



# Native Council of Nova Scotia

The Self-Governing Authority for Mi'kmaq/Aboriginal Peoples residing Off-Reserve in Nova Scotia throughout traditional Mi'kmaq Territory

## *"Going Forward to a Better Future"*

November 3, 2020

P.O. Box 1320  
Truro, Nova Scotia  
B2N 5N2

Tel: 902-895-1523  
Fax: 1-902-895-0024  
Toll Free: 1-800-565-4372  
chiefaugustine@ncns.ca  
www.ncns.ca

Aboriginal/Treaty Rights  
Negotiations Facilitating  
Directorate

NCNS Citizenship  
Information Office

Education & Student  
Services

Rural & Native  
Housing Group

Aboriginal Peoples  
Training & Employment  
Commission (APTEC)

Netukulimkewel  
Commission

Wenjikwom Housing  
Commission

Social Assistance  
Recipient Support for  
Employment & Training  
(SARSET)

Micmac Language  
Program

Native Social  
Counselling Agency

Child Help Initiative  
Program (CHIP)

E'pit Nuji Ilmuwet  
Program (Prenatal)

Aboriginal Homelessness  
Program

Parenting Journey  
Program

Youth Outreach Program

Mi'Kma'ki Environments  
Resource Developments  
Secretariat (MERDS)

The Right Honourable Justin Trudeau,  
Prime Minister of CANADA  
Ottawa, Ontario  
K1A 0A6

Honourable Prime Minister:

I was born a Mi'kmaq of the Mi'kmaq Nation of people. I am called an Indian as defined by the *Indian Act of Canada*. I am also an Indian within the meaning of Indian under Section 91 (24) of the *Constitution Act of Canada 1982* as declared by the Supreme Court of Canada in *Daniels v. Canada*, SCC April 14, 2016. I am an example of an Aboriginal person living within the federation who has and continues to endure a robust list of disadvantages targeted against me. According to the Federal Government I am not a distinction based Indian. I am now a debased Indian because I do not live in an Indian Act Reserve, rather, I continue to live on my traditional ancestral homeland Mi'Kmaki as a Mi'kmaq.

Many of my brother and sister relations are numbered, some are listed to a band, while others are not accepted by a band and are designated as "General List Indians". Many Indians are corralled onto an Indian Act Reserve, often referred to as a First Nation where some are deemed to deserve "ration support for existence". A support which the government considers as ration support for the impoverished Indian, one of the government of Canada's Indian Act solutions to what the government considers to be the "**Indian Question or Indian Problem**". Governments including the Government of Canada, know the Indian Act is the model for ward ship, indirect rule over Indians where absolutely everything is controlled by Ministers of the Government guided by four objectives.

For the majority of my life from the time I was a toddler, my family and I were considered to be **the forgotten Indian**. Now, according to principle 10 of your government's renewed nation-to-nation relationship promulgated in the policy statement: "*Respecting the Government of Canada's Relationship with Indigenous Peoples*", I have been further disadvantaged to the level of a "**debased Indian**", treated as an Indian without merit, worth, or capacity.

Because the Ministry of Indigenous Affairs considers me to be part of a larger population of ***debased Indians***, administrators do not consider me worthy to be recognized as an heir to pre-confederation Treaties or to be an Aboriginal Rights holder. I am treated and considered by government to be undeserving of respect, co-operation or partnership. My worth as an Indian is denied because I continue on my traditional ancestral homeland. I also remain a ***“collaterally damaged Indian deprived of programs, services, and intangible benefits”*** recognized by all government as needed, yet ignored. I chalk up this denial of my being to the list of robust disadvantages to be endured as a ***debased Indian***.

On September 28, 2020, Premier Stephen McNeil of Nova Scotia apologized for systemic racism in the justice system. He said: “I apologize regardless of a person’s skin colour, culture, or economic background for systemic racism in the justice system”.

Other governments as well as the Government of Canada in the federation did not call out the ***“economic racism”*** nor the ***“terrorist acts”*** by commercial fishermen directed against Mi’Kmaq harvesting in South West Nova. Instead, we witnessed a pointing of fingers and the channeling of several tragic and shameful terrorist acts against Mi’Kmaq to media designed headline optics characterizing the incidents as a conservation feud where ***“Indians are harvesting lobster for a moderate livelihood”***.

In the early 60’s as many governments of the federation with superior attitudes politically played out that they were listening to the *voices of a people and read the submissions and findings reported by a Commission*, the issue remained. A majority of provincial leaders refused to accept the reality or move away from the status quo. The entrenched opposition, not to accept promises, nor to respect the history, nor to honour a federation partners’ desire for official recognition of the French ***language, and different religion, civil law and culture of a people*** within a bi-lingual and bi-cultural federation, set the stage for a long period of devastating consequences,

The lack of vision obscured by gross misunderstanding of the history, and promises together with the absence of any foresight, will, or desire for a better country, created a situation where the federation was almost brought to the brink of dismantle. Save, but for the courage, tenacity and vision of a few political leaders led by a great Prime Minister who articulated to all governments, that if we were to remain a federation, we would have to govern the federation as a ***just society. A just society which would have to meaningfully include: the francophone, women, the disabled, and Aboriginal Peoples*** bound by a repatriated Constitution.

A made in Canada constitution which after years of public discourse was finally repatriated on April 16, 1982. A Constitution of Canada, which included a Charter of Rights and Freedoms, a Section 25 guarantee, a Part II, The Rights of the Aboriginal Peoples of Canada with section 35 (1), (2), (3), and (4), and other unifying sections. In subsequent years, favourable and declaratory Supreme Court of Canada decisions and declarations on the Rights of Aboriginal peoples, some of which have led to apologies for historic wrongs, and two prominent reports, clearly indicated that reconciliation and redress in the relationship with ***“all of Canada’s Aboriginal Peoples is Parliament’s goal”***.

With all due respect to Ministers’ understanding of the situation, and media efforts to somehow characterize the shameful, violent, and destructive actions by Maritime Commercial Fishers to be “a feud between commercial fishers and Indians pressing for a moderate livelihood from the lobster fishery”, in my view that is not the issue at hand. Several Ministers have delegated their responsibility to a ***“Federal Special Representative”*** to communicate with the disputing parties, to build trust and make

recommendations for a positive resolution. That is an abdication of political responsibility and the shirking from the burden to make a decision about the sharing of natural resources which will build a stronger country. The press releases reveal what we all know to be a demonstration of the desire to keep the status quo of systemic economic racism and to keep Indians in perpetual poverty. The acts of terrorism within the federation are now internationally noted and observed. Systemic economic racism and the desire to have Indians live in a state of perpetual poverty is rooted and drawn from the long and sad legacy and history of the government's attempts to ***"get rid of the Indian Question and Indian Problem"*** in the federation of Canada.

***"To know where we are going, we have to look at where we have been"***, words often quoted when a government wants to stop the spread of a fracture within the evolution of a federation of peoples.

The Indian policies of disempowerment, assimilation, attitudes of racial superiority in policies to raise Indians to the moral and intellectual level of the "white" community, and the suppression of Aboriginal culture and values, the forced institutionalization of Aboriginal children to destroy the use of Aboriginal languages, cultures, and spiritual practices, including hundreds of other destructive acts and practices heaved against the once self-sustaining nations of Aboriginal Peoples, have resulted in Aboriginal Nations of Peoples disaggregated, disrupted, and some destroyed.

The dispossession of aboriginal traditional territories, the unlawful expropriation of natural resources from Aboriginal Peoples, the unilateral dismantling of traditional governance replaced by Indian Act band based limited management, and the litany of systemic economic racism and administrative actions maintaining perpetual Indian poverty have taken their toll in the erosion of the political, economic, and social fabric of the 73 Aboriginal Nations of Peoples remaining within the federation.

For too long, the voices of the Aboriginal Peoples have not been heard by the councils of governments, nor have our calls to recognize our rights to lands, natural resources and systems of governance. Our calls for governments to respect our Treaty Rights, Aboriginal Rights and Other Rights, including our rights to maintain and develop our political, economic, and social systems and institutions to secure our own means of development have been ignored for too long by governments. Governments continue to maintain that we do not have the capacity, nor do we warrant merit or have the worth as a people to manage our own political, economic, social, and cultural affairs as nations of Aboriginal Peoples within the federation. The false doctrines, policies, practices demeaning our worth, merit and capacity, fuel public perceptions that Aboriginal Peoples are an inferior peoples within the federation.

The Aboriginal Peoples within the federation have for too long endured the instruments induced by government to perpetuate their superior view of ***"who an Indian is, and where an Indian belongs"***, a view turned into policies which have their genesis in the early 1800's, reiterated, elaborated, and carried forward to this day as the ***"guiding star"*** for Indian Policy.

For too long, and probably in no other sphere of governance has such a continuity or consistency of purpose prevailed, and probably in no other area of governance has there been such marked and undisputable failure to legitimize the overt acts to disaggregate Aboriginal Nations, debase Aboriginal Peoples and corral them onto 633 Indian Act reserves with the goal of keeping them away from their traditional lands and natural resources. In many instance, through overt unilateral government Orders in Council, like the one on March 3<sup>rd</sup> of 1960, the Government of Canada unilaterally abolished the traditional aboriginal governance and leadership of the Mi'kmaq nation in Nova Scotia, and replaced

that traditional governance with eleven Indian Act Band Councils controlled by Ministers of the Government of Canada.

The Indian Act Department has a trunk full of acts of transgressions against the Aboriginal Peoples which acts and administrative policies continue to bring ***“national and international shame and reproach in a world attempting to eradicate racial discrimination”***.

To the litany of failed objectives of the failed guiding star for Indian policy brought forward and applied for almost one hundred and eighty years;

1. ***to protect Indian People from unscrupulous settlers and traders;***
2. ***to civilize Indian people by assimilating them from their nomadic pattern; and;***
3. ***to create an activist role for the Crown as protector of Indians.***

We can now add a fourth to the entrenched three;

4. ***to perpetuate Indian poverty by denying Treaty Rights of access and use of natural resources on their traditional ancestral homeland territories.***

As evidenced by acts of systemic economic racism and recent acts of mob terrorism, fueled by decades of hatred against Aboriginal Peoples and recently Aboriginal Fish Harvesters throughout the Maritimes, including the destruction of property, and just recently, intimidating threats against our Native Council's DFO licensed legal Community Communal Commercial Fisheries captains and deck hands, with taunts from commercial fishers, such as: ***“It's not safe for you to go fishing”***, the situation is escalating.

The acts of terrorism promulgated by non-aboriginal fishers throughout Eastern Canada highlight an elevated level of ***greed*** and a complete ***lack of knowledge about Aboriginal Peoples***. Have Legislators, Parliamentarians and some groups forgotten the intent of years of discourse to write an ***inclusive Constitution of Canada?*** We all agreed in 1982 that we would uphold the honour of the Crown, the rule of Law, respect Aboriginal peoples rights (either justiciated or accepted), and promote respect for the Aboriginal peoples within the federation, including a commitment to promote and advance the equality rights of women, the disabled, and the Francophone People throughout the federation.

The causes for systemic economic racism and the terrorist acts by fishers in Nova Scotia, the Maritimes and Eastern Canada, reveal a sinister intent by some to relegate the Indians to perpetual poverty and maintain systemic economic racism by denying Indians access and use of natural resources. Is this a systemic reality across this federation or is it that of a few? Is it right to deny Aboriginal Peoples of Aboriginal Nations of Peoples access to natural resources which will pull Indians out of the constant state of perpetual poverty induced by the clamouring of the unenlightened or those who may gain benefit by promoting systemic economic racism or keeping the Indian in perpetual poverty?

Please contemplate what you are witnessing through the acts of systemic economic racism, acts of terrorism, acts against Aboriginal Peoples' Constitutional Right to access and use natural resources as they determine best for themselves as a means to climb out of the Indian Act abyss of failed Indian policy objectives. Failed objectives to assimilate or get rid of the Indian viewed as the Indian problem or Indian question. Let us look at the real matter at hand before the federation finds itself in a difficult situation over the subject of natural resource access and use between peoples within the federation.

***Systemic economic racism against Aboriginal People*** must stop. It will take time to reverse the decades of disaggregating the Nations of Aboriginal Peoples and begin to recognise the 73 nations of Aboriginal Peoples who can once again become self sustaining.

***We can and must stop perpetrating perpetual Indian poverty.*** We can begin with all governments acknowledging that Aboriginal Peoples have rights to access natural resources within their traditional ancestral homeland territories and use them for their development as a people.

***Let us examine the activist role of the government as protector of Indians.*** Governments must harness and demonstrate a concerted effort and will to relinquish claims to illegally expropriated Aboriginal lands and natural resources as the first order of business to empower Aboriginal Peoples to resume ownership, management, care and use of natural resources.

***The government of Canada and all governments must stop attempts*** to assimilate, acculturate, debase the merit, worth, and capacity of all Aboriginal Peoples and their Aboriginal Nations of People, and begin to respect and promote the human dignity of ***all Aboriginal Peoples*** throughout the federation.

***All governments and peoples of the federation*** must adopt the “desire to build a stronger country”, and accept the vision that the federation is a pluri national state which includes many diverse peoples and diverse Aboriginal Nations of Peoples on their traditional ancestral homelands with natural resources.

***Let the Aboriginal Nations of Peoples within the federation have access to manage and develop the resources for their economies with the guidance of their traditional governance institutions, elders, and leaders, guiding the manner of ownership, access, manner, and pace of economic development derived from the access and use of resources within their traditional ancestral homeland territories.***

Honourable Prime Minister, the road to acknowledge and eradicate systemic economic racism and end perpetual Indian poverty will be long. On April 16, 1982, the Constitution Act of Canada showed us a way to end systemic economic racism, denial, and terrorist acts. We must stop perpetuating Indian poverty and discontent which fuel the fires of dismantling our federation.

Should all of us in this federation tolerate and bear the burden of national and international shame for actions which remain the legacy of failed Indian Policies crafted almost two hundred years ago onto Aboriginal Peoples continuing throughout traditional ancestral homeland territory within the federation?

Should governments remain timid or guarded over the matter of sharing natural resources or deny the wrongfully expropriated natural resources from Aboriginal Nations of People?

Should governments continue to stand by and allow terrorist acts to hinder the rightful access and use of natural resources by Aboriginal Peoples to end the cycle of systemic economic racism and perpetual Indian poverty?

Can we all hold our heads high with open hearts to end the denial of access to natural resources promised to the Aboriginal Nations now within the federation of the peoples of ***KA NA DA?***

As an elected Aboriginal Peoples’ political leader organized to fight racism and exclusion within the federation, I will continue to speak out against any government debasing my being as a Mi’kmaq. Do

you think that my children should go without or remain impoverished because the government does not have the courage or vision to deal with the urgent matter of addressing systemic economic racism and the culture of perpetuating Indian poverty, and the denial of promised Aboriginal, treaty, and Other protected rights?

Are the actions and assertions by Aboriginal Peoples for access and use of the natural resources within their traditional ancestral homeland territories not worthy of political resolution in partnership with the Aboriginal Nations of Peoples?

We can and must build the promise that is **KA NA DA (a place there)**, the second largest land mass on Mother Earth with a wealth of natural resources within the geographic limits of the country of Canada, which geographic limits in most instances include the traditional ancestral homeland territories of over 73 Aboriginal Nations of Peoples. Governments can and must politically support the access and use of these natural resources by the Aboriginal Peoples and promote to all the peoples within the federation of the peoples of Canada that this support and recognition of Aboriginal Peoples' rights to natural resources is the first step to eradicate decades of systemic economic racism and is the beginning to end perpetual Indian poverty.

We can all live the promise that is our federation in peace, friendship and respect the Constitutional Law within a federation of peoples where all of us as diverse peoples can together adopt the vision and desire to build a stronger inclusive federation **KA NA DA**.

Going Forward To  
A Better Future



Chief Lorraine Augustine

LA:rjh

Cc Her Excellency the Governor General of Canada  
Ministers of the Liberal Cabinet  
Premiers of the Provinces and Territories of the federation  
The Senate of Canada  
Members of the Parliament of Canada  
Selected interests and media.