



Royal Commission on Renewing and Strengthening Our Place in Canada

The Lasting Breach: The Omission of Aboriginal People From the Terms of Union Between Newfoundland and Canada and its Ongoing Impacts

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The views expressed herein are solely those of the author and do not necessarily reflect those of the Royal Commission on Renewing and Strengthening Our Place in Canada.

Abstract

The 1949 Terms of Union between Newfoundland and Canada made no mention of Aboriginal people in the new province. This deviated from standard practice when a jurisdiction joined the Canadian federation and First Nations people were registered, reserves created, and programs and services delivered. Because there was no mention of First Nations, the *Indian Act* was not applied in Newfoundland. This meant that the province's Innu and Mi'kmaq were ineligible for the range of programs and services enjoyed by their counterparts in continental Canada. In fact, they did not exist in law and thus lacked the recognition as previously sovereign nations that their counterparts enjoyed elsewhere in Canada. Thus, their situation is unique in the country.

Indeed, recognition for them and for the Inuit and their cousins, the Labrador Metis, has come very slowly and in piecemeal fashion. The omission has had lasting negative repercussions in Newfoundland and Labrador in terms of community health, community infrastructure, and land claims, etc. While the Labrador Inuit land claim moves towards resolution, there remain three other outstanding claims in the province.

About the Author

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Glossary

Aboriginal: A collective name for all the original peoples of Canada and their descendants. According to Canada's *Constitution Act*, 1982, this group consists of First Nations (formerly "Indians"), Inuit (formerly "Eskimo"), and Metis.

Angekok : Traditional Inuit religious leader.

Band: A community of First Nations people for whom lands have been set apart and for whom the Crown holds money. It is a group of Indians declared by the Governor-in-Council to be a band for the purposes of the *Indian Act*.

Beothuck: First Nation indigenous to the island of Newfoundland. Extinct due to disease, settler encroachment, and conflict with settlers, although some Newfoundland Mi'kmaq and settlers' descendants have Beothuck ancestry.

Federation of Newfoundland Indians (FNI): The political organization that represents 4,000 non-status Newfoundland Mi'kmaq.

First Nation: People or a community indigenous to a region in Canada; used in place of the archaic word "Indian". In Newfoundland and Labrador, the two First Nations people are Mi'kmaq and Innu.

Innu: The Mi'kmaq' name for themselves, meaning 'the people'.

Indian Act: The federal legislation pertaining to the registered Indians of Canada.

Indian and Northern Affairs Canada (INAC): the federal government department with responsibility for First Nations and Inuit. Formerly called the Department of Indian and Northern Development (DIAND).

Indigenous: Native to an area; the term is increasingly used to describe the Aboriginal people of Canada and elsewhere.

Innu: First Nation of Labrador and Quebec; in this province, they live in Sheshatshiu and Davis Inlet/Natuashish. (Formerly known as Naskapi and Montagnais or Mountaineer Indians.)

Innu Nation: The political body representing the Innu of Labrador.

Innu-aiumn: The language of the Innu, still the first language of virtually all Innu.

Inuit: Indigenous people of Arctic and sub-Arctic Canada and the international Circumpolar region. In Labrador, they live in Nain, Hopedale, Makkovik, Postville, Rigolet, Northwest River in Northern and Central Labrador, and in the urban centers of the province. (Formerly known as Eskimo.) Note that Inuit do not come under the *Indian Act*; thus, terms like status, non-status, and reserve do not apply to them.

Kablungajuit: The term literally means "almost white men" and refers to residents of Labrador's North Coast who have mixed Inuit-European ancestry. They are members of the Labrador Inuit Association.

Kayak: Smaller Inuit skinboat.

Komatik: Inuit sled, historically pulled by dogs, now pulled more often by snowmobile.

Ktaqamkuk: The Mi'kmaq name for the island of Newfoundland. There are various spellings, including *Taqamkuk* and others.

Labrador Inuit Association: The political body representing the Inuit of Northern Labrador and their descendants.

Labrador Inuit Lands (LIL): A designated area of 6,500 square miles under the Labrador Inuit land claim (as yet unsettled).

Labrador Inuit Settlement Area (LISA): A larger designated region under the Labrador Inuit land claim (as yet unsettled).

Labrador Metis Nation: The political body representing the Inuit-Metis of Southern and Central Labrador and their descendants.

Metis: In the Labrador context, this means the Aboriginal descendants mainly of British men and Inuit women. They live in the coastal communities of Southern Labrador from Lodge Bay to Paradise River, as well as Mud Lake, Northwest River, and the urban centers of the province. Note that Metis do not come under the *Indian Act*; thus, terms like status, non-status, and reserve do not apply to them.

Miawpukek Mi'kamawey Mawi'omi: Government of the Conne River Mi'kmaq, the province's only status Indians.

Mi'Kima'ki: The original Mi'kmaq territory, encompassing the Maritimes, the island of Newfoundland, Northern Maine, and the Gaspé Peninsula.

Mi'kmaq: Along with the Beothuck, the Mi'kmaq are a First Nation indigenous to the island of Newfoundland (and elsewhere on the East Coast of North America). The word Mi'kmaq derives from *nikmaq*, which means 'friends' and is a greeting. (The Mi'kmaq name for themselves is actually *Ilnui*, which means the people.)

Native American: The most commonly used term to describe the Indigenous people of the United States.

Nitassin: Innu name for their homeland, the Quebec-Labrador Peninsula.

Non-Status Indian: People who identify as Indians but are not recognized under the *Indian Act*. They are not entitled to the same rights and benefits as status Indians. In Newfoundland and Labrador, this includes most Mi'kmaq and, until quite recently, all Innu.

Nutshimit: Roughly translated as 'the country', but also means the place of serenity and belonging for the Innu.

Reserve: Land set aside by the Crown for an Indian band. In Newfoundland there is one reserve at Conne River; so far, there are none in Labrador but plans are underway to create Innu reserves at Sheshatshiu and Natuashish, the new location of the Davis Inlet Innu.

Seasonal transhumance: The practice of moving home from one location to another depending on the season; it is a way of maximizing natural resource use.

Status Indian: People who are entitled to be on the federal government's Indian Register; these are the Indians who are recognized under the *Indian Act*. In Newfoundland and Labrador, this includes only the members of Miawpukek First Nation (Conne River). At present, the Innu are undergoing registration.

Terms of Union: the 1948 legal agreements between the Dominions of Newfoundland and Canada, upon which their union was based.

Tshishe-Manitu: the Creator, the Great Spirit, who gave Nitassinan to the Innu.

Umiak: large skin boat used by the Inuit.

Utshimassits: Innu name for Davis Inlet, meaning “place of the boss”.

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Introduction: An Untold Story

The Terms of Union between Newfoundland and Canada contained no mention of Aboriginal people; it was as if they did not exist in Newfoundland and Labrador. This meant that First Nations people in Newfoundland and Labrador were not registered as Indians under the *Indian Act*. Indeed, as I will demonstrate, federal officials decided to omit First Nations and the province's other Aboriginal people: the Inuit and their cousins, the Labrador Metis from the Terms.

With no registered bands and no reserves, the province's First Nations were treated the same as other citizens of Newfoundland and Labrador. Thus, Newfoundland and Labrador is the only province in which Canada decided to entirely ignore its fiduciary responsibility to First Nations people.

While an "experimental reserve" was established at Conne River in 1986 and the Innu are in the process of registering now, the half century of neglect has had far-reaching impact on First Nations in the province. In addition, there is no guarantee that the majority of the island's Mi'kmaq population will ever be registered, despite their long campaign for registration.

The Inuit and Metis of coastal and central Labrador have also been marginalized for much of post-1949 history. The Inuit, through the Labrador Inuit Association (LIA, their political organization) have begun to catch up and are close to settling their land claim. (In this, they are unique among the province's Aboriginal peoples.) However, although they are Inuit descendants, the Labrador Metis remain on the fringe of the range of programs and services offered to Aboriginal people elsewhere in Canada.

Mi'kmaq and Innu have also been unable to participate equally in programs and services aimed at Aboriginal people. The resulting discrepancies continue to this day. Even the Conne River Mi'kmaq have not been able to catch up to First Nations elsewhere in Canada in terms of land claims and other processes.

This paper has the following premises, each of which is accepted and operational in Aboriginal politics in Canada:

- \$ Aboriginal peoples constituted and constitute nations that were sovereign before contact with Europeans;
- \$ Canada's relationship with Aboriginal people is one of nation to nation; hence, the existence of treaties and land claims;
- \$ Canada has a fiduciary responsibility to the First Nations, Inuit, and Metis as per the *Constitution Act, 1982*;
- \$ Aboriginal people were omitted from the Terms of Union between Newfoundland and Canada (this is discussed in Section 3);
- \$ Aboriginal people lag significantly behind other Canadians in terms of income, education, housing, health, and life expectancy (see Newbold, 1998, who reported that the life expectancy of Aboriginal men is 64, compared to Canadian males as a whole; for Aboriginal women, it is 71, compared to 79 for Canadian women as a whole. Infant mortality rates, injury rates, and the incidence of poverty are also higher in the Aboriginal population.); and,

- \$ there is growing recognition that self-determination and governance are important to long-term social and economic health in Aboriginal communities (this is discussed in Section 7 in some detail).

Given space constraints, it is impossible to discuss or even identify every issue facing the several Aboriginal nations in this province. Thus, the focus here is on providing a basic introduction to the Innu, Inuit, Metis, and Mi'kmaq, and their respective organizations, and on discussing their omission from the Terms of Union and its implications.

One of the premises of this paper is that there is in the province (and beyond) considerable confusion about the various Aboriginal groups (eg. uncertainty about the differences between the Innu and the Inuit). Many people understand Aboriginal people to be those who are recognized by government, although recognition is rarely understood or defined. This perception is not a useful one, particularly in the Newfoundland and Labrador case – which is an anomaly in Canada. In addition, certain myths have become part of conventional wisdom, although there is no evidence for them (eg. the notion that the Mi'kmaq were brought over from Nova Scotia to kill the Beothucks).

Thus, readers are asked to approach the subject with an open mind; much recent research allows us to have a clearer idea of Aboriginal history and culture in Newfoundland and Labrador. The report concludes with recommendations intended to reflect the articulated concerns of Newfoundland and Labrador's Aboriginal people. Readers are also encouraged to consult the Appendices which provide additional information on Aboriginal history and culture in this province.

The Aboriginal People of Newfoundland and Labrador

The Mi'kmaq: The People of the Dawn

For many centuries, the Mi'kmaq lived and thrived in what we know as the Gaspé Peninsula, the Maritimes, the island of Newfoundland, and Northern Maine: *Mi'Kma'ki*. Their country was, in Charles Martijn's words, "a domain of islands" (Martijn, 1987). Besides the eastern Canadian provinces and parts of New England, they made use of St. Paul's Island and the Magdalen Islands in the Gulf of St. Lawrence, as pre-contact archaeological evidence shows (see *ibid*). Thus, Mi'kma'ki consisted of more than 120,000 square kilometres of land.

In eastern North America, they practiced seasonal transhumance – moving from place to place as the seasons changed so they could have access to resources. In spring they settled in coastal villages and engaged mainly in fishing. In late summer they moved inland due to the fall bird migration and the eel runs. In winter their focus was land animals, including bear and beaver. In the winter in particular they were nomadic, hunting alone or in small nuclear family groups. Their language has more words than English and has been described as more beautiful than Latin.

The Mi'kmaq nation was part of the Wabanaki Confederacy, which also included the Quebec Abenakis, the New Brunswick Maliseets, and the Passamaquoddies and Penobscots of New England. In turn, the Wabanaki was one of the seven confederacies of the Eastern seaboard of North America. Thus, the Mi'kmaq constituted a nation among nations. The borders that define modern-day states and provinces were unknown to the Mi'kmaq; it was European colonization that divided their country and disrupted their traditional pattern of land use and occupancy.

Their name, derivative of the word *nikmaq*, means kin-friends and was used as a greeting in early encounters with the French. They also called themselves "the people of the dawn" in a reference to the fact that the sun rises first in their country, the east.

Mi'kmaq seasonal transhumance almost disappeared as the French fur trade became the focus of Mi'kmaq life in 17th century Nova Scotia. Their semi-integration into the European economy also meant that the Mi'kmaq now had access to alcohol, which caused social values to change. Life expectancy declined due to the sudden alterations in the Mi'kmaq diet, accidents related to alcohol, and various outbreaks of European diseases. Over one-third of the entire Mi'kmaq population died from a contagious fever believed to be typhus in 1746; their numbers were further reduced due to a smallpox epidemic in 1800/1801 (Lawrence, 2002: 34-35; see also Whitehead and McGee, 1983; Upton, 1979; Wallis and Wallis, 1954).). A Nova Scotia settler petitioned the authorities in 1794: "...a great many Mickmack have died for want of victuals...if they have not some more general relief they and their wives and children must in a few years all perish with cold and hunger in their own country" (Whitehead and McGee, 1983: 56).

The Mi'kmaq in what is now Nova Scotia and New Brunswick waged what has been called "the longest anti-colonial war in North America" (Lawrence, 2002: 35). In 1712 the British gave the Mi'kmaq poisoned food; in 1745, they distributed blankets contaminated with disease

to a population already threatened with extinction due to land loss, disease, and war (*ibid*: 34). In addition, British slave traders kidnapped Indigenous people, including the Mi'kmaq, and sold them in slave markets all over the world (*ibid*). For two decades in the late 1700s, the British paid bounties to the Goreham's Rangers from Massachusetts for Mi'kmaq heads – scalps (*ibid*). All this reduced their numbers from 200,000 to just over 1,500 by the early 1800s (*ibid*: 35).

The remaining Maritime Mi'kmaq were further victimized by the “Norman Yoke”: part of the European Doctrine of Discovery, it claimed that those who did not “develop” the land had no rights to it. When the British opened the Maritimes for white settlement they did not set aside land for the Mi'kmaq or other Indigenous people.

At least one group of Mi'kmaq took decisive action to avoid the fate that awaited them if they stayed in Nova Scotia. They decided to move to Newfoundland. Cape Breton Island and the far away island of Newfoundland made up *Wunama'kik*, the “the foggy district” of Mi'kima'ki (although in some accounts Newfoundland or *Ktaqmkuk* is considered to be a separate district). They seemed not to know that Newfoundland was an island; the word *Ktaqmkuk* means “the mainland” or “little continent” (Howley, 1915: 285).

The Mi'kmaq based in Newfoundland, *Ktaqmkuk*, were well known to the Cape Breton Mi'kmaq. The two groups gathered annually at Chapel Island, Cape Breton every summer. The Newfoundland Mi'kmaq were referred to as “the Ancients” (*Sa'yewedjikik*), indicating their long-term residence in Newfoundland. Mi'kmaq oral history says that the Mi'kmaq were in Newfoundland when the Europeans first arrived. A Nova Scotia Mi'kmaq called Joseph Nowlan born about 1767 told Silas Rand, compiler of the Mi'kmaq lexicon, “The Micmacs time out of mind have been in the habit of crossing over to Newfoundland to hunt” (*ibid*). A New Brunswick Maliseet called Gabe, who was very old in 1887, also explained that “the older people” of his tribe visited Newfoundland periodically for fur (*ibid*).

These accounts contradict the myth that the Mi'kmaq were brought over from Nova Scotia to exterminate the Beothuck – a myth that was in schoolbooks until recently and contributed to the stigma attached to being Mi'kmaq in Newfoundland. The notion of Mi'kmaq as hired mercenaries was doubted by Howley who attributed it to Twillingate magistrate John Peyton, the man who kidnapped Beothuck woman Mary March in 1819 (*ibid*: vi). Millais, who spent time with the Mi'kmaq a century ago also doubted it (see Millais, 1907). More recently, the myth was discredited by Fred Rowe (Rowe, 1977) and historian Ralph Pastore (Pastore, 1978). In addition, no solid evidence of a Mi'kmaq campaign of violence against the Beothuck has ever been discovered.

The written record (only part of which will be examined here) attests to the long-term Mi'kmaq presence in Newfoundland. According to the historical record, the Newfoundland Mi'kmaq had villages at Bay St. George and Placentia (*Presentic* or *Plisiantic* in Mi'kmaq) Bay in 1594 and White Bear Bay in 1538 (Wetzel, 1995: 132). In 1602, a Biscay shallop carrying eight Mi'kmaq men hailed the vessel of a Captain Gosnold near Maine; Gosnold wrote that the Mi'kmaq named Placentia in Newfoundland, indicating that their knowledge of Newfoundland and of Basque and French settlement there extended that far (Whitehead, 1991: 22). Meanwhile in 1612 colonist John Guy saw Mi'kmaq living at the bottom of Trinity Bay. The same year, he saw Mi'kmaq at a place called Passage Harbour (Wetzel, 1995: 136).

In 1670, Joseph Matthews of Ferryland gave an account of the Mi'kmaq (Prowse, 1972 [first published in 1895]: 179). A kind of bailiff or sheriff working for the governors of the

Ferryland plantation, Matthews wrote of Mi'kmaq hunting and trapping activity in St. Mary's, St. Mary's Bay on the Avalon Peninsula, well to the east of what is normally considered Mi'kmaq country. In 1680, a French report recorded the presence of 240 Mi'kmaq at their summer fishing camp near Placentia (Wetzel, 1995: 150).

In 1705, 25 Mi'kmaq families emerged from the woods to trade at Placentia; more were expected in the spring (Marshall, 1996: 45). In 1707, there were 60 Mi'kmaq families at Placentia and St. Pierre (Wetzel, 1995: 110). The next year, 30 Mi'kmaq families wintered in Fortune Bay (*ibid*). There were so many Mi'kmaq along the coast that the British were reluctant to fish there; indeed, this area was the last in Newfoundland to be settled by Europeans. Hewson concludes that the Mi'kmaq shared the island with the Beothuck, who were centred on the Northeast Coast and the Exploits River system; this meant the Mi'kmaq had the interior of the island to themselves for at least three centuries.

Mi'kmaq oral history records a Mi'kmaq presence on the island since the 1400s, if not earlier. The archaeological evidence on the Magdalen Islands proves that the pre-contact Mi'kmaq constructed seagoing vessels. The long list of Mi'kmaq placenames shows the vast extent of the Newfoundland territory of the Mi'kmaq. This list includes but is not limited to:

- \$ *Mekap'sk* (Great Northern Peninsula);
- \$ *Quemo Gospen* (Avalon Peninsula);
- \$ *Megoessagtiji'jg* (Red Island, Placentia Bay); and,
- \$ *Kjipa'tilia'sewey Qapskuk* (Bishop Falls) (Sources include Wetzel, 1995; Hewson, 1978; and Seary, 1971. Note that spellings may vary from source to source. For a more complete list, see Appendix 4.)

For a long time, the Mi'kmaq of Newfoundland were not subjected to the kind of treatment their brethren in Nova Scotia were suffering. In fact, they were rarely even observed by Europeans. Cormack noted that in 1822 the Mi'kmaq greeted him as the first white man they had seen in insular Newfoundland, an area they said they shared partly with the Beothuck (Howley, 1915: 150-152). The Mi'kmaq Cormack encountered described to him family hunting territories that stretched from the Southwest corner of the island to the Northeast Coast. Much of what we know about Newfoundland Mi'kmaq land use from the historical record corresponds to Mi'kmaq oral history, as Speck pointed out (Speck, 1922).

According to Captain Cook's 1763-1768 survey, there were few European settlements on Newfoundland's Southeast coast, another region of importance to the Mi'kmaq. Cook found that European fishing activities were concentrated in only a few places, St. Jacques, Fortune and Grand Bank in Fortune Bay, and Port-aux-Basques at the tip of the Southwest coast (Hanrahan, 2002a: 4, citing Wetzel, 1980: 51. Until the mid-1800s, this part of the island was more sparsely settled by Europeans than other parts and was not fully populated until 1870. In 1857, the settler population from Fortune Bay to LaPoile was only 7,038, less than seven percent of the island's total (*ibid*, citing Mannion, 1977).

In the interior, the Beothuck and Mi'kmaq respected each other's hunting and fishing grounds and, in the main, had good relations. Further, although it is not widely known, there was a great deal of intermarriage between the Mi'kmaq and the Beothuck, as John Paul, a Mi'kmaq, of Badger informed anthropologist Frank Speck in the 1910s. According to Mi'kmaq history, the two groups shared a village at St. George's Bay (Coish, 2000: 58). Being from the

same ethnic group and sharing the same cultural outlook, it was not long before the Ancients and the Cape Breton Mi'kmaq were merged. Together, with some Beothuck and probably Innu who married into the group, they formed the body of ancestors of Newfoundland's current Mi'kmaq population.

Up until the late 1800s, the Newfoundland Mi'kmaq were nomadic hunters and fishers, utilizing the southern wilderness, rivers and coasts of the island. (Their movements went well beyond the seasonal transhumance of European Newfoundlanders, many of whom had a winter house and a summer station.) Remnants of this pattern persisted well into the 20th century. The areas in which they lived and worked were extensive, stretching from St. Mary's and Placentia Bays in the east to Notre Dame and Bonavista Bays in the north to the entire West Coast. Mi'kmaq camps were hundreds of kilometers apart, indicating that they had significant geographic knowledge of the island, especially overland routes through the interior. Data I collected from Sip'kop (St. Alban's) Mi'kmaq Elders in 2001 corresponds to information gathered by Speck on Mi'kmaq land use, hunting territories, and material culture, such as clothing, dwellings, and fishing technology; this points to a remarkable degree of cultural continuity (see Speck, 1922 and Hanrahan, 2002a).

Changes to Newfoundland Mi'kmaq life began in the late 1800s and continued into the 1900s. These included:

- \$ intermarriage with the descendants of European settlers;
- \$ church oppression in the form of forbidding the Mi'kmaq language and abolishing the office of chief;
- \$ industrial development on their land, including hydro-electric development and large-scale logging; and,
- \$ the development of a stigma attached to being Mi'kmaq.

Today there are 4,500 Mi'kmaq in Newfoundland living in a dozen communities, most of which are also made up of Aboriginal and non-Aboriginal people. The list includes Corner Brook, Grand Falls-Windsor, Benoit's Cove, Bartlett's Harbour, and others (see Appendix 1 for a complete list of communities). These Mi'kmaq are members of the Federation of Newfoundland Indians (FNI), whose membership is partly based on geography – that is, it is restricted to these communities in central and western Newfoundland.

A new Mi'kmaq organization, the Ktaqamkuk Mi'kmaq Alliance, established in early 2002, has a membership of 2,500 former-FNI and non-FNI Mi'kmaq and Mi'kmaq descendants. In addition, there is a large diaspora in Newfoundland of Mi'kmaq descendants, numbering about 20,000 in my estimation based on simple mathematics. Most of these people have family roots in southern Newfoundland, including the Burin Peninsula, and in central Newfoundland, including Notre Dame Bay. They are not members in any of the Mi'kmaq organizations and may or may not identify as Mi'kmaq or part-Mi'kmaq.

The approximately 800 Conne River Mi'kmaq are the province's only status Indians and are not members of the FNI either. They were registered under the *Indian Act* in 1984 and granted a reserve two years later. Their number also includes members in St. Alban's (Sip'kop) who are, oddly, considered off-reserve band members although they have never lived in Conne River. (Off-reserve members are not entitled to the same rights and access to programs as on-reserve members.) Thus, the Conne River Mi'kmaq were the only First Nations community in

Newfoundland and Labrador able to avail of the same programs and services as First Nations elsewhere in the country. (This will change as the Innu become status Indians, a process they are currently undergoing.)

The Innu of Labrador: Life in *Nutshimit*

Nitassinan, the Innu homeland, extends from coastal Labrador to what is now the interior of Quebec and is divided by the treeline. Considered a harsh environment by some, the Innu (meaning “the people”) were able to survive – and even thrive – in Nitassinan for thousands of years. Referred to in earlier times as Naskapi (roughly, the Sheshatshiu group) and Montagnais (roughly, members of the Davis Inlet/Natuashish community), the Innu are part of the Northern Algonquin tradition. This tradition also includes the Cree of Quebec and westwards and the Ojibwa of Ontario and Manitoba.

Early Jesuit missionaries were astonished and disturbed by the relative freedom afforded to Innu women. Innu women could make significant decisions, were free to marry the men they liked, and to divorce. Men and women had different spheres but both were autonomous within these spheres. Men made decisions about hunting, while women usually chose camp locations.

The Innu hunted wolves, otter, fox, lynx, rock ptarmigan, and spruce partridge, using the animals’ skins for clothing and their meat as nourishment. In times of scarcity, they hunted and ate hare and squirrel. It was caribou, however, that Innu lives revolved around. In the words of Elder Mary Jane Pasteen who was born around 1875: “Not very long ago people used to make tents out of caribou skins. First they take the fur off of the deerskins and make them soft. Then they smoke them. It took 10 caribou to make a tent. I used to kill caribou when I was young. Whenever the caribou crossed the George River, when there were no men around, we women had to chase caribou by canoes. When I was in the front of the canoe, I had a spear with me. There was no problem to kill a caribou. A lot of women killed caribou in the water with spears and guns” (Gregoire, 1984).

The caribou is at the centre of Innu culture and spirituality. For the Mushuau Innu, *Katipinimitaoch*, the caribou spirit, is the supreme master of everything, including other animals (Henriksen, 1973: 35). The *Mukaushan*, a ritual communal meal involving the consumption of caribou bone marrow, is held to honor *Katipinimitaoch*. This is one example of how Innu beliefs focus on natural and supernatural animal life, and on hunting and individual and community relationships to the land. Innu communicate with these spirits through drumming, dreams, and the shaking tent ceremony. Respect in all relationships is paramount.

Innu culture and spirituality is rooted in the land, the bush, *nutshimit* (the place of serenity for Innu): “It is here that the world-view and the philosophical concepts which are part of the Montagnais intellectual culture were formulated. By living in this land an entire people learned to define itself and to define its relationship with others” (Vincent and Mailhot, 1983: 20).

In the post-contact period, the Innu became nominally Roman Catholic, although they were the last First Nation in North America to convert. The first missionaries came to the trading posts of Davis Inlet and Sheshatshiu in the late 1800s. The missionaries abolished shamanism and rituals like the shaking tent, which they claimed were associated with the devil. Drum

dances were also banned and the practice of Elders naming children ended; instead, the priest now chose children's names. The priests' power were further consolidated by economic means. In Davis Inlet, it was the priest who distributed food, clothing, and gun vouchers. In the early settlement period, the priest was also the schoolteacher, thus bringing Innu children under his constant influence.

Some Innu see no contradiction between their own religion and the practice of Christianity, though in recent years, the former has been forced underground, and the Innu have become more vocal about abuse by priests (Tanner et al, n.d.). Unlike many First Nations groups in Canada, the Labrador Innu were not subject to the residential school system (nor were the Newfoundland Mi'kmaq).

The Innu Nation (the Innu political organization) has identified the following ongoing problems in its communities:

- \$ unemployment rates of over 80 per cent;
- \$ a culturally and socially inappropriate education leading to a high school graduation rate of less than five per cent;
- \$ solvent abuse;
- \$ suicide; and,
- \$ a lack of Innu involvement in policing.

In 1995, the Innu Nation published *Gathering Voices: Finding Strength to Help Our Children*, a document that was the outgrowth of the Mushuau Innu's People's Inquiry into conditions in Davis Inlet. Comprehensive and useful to anyone who wants to learn about the Innu, *Gathering Voices* examined the roles and effects of the following institutions: government; the church; the school; social services; the clinic and health services; the police and justice system; and the store.

Although a complete discussion of *Gathering Voices* is beyond the scope of this paper, we can say that the problems the Innu face can be traced to their status as an internally colonized people who enjoy little to no self-determination. Colonialism has dramatically altered Innu society and has left Innu communities traumatized. In the 1970s, some 6,000 square miles of Innu land was flooded for the Upper Churchill hydro-electric development. Lake Michakamau, a place of profound importance to the Innu, disappeared under water; numerous Innu graves went with it. Nomadic through the 1960s, the Innu found out about the flooding only when they came across it while hunting. It was the same way with Confederation; few Innu voted in the referenda of 1948 that led to Newfoundland and Labrador's union with Canada. Their leadership was not consulted as Newfoundland and Canadian politicians decided not to register them as Indians.

Innu became sedentary because they were heavily pressured by both the church and the government to end their nomadism. The Mushuau Innu were settled in Davis Inlet, on an island that was cut off from the rest of Labrador for most of the year. Other Innu groups were settled at Sheshatshiu, near the site of the old Northwest River trading post in Central Labrador. With their children in school and their household economies dependant on welfare cheques, Innu found themselves removed from their own culture and from the white society that surrounded them. In the country, the emphasis was on sharing, which brought prestige and social cohesion. In the community, however, the Innu were immersed in a capitalist economy in which

materialism and saving were valued. A large disconnect and crisis of meaning resulted. At a rapid rate, Innu ritual communication, such as the *Makashan*, lost its importance.

Another, earlier, turning point in Innu history was the 1927 decision of the Judicial Committee of the British Privy Council to award much of the Labrador peninsula to Newfoundland (rather than to Canada). This meant that a line now cut Nitassinan in half, separating Innu families into Quebec and Newfoundland. (Today, the second language of Innu in Quebec is French, while for those in Labrador, it is English.) Less than two decades later, the construction of the air base at Goose Bay brought a large influx of non-Aboriginal people into Nitassinan and began the ongoing militarization of the Labrador economy. Today, the base is run by NATO and serves as a low-level flight training centre; in 1996, there were 6558 flights over Quebec-Labrador (Samson, 1999: 31). Innu elders believe that these flights, some of which are no more than 100 feet in the air, harm the wildlife upon which Innu have always depended. Certainly, Innu have never benefited from the nearby base or from other industrial developments; they remain marginalized in the modern economy. In addition, they have had to contend with the social problems that go hand in hand with an extensive military presence, including drugs and violence.

For many years Innu have campaigned to make others aware of their precarious situation. They believe that not being registered as status Indians has contributed to the crisis in their communities. Like the Newfoundland Mi'kmaq, they were not registered under the *Indian Act*, were not granted reserves, and were not allowed access to the range of programs, services, and local governance generally afforded other First Nations in Canada. They signed no treaty and, thus, did not cede their land or give up their rights. In their words: "What we require are the tools to undertake this responsibility: funding, devolution of programs and services, and local governance of our communities" (Innu Nation, An Appeal, n.d.).

Many Mushuau Innu believe that a new beginning is possible with the creation of the new community of Natuashish that they helped design and construct (see Appendices 3 and 4). In addition, they and the Sheshatshiu Innu are currently registering under the *Indian Act*, thus making them status Indians. While they are finally able to participate in the range of programs and services available to First Nations people in Canada, they have a great deal of catch up to do and face significant social problems; the vast majority of Innu youth drop out of high school, for example, due at least partly to a curriculum that is alien to them. These well-documented problems might not have developed to such an extent had the Innu been included in the Terms of Union – for example, the Innu would have been in a much better position to control education had they been recognized as First Nations bands under the *Indian Act*.

Today the province's 1,800 Innu live in Sheshatshiu and Davis Inlet/Natuashish. Their language is vibrant; *Innu-aimun* remains the first language of virtually every Innu. They have close ties to their relatives in Quebec, who number 14,000, and some spend part of the year in one of that province's 11 Innu communities or vice versa. To the Innu, the provincial border remains meaningless. The Innu population is growing rapidly, similar to many First Nations across Canada, with approximately half of each community under age 18. This indicates the need for more housing, educational facilities, health services personnel, etc. in the coming years.

The Inuit and the Metis: The People of the Big Land

Much is known about the pre-contact Inuit in Labrador, elsewhere in Northern Canada, Greenland, Alaska, and Russia. Their religion was based on the need to appease the spirit entities found in nature. They had a rich cosmogony and mythology with a varied population of male and female spirits.

Hunting and fishing were governed by a complex of rituals, rules, and taboos. Inuit ate mainly seal and whale (hunted from *kayaks* and *umiaks*, skin boats), caribou, salmon, and whitefish. They lived in family groups of between 20 and 30, associated with particular geographic areas because of their practice of seasonal transhumance. These family groups were interconnected through intermarriage, language, and cultural similarities. These family groups spent summers on the coast and moved inland in winter.

Like most societies, the Inuit had a strict sexual division of labour. Men were responsible for housebuilding, hunting, and transportation, while women had jurisdiction over childcare, and skin and food preparation. Marriage and divorce were simple procedures, and there were occurrences of polygamy, especially in the southern Inuit. Because Inuit believed that children were the spirits of deceased ancestors, they were treated with leniency and well-loved. Birth, the arrival of puberty, marriage, and death were all marked ceremonially.

The Thule Inuit were the ancestors of today's Labrador Inuit and Metis. Around 1300 A.D., Labrador, especially the coast, became the home of the Thule. The ancestors of today's Inuit descendants lived from Nain in the north to Lodge Bay in the south, and down to the Quebec Lower North Shore. For two centuries the Inuit resisted any form of migration to their country; the 1752 failure of Moravian missionary Johann Christian Erhardt and three others to establish themselves in Labrador is an oft-cited example of Inuit resistance. Further south, the Basques were never able to reach beyond Cape Charles (near Lodge Bay); in fact, this spot became the unofficial boundary between the European and fishing-oriented Labrador Straits and the Inuit country.

Further north at Nain, the Moravian missionaries established themselves in the 1770s after several attempts. At first, Inuit were not interested in the Christian religion. During the early Moravian years, Inuit continued their lives much as they had for centuries, engaging in a round of hunting and fishing activities and practicing seasonal transhumance to maximize resource use. For at least three decades, Inuit religious leaders – *angekok* – were actively opposed to Moravian evangelizing.

This changed with a mass conversion (“the Great Awakening”), similar to many others among Indigenous people in the Americas, at the turn of the 18th century. The Moravians established stations at Okak in 1776 and Hopedale in 1782. With Nain, these were the only three stations opened on the Labrador coast in the 18th century. The 19th century saw some expansion with the opening of: Ramah, which lasted from 1871 until 1907; Hebron, from 1830 until 1959; Zoar, from 1865 until 1904; and Makkovik in 1896, the only one of these that still operates. This expansion was followed by a contraction that saw a number of the stations close. A station at Killinek on the northern tip of Labrador lasted just 20 years after being established in 1904 (the year Zoar closed).

From their three most enduring stations of Nain, Hopedale, and Makkovik, however, the Moravians were to have a significant influence on many of the Northern Labrador Inuit. The Inuit under Moravian control developed a unique society. They were able to preserve

their language, at least partly through the diligent efforts of the Moravians. The first task of any missionary was to learn Inuktitut so that he could preach to the Inuit. In addition, the Moravians translated many books, including the Bible, into Inuktitut. Until Newfoundland's Confederation with Canada, they also taught in Inuktitut (Peacock, 1981). Thus, there remain among the LIA membership several hundred Inuktitut speakers; there are also promising efforts to revive the language among this generation of children.

But perhaps the largest and possibly most lasting effect of the Moravians was the persistent denigration of Inuit culture. In this, no aspect of pre-contact Inuit life was left untouched. The Inuktitut religious system took the most severe battering, as the very purpose of the Moravian presence in Labrador was to convert "the heathen" to Christianity. For this reason, the missionaries eliminated the important office of shaman.

They also condemned Inuit values; they could see no benefit in sharing as the Inuit did. Sharing had served a practical value in this challenging geophysical environment. But the Moravians instead preached accumulation and saving; for them, this was part of civilizing the Inuit. Although it, too, served a practical purpose and was in fact necessary to sustain life in Labrador, seasonal transhumance was condemned. The Moravians' goal was to have the Inuit live year-round at the mission stations so they could access religious instruction, participate in Christian rituals, and learn from the example of the Moravians.

When some Inuit began to settle in Nain and the other sites, they were gradually absorbed into the economic system imported by the Moravians. This involved exchanging skins and other animal resources for European staple goods. It made the Inuit dependent on the missionaries, and more years than not, struggling to overcome debt. This constituted a massive change in Inuit economic – and ultimately social and cultural – life.

The Moravians were very concerned with the sexual mores of the Inuit – or their perception of these. Inuit marriages were traditionally not formalized in the manner of European Christians and, from the Moravians' perspective, their charges were guilty of sexual laxness and promiscuity. Under Moravian dominion, Inuit society became highly structured, more settled, possibly poorer, and probably denigrated – something which would have long-lasting negative repercussions.

An intergenerational disconnect developed as well, once Inuit and *kablungajuit* (mixed Inuit-European ancestry) children entered the Moravian school system. There, children learned not through the story-telling and demonstrating of skills by Elders and other Inuit adults – instead, they learned through texts chosen with a European cast. Thus, a considerable skill loss occurred. No Inuit was ordained in the Moravian church until the late 20th century, indicating the persistence of the hierarchy the missionaries imposed. In addition, Inuit were disciplined at a higher rate than the charges at any other Moravian mission worldwide. Discipline consisted of being forbidden to participate in feasts and other religious rituals for a period of weeks or months; it was decided upon and imposed by the missionaries. This represented the introduction of punishment to a people that had sophisticated methods and levels of behaviour control, including ignoring those who deviated from social norms, gossiping and, in the worst cases, ostracism (see Pauktuutit, n.d.).

Based on my fieldwork in Nain, Makkovik, Hopedale, and Postville, Inuit descendants have differing views about the Moravians and their effect. Some are proud of their ancestors' roles as Church elders. Many others, however, feel resentful of the missionaries and their legacy. Several Elders told me bitterly of the Moravians' tendency towards strictness, judgmentalism,

and criticism. Some said, in tears, that they had suffered emotional and physical abuse at the hands of clergy and teachers.

One of the most painful episodes in Labrador Inuit history was the 1959 relocation of the once thriving community of Hebron, north of Nain. Home to 247 people and a Moravian mission station, the Hebron area was also the habitat of Arctic char, harp seals, caribou, and sea ducks. The decision to “transfer all Eskimo families from the Nutak (including Hebron) area to Nain or some point further south” move was made by the Moravian Church, the International Grenfell Association, and the province’s Department of Northern Labrador Affairs (Evans, 2003: 50-51). The planned move was separate from Newfoundland and Labrador’s controversial resettlement program, although it, too, had centralization and modernization as its aims.

Although residents were told they would be given one year notice, they were eventually given only a few months to move. Before long, they became marginalized people in Makkovik, Hopedale, and Nain; their homes were remote from the rest of the homes in these communities and they found that, naturally, all the best berths and trapping grounds were spoken for. Alice Pilgrim, an Inuk, told the Royal Commission on Aboriginal Peoples, “I think a lot of the people, not just my parents, they were spiritually broken because of the relocation” (*ibid*: 52). Although it is possible that financial compensation for the relocation may be included in the LIA land claim settlement, the wound remains an open one for the former residents of Hebron and their descendants.

Gradually over the past two centuries, the Inuit of Northern Labrador struck some sort of balance between their pre-contact ways and those imposed by European missionaries. Their determination to retain Inuktitut as a living language, their continuing close relationship with the land, and their enduring emphasis on sharing are traditional Inuit cultural features that survived Moravian tenure. Individual and collective resilience, too, are strong traits among this population.

But not all the Labrador Inuit made this adaptation. There were many Inuit outside the Moravian stations and influence; many of these married Europeans and their mixed blood descendants eventually became known as Metis (south coast) or *kablunangajuit* (“almost white men”, on the north coast). They developed another manifestation of Inuit society and culture and were not subject to Moravian influence. This manifestation was influenced by the European heritage they acquired but mainly by centuries-old Inuit cultural and economic adaptations to the land – without the influence of the Moravians.

Most academic analyses of the origins of the Labrador Metis and *kablunangajuit* commences the moment the first European man set foot in Labrador. But this is a mistake and has limited usefulness regarding this population. The immigrating men did not bring their land, their geo-physical environments, the climates of their homelands, their extended kinship networks, their political structures, their religious institutions, or any of the other pieces of infrastructure that make up a society.

Instead, virtually to a man, they came alone with almost no possessions. They were mostly British and usually employees of the Hudson’s Bay Company or other firms involved in the fur and fish trades, in Labrador to begin five year contracts. Nor did they have the necessary skills to survive in Labrador; they were not trappers or hunters, they didn’t know how to live through a winter in this relatively harsh environment. The seasonal round of activities that sustained human life here were unknown to them and had to be learned. Perhaps their greatest asset in Labrador was their independence – many of them terminated their contracts to begin lives as

self-employed trappers. This characteristic meshed nicely with the highly developed sense of freedom the Inuit have demonstrated for centuries.

Thus, the Inuit of Labrador were the receiving society for small numbers of European men who came to their homeland. This happened mainly in southern and central Labrador, although European men also migrated to Rigolet and Makkovik. In the historical record the people now called Metis were referred to as “Eskimo natives”, “natives”, “half-breeds”, and “breeds”.

Although there are others, one of the best accounts of early Metis society comes from trader Lambert De Boilieu who spoke of his time in the region as being “among the Esquimaux” in St. Lewis on the South Coast in the 1860s (De Boilieu, 1969 [first published in 1861]: 105). He described child-rearing practices, which were permissive. This is a trait that is seen throughout the Inuit world; it comes from the belief that deceased ancestors inhabit the spirits and bodies of children and no one would want to discipline an elder. Breast-feeding was lengthy, lasting some years, as the Moravians noted was the case on the north coast. The St. Lewis Inuit practiced polygamy, an institution that the Moravians had long forbidden further north. He noted the “remarkably clean” long, coarse, black hair of the women, which was “generally plaited and strung with particoloured beads” (*ibid*: 58).

Another topic to which the trader paid attention was Inuit hunting. He remarked on their use of “kyacks” and spears for hunting. De Boilieu even provided rare glimpses into the death beliefs and practices of the Southern Labrador Inuit: “The people are very jealous of the resting-places of their departed relatives, and make frequent visits to them to see if the tomb has been disturbed. Whenever they find it has, great is their tribulation, as they consider some dire mishap is about to fall on the family” (*ibid*: 63).

Christian institutions were largely absent from this region until Newfoundland’s Bishop Feild visited in the mid-1850s. In the meantime, it seemed that the Inuit descendants practiced a semi-formal mixture of Christianity and Inuit spiritual beliefs. They were enthusiastic Bible readers, according to Elders’ accounts and the presence of an Inuktitut Bible in the church in William’s Harbour. Meanwhile, one Elder recounted to me how her mother sang in Inuktitut and danced around the perimeter of their house whenever her father was to go hunting.

By 1864, however, the Inuit descendants were at least viewed by some as Christianized: “...(the) Esquimaux... are now orderly and industrious Christian people, fruits of the faithful labours of the missionary at Battle Harbour, who has resided eight years on the coast” (Hind, 1863: 198).

The history of the Labrador Metis is not well-known and the definitive account of them has yet to be written (this is true of the Newfoundland Mi’kmaq as well). What is clear is that they represent one form of many forms of Inuitness in the Circumpolar region. The membership of the LIA represents another – both are ‘valid’, although the use of the term is distasteful. In sum, after the arrival of Europeans (the Moravians in the far north and the European firms and men to the south), two broad groups of Inuit developed. In turn, they made different adaptations to their changing world. In turn, they developed somewhat differently from each other in the post-contact world. But both considerably overlapping societies constitute forms of Inuitness.

It is also worth noting that the perceived strict divide between the Inuit and the Metis of Labrador is a false one. “Inuit” in north coast communities like Postville have relatives in Cartwright and other south coast communities. In some cases, members of the LIA are first cousins to LMN members. Labradorians like Lydia Campbell had descendants on both coasts; in Lydia’s case, they currently live in Pinsent’s Arm, Charlottetown, Rigolet, and Northwest

River. This case is not at all atypical. After all, Labrador in its entirety was the home of the Inuit historically. The current divide is a situation the leadership of the LIA and the LMN may wish to address at some point.

Yet there is a persistent belief that the Metis are not Aboriginal and that their claim to Inuit heritage is specious. This erroneous thinking comes from the fact that the southern Inuit descendants lacked institutions like the Moravian Church to represent them to outside institutions like government. For this reason, they were not viewed as the organized society that they are. This made them invisible to Euro-centric authorities used to dealing with missions and other European institutions.

For much the same reason, the political organizations representing Inuit descendants are in part geographically based. The LIA has five member communities in northern Labrador: Nain, Hopedale, Makkovik, Postville, and Rigolet. These communities are home to many of the LIA's almost 5000 members; the membership includes all resident Inuit and *kablunangajuit* and their descendants. Other Inuit live in the Lake Melville area, especially Northwest River. A minority of Inuit speak Inuktitut – worryingly, the number is only in the hundreds now – but the language remains important to Inuit culturally and emotionally. The LIA has been able to make significant progress in accessing Aboriginal programs and services. It is a member of the Inuit Tapirisat of Canada (ITC), the national political body for Inuit. It has also traveled quite far through the land claim process, as we shall see.

The heart of Metis territory is the south coast of Labrador, from Cartwright to Lodge Bay, the home of the majority of the LMN's 5,000 members. Most residents of this region are Metis, the descendants mainly of Inuit women and their British husbands. This group has suffered a great deal from the lack of access to Aboriginal funding, programs, and services. This is true of Metis all over the country, most of whom are descendants of French men and First Nations women and belong to the Metis National Council (MNC), headquartered in western Canada. The Labrador Metis, however, represent a separate case in that they are Inuit descendants, as we have seen. The LMN has no formal relationship with the MNC and is instead a member of the Congress of Aboriginal People (CAP), a political body for non-MNC Metis and non-status Indians. The term Metis, adopted formally in the late 1970s to abolish the derogatory "half-breed", is unfortunate in many respects. The LMN land claim, for instance, is based on Inuit rights and tenure.

Metis communities have some of the worst infrastructure in the province. Both Norman Bay and Black Tickle suffer the same water access problems that characterized Davis Inlet before the move to Natuashish; homes lack running water and functional toilets. Until a temporary water system was installed in 2002, families had to use shallow community wells, which were frequently contaminated by animal feces, in summer. In winter, they had to travel nine kilometers to Trout Brook, where they cut holes in the ice, or 26 kilometers to Porcupine Bay to get water. In 2000, residents paid \$48.70 for 1,000 litres of water – 56 times the cost paid on average by Canadians (Hanrahan, 2000b: 24). Because of this, the Metis of Black Tickle used 112 litres of water per day compared to the Canadian average of 326 litres per day (*ibid*: 23). This has negative impacts on food consumption, given that food is the most elastic part of the family budget; as one woman said, " ...the food part is the one that suffers the most..." (*ibid*: 23).

Even now, not everyone can access the new temporary system and those who can must travel to it and retrieve water in buckets and *komatiks* or ATVs. Houses in Black Tickle are

over-crowded and poorly insulated; with a high unemployment rate, many people cannot always afford to heat their homes all the time. With a growing population and poor community infrastructure, their situation is more like other Aboriginal communities in Canada than it resembles rural Newfoundland (see Hanrahan, 2003). In 1999, 79 First Nations reserves in Canada had water systems that were potential health hazards (*ibid*: 32).

Still, the Metis of Black Tickle express a profound attachment to their community and while social problems are in evidence since the cod moratorium that threw everyone out of work, in many respects the community is healthy. For example, almost every student graduates from high school and most go on to post-secondary education. Several students are in nursing programs, for example, and one young woman has recently graduated from an Ontario university with her masters' degree; she has returned to Labrador where she is currently working. This begs the question: if the people of Black Tickle can accomplish this with such restricted access to services, what could they accomplish were they able to access the full range of services for Aboriginal people in Canada?

Aboriginal Organizations in Newfoundland and Labrador

Political Organizations

There are five main Aboriginal political organizations in this province, representing the four Aboriginal nations (the Mi'kmaq are splintered). To varying degrees, these have ongoing relationships with the federal and provincial governments. In addition, there are newer, emerging Aboriginal organizations, whose future it is impossible to predict at this point. Finally, there are two pan-Aboriginal organizations serving all Aboriginal nations.

The Labrador Organizations

The **Labrador Inuit Association (LIA)** represents the Inuit of Northern Labrador and their descendants. The LIA claims a membership of 5,000 and is relatively close to finalizing a land claim agreement with government; this would be the first settled land claim in the province.

The **Labrador Metis Nation (LMN)** represents approximately 5,000 Inuit descendants with roots in Central and Northern Labrador. A small percentage of LMN members are First Nations descendants.

The **Innu Nation** represents the 1,800 or so Innu of Sheshatshiu and Natuashish.

The Newfoundland Organizations

The **Federation of Newfoundland Indians (FNI)** represents non-status Mi'kmaq with roots in Central and Western Newfoundland. Their membership numbers about 4,000. The FNI delivers government-funded programming and is involved in a process with the federal government that may lead to Indian status for its members.

The **Miawpukek Mi'kamawey Mawi'omi** governs the 500 status Indians of Conne River, the province's only reserve, as well as "off-reserve" status Indians in nearby St. Alban's.

The **Sip'kop Band** represents the approximately 500 "off-reserve" status Indians and non-status Indians of St. Alban's; the band aims to function separately from Conne River.

The **Ktaqamkuk Alliance** is a new Mi'kmaq organization headquartered in Western Newfoundland. It represents approximately 2,500 non-status Mi'kmaq, most of whom are former members of the FNI. The Sip'kop Mi'kmaq Band and the Ktaqamkuk Alliance have united to initiate legal action in the Supreme Court of Newfoundland against the Government of Canada. (The federal government's Court Challenges Program – Equality Rights panel – has granted funding for this action.)

Pan-Aboriginal Organizations in the Province

The **Labrador Friendship Centre** in Happy Valley-Goose Bay serves Aboriginal people of all nations who are living in or visiting central Labrador. The Centre has a hostel, a cafeteria, and a crafts shop.

The **St. John's Native Friendship Centre Association** runs a centre in downtown St. John's for Aboriginal people of all nations living in or visiting the capital city. The Association is in the process of constructing a hostel.

Aboriginal Women

Historically, women played central roles in Aboriginal social, cultural, and economic life. Innu women, for example, erected family tents and set up camps throughout *Nitassinan*. Inuit and Metis women made warm clothing and boots from sealskin. In a show of independence, Mi'kmaq women kept their own names upon marriage. In all Aboriginal nations, women were responsible for the primary socialization and identity formation of children; thus, it was women who shaped every generation of Aboriginal people.

Today Aboriginal women are under-represented in the leadership of their political organizations; at present, all the highest offices are held by men. This reflects politics in the province and beyond as a whole; there has never been a female Premier of Newfoundland and Labrador, for example. Aboriginal women are not without role models, though; Katie Riche is the former President of the Innu Nation, while Marilyn John was Chief of Conne River.

In addition, there are women's organizations at the community level – in Sheshatshui, Nain, Natuashish, and other Aboriginal towns. Happy Valley-Goose Bay has at times been home to Aboriginal women's organizations.

Women's life experiences and perspectives are not as visible as those of men's – in both Aboriginal and non-Aboriginal societies. In terms of the literature, the Aboriginal women are under-represented or absent. Anyone researching pregnancy, childbirth, and child-rearing traditions in Aboriginal communities in this province would be hard-pressed to find material. Similarly, there is little information available on Aboriginal women's past and current roles in their families and communities; it is difficult to assess women's status pre-contact as well as

in the post-contact period. Female perspectives on Aboriginal community health and priorities is also lacking. The Innu Nation publication, *Gathering Voices* (Fouillard, 1995) is one of the few documents that provides some insight into such perspectives. Another notable exception to the trend is the book, *It's Like the Legend: Innu Women's Voices* (Byrne and Fouillard, 2000). All this is ironic given the fact that the most notable early Aboriginal writers in this province were Metis women, Lydia Campbell (Campbell, 2000, first published in 1894) and Elizabeth Goudie (Goudie, 1973).

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A Brief History of Aboriginal People's Relationship with Government

For over 100 years the category of “Indians” (as in 1847) or “Micmac Indians” appeared intermittently in the Newfoundland census. This indicates that government was indeed aware of the Mi’kmaq presence through the island. The authorities also knew there was a relatively large concentration of Mi’kmaq at Conne River. In 1872, the Newfoundland government set aside a reserve following surveys by geologist Alexander Murray. However, plans for the original reserve were never implemented.

After World War II the global map was being redrawn as Britain and other European powers disposed of their colonies and territories. Newfoundland became a province of Canada in 1949; the Terms of Union were the legal agreements that bound the two countries. While the Terms described everything from Canada’s transportation obligations in the new province to the colour of margarine, they did not mention Aboriginal people. According to the 1945 Census, there was a significant Aboriginal population in this jurisdiction; there were 701 Eskimos, 527 Halfbreeds, and 431 Indians (Moss, 1988: 1). The presence of Indians was recognized in Newfoundland law, if only through the ban of sale of liquor to Indians (*ibid*: 7). The omission appears to be a remarkable oversight, especially given the special status of Aboriginal people elsewhere in Canada. Recent historical research, mainly by First Nations lawyer Jerry Wetzel, describes the process through which this happened.

In 1947, Canadian officials decided that Aboriginal people in Newfoundland would be Ottawa’s responsibility, as they were in other provinces, and that the *Indian Act* would apply; this was to be Appendix XI of the Terms (Wetzel, 1999: 24). In 1948, Canadian officials informed the federal Cabinet that there was no Term defining responsibility for Indian affairs (*ibid*); thus, Wetzel refers to Appendix XI as “the Hidden Term”. The officials then argued that the *Indian Act* could not be implemented because the Terms did not specifically mention the *Act* (*ibid*). After union, federal officials claimed there had been no final agreement on the relevant Term and said that the Government of Newfoundland had stated its desire to administer Indian affairs, although Wetzel could find no proof of such a preference (*ibid*).

Wetzel notes that the omission occurred as Ottawa was experimenting with the centralization of Aboriginal people. Between 1942 and 1948, the federal government planned to move all the Nova Scotia Mi’kmaq onto two reserves: one in Cape Breton and another on mainland Nova Scotia (*ibid*). Although some Mi’kmaq from rural reserves and from the greater Halifax area were centralized, resistance caused Ottawa to abandon the scheme. Almost concurrently – from 1946 to 1949 – a Special Committee of the Senate and House of Commons on the *Indian Act* recommended the assimilation of Canada’s Indians and the removal of the status they had under the *Act* (*ibid*). Thus, the omission of Aboriginal people from the Terms of Union likely reflected this policy thrust. In 1949, a federal Interdepartmental Committee on Newfoundland Indians and Eskimos (ICNIE) decided not to exercise Canada’s fiduciary responsibility to the province’s Inuit, Innu, Metis, and Mi’kmaq people (*ibid*).

Newfoundland was unique in Canada in having administrative and legislative control over its Aboriginal population. This became policy in 1965 when Prime Minister Pearson formalized the practice (*ibid*: 26). The year before, Premier Joseph Smallwood had urged Ottawa to assume

full federal responsibility for Aboriginal affairs in this province or extend financial support to the province at the same level provided Aboriginal people in other provinces (Moss, 1988: 9).

In institutionalizing this policy, Pearson ignored his own government's legal opinions that stated Aboriginal people in Newfoundland were a federal responsibility, as they were elsewhere in the country. The result of Pearson's decision was the Federal-Provincial Agreement for Financial Assistance to Native Communities in Newfoundland and Labrador, a cost-sharing agreement that was renewed every five years. Prior to this, Ottawa's only specific funding for the province's Aboriginal people came in the form of subsidies for tuberculosis services in communities in which the province operated stores. Even after 1965, the Aboriginal people received far less than their counterparts elsewhere in Canada in terms of programs and services. Some Aboriginal communities, mostly Mi'kmaq and Metis, received nothing at all.

Over the years, Canadian and Newfoundland leaders offered several reasons for the omission:

- \$ the Mi'kmaq and Innu did not live on reserves;
- \$ Newfoundland's Aboriginal people were enfranchised (meaning they could vote, unlike Inuit and on-reserve First Nations people in Canada);
- \$ the Newfoundland Mi'kmaq and other Aboriginal peoples were only "small groups"; and,
- \$ the provincial government wanted to administer Aboriginal affairs (see Wetzel, 1999; and Moss, 1988).

The claim that the province wanted to administer Aboriginal affairs is meaningless; no other province was ever given the option to do so, given Canada's fiduciary relationship to Aboriginal people and federal jurisdiction over Aboriginal issues. Whenever other territories had joined Canada, Ottawa had made treaties or other arrangements with the relevant Aboriginal nations, set aside reserves, enforced the *Indian Act*, and began providing programs and services. This did not happen in Newfoundland. According to one legal opinion, because of the omission from the Terms of Union, s. 91 (24) of the Canadian constitution makes Aboriginal matters in Newfoundland and Labrador federal jurisdiction – as in the rest of the country (Moss, 1988: 2). Further, S. 91 (24) of the Constitution articulates the fiduciary responsibility of the federal government for the First Nations, Metis, and Inuit peoples of Canada.

Until 1951 in Canada, an Indian was someone reputed to be an Indian or the descendant of such a person, except the descendant of an Indian woman and a non-Indian man (Tanner, 1979: 1). In 1951, the *Indian Act, Chapter 149* was enacted and, although no part of the country was exempt from the *Act*, it was not enforced in Newfoundland and Labrador (Moss, 1988: 24). Status was one of the legal bases that could be used to make Canada live up to its legal and moral obligations to First Nations people (Tanner, 1979: 5). Without application of the *Act*, Newfoundland and Labrador's First Nations simply did not exist on paper. Thus, there was – and still is for many Mi'kmaq – no way to make Canada fulfill its fiduciary obligations to them.

In doing ethnographic research for the Sip'kop Mi'kmaq of St. Alban's in 2001, I found that they were not consulted during the time leading up to Newfoundland's union with Canada (see Hanrahan, 2002a). No one from the Newfoundland or Canadian governments visited or corresponded with them on the subject of Aboriginal matters. During my fieldwork in

Labrador, Innu and Metis Elders said they had not been consulted either. They had no input into the Terms of Union and were not involved in any discussions of Appendix XI, the *Indian Act*, or Newfoundland's alleged wish to control Aboriginal affairs. In fact, they were not even aware of the *Indian Act* and what it meant; most reported that they had not even heard of it until the 1980s (see *ibid*). They were not told of their inherent rights as Aboriginal people. Some Sip'kop Elders did not even hear of the *Indian Act* until the 1980s when the Mi'kmaq had organized and were campaigning for status.

In 1951, the Government of Canada carried out a national census to identify all Indians for the purpose of registration under the *Indian Act*. This was also when band lists were introduced. Significantly, though, Newfoundland was omitted from this census. When the *Indian Act* was amended in 1960 to allow registered Indians (and Inuit) to vote, neither Canada nor Newfoundland re-considered the situation of the province's Aboriginal peoples. The concern of both the federal and provincial governments was to avoid funding and legislative arrangements that would differentiate the province's Aboriginal people from other residents of the province (Moss, 1988: 13). It would be some time before the assimilation thrust would be discredited in favour of cultural survival for Aboriginal people (the 1969 federal government White Paper that recommended the elimination of special status for Aboriginal people was met with fierce resistance, including the publication of Harold Cardinal's Red Paper, which helped spur the establishment of Aboriginal organizations across the country).

The unique arrangement in Newfoundland and Labrador was not unopposed in the province. Most notably the 1974 Royal Commission on Labrador recommended some major changes including:

- \$ an end to the practice of limiting federal assistance to certain communities, given its unfairness to the Aboriginal population as a whole;
- \$ the adoption of a different per capita funding arrangement that would better reflect the high costs of providing services;
- \$ the extension of federal Aboriginal programs elsewhere to Newfoundland and Labrador; and,
- \$ an end to the requirement that the province pay a portion of the costs for services to Aboriginal people (see Newfoundland, 1974; and Moss, 1988).

In fact, it was not until 1986 that a reserve established at Conne River (registration under the *Indian Act* took place in 1984). This event followed a long political struggle on the part of Mi'kmaq throughout Newfoundland, which included occupation of government offices and a hunger strike. Chief Michael Joe described his people's rationale: "We are prepared to give up our lives if necessary. If that's what it takes to get both the federal and provincial governments to respect the rights we have to govern ourselves and to live in dignity as Micmac Indians" (O'Hearn, 1983: 2).

After Conne River became a reserve, however, most Newfoundland Mi'kmaq still remained outside the *Indian Act*, even some who lived near the community. Indeed, for a variety of reasons, mistrust of government was general among the Mi'kmaq population. As one of their family members explained: "A lot of them in St. Albans threw their invitations to meetings away. They were afraid. They were frightened to death they'd have to move their houses

across the bay (to Conne River). No one explained to them what it was all about. Nobody from (the Department of Indian Affairs) ever talked to them” (Hanrahan, 2002a: 24).

In a report on the Newfoundland Mi’kmaq for the Canadian Human Rights Commission, law professor Noel Lyon concludes that “the Mi’kmaq communities have been denied recognition as human communities and their fundamental right of self-determination the very foundation of international human rights law, has been systematically suppressed” (Lyons, 1997: 1).

In contrast, Mi’kmaq in Nova Scotia, New Brunswick, and Prince Edward Island had come under the jurisdiction of the federal government with the establishment of the Canadian Confederation in 1867. The Nova Scotia Mi’kmaq who had survived the bloody post-contact period were eventually granted reserves, albeit with inadequate land bases. Some Mi’kmaq groups were eventually awarded compensation for the theft of their lands. In Nova Scotia, the Wagmatcook First Nation won 1.2 million in 1993 while the Pictou Landing First Nation got \$35 million (Miller, 1995: 371).

The Implications of the Omission of Aboriginal People from the Terms of Union

Government-Aboriginal relations in Canada are a patchwork quilt; there are many kinds of arrangements, degrees of self-government, etc. At present in Canada there are more than 80 ongoing negotiations on self-government, at varying stages. Some of these negotiations are bilateral; others involve provincial as well federal governments. However, the Aboriginal people of this province are among the most marginalized Aboriginals in Canada, especially the Labrador Metis and most Newfoundland Mi'kmaq.

The most progressive arrangements are in Saskatchewan, spearheaded by the Federation of Saskatchewan Indian Nations (FSIN), the country's oldest and (many believe) best-organized Aboriginal organization. The FSIN currently leads self-government negotiations on behalf of 72 First Nation communities, all of which are reserves with status Indians. Saskatchewan is also home to Canada's only degree-granting Aboriginal educational institution, the Saskatchewan Indian Federated College (SIFC). Recently the SIFC partnered with the Universities of Regina and Saskatchewan to establish a \$2 million Indigenous People's Health Centre.

Other arrangements favorable to Aboriginal people are happening closer to home. In December, 1998 the Nova Scotia legislature passed the *Micmac Education Act*, which gives legislative and administrative control to nine First Nations. Nova Scotia also has an annual Treaty Day, on which the province and Mi'kmaq communities celebrate their nation-to-nation relationship.

Many of these programs and projects have positive economic effects. One such program is the National First Nations Environmental Contaminants Program (NFNECP), run by Health Canada and the Assembly of First Nations. NFNECP was begun in 1999 to encourage First Nations-initiated research on environmental contaminants due to industrial activity such as mining. The following are some examples of recent participating projects:

- \$ Nay Yun Nzoo Environmental Contaminants (mainly mercury pollution due to mining; Nak'azdli Band Council, B.C., and Matikmekush-Lac John Innu Nation, Quebec;
- \$ Environmental Clearinghouse, Mohawk Council of Kahnawake, Quebec;
- \$ Development of Community Health Indicators, Mohawk Council of Akwesasne, Quebec and Ontario;
- \$ Northern River Basic Food Consumption Survey, Treaty 8 First Nations of Alberta; and,
- \$ Tl'azt'en Nation Cancer Research, B.C..

The NFNECP program is a partnership of the AFN (Assembly of First Nations, the national body that represents status Indians) and Health Canada. In Newfoundland, only Conne River has enjoyed full participation in the AFN. When I asked one of the project managers in Ottawa if the other (non-status) First Nations in Newfoundland and Labrador could apply for funding under the NFNECP, she was uncertain. She said that several projects in the Atlantic Region were funded – though none of these are in Newfoundland and Labrador.

Three problems are in evidence here. One is the concept of Atlantic Canada. In most cases, the federal government divides the country into the following regions for Aboriginal programming: Territorial, Pacific, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, and Atlantic. This province is considered as “covered off” whenever projects in the Atlantic region are funded. In other words, if projects or programs go ahead in Nova Scotia and/or New Brunswick, they are considered to cover the whole region – even though Aboriginal people in Newfoundland and Labrador do not participate or benefit in any way.

A second problem is the lack of official status of most of Newfoundland and Labrador’s First Nations. This lack of status means that these bands have little or no operational funding and no or at best few staff, and thus are in no position to even develop proposals to apply for programs like this one.

Finally, because of their lack of status, many Aboriginal communities in this province are simply ineligible for federal programs, services, and funding. This is because federal departments in general restrict their Aboriginal programs and services to Inuit and on-reserve First Nations; the assumption is that provincial governments will assume financial responsibility for off-reserve status Indians (see Moss, 1998: 6). Obviously, the Newfoundland situation is an anomaly here with the result that Newfoundland Mi’kmaq are usually left out. The Labrador Metis, who are Inuit descendants, are disadvantaged as well.

The list of programs for which most of Newfoundland’s First Nations as well as the Labrador Metis Nation are ineligible to apply for is long. (Note that, in addition to Conne River, the LIA and the Innu Nation are able to participate in these programs and others like them.) Under the aegis of INAC the list includes (but is not limited to):

- \$ Adult Care Program
- \$ Children’s Program
- \$ Community Infrastructure and Housing
- \$ Family Violence Prevention Program for First Nations
- \$ First Nations Child and Family Services Program
- \$ Justice Program

Under Health Canada the list includes (but is not limited to):

- \$ Nursing in First Nations Communities
- \$ National Native Alcohol and Drug Abuse Program
- \$ First Nations and Inuit Home and Community Care
- \$ Framework for Injury Prevention and Control
- \$ Non-Insured Health Benefits

These programs recognize Aboriginal communities’ stated wish to build community capacity and return to self-sufficiency. They are an indication that the federal government has some respect for the nationhood of the First Nations and Inuit communities in which the programs are located. This in itself likely has a positive impact on the collective psychological health of these nations. Although not without problems, these programs and services inject monies into Aboriginal communities, create meaningful employment, and help improve

community health in its broadest sense. Further, based on my experience working with Aboriginal people in Ontario and Saskatchewan, it appears that these and other programs are taken for granted in Aboriginal communities elsewhere in Canada – while they are absent in many Aboriginal communities in this province.

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What's Possible: the Examples of Conne River and the LIA

Conne River is the only Mi'kmaq community in Newfoundland to access the range of programs and services available because of registration under the *Indian Act*. As we have seen, many programs and services are aimed at people living on reserve; hence, Conne River's eligibility. One such program is Aboriginal Head Start on Reserve, which has the goal of preparing young children for their school years by providing for their emotional, social, health, nutritional, and psychological needs.

As of December, 2000, 168 operational Aboriginal Head Start on-reserve projects were funded across the country totaling about \$23 million (www.hc-sc.gc.ca/fnihb-dqspni/fnihb/cp/annualreview/ahs.htm). There were 16 projects in the Atlantic region, only one of which was in Newfoundland – at Conne River. With more than a dozen Mi'kmaq communities (similar to the number in Nova Scotia), the case can be made that the province is under-represented and under-serviced in terms of this program. Note that PEI was funded for two Aboriginal Head Start programs, because First Nations people in that province are recognized under the *Indian Act* and have reserves. This happens repeatedly with programs and services. (Later, two projects were funded in Labrador – in Hopedale, Sheshatshiu, and Happy Valley-Goose Bay, but none on the island or in Labrador Metis communities.)

Human suffering is frequently the result. In 1997, Sip'kop (St. Alban's) Mi'kmaq Elder Lawrence Benoit, who is now deceased, told a reporter how he was impacted by the lack of health services. At 84, he lived in a dilapidated one-bedroom house, was wheelchair-bound, and required 24-hour home-care. The province's Department of Social Services provided only some care during the day and none at night, which was inadequate for his needs. Referring to the contrasting situation of registered Indians in nearby Conne River, he said: "They tell me I could get 24-hour care if I was a status Indian living on reserve. I've always been an Indian. Grew up in wigwams and lived off the land with my family" (Hilliard, Aug. 25, 1997: 2).

Meanwhile, Conne River has become a model reserve in the forefront of the First Nations self-government movement. The Miawpukek band was the first Mi'kmaq band to negotiate a direct funding agreement for community and economic development, education and health programs in 1985. The band has generated meaningful jobs for its members and has experienced very little unemployment since gaining reserve status. Indeed, it is not much of an exaggeration to say that Conne River is the economic engine of Bay d'Espoir, given the depression experienced in surrounding communities due to the decline of resource industries. In Conne River, incomes have been raised and post-secondary education has been funded.

In 1996, Miawpukek (Conne River) Health and Social Services had 22 in-office staff and 11 outreach and after-hours staff (Miawpukek Human Services Consulting *et al*, 1996). Areas of focus include:

- \$ individual and environmental health;
- \$ child welfare;
- \$ alcohol and drug addiction;
- \$ special needs;

- \$ financial assistance;
- \$ nutrition;
- \$ home care;
- \$ mental health;
- \$ family violence; and,
- \$ diabetes.

All this represents a radical change from Conne River's historical position as a poverty-stricken community. Across the bay in St. Alban's, the Sip'kop Band, made up of "off-reserve" members of Miawpukek even though they have never lived there, enjoys excellent relations with the town council and other community organizations. Indeed, seeing the economic benefits that accrue to status Indians, the town council is supportive of the Sip'kop Band's attempts to be recognized as a stand-alone band, separate from Conne River. This good relationship characterizes most town councils in Newfoundland that have First Nations within their borders.

Because it is recognized as Inuit, the Labrador Inuit Association has been able to develop considerable infrastructure to serve its members. The LIA's economic arm, the Labrador Inuit Development Corporation (LIDC) operates the following while creating meaningful jobs for Inuit:

- \$ Ten Mile Bay Quarry;
- \$ Pikalujak Fisheries Ltd.; and,
- \$ Pan-Arctic Inuit Logistics Inc. (the operation and maintenance of the north warning radar system, which is 20 per cent owned by the LIDC).

The LIA also responds to the needs and aspirations of its members through the Labrador Inuit Health Commission and the Torngasok Culture Centre.

As they got closer to real recognition, the Innu have also been able to develop infrastructure, though not to the level of status Indians. The other Aboriginal groups in the province – the Metis and the FNI Mi'kmaq – lag far behind. The chief of one Mi'kmaq band works on the mainland and tries to spend time in his home community. Meanwhile, the band executive borrows town hall space for meetings. The Mi'kmaq of the FNI have had to be extremely patient since Confederation (see Appendix 2 for a Selected Chronology of Events). Last year they entered into another process with the Governments of Canada and Newfoundland and Labrador. This consists of non-binding, exploratory discussions to determine if there is a basis for negotiating FNI access to certain programs and services.

The Metis, too, are seriously hampered in terms of infrastructure. In addition, they have had to contend with pressure from both the Aboriginal and non-Aboriginal worlds. Although relations with the provincial government have improved very recently, the LMN is not generally consulted on developments in their territory. Frequently, they are left out of initiatives that include the Innu and the Inuit, their neighbors and cousins (sometimes literally) in Labrador. They are not party to the Voisey's Bay Impacts and Benefits Agreements which provide targets for Innu and Inuit employment as well as commitments to train and employ Innu and Inuit men and women.

On the other hand, the resiliency of the province's Aboriginal people is remarkable. With virtually no resources, the Innu, Inuit, Metis, and Mi'kmaq have somehow ensured that the vitality of their culture continues. Mi'kmaq communities, for example, support dance troupes, continue to press for the introduction of their language into schools, operate band councils from funds raised from card games, and collect money to litigate through tithing. As we have seen, the Canadian Human Rights Commission (CHRC) concluded that the Newfoundland Mi'kmaq have been denied their rights as human communities (Lyons, Oct., 1997: 1).

What would be the result if the energies used to pursue the barest modicum of services for Aboriginal people in Newfoundland and Labrador had been freed up? Although it is difficult to say, the example of Conne River provides some answers. As we have seen, local leaders have been able to implement programs and services leading to improved social and economic conditions in the community and, undoubtedly, better community health.

Though some Mi'kmaq groups are litigating, no amount of compensation can make up for more than half a century of assimilationist policies and neglect. As noted in the CHRC report, time works on the side of the Canadian government, as Elders die and pressures to assimilate increase. There is no way to measure the losses that Newfoundland's Aboriginal people have suffered as a result of not being included in the Terms of Union.

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Land Claims

Understanding Land Claims in Canada

Comprehensive land claims are based on the assertion of continuing Aboriginal title to lands and natural resources. They are made in places where Aboriginal people did not surrender land or sign treaties. Newfoundland and Labrador is one such place. The land claims process involves Aboriginal nations and the federal government. Most of the comprehensive land claims in Canada are in British Columbia, while others are in Newfoundland, Quebec, the Yukon, and parts of the Maritimes (Specific land claims refer to situations in which the federal government is accused of not honoring its treaties or legal responsibilities vis-a-vis certain land, such as the illegal sale of a First Nation's land. Most land claims in Canada are specific; there have been 900 since 1972, 200 of which have been resolved. There are none of these in Newfoundland and Labrador).

Comprehensive land claims are based on traditional land use and occupancy, which can be difficult to prove in the absence of written records. The comprehensive land claim process is also controversial because settlement requires the extinguishment of Aboriginal title. This disturbs Aboriginal people because of their special relationship to the land, handed down from their ancestors as their chief legacy. Finally, the process is viewed as flawed because the federal government acts as both defendant and judge. Two well-known comprehensive claims are that of the Nisga'a of British Columbia (who were granted nine per cent of the territory they claimed) and the Inuit of Nunavut.

The rights and benefits of comprehensive land claims usually include:

- \$ full ownership of certain lands in the area covered by the settlement;
- \$ wildlife harvesting rights;
- \$ participation in resource management throughout the settlement area;
- \$ financial compensation;
- \$ resource revenue-sharing;
- \$ economic development measures; and,
- \$ a role in the management of parks and heritage resources in the settlement area.

While this list looks attractive, it is extremely difficult to successfully negotiate a land claim. First of all, only 60 per cent of all land claims are accepted for negotiation. In cases of resolution, Aboriginal groups get an average of about 10 per cent of the land and financial compensation claimed. In addition, the process is lengthy, usually lasting more than two decades. The LIA, for example, submitted its claim in 1978 and, while much progress has been made, finalization has yet to occur. A decade after the submission of the LMN claim, there has been no final decision on whether it will be accepted for negotiation.

Land Claims in Newfoundland and Labrador

There are a total of four outstanding land claims in Newfoundland and Labrador filed by the Inuit, the Innu, the Metis, and the Conne River Mi'kmaq. These are in various stages. A review of the land claims history of Newfoundland and Labrador reveals a pattern of delay, forcing Aboriginal groups to prove their Aboriginality, and rejecting claims. The delays are worrying; oral history is crucial to land claims and as time passes, Aboriginal Elders die.

The Innu Nation's claim was filed in 1977 and accepted for negotiation the next year. It has been in on-and-off negotiations for the past 13 years. Land rights, as the Innu refer to their land claim, is central to the objectives of the Innu Nation. The Innu relationship to the land is mandated by *Tshishe-Manitu*, the Creator; the Innu are charged with taking care of the land, which will in turn provide them with animals, the means to sustain themselves. The transformation of the land that has occurred under the Newfoundland and Canadian governments is entirely against the Innu ethos and is psychologically as well as materially threatening to the Innu. In the words of Nympha Byrne, a Mushuau Innu activist and writer, "...the land is hurting right now. To me the land is like my grandmother" (Byrne and Fouillard, 2000: 262). According to Mailhot, "Their territory is the Innu's entire heritage. It is all they possess, all they have been bequeathed by their ancestors" (Mailhot, 1997: 167).

The Innu Nation's concern is that while Innu land rights remain unresolved, much development is occurring on Innu land. This includes hydro-electric development, military low-level flying, forestry, and mining activity. Without a settled land claim, Innu are not guaranteed a real say in the direction and pace of these developments. Given their view of themselves as a colonized people, continuing industrial development in Labrador without a settled land claim is dispiriting to the Innu.

The FNI has not filed a land claim as yet, although they were given some funding to do land claims research. The Conne River land claim has had a particularly difficult time; for this reason, it is worth looking at it in some detail here. In 1975, the *Ktaqamkuk Ilnui Sagimawoutie* (the Newfoundland Indian Government) presented a proposal to the federal government to do research in support of Mi'kmaq Aboriginal title in Newfoundland. They were successful in getting funding for research. They submitted preliminary data the next year but Ottawa's response, which came in 1978, was to fund more research, saying that that already done was insufficient to establish the case for a land claim. The *Ktaqamkuk Ilnui Sagimawoutie* made another submission in 1979 and again Ottawa judged it to be insufficient while funding more research. The next submission, in 1981, got the same response. In 1982, *Ktaqamkuk Ilnui Sagimawoutie* filed a land claim to approximately one-third of the island, mainly the south coast, including the Burin Peninsula. The claim was filed on behalf of 1,400 people of Mi'kmaq descent, about 800 of whom lived in Conne River (Pitt, 1981: 507). Ottawa judged the claim to be "not satisfactory" and stated that it could not be accepted as a comprehensive claim.

In a move unprecedented in Canada, Premier Brian Peckford announced the provincial government's rejection of the land claim (Wetzel, 1995: 329). He said that Newfoundland would not negotiate a Mi'kmaq land claim since "Aboriginal land use and occupancy of the south coast of Newfoundland by the Micmacs has not been substantiated" (*ibid*: 332). Two years earlier, Peckford had written to Indian Affairs Minister John Munro to say that "registration (of the Newfoundland Mi'kmaq) would not be in the best interests of the Province or the particular groups involved" (*ibid*: 331).

A break for the Mi'kmaq seemed to come in 1982 when a senior federal government official rendered a legal opinion that stated “...the Micmac occupancy (of Newfoundland) was a fact in the area of Placentia (from 1660) by the time of the Treaty of Utrecht and at St. George’s Bay later in the same century” (*ibid*). But nothing came of this and the Conne River Chief again began lobbying Ottawa for a favorable response. He was disappointed when in 1986 Indian Affairs Minister Bill McKnight decided that “historical and legal arguments ...do not prove that the Micmac enjoyed exclusive use and occupancy over any part of the island of Newfoundland since ‘time immemorial’, nor prior to ...European settlement” (*ibid*: 337). Thus, the claim was rejected.

In 1994, however, Conne River was granted funding to do more land claims research. Thus, the door is never closed, although Aboriginal people have found the process to be frustrating, cumbersome, and inherently unjust given the power of the federal government. In 1996, more than 20 years since they began working toward a land claim, Conne River was informed that its land use and occupancy data was inadequate and more money was provided for further research. Many Aboriginal people find it difficult not to be cynical about a process in which resolution is so elusive.

The Labrador Metis Nation has also had a challenging time with its land claim, funded and filed in 1991. In 1998, the Department of Justice recommended that the Government of Canada reject the claim. Since then, however, Canada and the LMN have entered into a reconciliation process. New research has been funded and the federal government is currently reviewing new material that might lead to a reconsideration of this decision. The LMN is concerned that development has occurred in its territory while its land claim is outstanding; this includes the construction of the Trans-Labrador Highway and logging due to the current lack of forestry resources on the island.

The Labrador Inuit have enjoyed the most success in the area of land claims in this province. Filed in 1978, their claim was accepted for negotiation the next year. In 2001, INAC Minister Robert Nault, Premier Roger Grimes, and President William Barbour of the LIA signed an Agreement-in-Principle. Its highlights include:

- \$ 28,000 square miles of land and 12,000 square miles of ocean extending 12 miles offshore (Labrador Inuit Settlement Area, LISA);
- \$ 6,100 square miles within the LISA designated as Inuit lands under the Inuit Central Government (LIL);
- \$ establishment of the Torngat Mountains National Park Reserve (about 3,000 square miles);
- \$ within the LIL, exclusive rights to carving stone and 25 per cent of provincial revenues from subsurface resources;
- \$ three per cent of provincial revenue from Voisey’s Bay mine resources;
- \$ wildlife and plant harvesting rights; and,
- \$ \$140 million in compensation from the Government of Canada

Much of this appears to be favorable to Inuit. However, the planned LISA is much smaller than the traditional territory of the Labrador Inuit. In addition, Inuit will remain subject to tripartite financing arrangements and to federal and provincial tax laws. Further, the Minister of Fisheries and Oceans retains overall responsibility for fish resources in the LISA.

Yet land claims represent the best hope for Aboriginal people as settlements restore some measure of the sovereignty and self-government that was so painfully lost. Land claims offer real possibilities for prosperity. Their resolution, particularly self-government, is also positively linked to community health, as we shall see in the next section.

Finally, it should be noted that overlapping Aboriginal land claims, such as those in Labrador, are not unusual in the Canadian context. Elsewhere in the country, overlapping land claims have been settled, as have claims in which occupancy since “time immemorial” have not been established (eg. that of the Dene Metis in the Northwest Territories).

The Way Forward

Lessons from British Columbia

A five-year British Columbia study of 196 First Nations communities attempted to identify what factors protected against youth suicide in these communities; suicide rates from one First Nation to another varied widely (Chandler and Lalonde, 1998). The researchers found that certain markers were associated with a clinically important reduction in the youth suicide rate. These were:

- \$ land claims;
- \$ self-government;
- \$ education services;
- \$ police and fire services;
- \$ health services; and,
- \$ cultural facilities.

Notably, the five-year suicide rate fell to zero when all six protective factors were in place in a community. Conversely, communities lacking these protective factors had suicide rates that were five to 100 times the British Columbia average. Self-government emerged as the strongest hedge against suicide; self-governed communities had 102.8 fewer suicides per 100,000 youth than those without it (*ibid*: 204). Given the wide range of Aboriginal cultural groups in B.C. and their similar colonial history to Aboriginal nations elsewhere in Canada, it is probable that these findings have some relevance to this province.

Lessons from the Harvard Project

The ongoing Harvard Project on American Indian Economic Development was founded in 1987 and is housed in the John F. Kennedy School of Government at Harvard University. The project uses applied research to identify and foster the conditions that lead to sustained social and economic development in Native American communities. Like the B.C. study cited above, much of the research of the Harvard Project is comparative: What works? Where? Why? A vast amount of research has been generated through the project, leading researchers to conclude that the most important determinants of successful social and economic development in Native American communities are:

- \$ Sovereignty: when Aboriginal leaders make their own decisions about resource and economic development and administration of services, they consistently out-perform non-Aboriginal decision-makers;
- \$ Institutions: Aboriginal communities do well when there are stable political institutions and policies, justice dispute resolution mechanisms, capable bureaucracies, and Aboriginal-designed strategic plans; and,

\$ Culture: the existence of cultural institutions that reflect an Aboriginal nation's unique cultural values has positive impacts on resource management and the quality of housing (see www.ksg.harvard.edu/hpaied/index.htm).

Conclusion and Recommendations

Aboriginal nations in this province are forced to play catch-up to their counterparts elsewhere in the country in a range of areas – from health and education services to land claims. This is challenging but by no means impossible. It should be made easier with a supportive provincial government. Indeed, it is obvious that stronger Aboriginal communities would lead to a stronger province, especially in rural Newfoundland and Labrador. The positive social and economic impacts of the Conne River reserve on Bay d’Espoir proves this.

The following list of recommendations is not exhaustive but reflects some of the more pressing concerns and needs of the Aboriginal people of Newfoundland and Labrador. It is hoped that these will serve as a springboard to processes that will bring about justice for the Innu, Inuit, Metis, and Mi’kmaq of Newfoundland and Labrador.

General Recommendations

The Royal Commission should recommend that:

1. The Aboriginal peoples of Newfoundland and Labrador constitute nations consisting of people holding Aboriginal rights. Therefore, the Royal Commission should recommend that the Province officially recognize all the Aboriginal nations of Newfoundland and Labrador: the Innu; the Inuit; the Metis; and the Mi’kmaq, both status and non-status. It should also recognize their political organizations.
2. The federal government has been slow to enact programs and services for the province’s Aboriginal people and to fully engage in the land claims process, at least partly because of provincial opposition to Aboriginal people’s aspirations. Therefore, the Royal Commission should recommend that the Province meet with INAC, Health Canada, and Newfoundland and Labrador’s representative in the federal cabinet to communicate its official recognition of and support for the province’s Aboriginal peoples.
3. Research from elsewhere (eg. the Harvard Project) points to the importance of strategic planning. Therefore, the Royal Commission should recommend that the Province should commit to and work with all the Aboriginal nations of the province to develop strategic plans aimed at the achievement of goals identified by Aboriginal leaders and their communities.
4. For many years, the Newfoundland Mi’kmaq were misrepresented in the school curriculum. Further, students today learn little about the province’s Aboriginal people, who have played significant roles in Newfoundland and Labrador history. Therefore, the Royal Commission should recommend that the Province:
 - \$ conduct a review of the school curriculum’s coverage of Aboriginal issues; and
 - \$ revise the curriculum to reflect the latest knowledge of Aboriginal issues, including Aboriginal people in curriculum development.

5. Research has shown that there is a lack of culturally appropriate programs and services for Aboriginal people in this province (eg. adequate language interpretation services for Inuit and Innu in hospitals). Therefore, the Royal Commission should recommend that the Province review its programs and services to ensure that they are adaptable to the needs of Aboriginal people.
6. The Province and its Aboriginal people have had a relationship that is characterized by frequent conflict and a lack of cooperation; meanwhile, we all lose when Aboriginal perspectives are not included in policy development and decision-making. Therefore, the Royal Commission should recommend that the Province encourage the involvement of Aboriginal people in policy development and decision-making by hiring Innu, Inuit, Metis, and Mi'kmaq to work at the Department of Labrador and Aboriginal Affairs and other government departments and agencies.
7. There are many misunderstandings between the provincial government and Aboriginal people, and even between Aboriginal nations themselves. Dedicated communication is the key to moving forward on issues of importance to the province and Aboriginal nations. In addition, the people of the province would be well served by more education on Aboriginal issues. Accordingly, the Royal Commission should recommend that the Province establish and fund an annual Symposium on Aboriginal Issues to be held in rotating Aboriginal communities (or nearby service centres). Symposium participants would include Aboriginal leaders and other Aboriginal people, students, government officials, the media, and members of the general public. Such a groundbreaking process would be unique in Canada.
8. The voices of Aboriginal women are seldom heard, as seen in the dearth of literature on Aboriginal women's issues and the very limited involvement of Aboriginal women in the leadership of their organizations. (This corresponds to the status of women throughout Newfoundland and Labrador.) Accordingly, the Royal Commission should recommend that the Province include the formation of an Aboriginal women's caucus at the Symposium; this caucus should be funded to ensure that Aboriginal women's concerns are highlighted and addressed in ways identified by Aboriginal women.
9. The pan-Aboriginal organizations in this province suffer from financial uncertainties; unlike their counterparts elsewhere in Canada, they have smaller urban Aboriginal populations from which to raise funds, and federal funding is variable. Yet they deliver important services that increase the quality of life for Aboriginal people temporarily or permanently living in urban areas. Therefore, the Royal Commission should recommend that the Province offer annual operating grants that are as generous as possible to the Labrador Friendship Centre and to the St. John's Native Friendship Centre Association.

Specific Recommendations

There are clear disparities between Aboriginal nations and communities in this province, with no valid rationale for these disparities. In addition, strengthening Aboriginal communities in various ways would strengthen the provincial community as a whole. Finally, the relationship

between the provincial government and Aboriginal peoples needs mending in a number of areas. Accordingly, the Royal Commission should recommend that the Province:

10. Support all the Mi'kmaq people of Newfoundland in their quest for registration under the *Indian Act*.
11. Work with the FNI, Ktaqamkuk Mi'kmaq Alliance, and the Sip'kop Mi'kmaq Band to develop provisions for Mi'kmaq living outside designated FNI communities, including the court case of the latter two groups.
12. Encourage federal recognition of the Sip'kop Mi'kmaq Band of St. Alban's as a stand-alone band (separate from Conne River, an hour away and a different community);
13. Encourage Voisey's Bay Nickel Company to extend impacts and benefits to the Labrador Metis.
14. Formally request that the federal government extend its programs and services to the Labrador Metis and to Mi'kmaq living outside Conne River (eg. Health Canada's Non-Insured Health Benefits Plan).
15. Undertake infrastructure developments in Metis communities, specifically water access and housing.
16. Adopt a formal policy of facilitating the participation of the Innu, the Inuit, and the Metis in all proposed developments in Labrador.
17. Formally and publically apologize to the former residents of Hebron, the relocated Inuit community in Northern Labrador.

Land Claims

Most Aboriginal leaders feel that land claims offer some promise of restoring the independence and self-sufficiency that was lost after the European invasion. Therefore, the Royal Commission should recommend that the Province:

18. Support federal government acceptance of the Labrador Metis Nation land claim for negotiation.
19. Support federal government acceptance of the Conne River land claim for negotiation.
20. Take measures to facilitate the timely resolution of the Labrador Inuit Association land claim.
21. Take measures to facilitate the resolution of the Innu Nation land claim.

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Appendix 1

Aboriginal Communities in Newfoundland and Labrador

INNU:

Davis Inlet / Utshimassits, Labrador (Residents are in the process of moving to the new community of Natuashish, which will be a reserve under the *Indian Act*)

Sheshatshiu, Labrador

INUIT:

Nain, Hopedale, Makkovik, Postville, Rigolet, Labrador

Some Inuit also live in the Lake Melville area, particularly Northwest River

METIS:

Black Tickle

Cartwright

Paradise River

Charlottetown

Pinsent's Arm

Norman Bay

William's Harbour

Post Hope Simpson

St. Lewis (also known as Fox Harbour)

Mary's Harbour

Lodge Bay

Many Metis live in the Lake Melville area, in Happy Valley-Goose Bay, Northwest River and Mud Lake.

MI'KMAQ:

Miawpukek First Nation, the Conne River reserve (and St. Alban's, where "off-reserve" members live)

The following communities are under the umbrella of the Federation of Newfoundland Indians (FNI):

Bartlett's Harbour

Benoit's Cove

Corner Brook

Port-au-Port East

St. George's

Stephenville / Stephenville Crossing (all in Western Newfoundland)

Exploits

Flat Bay

Gander Bay

Glenwood (all in Central Newfoundland)

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Appendix 2

Chronology of Selected Events

- 1867:** the *British North America (BNA) Act*, s. 91 (24) gives the federal government jurisdiction over “Indians and lands reserved for Indians”.
- Prior to 1949:** there is no government department or agency responsible for Aboriginal affairs in Newfoundland; there is no concept in government or in law of Aboriginal rights for First Nations, Inuit or Metis.
- 1949:** there is no mention of Newfoundland and Labrador’s Indigenous people in the Terms of Union between Newfoundland and Canada; no application of Canada’s Indian Act; provincial laws and regulations apply to Inuit, Innu, Metis, and Mi’kmaq.
- 1951:** A national census of Aboriginal people is held – Newfoundland is excluded. Canada introduces the concept of band lists and establishes *Indian Act* bands.
- 1954-1964:** There is a series of Canada-Newfoundland Agreements. Funding is transferred from Canada to the provincial government for “Aboriginal” components of programs and services, although there is no guarantee it would be used for this purpose. Aboriginal people in Newfoundland and Labrador do not receive funding at levels of First Nations elsewhere and do not have access to an equivalent range of programs and services.
- 1960:** Aboriginal people in Canada are fully enfranchised. There is no revisiting of the Newfoundland and Labrador situation.
- 1965:** Canadian policy towards Aboriginal people in Newfoundland and Labrador is further formalized through the Federal-Provincial Agreement for Financial Assistance to Native Communities in Newfoundland and Labrador. Prime Minister Pearson proposes to Cabinet that the Government of Newfoundland and Labrador have the authority to legislate over, administer, and manage the affairs of the province’s Indian and Inuit peoples, making the province unique in Canada in this respect.
- 1969:** Federal government *White Paper* recommending assimilation of Aboriginal people is released. First Nations leader Harold Cardinal responds with the *Red Paper*, sparking the political organization of the Aboriginal people of Canada.
- 1973:** After much lobbying, Conne River is designated as “Native” by the provincial government. Conne River asks the federal government to designate the other Mi’kmaq communities as Native.
- 1973:** The founding conference of the Native Association of Newfoundland and Labrador (NANL) is held.
- 1977:** Charges are laid against Innu hunters and their meat and guns are confiscated. Wildlife Minister Tom Hickey says there will be “no special treatment for Indian hunters”. Protests ensue. An informal agreement that game laws will not be used harshly against Innu hunters results.

- 1977:** The Naskapi-Montagnais Innu Association (NMIA) is formed. The NMIA submits a comprehensive land claim. The Labrador Inuit Association (LIA) also submits its claim.
- 1978:** The comprehensive land claims of the Labrador Innu and the LIA are accepted for negotiation by Canada.
- 1979:** The federal government funds the Federation of Newfoundland Indians (FNI) for genealogical, land claims, and land use research.
- 1979:** Virtually every Innu man in Sheshatshiu has been convicted of infractions of wildlife regulations, despite the events of 1977.

Late 1970s: Metis people begin meetings in the Lake Melville area.

- 1981:** A tripartite agreement gives Conne River \$1 million annually; the province's contribution is 10 to 15 per cent with the rest coming from the federal government. The Newfoundland government begins the practice of withholding money when it disagrees with the Mi'kmaq leadership over how it should be spent.
- 1982:** Conne River again requests that the other Mi'kmaq communities be included under federal-provincial cost-sharing agreements. The Minister of Indian Affairs commits to doing so in the next few years.
- 1982:** Premier Brian Peckford's government rejects the Mi'kmaq land claim. Peckford says the Mi'kmaq should be treated the same as all other Newfoundlanders.
- 1983:** Innu hunters are charged with possession of caribou meat; they face large fines or jail time.
- 1983:** Chief Michael Joe of Conne River and 11 other Mi'kmaq go on a hunger strike to force the federal and provincial governments to release their funding without conditions attached.
- 1983:** Conne River leaves the FNI.
- 1984:** The Conne River Mi'kmaq are registered under the *Indian Act*; the 500-plus Conne River Mi'kmaq become the only Indigenous people in the province to enjoy the full range of programs and services afforded other First Nations in Canada. Indian Affairs Minister John Munro tells Cabinet he has given the FNI his commitment to fund them for the purpose of establishing their eligibility for registration under the *Indian Act*.
- 1986:** The Labrador Metis Association is incorporated.
- 1986:** The Conne River Reserve is created. The Miawpukek land claim is rejected, although Ottawa offers to review additional documentation.
- 1988:** The Department of Indian Affairs tells the FNI it will not process the request for registration under the *Indian Act* and will not fund further research.
- 1989:** The FNI brings action in federal court to have its membership declared Status Indians in band communities within the meaning of the *Indian Act*. The organization also seeks inclusion as beneficiaries in a tripartite agreement and damages for breach of

- fiduciary responsibility. Ottawa responds that this is only a class action suit since the FNI communities are not bands and there is no fiduciary obligation.
- Late 1980s:** The Labrador Inuit Association negotiates the Non-insured Health Benefits plan out of the federal-provincial agreement. The health budget of the LIA increases from \$200,000 to \$2.6 million annually, dramatically improving health services in Labrador.
- 1990:** Canada and the Innu Nation begin land claims negotiation.
- 1991:** The federal government funds Labrador Metis Association land claim research. The claim is submitted in November.
- 1993:** *Report on the Complaints of the Innu of Labrador to the Canadian Human Rights Commission* is issued. It states that the Innu of Labrador have the right to be registered as Indians and have reserves created.
- 1993:** Violet Brown of Paradise River, a Metis Elder and fisher, is arrested on a salmon fishery violation.
- 1994:** Conne River receives funding to do additional land claims research.
- 1994:** Canada issues a Statement of Political Commitments concerning the Innu. In response to growing international pressure, Canada agrees to relocate the Mushuau Innu, provide emergency funding for Innu communities, and devolve programs and services to Innu control.
- 1995:** Indian Affairs Minister Ron Irwin funds an institutional framework process for the FNI; this will assess the institutional capacities of the bands.
- 1996:** The institutional framework support demonstrates the FNI's "capacity for self-government with the leanest of resources, fund-raising activities being their main source..."
- 1996:** The Labrador Metis Association (LMA) submits supplemental land claim information.
- 1996:** Over 200 Metis gather in Cartwright, Labrador to protest the granting of a sports fishing lodge license on the Eagle River to a non-Aboriginal applicant. The LMA had applied to run a Metis Cultural Centre at the same site. Forty-seven Metis are charged with mischief.
- 1996:** The Royal Commission on Aboriginal Peoples recommends that Canada recognize the nationhood of the Labrador Metis and the member bands of the FNI as legitimate Mi'kmaq communities.
- 1996:** The Mushuau Innu (Davis Inlet) Relocation Agreement is signed after a community referendum shows 97 per cent of residents wish to move to Little Sango Pond. Canada promises First Nations equivalency for the Innu of Labrador and the devolution of federal and provincial programs in order to promote the renewal of Innu health, culture, society, and economy.

- 1996:** Conne River submits a revised land claim to the federal government. They are given funding to do more research as Ottawa deems documentation on current use and occupancy inadequate.
- 1997:** Canada-Innu Transfer Agreement is signed. A federal order-in-council authorizes Minister of Indian Affairs and other ministers to treat Innu “as if they were registered Indians living on reserves”; Innu to continuing paying tax, unlike other First Nations; provincial programs, including education, social services, and policing, are exempt from agreement. There is an impasse over jurisdiction and funding responsibility.
- 1997:** Twelve Metis fishers from the south coast of Labrador appear in court on fisheries violations; no Aboriginal rights defense is raised and they are ordered to pay fines between \$250 and \$2,500. Violet Brown’s salmon license is suspended and she is ordered to pay a \$2,500 fine.
- 1998:** The federal Department of Justice recommends rejection of the Labrador Metis land claim.
- 1999:** The mischief charges against Metis stemming from the 1996 Eagle protest are stayed.
- 1999:** Innu submit Formal Request for *Indian Act* Registration and Reserve Creation. INAC Minister Jane Stewart denies existence of a federal offer of registration and reserve creation and refuses to consider it. Innu referendum overwhelmingly supports registration and reserve creation.
- 1999:** Accord between Canada, Newfoundland and the Innu is signed. INAC Minister Robert Nault, Premier Brian Tobin, and Innu Nation President Peter Penashue agree to equivalency without registration and reserve creation; programs and services will be devolved; accord promises “necessary legal arrangements for Innu governance”.
- 1999/2000:** Canada backtracks on Innu registration issue. Indian Affairs Minister Robert Nault states that Canada is not in favour of registration and reserve creation for the Innu as it may reduce Innu motivation to settle land claim.
- 1999:** Canada and the Innu Nation reach an Agreement in Principle on the interim steps necessary for land claim settlement and Innu self-government.
- 2000:** Minister Nault agrees to leave option of Innu registration open but will not consider tax exemption.
- 2001:** Premier Roger Grimes, Indian Affairs Minister Robert Nault, and William Barbour, President of the LIA, sign the Labrador Inuit Land Claims Agreement in Principle.
- 2002:** William Barbour releases details of the ratification process for the Labrador Inuit Constitution, the basis for Inuit self-government.
- 2002:** Innu beginning registering for the implementation of the *Indian Act* in their communities and the creation of reserves. Innu families begin moving from Davis Inlet to Natuashish, which will be an *Indian Act* reserve.

- 2002:** The federal government appoints Marc Lalonde as its representative in exploratory discussions with the FNI concerning access to certain programs and services. The report is expected in the spring of 2003.
- 2002:** The federal government agrees to review new cultural and historical research relating to the Labrador Metis land claim.
- 2002:** The Ktaqamkuk Mi'kmaq Alliance is formed and unites with the Sip'kop Mi'kmaq Band of St. Alban's to initiate legal action against the federal government.

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Appendix 3

Selected Mi'kmaq Placenames on the Island of Newfoundland

Annieopsquotch Mountains: Aniapskwoj, meaning “rocky mountains” (western interior)
Ahwachanjeesh Pond and Brook: “Little Portage” Pond and Brook (interior)
Barachois: Kutapsku’j
Baasque Brook: Paskwe’wa’kik
Bay d’Espoir: Lapite’spe’ (south coast)
Bay Du Nord: Oqwatinipukwek (south coast)
Bay of Islands: Elmastukwek (west coast)
Bishops Falls: Kjipa’tilia’sewey Qapskuk (central Newfoundland)
Black River: Maqteuipskiji’jk (Placentia Bay)
Brazil Lake: Pa’si’lke
Burnt Wood: Qaqtekkiimu’j (Bay d’Espoir)
Burgeon: Najioqonuck (southwest coast)
Cape La Hune: Saqskiitek (southwest coast)
Conne River: Miawpukek (Bay d’Espoir, south coast)
Crooked Lake: Paqju’pe’k
Deer Lake: Qalipue’katik (west coast)
Ebbegunbaeg Lake: Epikim’pe’k, “low ba;y lake” (interior)
English Harbour: Atilasie’we’katik
Exploits River: Sple’tk (central Newfoundland)
Gander Lake: Akilasiye’wa’kik Qospem (central Newfoundland)
Grand Falls: Akilasiye’wa’kik (central Newfoundland)
Grand Lake: Wli Qospem
Great Northern Peninsula: Mekap’sk (northern Newfoundland)
Grey River: Nqanaqanik (south coast)
Humber River: Maqtukwek (west coast)
Indian Point: Ilnue’kwisawey
Island Pond: Minikupe’k
La Poile: Lapwelk (southwest coast)
Long Harbour: Pijipukwek (eastern Placentia Bay)
Long Range Mountains: Mekapisk (west coast)
Loon Pond: Qumo Gopen (Avalon Peninsula, eastern Newfoundland)
Medonnegonix Lake: “village halfway” (interior)
Mollyguaheck: “low growth lake” (interior)
Mount Sylvester: Prnaqtiin

Newfoundland: Ktaqamkuk or Taqamkuk
 Newfoundland, Red Indian Land: Mekwejite'wa'kik
 North Harbour: Wolnap'k (Placentia Bay)
 Piper's Hole: Nogamgiatjit'ik (the Placentia Bay side of the Burin Peninsula)
 Placentia: Pliisanteke (Avalon Peninsula, eastern Newfoundland)
 Port-aux-Basques: Sinalk (southwest coast)
 Podops (or Putops) Lake: "whale" lake
 Pushthrough: Piskwa'taqan'ji'j (south coast)
 Red Indian Lake: Mekwe'jite'wa'kik (interior)
 Red Island: Megoesagtiji'jg (in Placentia Bay)
 Roti Point: Lu'tik (Bay d'Espoir, south coast)
 Sandy Harbour: Nukamkia'ji'jk, may be the same as Piper's Hole (the Burin side of Placentia Bay)
 St. Alban's (Ship Cove): Sip'kop (south coast, Bay d'Espoir)
 St. George's Bay: Nujio'qoniik (west coast)
 St. George's: Nujio'qon (west coast)
 St. George's River: Nujio'qoniik (west coast)
 St. Joseph's Cove: Katalisk Sipu (south coast, Bay d'Espoir)
 St. Pierre (island): Senpir (French island off Newfoundland's Burin Peninsula, south coast)
 St. Pierre (town): Wen'juikjikan
 Terra Nova Lake: Pekwatapaq (eastern interior)
 Trout Brook: Kun'tewi'ji'jk
 Trout River: Atoqwa'sue'katik
 Unama'ki: "place of the fog" (the Gulf of St. Lawrence between Newfoundland and Cape Breton)
 Upper Burgeo Estuary: Twenasik (southwest coast)
 Places names after Mi'kmaq hunters and trappers include Matthew's Pond, Noel Paul's Brook, and Joe Jeddore's Pond.
 (Sources include: Sip'kop Mi'kmaq Band; Wetzel, 1995; Seary, 1971, Hewson, 1978; Jeddore, n.d.. Note that spellings may vary from source to source.)

Appendix 4

Natuashish: How to Build a Community

LOCATION: The 2,000 hectare site near Little Sango Pond on the mainland of Labrador was chosen by the Innu since it was their traditional spring gathering site.

COMMUNITY INVOLVEMENT: Architects and town planners visit Elders in their homes, travel to outpost camps to meet with Innu, and ask students for “a wish list” for their future school. Two Innu English-speakers, Bernadette Piwas and Madeline Rich, are hired to communicate architectural concepts to the community. The band council has the final say on all decisions.

TRAINING: Ninety Innu are trained in electrical wiring, plumbing, and carpentry. One family at a time is trained in furnace and hot water tank maintenance, and the use of washers, dryers, and toilets in one of four model homes.

RESIDENTIAL LOT LAYOUT: Piwas and Rich compile family trees since the community wanted its houses laid out in extended family groups (akin to traditional family tent clusters).

COMMUNITY LAYOUT: Women wanted the business district away from the school so that they’d have a more formal work arrangement, without children interrupting them at work. Elders wanted the health centre near the school in case of accidents, but also away from the business district in a quiet area conducive to healing.

CULTURAL CONTENT: Two rooms in the healing centre are round, with one resembling a sweat lodge. The school resembles an eagle in flight when viewed from above; this is in recognition of the importance of animals to Innu. The community decided that the family of the first person to die in Natuashish will designate the site of the cemetery.

STATE OF THE ART FACILITIES: The students most wanted a long-distance learning centre so the school is wired with high-speed Internet access. Vandalism will be prevented or at least minimized through the inclusion of such materials as cinder block walls, shatterproof light fixtures, and Lexan glazed glass. Homes are insulated to near R2000 standards.

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Appendix 5

Thoughts on the Relocation of the Mushuau Innu

“No one believes baths, toilets and running water are going to wash away the troubles. Our problems will not disappear overnight. For more than 30 years we have been in limbo. We stopped learning.”

Cajetan Rich, director general of the relocation project

“Finally we will be back on the mainland, in the place we used to go when we were young. We will be going home.”

Elder Marie Georgette Mistinapeau

“The first relocation robbed the Mushuau Innu of their life’s purpose. Natuashish is giving them something back – not what was taken away, but this is a step towards a future they can build for themselves.”

Harriet Burdett-Moulton, project architect

(All quotes are from Evans, 2003.)

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