

One member's view of the Grand Council historically is as follows:

Most older people I spoke to say it had to exist prior to contact. In order for any society to live harmoniously as they did, to survive the harsh winters and so on, someone had to lead them. Whether or not it was a Grand Council, someone had to lead them, I think it was a Grand Council...In the seven districts that the Grand Council had, we had the luck of moose to trade. Clans would trade with each other.<sup>11</sup> *Did the Grand Council regulate that trade?* I honestly believe that because there was no picture of the king or queen prior to European contact, it did not matter. What mattered was the need to survive and what was required for them to survive was the structure of the Grand Council. The Grand Council was structured in that each of the members came from different clans, they were the clans leaders. Leaders would always care about others, that in essence is the most important thing. You have to devise that caring for people in ways that would lead those people to fight for you, to pick up arms and go. In precontact time the Grand Council was involved in war and international trade with other aboriginal societies.

...the white settlers came from places where there were hierarchies, kings would be rulers and everything the people did would be given to the kings. Now here the chiefs were the ones that provided, not the ones who were provided for. The chief, he was the best hunter, the person that had to provide everything for everyone else. The Grand Council would decide what different peoples needs were and what had to be done by each of its members.

Different clans lived in different areas. A lot of these different clans had difficult times in different years in surviving. I think one of the things that tells me there was a boss, because when they met, I mean people had to meet for different crises, it was inevitable. They met anywhere crises took place, I don't think they were any different in nature than they are now.

Another research participant related a creation account of the Grand

Council:

The legend of the beginning of the Grand Council, the way we heard it was, that

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<sup>11</sup> The Mi'kmaq did not have clans in the anthropological definition. Rather, they were organized into bands which are local groups composed of as small number of families (Fried 1967: 67). Clans, on the other hand, are "a noncorporate descent group with each member claiming descent from a common ancestor without actually knowing the genealogical links to that ancestor" (Haviland 1994:511).

one time during a great famine which covered all of Mi'kma'ki, there was a young woman who had a dream. She dreamt of three crosses that were brought to her by a young man. The crosses did not have any Christian identity, there was no one hanging from it, there was no blood. In the dream she was told that if they take these crosses and accept them, good things would come for the nation. The first was that the famine would end, and that there would never be another famine in Mi'kma'ki. The second cross would protect them in long journeys and assist them in battles, and when you look back you realize the Mi'kmaq never lost a battle with anyone. They never ceded any land, even under pressure and gun point, they are protected from other nations no matter how large any other nation was. The third cross was that a great council would come and the Mi'kmaq nation would be ruled under this council, it was called the Mawio'mi.

Well, I guess it ran like any other government, it had functions and roles. Within their functions they had five mandates that they worked with, that they dealt with in their meetings. The mandates were: socio-economics or trade; politics and matters of war, treaties; and education, which was on going not separated from life, there were designated people in the community, in the nation and in the village that had exceptional skills and they were required, by the Grand Council to pass on their skills. The next thing they looked at was ecology - they had a great system, they moved about villages. For example if Eskasoni was occupied this year, in August, after the big meeting in July, they would move to a new location a three day walk away. They would have to vacate for two years because it takes two years for animals to replenish, water to restock and plants to regrow. They could stay within the district of Unamagi [Cape Breton]. The last mandate was spirituality. Specially endowed people were given the go ahead to be spiritual leaders.

When asked, "*Who was the first Grand Chief?*" the respondent continued:

There were different names but they were mostly known as the *Kji-Sagamaw*. Another thing, what we fail to recognize was that the Grand Council never did anything unless it was by consensus.

The seven district organization was pre-contact. In each district there would be one district chief that would be a captain of the Grand Council. Captain may have been a French term but it may have been from a Mi'kmaq term that meant *Keptineminak*. These district captains would meet twice a year with the Grand Chief. The structure was really cool - there was one Grand Chief, there were seven district chiefs and under the district chiefs were the clan chiefs or clan mothers. The districts were really big and you do not expect one chief to run around setting order, so, in every village there would be a clan chief that looks after the village.

One of the *Keptins* of the Grand Council stated, "The Grand Council is the old government, it is understood by many elders as the traditional government of the Mi'kmaq people, the ultimate authority." Another Keptin responded to the question *What is the Grand Council?* by saying, "I do not know, from what I heard, it is the oldest form of government in Canada." A different perspective was offered by another Keptin:

The first time I heard about the Grand Council, my understanding is that it was a group of elderly people that would take our concerns and discuss them. It had something to do with the church. One time it was that a priest would have a say in the community, especially when the residential school opened up. The priest would tell you if you were a fit parent or an unfit parent, he was the governing person. They did not recognize chief and council. But if our people had a problem, something pertaining to our people, they would take it to the Grand Council, a panel of elders, and they would look into it, rather than an individual. And that group there would give you a decisions and whatever decision they gave you or advice, you heed it.

The above interpretation is describing a post-contact Grand Council structure; it is useful for demonstrating tensions between the church and the Mi'kmaq. Differing versions of the creation story of the Grand Council agree that the Grand Council was formed in response to a crisis, usually famine or war, and was responsible for governing the Mi'kmaq nation.

The *Keptin* representing Prince Edward Island describes the traditional structure and roles of the Grand Council in a speech before the Royal Commission on Aboriginal Peoples in May, 1992:

Before and at the time of European arrival, the Micmac in the Atlantic region were organized into seven political districts. Prince Edward Island and the Pictou area of Nova Scotia constituted one of these districts. The chief was from *Epkwitk*. The seven districts were under the political leadership of a Grand Council.

The greatest concerns of the Micmac Grand Council had to do with hunting and

fishing. Because we lived in a harsh environment which could be hit with bitter cold, heavy snowfall, floods or drought, our survival depended on our wise use of game and the protection of the environment...The Micmac Grand Council divided hunting and fishing grounds so that all bands within the Micmac Nation would have adequate resources for their needs. The Grand Chief, acting from advice given to him by the District Chiefs, would assign territory to individual families at spring and autumn assemblies held especially for this purpose.

The Grand Chief was probably the most respected District Chief who was chosen to act as spokesman of the Grand Council. The Grand Council consisted of all types of Chiefs and their families from the whole nations. It was the Grand Council who assigned hunting and fishing territories to the Chiefs. It made treaties with other First Nations and later with European Governments (Micmac News 1992: 22(6):11).

A band chief described the Grand Council as follows:

To me the Grand Council is the traditional government of the Mi'kmaq people and the Maliseet people. It certainly had more authority in the earlier days. It was the Grand Council that decided over territory, the areas where you could hunt and fish. Back then there were clans and these clans had certain privileges that were agreed to at the great council fires. Sometimes they would meet annually and sometimes as long as five years [between Grand Council meetings].

A security officer for the Grand Council gave his view of the Grand Council:

The Grand Council is the governing body, it is the ultimate authority, even though the church has divulged, devoured, and devalued their existence. Sometimes I get the feeling that the church has ruined a good government because it has stressed that it is spiritual. Even some of our own people stress it is spiritual, and that is not true. This body was the governing body since time immemorial. They controlled it and governed it in a good manner. Even though they were considered as being savages, as being heathens, there must have been something that they were able to do, this is such a vast area, the seven districts was a vast area.

From the above examples emerges a common thread underlying a historical interpretation of the Grand Council. Much of the research participants' information agrees with the pre- and early contact historical section of this thesis as laid out in chapter one. The Grand Council was a regulatory body; it assigned territories, controlled production, settled disputes and set examples. The Grand Council was responsible for

international affairs, warring, peace, treaties, trade and it negotiated on behalf of the larger population. The main principle underlying Grand Council operation was the notion of consensus in decision making; the political process was participatory. The Mi'kmaq were independent; they were sovereign in their seven districts. Authority was tied with wisdom and respect, and knowledge was shared, passed on from generation to generation. Members of the Grand Council had special skills and extraordinary characteristics. The Grand Council had social, political and spiritual functions. All respondents agreed that the power of the Grand Council declined as a result of contact and colonization. For some Mi'kmaq, the Catholic church undermined the traditional authority increasingly since the seventeenth century and Grand Chief Membertou's baptism.

### Present Day Roles and the Invention of Tradition

This section will explore present day roles and structures of the Grand Council as they are seen by members of the Mi'kmaq community, using concepts of tradition and invention of tradition as a framework.

From the above evidence it is apparent that there has been a retention of sufficient cultural linkages to tradition to allow for the re-emergence of a traditional culture as represented by the Grand Council. Although the Mi'kmaq have been in contact with foreigners longer than just about all Native peoples in Canada, they have never surrendered totally to domination and acculturation. Yet, as Sider claims, autonomy is only partial, "partial in the sense of incomplete, and partial in the sense of taking a side, that whether in opposition to or in collusion with the forces of domination cannot be



wholly effective” (Sider 1986:27).

This partial autonomy has effected, over the centuries, the essence of traditions among the Mi’kmaq. The idea and content of tradition is a present day reconstruction of the past consistent with the interests and goals of the present and future. There are demands of the present on the past and demands of the future on the present, which reflect how notions of tradition will be expressed. These demands are “exacerbated by the general relatively worsening economic and political situation of the social units deemed traditional” (Sider 1986:26).

The initial autonomy of the Grand Council in Mi’kmaq culture became the arena for the justification of domination and a framework for incorporation. If the Mi’kmaq chose to be wholly incorporated, they could not have continued as a collectivity and the Grand Council would have disappeared. Because the Mi’kmaq did not assimilate, their structure of culture has enabled them to participate in long term historical processes. In the context of colonization they retain profound cultural distinctiveness. In opposition to the dominant society, Native people have affirmed their lasting and important role as part of Canada’s cultural mosaic (Trigger 1985:3). It is from these long- term historical processes that the Mi’kmaq have been able to invent their traditions in ways that maintain that distinctiveness; they have ensured the survival of the Grand Council by maintaining its underlying operative principle of traditional leadership that is both spiritual and political, and representative of the entire nation.

The term ‘invented tradition’ may at first glance bring forth a negative connotation that suggests a re-invented or invented tradition is a false tradition; that is not

the intention here. The concept of invented tradition is useful in anthropological inquiry as an approach to understanding social and cultural change, particularly in relations where contests over identity and appropriation of history are major concerns. The concept of invention used here is based on Hobsbawm's notions of invented tradition:

'Invented tradition' is taken to mean a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past. In fact, where possible, they normally attempt to establish continuity with a suitable historic past...The study of invented traditions cannot be separated from the wider study of the history of society, nor can it expect to advance much beyond the mere discovery of such practices unless it is integrated into a wider study...It throws considerable light on the human relation to the past...For all invented traditions, so far as possible, use history as a legitimator of action and cement of group cohesion (Hobsbawm 1994:12).

By examining the present constructions of the roles of Grand Council members, the connections between history and traditions are made. Various roles of the Grand Council have been modified or invented in response to shifts in the political, social and economic environment. In many situations designating an event tradition provides a basis for its legitimacy, particularly within a culture like that of the Mi'kmaq who are constantly forced to legitimize their past, present and future in order to articulate their differences from the larger society.

The term 'invented tradition' is used in a broad, but not imprecise sense. It includes both 'traditions' actually invented, constructed and formally instituted and those emerging in a less easily traceable manner within in a brief and dateable period - a matter of a few years perhaps - and establishing themselves with great rapidity (Hobsbawm 1994:1).

All traditions are invented to serve some purpose. It is the diversity of interpretations in what is accepted and rejected as tradition, by whom and under what

circumstances, that makes the concept so exciting and so useful in an analysis of culture change. This is a fluid, on-going process, “culture as a dynamic process, and traditionalism as a constant referencing back and forth between what is remembered of the past and what is demanded by the exigencies of the present” (Alfred 1995:75).

### Present Roles of the Mi'kmaq Grand Council - The Mi'kmaq Perspectives

The following interview excerpts portray roles of the Grand Council as understood by the research participants. Exploring research participants' views should help to illuminate the roles the Grand council plays in the creation of Mi'kmaq identities; how those identities are manifested in that creative process becomes evident.

The Grand Chief discussed the roles of the Grand Council and his position in it.

*How did you become involved with the Grand Council?*

When I was young I liked helping people out, like when someone died and the family needed help. I kept doing that and finally a position came available on the Grand Council. That is really what the role is today, to help out families in their communities in times of need, help around the church and the priest. I was appointed captain in Whycocomagh. I was nominated by the people as a captain and they voted me in, it was not a position passed on to me. My father was on the Grand Council, but it was temporary.

The Grand Chief's description of himself as being active in the Catholic church, helping out in the community in times of need, and generally being a good citizen, tends to apply to most Grand Council members before being nominated and selected to the council.

Grand Chief went on to say:

I kept working on my role as a captain. I worked with Donald Marshall. When he got sick and he could not carry on his position, then he appointed me to carry on after his death. No one could replace him until he passed away, and now I have this position for life. When my time comes I will probably appoint someone the

way I was appointed.

*Has anyone ever quit being a Grand Chief?* I do not think so. It is an honour to be Grand Chief, I would not want to quit. There is a lot of work, a lot of travelling. You cannot have a steady job while being the Grand Chief because you always have to be on the go. We rely on the people for support, it is not a paid job, it is voluntary, I do not get a salary.

*Have you ever had to ask someone to leave the Grand Council?* Not that I can remember. There is really no method to get someone off the Grand Council, but it would be up to the captains to discuss it and to take the problem to the individual and if the adjustments are not made then I guess they would have to leave.

*What is the difference between the Grand Chief and the Grand Captain?* We work closely together [ they assist each other in making decisions].

*Does every reserve have a Keptin?*

No, even in Nova Scotia down the south shore, they do not have keptins. I do not know why, they never had that much involvement with the Grand Council. All reserves should have captains though, they really help the communities. I am trying to solve this problem down there [south shore]. I was talking to the chief of Yarmouth and we want to get someone from there on the council, but first we have to explain about the role of the *keptin*, to teach them.

*What are the roles of the Keptins?* The keptins are responsible for carrying on the role of the Grand Chief on the reserves. The appointment of keptins is not political, we do not use the band council, it was all done in the church. It was the people of the church who voted, it is really a religious role.

*What is the best part of being Grand Chief?*

Meeting people. I met the Queen, the Pope and President Clinton, plus a lot of Mi'kmaq people.

*When does the Grand Council meet?*

We usually meet twice a year but we will meet if we need to, but it is hard to bring everyone together from the different districts. The Grand Council meets at Pentecost. We prepare things for the missions, decide who will look after the altar, the garbage, feeding the priest. Political decisions are made there as well.

*Can you make decisions on your own?*

Well, if it is really a hard decision I will go to the Grand Captain and the Putus, or the executive and the three of us will decide. We keep the council informed of decisions.

To *Kji Sagamaw*, the most important role of the Grand Council is:

...to maintain the cultural aspects and the religion, to keep that and to let our children know. This is accomplished through Mi'kmaq history month and various keptins and myself going out to schools to talk about our history, and to explain the history of our ways, and to explain our distinctiveness. This education has been successful in the last few years, it has grown [Figure Seven].

Thus, the *Kji Sagamaw* is using symbols associated with the Grand Council, such as cultural protector and educator, to take an active role in the creative process which defines Mi'kmaq identity. By increasing general awareness of the Council and expanding the number of *keptins* on it, the Grand Council's future is assured. By teaching of the Grand Council's distinctiveness, he satisfies demands from the larger society for distinctiveness as a part of Mi'kmaq identity, as well as fulfilling an internal requirement to build pride in being Mi'kmaq.

A feature of the Grand Chief's role that remains from early days is that of mediator or dispute settler. People will call the Grand Chief asking for help [the phone rang many times during our interview for that very reason] in resolving personal or interpersonal problems. If the *Kji Sagamaw* cannot be present to help resolve these disputes, keptins may also take on this role. Alternatively, the *Kji Sagamaw* acts as a mediator in disputes of a political nature:

I have been called to act as a mediator, when bands are split I go and try to bring them together. Chiefs will call me to come, so do members of the community. This happens once and awhile, when the fire is there, it's there. I will try to resolve things, but I cannot promise anything. I can talk to them, tell them they are fighting amongst themselves. They need to figure out their roles and be reminded that they are responsible for everyone, not just themselves. We need to have uniform bodies on the reserves. We need unity to overcome the department of Indian Affairs.

Figure Eight: *Kji Sagamaw* Ben Sylliboy Treaty Day 1996, Halifax



Photo: Donald Marshall, Jr.

The role of mediator is a role that has been historically associated with the Grand Chief and Council. Dispute settlement has helped the Grand Council maintain its authority through the centuries and has provided a base for its legitimacy. This process remains today although the types of disputes are changing and the mediator role has changed accordingly.

The *Keptin* from Prince Edward Island actively carries out his role representing the Grand Chief in his district as well as nationally and internationally. In 1993 he acted as Grand Council representative to the United Nations for the declaration of International Year of Indigenous People. In 1994, along with the Grand Council *Keptin* from Newfoundland, he went to the Vatican in Rome to meet with Pope John Paul III:

While meeting with the Pontiff, Sark [*Keptin* from P.E.I.] expressed the desire to have the Pope request that the Atlantic Bishops make a public apology to the Mi'kmaq for the physical and cultural abuse suffered from the Catholic run residential schools. Chief Joe [*Keptin* from Newfoundland] presented a brief on Newfoundland land claims. While in Rome, Sark and Joe had made many valuable contacts, including the Father General of the Jesuits, Reverend Father Kolvenback. The trio held a great discussion on the 1610 Concordant signed between the Mi'kmaq and the Vatican as well as the concept of bringing in Native spirituality into the Roman Catholic mass. Father Kolvenback has assigned two Jesuit priests to work with the Grand Council to help search for the wampum belt that records the Concordant (Micmac Maliseet Nations News 1994: 5(9):1).

One of the characteristics of Grand Council membership that has not survived is hereditary leadership. The decline of hereditary leadership was brought about by policies of the dominant society. Extended families were broken up through the establishment of reservations. Residential schools took children out of the home and thus they were not accessible for the long term training that was once required in the achievement of Grand

Council positions. Some members of the Grand Council and other research participants indicated that this interference with the training and apprenticeship process in the succession of Grand Council positions caused problems in continuity and consistency.

However, the selection and election processes in the replacement of a Grand Chief are examples of the creative process of invented tradition. When the hereditary system ended with the death of Grand Chief John Denys, Jr. in 1918, a new system had to be developed to make the important process of succession as legitimate as the former method. The resulting electoral system is an invented tradition that some Mi'kmaq agree with and some do not. For example, there are people who would like to see a return to hereditary Grand Chiefs and Council and others who feel negatively toward such a system because it may result in one family achieving too much power.

### The *Putus*

The changes in the roles of the *Putus* provide an example of the breakdown of a set of traditions and demonstrate how efforts are being made to resurrect those traditions in a new or invented form. The *Putus* traditionally was the wampum keeper, responsible for the beaded belt on which was recorded the treaties the Mi'kmaq nation enacted with other nations. As stated in Chapter four, the position of wampum keeper broke down after Isaac Alek died in the 1960's. The Alek family had chosen to pass the position to another family; however, no process was designed that would ensure all aspects of that role [such as the reading of the belt] could be transferred to another family or individual. One *Putus* was named temporarily, but when he died, no *Putus* was appointed for almost six years,



during which time knowledge of reading of the Wampum belt faded!<sup>12</sup> This usually long period of transition within Grand Council succession reflects the period of upheaval experienced by the organization and Mi'kmaq society during the mid-twentieth century. However, the role of Wampum keeper was significant and needed to be carried on in a transformed or invented form.

The present *Putus* became a *keptin* when Donald Marshall, Sr. moved to the position of *Kji Sagamaw*, then became *Putus* when the former *Putus* died in 1992. The present *Putus* believes that technological innovation has altered his role and responsibilities:

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<sup>12</sup> To further support the concept of invented tradition and the revitalization of traditional Mi'kmaq culture was the presentation of a new wampum belt to Grand Chief Sylliboy at the 1996 Treaty Day events in Halifax. A Mi'kmaq woman from Waycobah, and very talented bead worker, made the Grand Chief a new wampum belt. In an interview, she said that an old man from Eskasoni suggested she make a wampum belt for the Grand Council. She did some research and found pictures of old wampum belts from other aboriginal nations. From two designs she created a belt specifically for the Grand Chief. She designed symbols representing the Grand Chief, the wampum itself, and a cross. She regretted not putting the Grand Council flag insignia of the cross, crescent and star on it. She wanted to make something that represented the Grand Chief, like the church, people, reserves, the eagle feather. She said we honour the eagle as it flies closest to the creator. It was important to give the belt to Grand Chief on Treaty Day because he represents the Mi'kmaq people, he is symbolic of the nation. We had it blessed by the Bishop because the Grand Chief represents us spiritually and he is involved a lot in the church. We also had it smudged by a native person [a Grand Council member]. So it was blessed in two ways. She had her partner present it to the Grand Chief because she felt it would be better if it was presented by a man. Finally, the belt maker said she made it because she wanted to bring back her native heritage. She said people ask her about the wampum belt and "I am so excited to know about it, I tell it. It makes me feel good just to be able to tell them about it. I want people to be aware that we are Native and that we are here to stay." A special document was drawn up to celebrate the event [Appendix III].

The title is not fading out but the role of Putus is fading out. As far as I know, the role is that I am supposed to be the secretary of the Grand Chief. Anything that is going on, I am supposed to go and make arrangements for him, it is my job to get him ready and get him going there. It is also like an international liaison between the Mi'kmaq nation and other nations, like the federal government of Canada. But as soon as they got the telephone and the telex, everything changed. Everything was done by machines, so technology changed things. I still have the title, I still have a role, a lot of people have respect on that.

### Characteristics of Membership and Selection Processes

Not only was the role of Putus revitalized, but also the process of selecting successors outside the extended family unit was invented and became tradition. Because decisions must be accountable and acceptable to everyone in the Council and the larger Mi'kmaq society, a tradition was invented whereby individuals nominated and selected for Grand Council positions have to possess qualities and abilities necessary to fill the position. Such qualities were developed from qualities historically utilized by the Grand Council and deemed suitable for the modern organization. Historically as we have seen, leaders were expected to be role models. Today, according to the *Kji Keptin*:

...[the grand Council...] plays a definite social role. How people determine the lives of each of the Grand Council members in the communities is important. It is more important than just running a charity sale. The social aspect comes from the Grand Council members belonging to families. The Grand Council are role models. Some people don't realize that the entire family is looked into because I am a member of the Grand Council, what each member of my family does, has an impact on how people are brought up.

A Grand Council member describes as follows the qualities he looks for when selecting or accepting nominations for prospective members; "I look at different kids, at members of each reserve. I look at different people and how they are doing in their education, the bad habits and the good habits that they have, what their interests are. I feel

it is no different now than it was before, that was how they determined if you could be a member of the Grand Council.” Another respondent indicated, “if you are a good person and a good leader, then you are wanted on the Grand Council. It is a very great honour to be asked to come on the Council.” However, the selection process for Grand Council members is not fixed; no written rules or regulations stipulate requirements or process. For example, one Grand Council member is presently training his son to take over his position in the traditional way; others are selected by votes in reservation churches. As populations on reserves increase, more *keptins* are needed to fulfil increasing demands; thus, the old system of one *keptin* per reserve has been altered to suit present needs. There is a blending of the old with the new in the selection and membership process, but this blending is not necessarily smooth or uniform. One critic of the recent election process of the *Kji Sagamaw* observed:

Today one wonders how some of our current keptins were selected. Some do not appear to know or understand their role. Such a lack of understanding shows that they have not consulted with or sought the advice of our elders...The selection of a Grand Chief and keptinak are too important for them to be left to a simple majority of a quorum to be decided like some white man's social club. We are dealing with a Nation here. There is, so far, no written rules to pass on to future generations of Mi'kmaq about dignified decision making. Should we record the Mi'kmaq way or should we just allow our traditions to deteriorate and melt into mainstream society's way? To do this will betray the sacred trust left to us by our ancestors (Marshall, J in *Micmac Maliseet Nation News* 1992:22(6):10).

This quote illustrates some important issues such as the concern over the breakdown of tradition and a responsibility to maintain tradition that some Mi'kmaq feel to their heritage and their history. It also illuminates the importance of the distinctiveness of Mi'kmaq culture from non-Native society as vested in the roles and functions of the

Grand Council and Grand Council membership processes. Furthermore, it brings to mind the current tensions over what the roles of the Grand Council are supposed to be and what they are in reality. These are multifaceted tensions that are expressed in diverse and sometimes conflicting interpretations of what the Grand Council is to Mi'kmaq society.

### Identity Issues - Differing Definitions

When asked to describe the role of the Grand Council today, the *Putus* offered his view:

That is all mixed up too. Sometimes they say we are leaders of our communities, of our nation, and other times they forget about us, they, chiefs and councils, rule over us. Actually it is not their fault, it is the Indian Affairs fault. At one time the Grand Council had total power on each reserve, that is why they had captains. Indian Affairs found out we were too powerful and that is why they divided us. They put Indian Act chiefs in to dissolve the power of the Grand Council. In a way it worked, it divided us as chiefs and Grand Council. They gave monetary power to the chiefs. We had no money to offer anyone, all we had was wisdom, but that does not work when you are hungry.

The *Putus* also offered valuable insights into some of the tensions experienced within the Grand Council and among the larger Mi'kmaq society regarding the Grand Council. The *Putus* notes that the members of the Grand Council have differing views of their roles and responsibilities. He discussed where he locates himself:

Some of us are political and some of us are spiritual, I like to fit in the middle. In the last five years, when Donald Marshall was in power, he tried to stress strengthening the Grand Council by talking to more people about it and to find out how people felt. When we found out, we went to work on it. We improved St. Ann's, St. Ann's made us strong, we got security and the mission got stronger and the Grand Council got stronger. As long as the spiritual side is strong, that is where the respect comes from, that is my point of view anyway.

An important aspect of social anthropological inquiry is the recognition of

difference and the challenges that differences create in a society when the society constructs its culture. The differences that occur in the visions of each Grand Council member affect the whole Council as the definition of an acceptable identity is struggled over. Social researcher Kobena Mercer suggests that these tensions should be the focus of research, “the challenge is to go beyond the atomistic and essentialist logic of identity politics in which differences are dealt with only one at a time and which therefore ignores the conflicts and the contradictions that arise in the relations within and between various movements, agents, and actors in contemporary forms of democratic antagonisms” (Mercer 1992:425).

A valuable contribution to understanding and explaining differences in analysing identity formation comes from Mercer’s ideas on the importance of signs in the articulation of collective action. Mercer alleges that there is a finite number of symbolic resources which can be combined into an infinite number of representations (Mercer 1992:427). Tensions and antagonisms occur as individuals and groups utilize different aspects of these symbols to suit their needs. These tensions become particularly salient when the symbols involve notions of distinctiveness and tradition. Because of the numerous historical events that have changed the Grand Council and the different historical and lived experience of every individual in Mi’kmaq society interpreting the meaning of the Grand Council, all views of the Council differ. The identity of the Grand Council is necessarily fluid with interpretations of the Grand Council varying along a spectrum. On one end are proponents of the Grand Council as a spiritual organization; on the other end are those who regard it as a political body. Imagine another spectrum for

those who believe and accept the Grand Council as fully functional, and those who think it is no longer useful [in the scope of this research I did not encounter anyone who wholly rejected the Grand Council]. Add yet another spectrum that shows levels of representation and the complexity and diversity of Mi'kmaq identity becomes apparent.

The Grand Council has a finite number of symbolic resources such as St. Ann's Mission, Treaty Day, traditional political leadership, mediators, role models and representatives of the Mi'kmaq nation, and the concept of consensual decision-making; infinite number of representations are made by combining these, and from this emerges the identity of the Grand Council. Mercer continues his analysis of identity construction by saying that "identities are not found but made...that they have to be culturally and politically constructed through political antagonism and cultural struggle" (Mercer 1992:427). Actors appropriate and articulate different meanings from the same system of symbols. The meanings of the symbols are not fixed but are "constantly subject to antagonistic efforts of articulation as different subjects seek to hegemonize discourses which support their versions of each signified over alternative versions proposed by their adversaries and opponents" (Mercer 1992:426).

These concepts are pertinent to this analysis of the Grand Council especially as tensions emerge over defining identities. How the Grand Council is defined becomes increasingly important as a tool for cultural survival and preservation in the Mi'kmaq community. Grand Council identity is also an important indicator of distinctness in the larger political culture where the Mi'kmaq must articulate their identity as they move toward self-government and autonomy. One of the prevailing tensions that exists in the

present day construction of the Grand Council concerns whether the Grand Council is a spiritual, ceremonial, or political body, or a combination thereof.

### Spiritual Tensions within the Grand Council

One of the symbols strongly associated with the Grand Council is spirituality and spiritual leadership. Although pre- and early contact Grand Council organization participated in spiritual leadership using shamans, the conversion of Membertou to Christianity and the subsequent adoption of St. Ann as the patron saint of the Mi'kmaq significantly altered aboriginal spiritual constructs. The baptism of *Kji Sagamaw* Membertou in 1610 has been questioned as to whether it was a political strategy or a spiritual decision. Several research participants said that Membertou's baptism was a political event because it marked the signing of a Concordant between the Mi'kmaq Nation and the Holy See and was the first international agreement the Mi'kmaq made. The *Kji Keptin* suggested that, "you realize that Membertou signed that in a way that we would be able to believe in what we believed in at that time, in other words, the two would mingle." According to *Kji Keptin's* ideology, Membertou acted to preserve and protect aboriginal spiritual and cultural constructs.

One of the things I love about our history is that even though we were the first to be contacted, we still retain our language, whereas others contacted after us have lost it all, they have been gobbled up by white society. I think this can be attributed to the agreement Membertou signed, that Concordant. Even though we joined Catholicism, he agreed we would maintain what we believed in. I believe it was the culture, the language aspect of the culture. I mean anybody can wear a headdress, anyone can wear a choker and whatever else, but if you don't have the language, you don't have the culture.

In terms of the political aspects, however, the *Kji Keptin* added: “once the people [Europeans] realized how the Grand Council worked; how they could disintegrate or get into it was through Catholicism, and changing the role from politics to working for Christ” (*Kji Keptin*). One can begin to see the complexities surrounding spirituality as the Mi’kmaq construct their identities of the Grand Council.

When asked about his vision of the Grand Council was, one *Keptin* said: The Grand Chief became a Catholic, there was something there that was lost. Today as a modern Mi’kmaq, I am very disturbed that we have treaties that the government does not want to hold up to, and yet we also have our bible. The ten commandments say thou shall not steal, and look what happened to our land base. We went the way of Christianity, we have our bible in our right hand and our treaties in our left, and we are standing there very puzzled.

Thus, the Mi’kmaq have struggled over many contradictions in their spirituality. The failure of the British to protect Mi’kmaq rights and freedoms as directed in the treaties contradicted all the teachings of fairness and trust taught in the Bible and by missionaries. The residential school system is another example of contradictions for the Mi’kmaq, who placed their faith and trust in relationships with priests only to be abused and degraded. The residential school system provides numerous examples of the mistreatment of the Mi’kmaq.

Despite these contradictions and tragedies, the Mi’kmaq still strongly ascribe to Catholicism, and the Grand Council plays a role in that preservation.<sup>13</sup> Once churches

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<sup>13</sup> According to Frideres (1993:156), 56 percent of Indians in Canada are Catholics, reflecting the early Jesuit and Oblate missionary work among them. The second largest Native religious group is Anglican, with 25 percent. Another 12 percent of Natives belong to the United Church, and the remaining 7 percent are evenly distributed among the other Christian churches in Canada. This information is based on government statistics. However, no information has been gathered



were set up on reserves they became the primary location of the appointment of *keptins*. St. Ann's mission at Chapel Island is the focal point of Grand Council activity. St. Ann's Mission is an invented tradition as it is incorporated by the Grand Council as its foremost responsibility and the occasion on which it conducts business. Indeed, the traditional political organization of the Grand Council did not have a religious role; it was only after conversion that such a role was created. Aside from local funerals, the Mission is where most people learn about the Grand Council; it is where the council is most visibly active, and this is why it is seen today as largely a spiritual organization. One of the ways the Grand Council tradition has been maintained is through the repetitive nature of the annual St. Ann's event. It takes place every year around the same time, with similar patterns of ritual and ceremony, reinforcing the spiritual aspect of the Grand Council and reinforcing the Grand Council's ties with Catholicism.

Many Catholic rituals are inscribed with Mi'kmaq symbols and are conducted in the Mi'kmaq language. Priests in Catholic churches with a large proportion of Mi'kmaq members wear clothing made of animal hides embroidered with the insignia of the Grand Council flag. Common prayers are recited in Mi'kmaq, hymns are sung in Mi'kmaq, and the sacraments are conducted in Mi'kmaq. Thus, the Mi'kmaq have been able to blend their identity with Catholicism. Many Mi'kmaq feast days reflect special days within the Christian calendar. Some individuals claim that they are able to express their affinity to

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regarding the extent to which Native people still retain some pre-Christian religious beliefs; it is thought that a significant percentage of Natives have done so.

their traditional language through attendance at the Catholic church. This amalgamation has occurred largely because of efforts of the Grand Council.

When the question *Where did you first learn about the Grand Council?* was asked in the interviews, the majority of respondents answered by saying it was at Chapel Island. One Mi'kmaq person, not a member of the Grand Council, indicated how he sees the Council:

The Grand Council is like spiritual advisors. They have a role to play with regard to the church. It has been there for God knows how long, probably since Chief Membertou was baptized. I do not see them politically as our chiefs and councils are political. When I was growing up my Grandfather was a prayer leader and we used to tent in Chapel Island. Grand Chief Gabriel Sylliboy made it a point to go to every cabin that is how I got to know about the Grand Council. We were taught to respect him, and we used to take part in the services at the church. There was one service where they used to lock the doors and pray for people who had died, and the Grand Chief used to face the closed doors with his back to the people and say prayers. I do not know if they do that anymore, but it was usually the last part of the mission on Monday, after the way of the cross.

I associated the Grand Council with Chapel Island. I did not know them to do anything else, unless someone died. Most of the Grand Council members were prayer leaders and singers, now there are very, very few.

I think if it were not for St. Ann, I think the Grand Council would have disappeared as a power. It is the devotion to the church, and the devotion to the patron saint. I do not see much of what the Grand Council does after the mission is over. I see them at funerals.

*Should steps be taken to preserve the Grand Council?*

Definitely. As we lose our Grand Council members, we should replace them with younger ones and people that are active in the church.

Such perceptions of the Grand Council are common among people who attend church and are active in their communities as this individual is. Here the roles of the Grand Council are directed at helping in community based events that are usually linked with the church.

One newly appointed Grand Council *Keptin* presented his view of the Grand Council:

The role of the Grand Council is spiritual. When the priest comes we assist them, and help out with the church. In the community we offer spiritual support, we go to funerals, we help families who have had a death. We have auctions to raise money for the families to help pay for the costs, it is a good system, and what is left over goes to the church. There are a lot of spiritual people on the Grand Council but the spiritual is fading.

At one time we used to know a lot of prayers. I asked an old prayer leader from Eskasoni why he does not pray anymore. He said he was not allowed because it took too long to sing them, Antigonish told him to stop. We sing in the choir in Mi'kmaq, but we sing only the shortest prayers.

The *Putus* also learned about the Grand Council when he went to Chapel Island as a boy with his family. He describes the importance of the mission to the general population's perception of whether or not the Grand Council is doing a good job, and its special personal importance for him:

I always knew about the Grand Council because I always went to Chapel Island. My parents would teach me. I was scared of them. They had some kind of power. Today Chapel Island is coming back up. I think it is stronger because of the control of the Grand Council. Years before you could bring liquor and dope on the Island and whatever, and nobody said anything, but that changed because we picked our own security. And when people see that and they tell one another they see that and come fast, before people were afraid to come. *So what happens at Chapel Island impacts on how people see the Grand Council?* They do not forget to tell you if it was a good mission or a bad mission.

I was married on Chapel Island. I might have been the last one to be married there.

Another Grand Council *Keptin* whose vision of the Grand Council is both political and spiritual locates himself and his role as being toward the spiritual end of the spectrum. His assessment is that more people see the Grand Council as spiritual;

therefore, it is the spiritual role that has the most significance for him. He also stresses the importance of St. Ann's mission. This *Keptin* was the youngest to be elected to the Grand Council; he was thirty-five when he took his position five years ago:

I learned Mi'kmaq prayers as soon as I was appointed. We have a prayer group, our elder [a woman] teaches us how to pray. Keptins are prayer leaders. That is part of our agenda, to have our elders teach us to read the hieroglyphics so that it will never be lost again. Another main goal of the Grand Council is the annual St. Ann's Mission. We organize it all, set rules, arrange for the priest. St. Ann's is so important to the Grand Council because its been there and it will never die, and they do not want it to die. It is an important part of being Mi'kmaq, and keeping Christianity. Not only keeping it but respecting it too.

The Grand Council has a political role but the stronger role is the spiritual role. The spiritual role will be there for life, it has to be, it is the main thing that give us legitimacy. The elders have the greatest respect for the Grand Council, and that will never die. Our kids will not lose that respect either. Look at education and language, that was almost gone, but we are teaching our young ones and they in turn will teach their children, it is a learned behaviour.

The above examples demonstrate the importance of the symbolic purpose of Chapel Island for the Grand Council. The people interviewed had differing ways of interpreting the symbolism of Chapel Island and St. Ann's mission, but an underlying commonality was the social construction which identified the Grand Council as a spiritual organization. As a Mi'kmaq tradition, it has survived since it was established about 1750. Indeed, the St. Ann's Mission at Chapel Island is a Mi'kmaq institution, it is the place of introduction, instruction and identification of the Grand Council for many people. Because it is a spiritual place, and a ceremony imbued with religiosity and ritual based in Roman Catholic traditions, it follows that most of the Mi'kmaq who attend the ceremonies there associate the Grand Council with spiritual Christianity. Even people who do not attend the mission at Chapel Island learn about the association between St.

Ann and the Grand Council. Most reserves have their own St. Ann's Day ceremonies prior to the larger event at Chapel Island. Those that do not take part in any of the St. Ann's ceremonies still know of this association through word of mouth and media images of the Grand Council. The Grand Council in this spiritual form is known as the Holy Gathering, the *Sante' Mawio'mi*.

### Traditional Spirituality and the Grand Council

The Grand council is made up of diversified people; not all are Catholics. There is a trend toward the inclusion of traditionalist *keptins* in the Grand Council. These *keptins* have picked up what are considered to be traditional aboriginal notions and applications of spirituality as a way of constructing their Mi'kmaq identity. In the past twenty years an increasing number of Mi'kmaq have chosen to create their identities based on Nativistic beliefs. Whether this direction is in opposition to Catholicism or to constraints of the larger society or is a renewal of Mi'kmaq history and tradition, it is a reality and there are tensions that emerge from it.

Some of these tensions result from of the diversity of people who subscribe to notions of traditional spirituality. From these people come many beliefs and as such, there is no cohesive set of rituals, ceremonies and processes deemed most legitimate in pursuing this form of spirituality. Indeed, there are conflicts and tensions among those who practice traditional spirituality because there are different ideas about what is legitimately Mi'kmaq and what is not. Some argue for borrowing practices from other Native groups and others are against this. Variations in the rules and regulatory steps

involved in achieving the specialized positions within traditional belief systems also lead to antagonisms within and between the groups and individuals taking part in them. The Grand Council as a group has not dictated what traditional Mi'kmaq spiritual rituals are acceptable as there is no consensus on this matter, nor do they feel they have the right to tell people what religious activities they should accept or reject.

As several research participants indicated, many people who are turning to traditional spirituality have done so out of a need to heal from the numerous injustices inflicted by the dominant society. Several traditionalists have said they are recovering alcoholics who have found serenity in traditional spirituality they could not find elsewhere. Spiritual ceremonies involving sweet grass, sweat lodges, purification rituals, drum and pipe carriers, the significance of eagle feathers, and powwows, are resurfacing and increasing in popularity.

As more people subscribe to this form of spirituality, the Grand Council has tried to accommodate this by coupling traditional Mi'kmaq rituals and beliefs with Catholic ceremonies. According to *Kji Sagamaw*, "it is more popular, I tell the priest and the mission leaders to include sweet grass and peace pipe ceremonies in the mission. A lot of people agreed with the blending." However, there are tensions regarding the role of Catholicism and the invention of traditional spirituality both within the Grand Council and Mi'kmaq communities. The tensions develop in response to conflicting views of what it means to be Mi'kmaq. Although they are complex and at times conflict, they are part of the creative process in the social construction of Mi'kmaq identities. Even though the tensions affect the Grand Council organization and how people interpret Grand

Council actions, inclusion of traditionalists does not threaten the structure because the Grand Council consists of members who are constantly having to redefine who they are and what they stand for as these creative processes take place. The Grand Council is not a rigid archaic structure. It is dynamic, shifting and bending in order to meet the needs of the Nation and individual communities.

One Grand Council Keptin describes his approach to traditional spirituality:

I am a traditional guy. I do sweat lodges and pipe ceremonies. The man who helped me to learn a lot about traditional ways was this priest. When I was inaugurated [into the Grand Council] he was the mission priest and so I felt real honoured with the eagle feather and the wings. The newer people on the Grand Council are not more traditional, I would say it is being open-minded. You are not the judge. Not only that but respecting what other people believe in. It is not traditionality, or the priest, or the Catholic church itself, it is the people that do it. There is nothing wrong with any of it, but it is the way the people do it. The Grand Council has respect for both the traditional and the Christian way. I am a traditionalist and a Catholic, they do not turn away, as long as it is good for the people. You must respect other people.

Another Keptin who describes himself as a traditionalist, talked about the relationship between traditionalists and Catholics in his community and his role as a Keptin:

In 1993 I was asked to go into the Grand Council and I was given a year to respond. Well, I gave my answer in ten minutes. So I went to Chapel Island and I was inducted into the Grand Council. At our gathering at Chapel Island, I asked the captains what would be my role or my job description? What do you want from me? What am I supposed to do? And basically I was told to go out and educate not only our people but non-Natives in our ways, and I guess to re-educate our young people. So I try to share my traditions with them. They come over to look at the sweat lodge and I say come on in, and I teach them my understanding of it, and the pipe and sweet grass braids, as they were taught to me.

I see three groups of people here. One third of my community are hard core Roman Catholics, and if you try to tell them about the other side of the coin

[traditionalism] they call me a devil worshipper. On the other hand, there is one third spiritual and traditionalist. This group is recovering alcoholics or drug addicts who have tried that way [Catholicism] before, but something happened. Maybe they had a spiritual awakening or something. But I find these people have serenity, they have peace of mind. They try to consider all aspects of an answer rather than just yes or no. I think they are like a bow, they are made to bend and come back, and I like that. The third group are the fence-sitters. They look to both groups but do not participate fully in either. We think in terms of circles. I would like to see the fence-sitter, the traditionalist, and the hard core all together.

Although no one on the Grand Council opposes Catholicism, some members are opposed to aspects of traditionalism. An example of another tension in the relationship between what is Mi'kmaq and what the Grand Council stipulates as authentically Mi'kmaq is illustrated in this Grand Council member's view of traditional spirituality:

The Mi'kmaq traditional beliefs are non-existent or they have limited existence. The thing the Grand Council is frightened of, or at least I am frightened of is people bringing different beliefs from different nations. They do things where they do not understand what they do. The Mi'kmaq did not use sweats until someone was sick, in Arizona and those places used sweats for different reasons. They would sweat to disguise body odours before hunting. The traditional beliefs people have brought here are from elsewhere, and the people that do these things are rebels and do them half-assed. That to me is what I am scared of. I respect the beliefs of other nations, both native and non-Native. We talk about it in the Grand Council, I brought it up ten years ago. And what the Grand Council people said was, if it keeps people off booze and drugs then let them be. But I cannot let them be because there are connotations that arise from abusing and misusing someone else's beliefs. It is hurtful for the Nation.

An example of how tensions manifest themselves in the struggle for legitimate identity arose in an incident just prior to the St. Ann's mission in July, 1996. A group had requested permission from the Grand Council to have a powwow on Chapel Island the week before to St. Ann's mission. Many people with different belief systems participate in powwows, however; powwow ceremonies are generally derived from traditional dance, song, drumming and pipe rituals and as such, many people who practice traditional



spirituality attend them. The people who wanted the powwow wanted to have it in a traditionally sacred spot and Chapel Island is such a place. Chapel Island was utilized by Mi'kmaq before Maillard moved the St. Ann's mission there in 1755. This situation highlights the concept of the limited number of symbols in a culture which can be appropriated and interpreted in an infinite number of ways. The Grand Council responded to the request at first with an open-mind. The *Kji Sagamaw* commented:

This year they wanted to have a powwow on the Island and they brought it to the Grand Council. Again here is an example of what is good for us all no matter what way you believe. But there are people against it. Chapel Island has become a sacred place, and if they decide to have a powwow who am I to deny them that. I have to keep an open mind.

A number of sides in the debate came forward to discuss their opinions including traditionalists, Catholics, other denominations, as well as the Chapel Island band council and powwow organizers. After considering various options, it was decided that the powwow would be held on a campground across from the island.

One research participant, not a member of the Grand Council, describes what happened in her view:

They [Grand Council] have to be a guide for the nation, to tell us which way to go. I think we have to use them more for solving disputes in the community. For example, the powwow on Chapel Island, at first the Grand Council said yes. But then they said no because they talked and some said that their land should not be used like a ball field [a contemporary site for many powwows], and that the land had significance. And so the Grand Council spoke up and stopped it from being on the island. Things like that they should become more involved in, dispute resolution, and I think they should be more involved in fishing and hunting rights and the tag distribution. I think they have to be involved in all aspects.

Therefore, the Grand Council experiences tensions that reflect the tensions in Mi'kmaq culture as Mi'kmaq people construct and re-construct their identities in ways

that are meaningful to them. The tensions between spirituality and Christianity, among different forms of traditionality and other religions, and between who has access to sacred sites, are all struggled over as identities are constructed and traditions invented. These tensions are expressed as individuals and groups struggle over specific signs and symbols. But this is only one aspect of the roles of the Grand Council. Between spiritual leadership and political leadership, the Grand Council faces and deals with many more tensions and antagonisms as it tries to meet the needs and demands of a changing Mi'kmaq society.

#### Political Tensions within the Grand Council

From the historical data, it is evident that the Grand Council had significant political responsibilities from treaty making to peace and dispute settlement, to allotting hunting and fishing territories, and maintaining the general welfare of the nation. The Grand Council maintained its political legitimacy through its mandates of acting on consensus and its representation of all Mi'kmaq. As the Mi'kmaq resisted colonization, the Grand Council played a large part in the protection of Mi'kmaq lands and resources. The devastating effects of colonization and domination weakened the political efficacy of the Grand Council. Through the implementation of the Indian Act, the Grand Council's authority shifted from a political orientation to a spiritual authority based on its historical association with Catholicism. The Grand Council's role fluctuated within the spiritual and political spectrum. It became involved in symbolic representation of the nation in large media events such as meeting the Pope, the Queen, and various political leaders and

other dignitaries, serving a ceremonial function important to the preservation of images of the Mi'kmaq among the mainstream society.

But now, the political tide in Native politics in Nova Scotia and across the country has been changing in the last few decades. A number of factors including the recognition of some treaty based rights and land claims, wide ranging media coverage of injustices experienced by Natives, an increasingly educated population, the efficacy of lobby groups and more, have led to a more open relationship between the non-Native government and the Mi'kmaq.

Alex Christmas, a former president of the Union of Nova Scotia Indians, remarked in the Mi'kmaq newspaper:

The release of the Marshall Report [on Native treatment in the judicial system] seemed to have started a chain of positive events. Federal/provincial government control over our lives is crumbling. For once, they are sitting down and reasonably discussing with us how we foresee looking after our own people. Now is a time for opportunity. The governments are, at last, willing to let go and let our own leaders represent themselves and truly act as governments. In my opinion, the UNSI, the chiefs and the band councils do not have the power to change our treaties or define by ourselves our aboriginal and treaty rights. These are rights that belong to our people as a whole. Mi'kmaq leadership should lead the way in involving Mi'kmaq people as a whole when it comes to rights (Paul, C in *Micmac News* August 1991:1).

As provincial and federal governments become more open in their relations with Native governments, new demands are made on Mi'kmaq society to develop a political system to deal effectively with the diverse needs of the Mi'kmaq people. In relation to the dominant society, the Mi'kmaq population is small, and it is spread over a large territory across the Atlantic provinces and parts of Quebec and Newfoundland. It is significant politically that the Grand Council claims to represent all Mi'kmaq. One of the major

obstacles the Mi'kmaq have to overcome as they move toward self-government is the centrifugal force dividing Mi'kmaq identity, and the Mi'kmaq sense of nationhood.

As indicated in chapter four, there are a number of political organizations representing different groups of Mi'kmaq people: the Union of Nova Scotia Indians, the Confederacy of Mainland Mi'kmaq, the Native Council of Nova Scotia, Indian Act chiefs and band councils, in addition to special interest groups, such as Native Women's organizations and the Mi'kmaq Warrior Society. In order to achieve self-government, it is necessary that there be one central organization representing the interests of all factions in Mi'kmaq society. The dominant society demands that there be one identifiable form of leadership for all Mi'kmaq in Nova Scotia. During Canadian constitutional reform discussions in 1992, the president and chief of the Native Council of Nova Scotia indicated that, "some of the 50 bands comprising the Micmac nation have fallen into the trap of calling themselves nations. He argued that self-government inheres in distinct tribal groups, not Indian Act bands" (Brown 1992:25). Individual bands, Natives living off-reserve, unions and confederacies all compete for the same dollars. Representation of the entire Mi'kmaq Nation has become increasingly difficult as these factions have increased in number. Furthermore, differences in provincial governing structures further hinder national unity among provinces.

The Grand Council has responded to the changing political climate in Nova Scotia and elsewhere. Establishment of Treaty Day is an example of the Grand Council taking a claim on a specific symbol in a contest with the dominant society, both a proactive and a reactive measure. The Treaty Day ideology demonstrates the Council's confidence in

asserting political and cultural views that revive resistance against domination in ways similar to the past several years. The Grand Council has reappropriated their history to put forth a salient set of political values. Events such as Treaty Day and the St. Ann's Mission reinforce notions of community and continuity with the past. These endeavours demonstrate that the Grand Council is moving beyond a survival mode into an assertion mode as the preservation of national identity becomes the focal point of political social constructionism. It is this ability of the Grand Council to shift and adapt to new pressures while maintaining Mi'kmaq tradition that has enabled it to survive, and command a tremendous amount of respect from most members of the Mi'kmaq nation.

In looking for alternatives to the Indian Act political structure, more people are turning to the Grand Council as a legitimate form of government and political leadership. The Grand Council symbolizes traditional government in Mi'kmaq society, but how that tradition should be utilized and by whom is an area of conflict and tension. A facet of the Grand Council that has helped in its survival is the fact that it is an independent organization not controlled by federal or provincial governments. It is not a product of the Indian Act, and the Council has no fiduciary responsibilities. "If the Grand Council had money, in the way that band councils do, things would be worse, they [Mi'kmaq people] would be fighting us. We do not want funding from federal agencies because that screws up the legitimacy of the Grand Council" (*Kji Sagamaw* 1996).

Anthropologist Alf Hornborg illustrates the dichotomy between what is seen as authentic leadership and corrupt leadership in terms of Mi'kmaq forms of government:

Native people are presented as the oppressed guardians of authentic, spiritual

values, whereas the dominant, non-native culture is identified with corrupt power and a materialistic greed for money...Precisely the same opposition recurs in the way many native present the difference between the two forms of Mi'kmaq government, the traditional Grand Council, on one hand, and the system of band chiefs and councils organized and funded by the department of Indian Affairs, on the other. The derogatory remarks about the 'chief and council' invariably focused on corruption such as favouritism and mismanagement of funds. In the context of reserve life, where funding is a scarce resource to compete for, being entrusted with the allocation of funds seems sufficient to warrant suspicion. It is obvious that the same 'moral' polarity which at one level serves to define Indian-White relations can be applied at another level to divide native communities. The concept of native people who have adopted a White mentality is a commonly evoked archetype (Hornborg 1994:254).

Band councils are commonly identified with the larger society's practices and principles that have favoured some and denied others. Many reservations have experienced serious setbacks because of their inability to establish sustainable economic development. Reserves for some are equated with an endless situation of welfare dependency and hopelessness. Because band councils and Chiefs are a non-Native construct, the authentically Mi'kmaq construct of the Grand Council appears all the more attractive. The Grand Council in this context has been appropriated by some Mi'kmaq to symbolize reliability, accessibility, equality, and justice for all, which is in opposition to the bureaucracy-ridden band councils that have limited decision-making power and little continuity. Because the Grand Council claims to represent all Mi'kmaq people, it solves in part the problem of representation of off-reserve Mi'kmaq, a cause of much controversy in the Mi'kmaq political arena.

As in the designation of the Grand Council as spiritual organization, tensions regarding the political nature of the Grand Council are extensive, particularly during the present unsettled political climate. Factionalism is great among the Mi'kmaq political

organizations, particularly in matters of representation and competition for funding. If this factionalism cannot be overcome, federal monies earmarked for the Mi'kmaq are lost because consensus on who gets what cannot be reached.

As indicated by the *Putus*, some of the members of the Grand Council adhere to spiritual leadership and others are more political. Views and visions of the political role of the Grand Council are varied and complex. For example, the *Kji Keptin* feels that the Grand Council has an obligation to demonstrate to the Mi'kmaq people that it is more than just a symbolic organization. The *Kji Keptin* describes his vision of the Grand Council as a political body:

In order for our land claims to be settled, whereby everybody is involved and no one gets screwed, it is imperative that the Grand Council gets involved. I think the Indian Act chiefs have a role to play, but in order to maintain and guarantee fairness, the Grand Council must take a lead role in politics. Politics Grand Council style and politics Indian Act style or white style are two different things. Our policy is to ensure everyone gets a fair shake, but nowadays, people who get the most votes get the most things, not necessarily the ones who need them. That has to change, in order for fairness in judgement and distribution in wealth.

Again, the construct of the Grand Council as having the best interests of all Mi'kmaq at heart, is derived and reconstructed from historical notions that Grand Council ideology was based on fairness and consensus. This historical role is being appropriated by some Mi'kmaq today because it is seen as useful in the settlement of interband conflicts arising from negotiations concerning the disbursement of funds. In order to achieve a politically effective Grand Council, the *Kji Keptin* emphasizes that changes to the structure of the Grand Council are needed. The following statement illustrates the creative process of social constructionism:

I would like to see the structure changed somewhat. We need people more informed, better educated. I presented the idea that families in all *Mi'kma'ki* [Mi'kmaq Nation] could submit names and why their sons should go to such a school. In other words, I want a special education program that would teach Grand Council members and eventually a Grand Chief, something similar to diplomatic training. What I envisage is a Grand Council where the members speak two or more languages, who are literate, who could get up anywhere and talk about anything because they would not be guessing.

I always felt that we would someday get that process in place of choosing the leader and the captains. It needs to be changed from what it is now. You see, in the olden days, the clans were so close and they knew what each clan needed and what qualities each individual had. I think because one community does not have the same clan anymore, now each community has different clans within that community, because of that we have to institute that we don't pick any old person.

Donald Marshall knew how to run Chapel Island, but that is the difference, that is the role that people have put on us. I am saying that is not the role of the Grand Council - that it is not just spiritual. If you look at the Grand Council prior to contact, someone had to manage spirituality, but when the priests came, they were used spies and they used Catholicism to get to us. I try to change that, to bring back the political aspect of the Grand Council, the *Mawio'mi*.

From the *Kji Keptin's* point of view, the Grand Council needs to reappropriate its former political role in order to overcome internal contradictions in Mi'kmaq political organization. His vision to change the structure of the Council expresses confidence in reconstructing the Council to meet new demands. In his view, a reconstructed Grand Council will be able to compete in the larger society with greater efficacy and that education and 'qualified' members would create a more legitimate organization. In order to advance the political interests of the Mi'kmaq, the Grand Council institution would have to be reformed.

There are multiple political visions of the Grand Council in Mi'kmaq society and within the Grand Council. The political attitudes of the *keptins* are varied. One *Keptin*



expressed concern over the present political situation in the Mi'kmaq nation:

We have three organizations, the Confederacy, Native Council, and the Union, and they are supposed to be helping our people. I am not putting down our chiefs, but there are too many meetings. I do not want to see the Grand Council be bought out by any of these organizations, money talks and people can be bought, and I do not want to see that, our people have enough problems now.

If they keep the Grand Council the way it is today, if they keep membership the way it is, and if they do not have government involvement, their wisdom and knowledge will always be there. Because, when you are not paid off by somebody, then you are not obligated to anyone. That is why our elders kept the Grand Council one way. I would not want to see anyone get paid by the chiefs, we cannot get into their clutches. We have people with knowledge in all our districts, we need to get and keep these people in the Grand Council.

The political role of the Grand Council is that the Grand Council maintains its separateness [from the chiefs]. But when it comes to the people, the Grand Council is there to protect, they are there to protect our treaties. We are not going to give up our treaties. The government may pay off the chiefs, but they will never pay us off. They will never do that, and our history tells us what to do.

The above responses illustrate the tensions between what this individual sees as legitimate forms of government and corrupt forms. As the Grand Council faces pressures to become more active politically, the issue of legitimacy becomes a major concern.

Another *Keptin* further describes the tensions existing within the Grand Council with respect to political issues:

We should direct the chiefs from the Grand Council to get our tax cards back. The chiefs do not want us involved. We are not here to fill our pockets. We are here for the people. Some old members of the Grand Council feel we should be sitting on the side, but some say no, we should be involved. The chiefs are having the same problem, they want to represent off reserve and their jurisdiction lies only on the reserve. Whereas the Grand Council being who they are, being a respected organization are respected by on and off reserve Mi'kmaq. There are people out there having tough times and our people cannot agree.

A third *Keptin* states directly that if the Grand Council becomes political, he will

quit. This member's vision of the Grand Council shows a different aspect of the creative process reflecting a feeling of uncertainty as the Council experiences pressure from both Mi'kmaq and non-Mi'kmaq to change their roles:

If the Grand Council turned political, I think I would quit. What I think needs to happen, what I would like to see is the Grand Council sit down and go to school on what exactly the Grand Council is. I am willing to learn. There were discussions of the Grand Council getting involved in hunting, fishing, you know, everything like that, and my view is that we are not ready for that. We do not know what our roles are. We need to get together for a few days somewhere and exactly know what we are doing, what the Grand Council is all about. Then we can do something.

### Geographic Tensions within the Grand Council and Mi'kmaq Society

The Grand Council is also experiencing political tensions manifested in a geographic ideology concerning divisions between Cape Breton and mainland Mi'kmaq. This split initially became apparent almost one hundred years ago when the Canadian government undermined the authority and unity of the Grand Council by appointing and electing chiefs and establishing a reservation system. This split still appears as interpreted by a Grand Council member from mainland Nova Scotia:

When I got into the Grand Council there was a stigma, a split between the mainland and the Cape Bretoners. I have a lot of work to do in my community where there is still a split. I guess through rumours and gossip some of our people here who were well respected in our community, did not respect the Grand Council. As I understand it now they are saying that because on the mainland there was supposed to be a Grand Chief, and on Cape Breton another. I made the comment, too many chiefs, not enough Indians. I told them, especially my family, we have one Grand Chief, and that was Donald Marshall Sr., to me, that was the Grand Chief, and at his passing we took the same path.

This split may be generated today by the fact that the Grand Council executive all reside in Cape Breton, and the major gathering of the Grand Council, St. Ann's mission,

takes place in Cape Breton. A further factor may be that Cape Breton Mi'kmaq have been more successful in retaining their language than mainland Mi'kmaq, who have greater contact with non-Natives in education and public services. However, steps are being taken to remedy these situations, such as increasing the number of *Keptins* on the mainland and emphasizing the importance of maintaining the Mi'kmaq language, a process in which most Grand Council members are involved. Indian Brook, for example, now has five Grand Council *Keptins*. The Grand Chief has stressed the importance of getting *keptins* on all reserves, particularly the smaller reserves, so they can become reconnected with the larger Mi'kmaq society.

It is strategically important, both politically and spiritually, for the Grand Council to take an active role in unifying the Mi'kmaq nation. In some regards, the Grand Council succeeds in overcoming centrifugal forces where other political and social organizations fail. Pertinent to this are the *Kji Sagamaw's* comments that the biggest change in the Grand Council since he has become Grand Chief is as follows:

Over the last few years we are having more involvement with other districts in the nation, Prince Edward Island, Newfoundland and New Brunswick. The nation is getting stronger, more unified over a broader area. We are getting more authority. Our role is to act as the unifying force politically, spiritually and socially.

This expansion in authority and the development of the Grand Council as a national unifier is further supported in a report discussing aboriginal self government and social services in Conne River, Newfoundland, where the Mi'kmaq of Conne River identified their government as being the Grand Council:

Self-government starts from the grass roots - people, elders, talking with the community on where you want to go - educating, not from the government down.

Education on who we are and fully understand and appreciate what we have. We have to start to realize how important our ancestors are and know and understand our treaties, customs and culture. We have to understand what it means when we say 'Miawpukek Mi'kmawey' - I am Mi'kmaq and my nation's government is Mi'kmawey, Grand Council (Durst *et al* 1993:27).

### Revitalizing and Inventing the Traditional Governing Body of the Mi'kmawey Mawio'mi

It is not only within the Grand Council that the role as unifier has been created and acted upon. This identity formation has been made, through antagonisms and struggles both in the dominant society and in Mi'kmaq society. Not only is the Council considered the traditional political body of the Mi'kmaq, but it is increasingly considered a viable and legitimate governing body as the goal of self government gets closer. The identification of the Grand Council as a legitimate aboriginal construct is in opposition to the intentions of the state, which formerly denied Mi'kmaq access to their traditionality and their distinctness through policies of assimilation and acculturation. Ironically the very notions of traditionality maintained by the Grand Council are now required by the state to fulfil the ideology of distinctness necessary for the legitimation of self government.

Most people have had positive relations with the Grand Council as spiritual advisors. The belief system that evolved from traditional Grand Council operations regarding justice, equality, and consensual decision-making are reconstructed, revitalized, and invented over and over again by diverse groups of people in Mi'kmaq society. For these reasons, political organizations are turning to the Grand Council for political leadership. New roles are being constructed for Grand Council members based on

traditional models. The *Putus* describes what he sees as a changed role for the Grand

Chief:

Now the chiefs go to the Grand Chief for advice, he is our representative, he's up there with them and whatever he says they listen to him. He makes recommendations not decisions, if you are doing something wrong, he recommends that you stop and think. If we think they are doing something wrong, if they are going too fast, we still have that role, we still have that authority to make them stop and think.

The *Kji Sagamaw* also indicated a change in that the Grand Council is being consulted more in political decisions and relied upon to settle disputes:

I have seen myself become a better mediator with the chiefs. Donald Marshall Sr., was trying to do this. In Gabriel Sylliboy's time it was all Indian Affairs, and they just ignored him. I go to chief and council meetings if I am invited. I go to every one of the All Chiefs' meetings. They look to me for advice if they are undecided. I give lots of advice, it might be good, it might be bad. The chiefs do not make any decisions without the support of the Grand Council. The power of the Grand Council is derived from what the chiefs give me, most chiefs respect the Grand Council.

Increasingly, the Grand Chief has been asked to sign documents and agreements with the larger society on behalf of the Mi'kmaq nation. In this process, the Grand Council's presence adds to the importance of an event, making it a national concern. The Grand Chief as signatory for these negotiations does not necessarily take part in the development process, but is put in a position of being responsible and accountable for what happens as a result of these agreements. Furthermore, the Grand Council does not have any voting authority in the Union or Confederacy decision-making process. Thus, tensions emerge as to the political legitimacy of the Grand Council's role.

One goal of reforming internal political organization of the Mi'kmaq is to reintegrate traditional political values. While opinions are divided on the structure and

format of self-government, there is near unanimity on the necessity of reconstructing decision making and leadership structures to reflect Mi'kmaq political culture rather than retaining the Indian Act system of chiefs and band councils.

### Grand Council Roles According to Mi'kmaq Political Leaders

Interviews were conducted with political leaders outside the membership of the Grand Council. One chief's view of the Grand Council illustrates some effects of tensions between its political and spiritual roles:

The Grand Council as the traditional government of the Mi'kmaq still has a role today. Right now it has a more spiritual and ceremonial function, but it certainly had more authority in the earlier days. The missions serve as a largely religious function. People go there to resignify their beliefs in their religion. I think that is changing a bit. I think elders have been hanging on to what has been taught to them, and that is an outside influence and that has its place. I have a problem with that religion that has brought our government down to a place where it is just a symbolic reference, where it is primarily a ceremonial function and an aid to the Roman Catholic church.

I believe in my heart of hearts that we will get back to the Grand Council being the governing body of our people. How that occurs, I think our own people will best decide that on our own terms. The religious role has taken away from the political role, and the religious role has been influenced by an outside force. That too, has taken away from the traditional notions of spirituality.

This chief presents his view of what the political role of the Grand Council should be. Important to this chief is the connection between the Grand Council and cultural distinctness. This identity formation is the basis of resistance to the larger society. Within the processes of social construction of distinctness symbolically represented in the Council, the Mi'kmaq have created a tool they can use to resist acculturation and assimilation. They have resisted domination by inventing, revitalizing, and incorporating

the historical traditions of the Grand Council to serve present political necessity. A chief remarks:

I as a chief, always feel that we need to include the Grand Council in our everyday business. That is why we have the Grand Chief as an excathedra [chair of authority], a member of honour in all our meetings. As self government is attained I think the Grand Council has to replace whatever is in existence now. How we provide for ourselves and how we govern ourselves is at the whim of the federal government. We have a right to exist as a people and we have a right to determine what is best for us, as long as it is in harmony with what goes on around us. We have to operate under the rules of the Indian Act, and they are too constraining, although there are some areas that protect us. There have to be changes in a hurry, but we have to determine what self government is for ourselves. Certainly the Grand Council has to be at the forefront and we need to determine how it will be structured, who it represents. The Grand Council does not have outside forces influencing its decisions. There isn't anything there to make their decisions biased. There is no payment that makes them decide for something over something else. There is no risk of gaining or losing anything individually, they are concerned for what is best for us as a people, and that is important to keep. It is non-partisan. The Grand Council, in part, helps define that identity of distinctness. The maintenance of the identity, that difference, is necessary. Now is the time. As we go along in years, the distinctness becomes more apparent, we need to put it in practical terms.

The Grand Council is performing a political function in its relation with the Union of Nova Scotia Indians. Although there is no formal recognition of the Grand Council by the Union, the two organizations work closely together through the Grand Council executive's participation in Union affairs. Political lobby groups of the Mi'kmaq are actively constructing an identity of the Grand Council to suit their needs. The main factors in this relationship are that the claims of unbiased and universal representation by the Grand Council of all the Mi'kmaq Nation are useful in creating legitimacy in the Union's decision-making process. Grand Council approval subsumes the appropriateness of the decision for the entire nation. The president of the Union highlighted the following

issues:

The Union serves an administrative function for the Grand Council. For instance, if the Grand Council decides that we should push an issue one way or another, once the initial approach has been made by, or on behalf of the Grand Council, then the Union conducts any surveys, gathers the public opinion and makes presentations to the government. The Grand Council, along with the chiefs as the board of directors of the Union, drives the policy and direction of the Union. The Union is set up so that each individual band that subscribes to the Union is a voting member at the general assembly meetings. There is no formal recognition of the Grand Council within the structure of the Union; however, in the mind of everyone that is a part of this, they are here.

The chiefs have more direct influence than the Grand Council, they handle the municipal affairs. When they act as a group, they usually do it with sanction from the Grand Council. The Union does not necessarily act independently from the Grand Council. We more or less get approval from them. We go with whatever the chiefs decide, but they are careful that the Grand Council is somehow involved. The Grand Chief attends all the meetings and he has a direct involvement. It is not all that often that he says too much, but if there was something to be said from the Grand Council, he would take it to the floor.

*Do you see the Grand Council as a form of Senate?*

I think that is a fair assumption. Judging from discussions with the chiefs, they see that whatever we do as a Union, we want Grand Council there. We do not want them to be embroiled in the discussions, debates, and arguments. We see them more as a respected title, that they are above all the in-fighting in politics. Without saying it, looking to them for spiritual and cultural guidance.

In more recent years, we have come to know our history a lot better. We have begun to bring the Grand Council back into everything. We have tried to push them forward and hold them up because they symbolize our status as a nation. We involve them in any dealings we have with the government.

This statement displays the tensions in the development of a Grand Council identity. In dealing with the dominant government, Mi'kmaq political organizations are using the Grand Council increasingly, and the Grand Chief in particular, as symbolic of the nation regardless of whether this is a social construction or social reality. In the recent past, the Grand Chief has signed agreements on behalf of the Mi'kmaq nation in



important political issues such as the framework agreement for Native policing, and a framework agreement for Mi'kmaq controlled education.

### Grand Council and the Native Council of Nova Scotia: Building Bridges

The Native Council of Nova Scotia, an important lobby group representing off-reserve Mi'kmaq, has a slightly different vision of the political roles of the Grand Council. The head of the Native Council, Dwight Dorey, has said: "The role of the Grand Council as the spiritual body overseeing the peoples' nation is an exemplification of two worlds (old and new) coming together and forming a common bond of generations of heirs past with those yet to come" (Dorey 1993:40). In the constitution for the self-government model put forth by the Native Council, three articles pertain to the Grand Council. Native Council's expectations are that the Grand Council will solve problems of representation as it , "shall adjudge all questions of individual citizenship" and "the Grand Council of the Mi'kmaq, the spiritual head of the Mi'kmaq, is empowered to maintain its customary roles, rules and practices" (Dorey 1993:60-78). Thus, while purporting to include the Grand Council as spiritual leaders in the constitution, the Native Council also sees a political role in its hopes that the Grand Council, can solve the problem of national membership.

Dorey also presented his view of the Grand Council:

I see the Grand Council's role as the conscience of the people and of the nation. While I constantly hear from other people that the primary purpose of the Grand Council was to provide spiritual and cultural kinds of leadership and cohesiveness to the whole nation, I see the Grand Council as having a role, in at least to some degree, directing the political movement. That is one of the reasons that with recent developments within the Native Council of Nova Scotia, I and others on

the council have been proposing that the Grand Council have a more direct role within Native Council. The Grand Council is seen to be the connection to the old ways, the connection to what is referred to in modern times when there is reference to inherent rights, inherent rights meaning rights that have always existed. The Grand Council, in my view is sort of that connection to the way things were and the way things will always be or always should be.

Keep in mind that we have modern realities to deal with and the Indian Act is one of those realities. It is an act of parliament, a piece of legislation that governs the way we operate and unfortunately it has divided the nation. It has split us apart and that split has been there for such a long time that in my view, it is probably permanent. The history of the Native Council in Nova Scotia is somewhat an example of that split. It was the chiefs [band chiefs] who said we cannot look after you people off the reserves, so go form your own organization and do your own thing. Since then [1975] the organization has been constantly fighting for equality of services and equal rights. We are all Mi'kmaq, we are the same as our brothers and sisters on the reserves and we should be treated the same. But, the programs and services for our people are not the same and in fact our rights, to a degree, do not seem to be the same. In part it has been determined, in law, if not by peoples' perceptions, that rights flow from the Indian Act. Well, that is not my belief, I don't believe any person gets any rights from the Indian Act. The act is just an administrative tool for government to provide services. Rights flow from our aboriginality, from our being a First Nations community, not from the Indian Act. There are two different trains of thought created from that legislation that have divided us. So I believe the role of the Grand Council has is to try and bridge that gap, to bring the nation back together as a nation, and that is a difficult job.

Within the Mi'kmaq nation, just as there are thirteen different bands representing communities that can work together, I think there can be a realization that there is a need for a separate body representing off-reserve people, that can work cohesively with the others and that is where the Grand Council should be putting some effort to build those bridges. We can still be one nation with different jurisdictions and responsibilities within the nation. It really destroys a lot of political clout if we cannot be unified in dealing with some of those issues.

The views of the chief and president of Native Council with respect to the roles of the Grand Council, does not differ significantly from that of the Union president. Both take the traditional political and social roles of the Grand Council and reconceptualize them to fit modern day uses. Both organizations see the Grand Council, particularly the

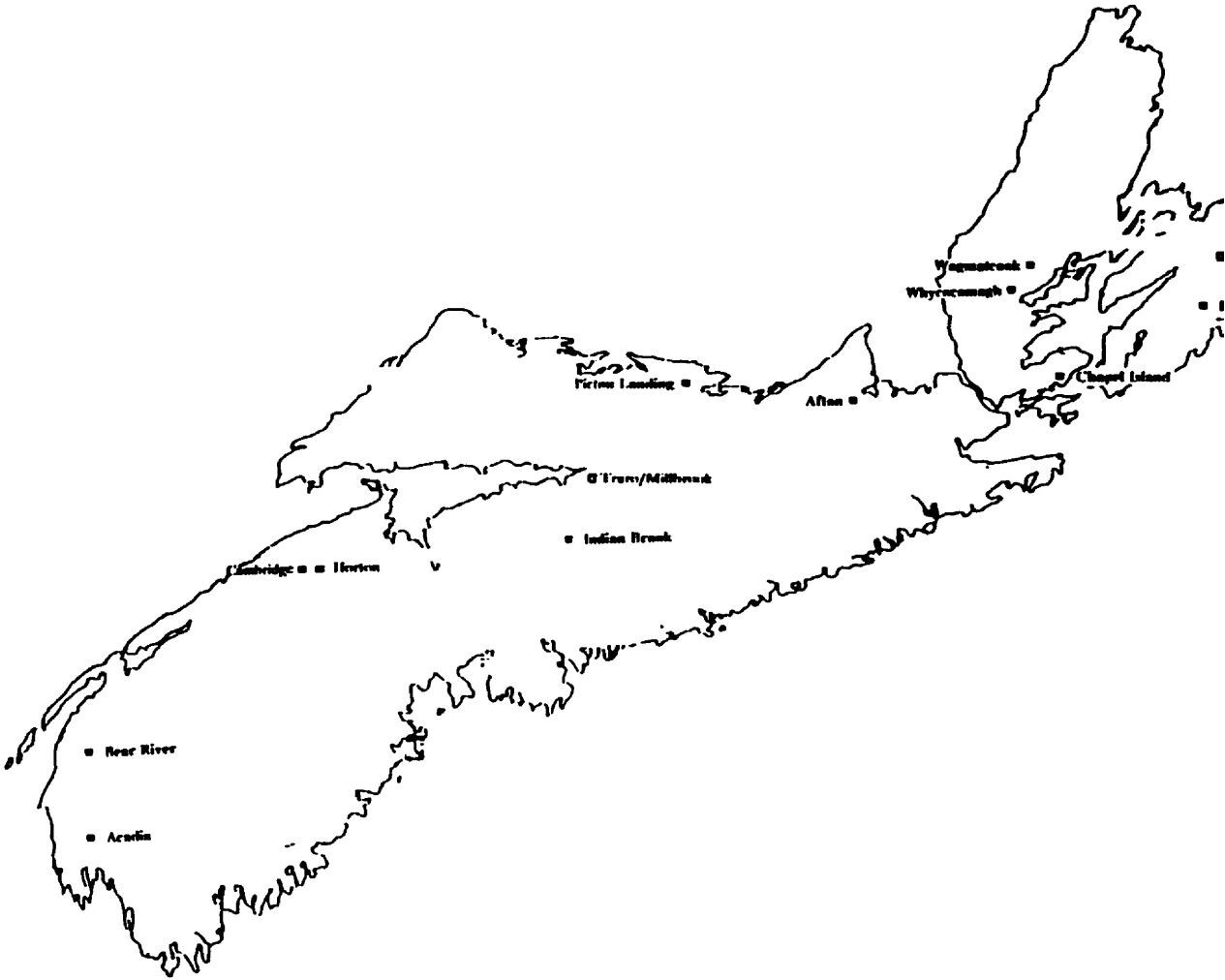
positions of Grand Chief and the executive, as being directors of political action and policy movement. They also agree that the Grand Council has the job of protecting treaty rights and promoting Mi'kmaq culture. Furthermore, both organizations also look to the Grand Council for spiritual guidance and advice that will lead them to do what is best for their constituents.

That the Grand Council represents the entire Mi'kmaq nation is a widely shared concept that has been voiced repeatedly by the consultants in this thesis. However, as with any creative process in a situation of culture change, there are contradictions. Native Council has faced increasing opposition to its representation of off-reserve and non-status Mi'kmaq from other Mi'kmaq lobby groups as demonstrated by the collapse of the Tri-partite system.<sup>14</sup> The three levels represented in the Tri-Partite are the federal government by way of Indian Affairs, the provincial government and Mi'kmaq government. The Assembly of Nova Scotia Chiefs, representing the thirteen bands in Nova Scotia, walked out of the Tri-Partite process, which was designed to make agreements with the three levels of government easier [Map Two]. The breakdown is described in the following account:

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<sup>14</sup> The Tri-partite Forum was created in 1991 as a direct response to recommendations made in the Marshall Inquiry. The forum was to act as the vehicle to put the recommendations in place. It is made up of officials of the federal and provincial governments and the leaders of Nova Scotia's three Native groups: the Union, the Confederacy, and Native Council. The forum's mandate was expected to go beyond justice reforms advocated by the Marshall commission. According to Alan Clark, director of Nova Scotia's Aboriginal Affairs, the forum could extend to health issues, social services, and economic development, depending on resources available. The ultimate goal is native self-government (Jobb in *Chronicle-Herald* 29 October 1994: A2).

Map Two: Nova Scotia Mi'kmaq Reserves



Source: Clairmont 1992.

Midway through the session, the Assembly of Nova Scotia Chiefs walked out of the April 7th Halifax meeting to underline their stand that the Native Council of Nova Scotia does not have the legal authority to represent the Mi'kmaq living on and off reserve, or for that matter the authority to represent the Mi'kmaq in any capacity. The resolution signed by all thirteen Union and Confederacy Chiefs, as well as Grand Chief Ben Sylliboy, states that, "...the only legitimate representative of the Mi'kmaq of Nova Scotia, as a people and a nation, are the Chiefs of the thirteen Mi'kmaq First Nations (Micmac Maliseet Nations News 1995: 6(4):1).

Here is evidence that although in the majority of situations the Grand Council does represent the entire Mi'kmaq nation, in this matter of representation they chose to take sides. In competition for scarce resources, partisan politics and biases appear. The Native Council's response to the Grand Council's action in signing an agreement against them was as follows:

I do not think it was proper for the Grand Council to do. You can take the political differences between ourselves and the thirteen Indian Act bands and say that the bands are an Indian Act creation, not the traditional body. They have their own turf to protect. Their main concentration is focused on their own communities, their own reserves, and it is understandable that they are going to do that particularly if there are limited resources. Often we find ourselves pulling at the same dollar and seeing who can get the most of it. It is unfortunate but it is the reality of the system today that we have to deal with. But in those situations I don't think the Grand Council should be putting itself in the position to be taking sides, or even be perceived to be taking sides, and there they definitely did (Notes 1996).

To overcome this conflict of interest between the Grand Council and the Native Council, the Native Council set up a two day seminar in Amherst where the two groups came together to talk. At the meetings the two organizations were able to come to a better understanding of what each expected from the other although no formal agreements were made. As the Grand Council responds to the changing Mi'kmaq society, it experiences differences in its expected roles and responsibilities. As demands made on it become

politically oriented, Grand Council actions are viewed critically, and tensions and antagonisms over the precise nature of those roles and responsibilities surface. In order for the Grand Council to remain legitimate to a large number of Mi'kmaq, taking sides is risky business and may jeopardize unconditional support.

Within the political arena of Mi'kmaq government, internal conflicts create problems for the notion of nationhood. As the respondents in the above political discussions have indicated, the Grand Council is an integral part of Mi'kmaq identity with respect to the conceptualization of nationhood for a majority of Mi'kmaq people. Central to self-government and autonomy for the Mi'kmaq are a distinct governing body and a land base. In the following excerpt, the chief and president of the Native Council of Nova Scotia expresses the synergy of the Grand Council and traditional territory for the Mi'kmaq nation:

The Grand Council has a significant role to try and protect the integrity of our boundaries as a nation. There is a problem that goes back to the Indian Act system. Each band calls itself a First Nation and there is a misconception with some people on the Grand Council because it is not with everybody on the Grand Council, that it only represents the people within those bands, within those geographic boundaries. If you proceed along those lines and don't take the full responsibility of representing all the people in all the traditional territories, then you are giving up on the traditional territory. Then you are conceding to the fact that the government has taken certain lands away from you arbitrarily and that you have no more say over those lands. I think that is not healthy, and it is one of the things that Native Council has been trying to promote within the Grand Council and the chiefs as well.

It is really the off-reserve lands that are traditionally Mi'kmaq territory, not the bands that the Indian Act created, that is not the traditional territory, it is the whole of Eastern Canada. I think sometimes the Grand Council loses sight of that. If you look at it from the point of view of what was the traditional territory and that the Grand Council has the role of overseeing, if not the political direction within that territory, but even the cultural and spiritual direction, then you cannot ignore the

people outside of the reserve communities. You have got to maintain some continuity in terms of the representation there. Again, that is the reason for Native Council looking more toward participation of the Grand Council in our operation.

### Grass Roots Perspectives of the Grand Council

Not only politicians have political visions of the Grand Council, but other Mi'kmaq citizens do as well. One Mi'kmaq citizen said, "We are a sovereign people... The Grand Council is the protector of our aboriginal and treaty rights. Like it or not, our Grand Council is our Constitution. It is a living, breathing Constitution. They are our Supreme Court. We have to go to them first" (*Micmac News* February 1992: 10). An interview participant who is not a Grand Council member shared his views:

When I was growing up my father was close to the Grand Chief [Donald Marshall]. I was taught that it was the true governing body of the Mi'kmaq. *Were you taught about the spiritual aspect of the Grand Council?* Yes because every time someone would die you would see the visibility of the Council. I guess that is how people misinterpreted it. I feel personally that they misinterpret the Grand Council as being on the spiritual side because they started having these band councils under the Indian Act, and they did not have any respect for the Grand Council. The Indian Act undermined the political power of the Grand Council, it was a tool of power to suppress. I would say it suppressed and controlled our people.

*Do you see the Grand Council as being something that people can identify as being truly Mi'kmaq?* Oh yes, the fact that it has survived so long, that it plays a very important role because when you do study the true history of Mi'kmaq sovereignty, you do realize that there was a structural government of people and language, and whatever international law says it takes to make a nation. There was all that for ten thousand years.

A Mi'kmaq lawyer described her vision of the political role of the Grand Council as follows:

I think the political role is...I see them as the leaders of the nation. I see their

leadership at the top, the legislative body of the whole nation. I think they are being used more politically than ceremonially now. I think the Grand Council is being recognized more as time goes on because people are talking about it, writing about it. I think that is what is important is there has been a renewal of the Grand Council.

*How has this renewal come about?* It is a multitude of things. Our people are gaining strength. I think from the 1960's onward, their identity, seeing themselves as Mi'kmaq and being proud of who we are rather than always being put down by outsiders, and even by our own people. It probably came about after the White paper. People have started practising their Indianism.

*Do you see the Grand Council as a unifying force that could bring Native organizations and communities together?* Yes I do, I really do. I think that is our political structure and I think that it should be the legislative body, and that is where the band council and tribal council, like the Union, that is who they would be accountable to.

*Are those organizations accountable to the Grand Council now?* No, you see a lot of this is based on the funding source. A lot of it is based on the government delegating the authority to the band councils. The band councils is where you see it the worst, where there is a lot of corruption and things are divided. But it is not the chief and councils' fault, there is no democracy in Indian politics, at least on the band level. Everything is based on family, who you are, who your friends are, and there is no democracy, no accountability. If there was accountability, things would be a lot different.

*What do you see as the future of the Grand Council?* I see it as the legislative body, the keepers of the treaties, and the treaties are the most important. I see the Grand Chief as being out there and being politically involved. He is politically involved in things, and sometimes I think he gets a lot of flack for that, for not being more spiritual. And there is a tension there, and he admits that, and I respect him for that. But they have to draw a line, he has to be involved politically and he has to be involved spiritually. We have to use them more for settling disputes in communities, if the chiefs cannot reach a consensus then the Grand council should solve it. But I am not sure if the chiefs see it that way because of the Indian Act system, because of how it is set up everyone is there for their own community and that is the whole problem.

Many people who reject or oppose the Indian Act system of chiefs and band councils envision the Grand Council in a leading governmental role. The Grand Council



has many roles to fill. As the above respondent indicated, there are many tensions that become articulated as the Grand Council and its members shift and adapt to meet demands placed upon it by the Mi'kmaq society, who in turn are responding to pressures from the larger society. The operation of the Grand Council is further complicated by the symbolism attached to it from different organizations and individuals. It is clear that the Grand Council is not wholly spiritual or wholly political; rather, it is a combination of the two plus the numerous social constructions that define those identities. It is these tensions that make the Grand Council a complex social organization that takes on different meanings for different people as they struggle over the limited number of symbols available to them to act and react upon, in the creative process of defining what is and what is not Mi'kmaq.

### Women and the Grand Council

One of the underlying themes associated with the Grand Council's legitimacy as spiritual and political leaders is the notion that the Grand Council represents the whole Mi'kmaq nation. One group that is not represented by direct membership on the Grand Council is women. In the course of the interviews, the role of women and the Grand Council was discussed. As with the spiritual and political roles of the Council, the role of women and the Grand Council presented a number of diversified views and opinions. In order to further explore the analytical concepts of identity formation and the invention of traditions as they pertain to the Mi'kmaq Grand Council, the role of women and the Grand Council will be examined briefly.

The following view was presented in an interview with a Mi'kmaq woman closely associated with the Grand Council as a prayer leader and a protocol officer:

*What is the role of women in the Grand Council?* The role of women in the Grand Council is long and large. One of the things that the women do is organize, we organize everything. When I was a child the women used to meet at the fire in Chapel Island. The island was arranged by community or village then, each had its spot and each had a fire. There was a main fire too. All the people from a village would use their own fire. It was at these fires that all the talking took place, and all the cooking would be done by women. The women would cook around the fire all day and talk about the problems on all their reserves. On the Saturday of the mission they would meet in the church and they would discuss the problems from each village, and then each fire would designate a woman to lobby the Grand Council members with these problems. Each women, there would be about seven or eight chosen, would tell each member of the Grand Council what is wrong. So each captain of council member would hear the same problem seven or eight times over, they still have great lobbying power today. Anyway, when the big meeting came about, there would be old women sitting at the parameters, and the old women would know the problems because they were at the church. The men would sit around inside the circle, the women never said anything while the meeting took place if they felt that the problems they had were brought forward in the men's meeting. However, if they were not, first one woman would clear her throat, and then another, and so on. The members of the Grand Council would know the women wanted something to be discussed, but they would not have to say anything.<sup>15</sup>

*Will women become keptins of the Grand Council?* Time will tell. You must remember that they system for the past three hundred year has been patriarchal, the church, the government. There are a lot of guys in there that are upset women want to be on it. They have been trained for three hundred years to be macho, and it is very hard for them not to be macho. But they are bending, they have been bending for twenty years.

Another reason why women are not on there is because the circle is a very sacred thing. A woman, during her moon time, cannot go in or near, or around the circle.

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<sup>15</sup> This interpretation is strikingly similar in description to traditional roles of Iroquois women who had greater power in their horticulture-based subsistence as they were the primary food providers. In the hunting and gathering subsistence economy of the Mi'kmaq, the men played the dominant role as food providers and women had a less important economic role, so had less political power.

A woman cannot be part of it if they are going through their menstrual time. It is kind of hard to predict the sacredness of the circle would take second place to the menstruating woman. I do not think it will. We do not have, in Mi'kmaq society, we do not have feminist movements because we know the strength of our own bodies and we also have great respect for the circle, and the two of them cannot jive, they will not jive.

Another female respondent simply said:

Grand Council is really strict. Women are not on there, they are different. They can help but they cannot be a Grand Council member.

Women play a leading role in the organization of community events in which the Grand Council is involved. There are women who are prayer leaders and play a very important function in the maintenance of traditional Mi'kmaq prayers. Some women have instructed Grand Council members in learning these prayers and hymns. Thus, women take an active position in the preservation of Mi'kmaq language and culture. A male Grand Council member said:

Women want to be part of the decision-making process. There are no women as *keptins*, but there are members, prayer leaders. All Mi'kmaq people are members of the Grand Council. If you respect the Grand Council you will not criticize it. These women are seeking power, they should seek power through other channels. When women become priests, that is when maybe we will change our views. The women traditionally have an important and specific role.

Another Grand Council member presented a different view:

Women have been hollering for years to be on the Grand Council, they never have been, but there are women's groups that men do not get involved in. But in today's society they holler discrimination under the human rights. Their argument is that they feel there should be a woman on there. I feel that sure someday there should be a woman on there. We look at it two ways, we look at it a political way and our traditional and spiritual way. Our spiritual way is right now confused between the spiritual way of the Mi'kmaq and the spiritual way of the church. The church involvement today do not allow women to be priests and once they change their attitude and their faith, then I think by all means we should have women.

A non-Council member accepts that there are no women on the Grand Council because it traditionally did not have women as members:

The women do not have a voice on the council. One time they made an appointment to address the Grand Council and they were allowed then, but they cannot stay once they finish their business. No one goes to the Grand Council meetings without an appointment, especially women. I do not know why, it is just tradition.

The above responses highlight the tensions between the past and the present and how tradition is invented to justify the exclusion of women or to define the role of women that is appropriate for some but not for others. Some respondents appropriated parts of Mi'kmaq history to determine what the roles of women should and should not be. Indeed the influence of the tensions between political and spiritual notions of the Grand Council flow into all aspects of the processes that create its identity and define its functions, particularly as illustrated by those who use Catholicism as an explanation for the exclusion of women. One respondent indicated that women have the important role of educators and that role should be emphasized.

The Nova Scotia Native Women's Association has yet another opinion in which they make claims to have female Grand Council members based on what they deem as historical fact:

...At one time, they had an elder, a grandmother involved in the decision-making process. One woman discovered through her own personal research, the consent of particular female elders was needed before Grand Council decisions were initiated. Another woman claimed that the role of women has dwindled. Native women are the caretakers of culture and traditions. There is a role to protect and ensure the recognition of women's rights as inherent and for the future...because the Grand Council activities are more political than spiritual and that the Grand Council shouldn't discriminate against native women - their own people. We have elders in every organization, who can easily fit into the Grand Council. The

Association is now in the process of drafting up a letter requesting that Mi'kmaq women be candidates for more active roles within the Grand Council, based on historical fact (Paul, C in *Micmac News* 1991:11).

As the Grand Council becomes more involved in political processes, issues of accountability and legitimacy in its decision-making will to be scrutinized in greater depth. As people interpret the Grand Council's political actions as gaining more power, it is likely that more people will seek it out to approve or to legitimize their group. The Grand Chief emphasized that he and the Council will support what is good for all Mi'kmaq. They are not interested in supporting anyone or any group that detracts from Mi'kmaq unity, that pits one organization against another, or something that will cause problems for someone else. "I will not support Mi'kmaq against Mi'kmaq" (*Kji Sagamaw* 1996).

#### Grand Council and the Mi'kmaq Warrior Society

The Mi'kmaq Warrior Society is another interest group that has approached the Grand Council for recognition and legitimation. In Chapter Four, we saw the Grand Council under Grand Chief Marshall organized protection at Chapel Island to ensure that the St. Ann's Mission was a safe, enjoyable environment, free of drugs and alcohol. According to a Grand Council security officer, the Mi'kmaq warrior society came about because he, being in charge of the Grand Chief's safety, felt a need for a force to help him carry out his duty. This individual is in charge of the security for the Grand Chief directly. There are other people involved in security at Chapel Island whose views of their responsibilities differ from what is presented below. The Chief of Police for Chapel

Island's St. Ann's Mission has great respect for his duties and also takes his job seriously; he is not a member of the warrior society whereas the following respondent is:

*Did the Mi'kmaq Warrior Society develop in response to Oka?* No, it was in response to me wanting a security force. I envisioned a day when I might need a security force since I am chief of security. It is stupid for me to be chief of security and not have a security force behind me. So a few of us sat down one night and devised it. We started small.

In 1989 the Mi'kmaq Warrior Society supported an environmental issue. Kelly's Mountain in Cape Breton Island is considered to be the "sacred abode of the Mi'kmaq god Kluscap, and the point of his prophesied return" (Hornborg 1994:247). A proposed quarry on Kelly's Mountain threatened to destroy the important sacred site and cause damage to fishing and hunting habitats used by Mi'kmaq and non-Mi'kmaq persons. The Mi'kmaq Warrior Society organized with non-Native interest groups, to prevent it from being developed.

When the Mi'kmaq warriors protested at the Kelly's Mountain site in October of 1990, media portrayed the warrior society as militant and highlighted their connection with the Oka confrontation. Interestingly, the warriors indicated to the press that they were representing the Grand Chief and were associated with the Grand Council of the Mi'kmaq nation. However, "in a television interview, the Grand Captain of the Grand Council denied that the Mi'kmaq Warriors were mandated by the Council: 'We have treaties that our forefathers signed, so we do not need the warriors...We would much rather fight with a pen and paper than with guns'..." (Hornborg 1994:266).

Several processes occurred in this situation. The Grand Captain was choosing treaties to symbolically protect sacred sites and native rights. The Warrior Society was

choosing the symbolism of the Grand Council to justify their actions in the protest and legitimate themselves in the eyes of the Mi'kmaq nation and non-Natives. However, the Grand Council did not authorize any such action. The Warriors had assumed Grand Council support as they appropriated a historical interpretation that they were responsible for the Mi'kmaq nation's safety. "Remember, they were here before, historically there was always a society" (Grand Council Security Officer). This warrior has taken the idea of the war chief and has invented a new role.

After the initial rejection of the Warriors' actions by the Grand Council, the society decided to approach the Grand Council to gain formal recognition and authorization. The following is the *Putus'* account of that meeting:

*When organizations come to the Grand Council for recognition, how do you decide whether to give it or not?* For example, the warriors did not ask for permission to meet with us, they just barged in at Pentecost Sunday. We were arranging the mission and all these people started walking in. I asked the keptin in charge of the meeting if we had to put up with this, are we going to let anyone walk in and interrupt our meeting, we only have it once a year. So I went over to head security and told him that anyone who wants to see us should make reservations, so we threw them out.

The Grand Chief's response to the Warriors was:

The only meeting I have had with the warriors was when they wanted to be recognized in the Grand Council. We told them that could not be recognized in the Grand Council until their communities recognized them. I told them to go back to their communities and get support there first. All organizations need community recognition. The warriors never came back and according to our elders they were terrorizing them and our youth, this was the advice of the elders.

The Warrior Society member responded by saying:

I am not worried about my society because we have done nothing wrong. We have been painted, we have been grossly misrepresented...They are always fearful because the chiefs are always saying we are bad people, we are drug pushers, we

are terrorists. The only ones who have fear are the chiefs so they created this image... Money and greed are the problems, the band chiefs are the greedy ones and they feel threatened. Even my philosophy threatens them because they [Indian Act government] came in without the proper consultation, they took the power from the Grand Council and I do not agree with that, they devalued our traditional system.

Despite not being formally recognized by the Grand Council, the Mi'kmaq Warrior Society, according to one member, still has a responsibility to protect the Grand Council and the entirety of the Mi'kmaq nation's traditional territory:

As the Grand Council expands, so too must the Warrior Society, as it is our duty to protect the Grand Council. They might not even see us, or agree with us, but if the need should ever arise, we are there. If the Grand Council said they needed us we would be there most definitely. We are expanding into the seven districts.

Thus, interest groups such as Mi'kmaq women and the Warrior Society seek out the Grand Council's approval in order to help further their goals and to legitimate their actions for the rest of the nation. Both of these organizations have invented traditions in order to make themselves fit within Mi'kmaq identity. The Grand Council is cautious in giving their recognition and tends to support only those groups who are not controversial and who have positive public images as this is the image that they themselves try to maintain. The Grand Council does take an active role protecting environmental issues and aboriginal rights. The following is an example of how their authority is being used in other contests of identity:

One time we got called to Yarmouth, not the whole council but four or five of us. The chief had complaints about the white people using band members to catch fish. We decided to help him because they wanted to hang the Mi'kmaq guy. He was bringing in undersized lobster and the non-Natives were taking advantage of him. We decided to suspend the guy's fishing rights [band controlled license] for a year, and if he gets caught again, he is on his own. We told the band that it was up to them to control and we told them to stop arguing amongst themselves.



The reason we got involved was because we did not want the DFO [Department of Fisheries and Oceans] to take control. If we said we leave it to the DFO they might have overdone it. That's the way we try to do it, we try to stop other people from infringing on Mi'kmaq authority and rights. Hunting, fishing, land claims all fall within the realm of responsibility of the Grand Council (Grand Council member).

From the above discussion, it is evident that the Grand Council's roles and responsibilities are diversely interpreted along a spectrum ranging from spiritual to political. Those interpretations are influenced by the lived experience of each individual interviewed. It is clear that there are a number of different groups competing for Grand Council support. It is also significant that the Grand Council is seen largely as the traditional governing body of the Mi'kmaq and that its presence today plays a very important role in Mi'kmaq identity as a nation. Furthermore, traditional notions of the roles of the Grand Council have been reconceptualized and invented in order to give them salience in present day Mi'kmaq society. Further research is needed to analyse grass roots organizations and their ideas of what roles the Grand Council has in their lives and in Mi'kmaq society in general.

## **Chapter Six: Conclusions**

### **Conclusions**

This thesis has traced the roles of the Grand Council from early contact between the Mi'kmaq nation and European society to the present. Before European contact, the Grand Council functioned to maintain a harmonious existence for the Mi'kmaq whose society was large and complex. The Grand Council maintained internal peace and protected the nation against outside aggression. In traditional times, spiritual, political, economic, and social aspects operated in balance with one another. It is this holistic way of life that enabled the Mi'kmaq to flourish and survive in extreme climatic conditions for a very long period of time.

After European contact, the Mi'kmaq nation experienced a rapid decline in the population and resource bases, and the balance within Mi'kmaq life ways was detrimentally altered. Colonization led to domination, genocide, and assimilation. The Grand Council disappeared from European view but maintained a place in Mi'kmaq society through the eighteenth and nineteenth centuries. During this time, the Council took on greater spiritual leadership roles, a strategy that probably enabled its survival as the Indian Act eradicated Native political authority.

Using the concepts of invented tradition and identity formation, the Mi'kmaq, through their Grand Council, have created their present culture by appropriating and revitalizing historical interpretations to create an organization that is consistent with past Mi'kmaq structures. Through the Grand Council, the Mi'kmaq have established symbolic

systems in a legitimate institution to increase social cohesion, provide a value system and codes of conduct, and create a forum for the development of national identity. The context of traditionality is perhaps most important for aboriginal people as they justify their past and present in order to make gains for the future, and to receive compensation for past wrongs inflicted by larger society.

In this last decade of the millennium, emerging identities of the Grand Council are presently under challenge. The Grand Council is confronted with new roles and responsibilities as efforts are made to end dependence on non-Native society. This transformative process allows for a diversity of interpretations of the Grand Council as the Mi'kmaq people strive to create an identity best suited to their needs. As these needs are met, individual activity in creating and redefining identities will become community and then national activity.

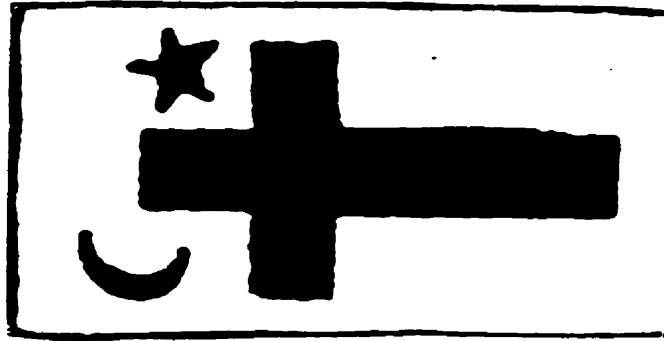
The Grand Council today is concerned about nationality. The Council's primary role is promoting Mi'kmaq culture and tradition in a national context. Today's *Keptins* have the duties of executives on the reserve. The *Keptins* help their people overcome social problems and find pride in their Mi'kmaq identity and in their nation. *Keptins* have a difficult job of trying to restore the harmonious balance that formerly commanded Mi'kmaq lived experience, improving spiritual health, and overcoming distorted perceptions of Mi'kmaq identity.

The Grand Council is a complex organization with a complex history. It is a fluid and dynamic structure which is constantly enduring the pressures of authentication. The Grand Council fulfil different roles for different people. Spiritually, the Council will

continue to adhere to Catholic principles as long as the majority of Mi'kmaq remain Catholics. The Grand Council has demonstrated that it is also open to the revitalization and invention of traditional forms of nativistic spirituality. The Council includes these forms in their concept of identity although the forms are contested as to whether they are authentically Mi'kmaq.

Politically the Grand Council faces great challenges in its roles and responsibilities. Presently the Grand Chief and Council play a largely ceremonial role in the political arena but this is changing. As the political tide changes in Nova Scotia and Canada, the necessity of a distinctly Mi'kmaq political organization increases. Demands on the Grand Council from diversified Mi'kmaq political organizations are forcing it to become less of a ceremonial body and more of an adjudicating body. As competition for limited resources increases, centrifugal forces threaten national unity and social cohesion. The divisive forces that put band against band, and on reserve against off reserve, need to be overridden if all Mi'kmaq are to equally enjoy the benefits of self government. Whether or not the Grand Council has the authority and ability to overcome these divisive forces remains to be seen; however, Council members are playing a greater role in directing dispute resolution, indicating revitalization of a former role in an invented context. This ongoing process indicates transformations are occurring in Mi'kmaq culture and that the *Mi'kmawey Mawio'mi* is an integral force in the construction of Mi'kmaq identity and nationhood. The Grand Council will maintain a prominent presence as all Mi'kmaq negotiate their identity within the Mi'kmaq nation and non-Native society.

## Mi'kmaq Flag



## Mi'kmaq Flag

The Micmac flag represents the Micmac Nation and recognizes the alliances and doctrines of the Santeoi Mawiomí, Grand Council of the Micmac Nation. The symbol of the red on a background of white represents our unity with the Grand Council of fire who in 1749 moved the capital of the nation to Chapel Island. The Council of fire comprised the Wabanaki Confederacy of nations and Mohawks. The cross represents our fidelity with the Holy See, an alliance that was confirmed with the baptism of Chief Membertou in 1610, making our nation a Micmac Catholic state. The crescent moon is representative of the land of the Micmacs which lay in a crescent over seven Mi'kmaq districts from Gaspé Peninsula of Quebec through Unama'kik (Cape Breton and Newfoundland). The star "Wasoq" represents the Spiritual Light of the Universe that guides and protects our people, our land, and our nation.

Source: Unpublished (Batiste ?)



**MAIN OFFICE**

38 Micmac Crescent  
Sydney, Nova Scotia  
Phone (902) 539-5116

**GRAND COUNCIL**

Donald Marshall  
Grand Chief

Alexander Denny  
Grand Captain

Simon Marshall  
Putu's

**CAPTAINS**

**Eskasoni**

Michael F. Denny  
Athenasus Sylliboy  
Andrew J. Stevens  
Walter Denny

Sydney  
Charlie Hervey

Wagmatcook  
Roddie J. Pierro

Whycocomagh  
Ben W. Sylliboy

Chapel Island  
John D. Johnson

Afton  
Tom Marshall

Pictou  
Martin Sappier

Truro  
Alexander Julian

Shubenacadie  
Frank Nevin  
Noel Knockwood  
Ivan Knockwood

P.E.I.  
Cyrus Sark

Nfld.  
Michael Joe

**CROSS BEARER**  
Raymond Stevens

**HONORARY MEMBERS**

Hon. Victor DeB Oland  
Hon. Allan J. MacEachen

Hon. Jean Chretien  
Duke Neilson

Bishop William E. Power  
Evan Lloyd

Rev. Tom MacNeiel  
Gov. Gen. Roland Michener

Arch Bishop J.N. MacNeil  
Hon. Robert Stanfield

Walter Higgins  
Rev. A.J. MacLeod

Her Majesty  
Queen Elizabeth, II  
Buckingham Palace  
London, England

November, 1986

Your Majesty,

As successors of Chief Sacham of the Tribe of Micmac's, I, as Grand Chief of the Micmac Nation, my Captains and Chiefs extend our wish to you or a member of your family in the participation to renew our friendship and accept our submission to the Crown according to article 6 of the 1752 Treaty of Peace and Friendship on October 1, 1987.

The Micmac Nation plans to hold a cultural festivity on that occasion in cooperation with the Lt. governor of Nova Scotia. Lt. Governor Allan R. Abraham and thus far the Micmac Nation has established a Micmac Protocol Office.

Article 6 of the Treaty of 1752 states in part that "promises on the part of His Majesty that the said Indians shall upon the first day of October yearly, so long as they shall continue in friendship receive presents..... And the said Indians promise once every year, upon the 1st of October, to come by themselves or their delegates and receive the said presents and renew their friendship and submissions.

We, the Micmac Nation will fulfill the promises made according to the 1752 Treaty signed on our behalf by Major Jean Baptiste Cope, Chief Sacham of the Tribe of Micmac Indians along with His excellency Peregrine Thomas Hopson Esq., Captain General and Governor in Chief in and over his Majesty's province of Nova Scotia.

**MAIN OFFICE**

38 Micmac Crescent  
Sydney, Nova Scotia  
Phone (902) 539-5116

**GRAND COUNCIL**

Donald Marshall  
Grand Chief  
Alexander Denny  
Grand Captain  
Simon Marshall  
Putu's

**CAPTAINS**

Eskeoni  
Michael F. Denny  
Athenasius Sylliboy  
Andrew J. Stevens  
Walter Denny

**Sydney**

Charlie Hamey

Wegmatcook  
Roddie J. Pierro

Whycocomagh  
Ben W. Sylliboy

Chapel Island  
John D. Johnson

**Afton**

Tom Marshall

Pictou  
Martin Sappier

Truro  
Alexander Julian

Shubenacadie  
Frank Nevin  
Noel Knockwood  
Ivan Knockwood

**P.E.I.**

Cyrus Sark

**Nfld.**

Michael Joe

**CROSS BEARER**

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Duke Neilson  
Bishop William E. Power  
Evan Lloyd  
Rev. Tom MacNeil  
Gov. Gen. Roland Michener  
Arch Bishop J.N. MacNeil  
Hon. Robert Stanfield  
Walter Higgins  
Rev. A.J. MacLeod

-2-

The treaty has been reaffirmed through a Supreme court of Canada ruling of October, 1985 for the Tribes free liberty of hunting and fishing.

Our protocol office will coordinate all correspondance and planning through; the Native Communications Society of Nova Scotia, Box 344, Sydney, Nova Scotia, B1P 6H2. Phone: 539-0045, Area Code 902.

Looking foward to your attendance and immediate reply, I remain,

Yours Respectfully,

*Grand Chief Donald Marshall*

Grand Chief Donald Marshall



## BUCKINGHAM PALACE

3rd December, 1986.

*Dear Mr Marshall,*

The Queen has commanded me to thank you for your recent letter. Her Majesty was grateful for your invitation to receive the submission of the Micmac Nation in October, 1987. The Queen has no plans to be in Nova Scotia at that time, but hopes that the celebrations will be a success.

*Yours sincerely,  
Kenneth Scott*

(KENNETH SCOTT)

D. Marshall, Esq.



### Appendix III

#### Two Documents Recognizing the Presentation of the Wampum Belt to Grand Chief Ben Sylliboy by Gordon Julien and Rose Prosper of Whycocomagh at Treaty Day Celebrations 1996, Mi'kmaq Friendship Centre

##### Two Row Wampum Belt

This belt symbolizes the agreement and conditions under which the First Nations people welcome the white peoples to this land.

“You say that you are our father and I am your son”. We say, “We will not be like father and son, but like brothers”.

This wampum belt confirms our words. These two rows will symbolize two paths or two vessels, travelling down the same river side by side. One, a birch bark canoe, for the Indian People, their laws, their customs and their ways. We shall each travel the river together, side by side, but each foot in our own boat. Neither of us will make compulsory laws or interfere in the internal affairs of the other. Neither of us will try to steer the others' vessel. The agreement has been kept by the First Nation to this date.

##### Plaque to the Grand Chief

The culture and heritage of our First Nations is stored in this Wampum belt. We ask you to learn how to read the message of the belt with assistance from our Elder, and that you pass that intelligence, knowledge, and wisdom to our youth, as they are the leaders for tomorrow. We respectfully ask you to protect, guard, and hold in the highest esteem, our belt, and to display it on special functions.

October, 1996

Noel Knockwood  
Rose Prosper  
Gordon Julien

Source: Rose Prosper (Notes 1996).

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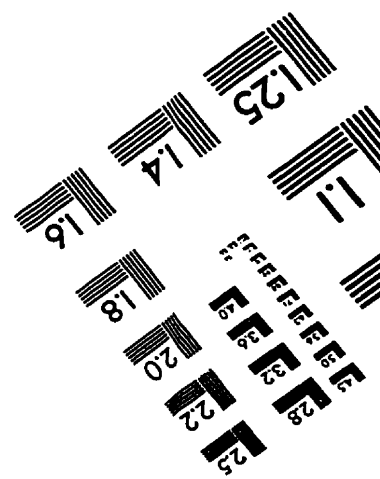
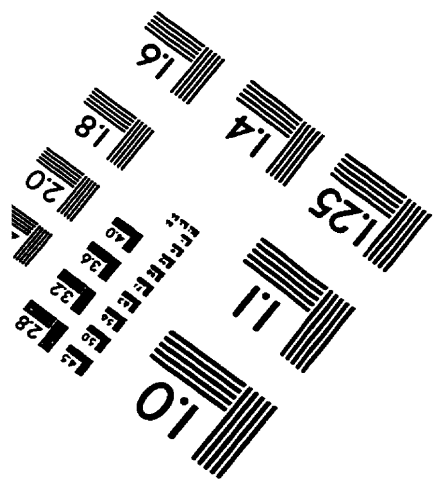
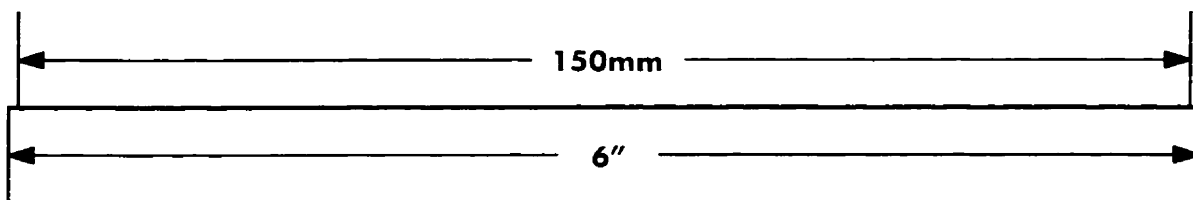
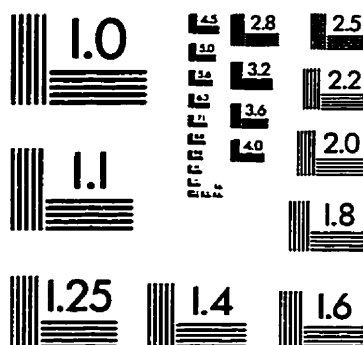
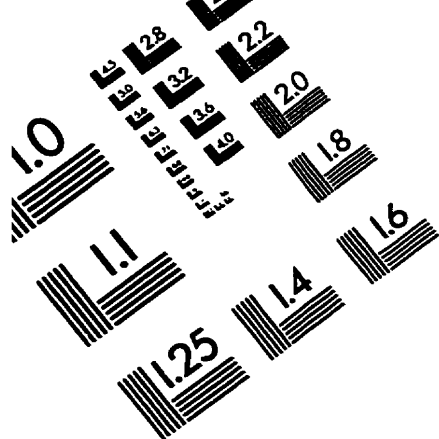
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