

Mi'kma'ki: Recognizing the Sovereign Ancestral Territory of the Mi'kmaq Nation

Abstract

This white paper serves to inform residents of the region known today as Atlantic Canada and the Gaspé Peninsula that they reside on the unceded and sovereign ancestral territory of the Mi'kmaq Nation, known as **Mi'kma'ki**. The paper provides essential context on the geography of Mi'kma'ki, the deep history of Mi'kmaq governance, the process of European colonization and British occupation, and the ongoing impacts of these historical events. It asserts the inherent sovereignty and enduring cultural heritage of the Mi'kmaq people, underscoring the legal and ethical imperatives for all current inhabitants and governing bodies to engage in meaningful recognition, respect, and reconciliation. This document is intended for public distribution and educational purposes to foster a more accurate understanding of the land and its people.

1. Introduction

For over 13,000 years, the land that encompasses what is now called Eastern Canada has been the home of the Mi'kmaq Nation [1][2][3]. The Mi'kmaq people developed a sophisticated society organized through a deep spiritual and physical connection to the land, waterways, and natural resources. Their governance structure, the *Sante' Mawio'mi* (Grand Council), guided their social and political life long before European arrival [4][5][6]. Mi'kma'ki, the ancestral territory, was never a vacant land; it was a thriving homeland managed through sustainable practices and profound traditional knowledge.

The arrival of European settlers, and later the concerted colonization efforts by the British Crown, initiated a period of profound disruption. This era was marked by the systematic displacement of Mi'kmaq communities, the unsustainable extraction of resources, and the imposition of foreign legal and governance systems that intentionally disregarded Indigenous sovereignty [7][8][9].

Despite centuries of colonial pressures, the Mi'kmaq Nation never surrendered its rights or title to the land. **Mi'kma'ki remains uncaded territory**. This foundational fact carries significant legal and moral weight today. This paper aims to illuminate this history and reality, providing a framework for understanding the responsibilities of all who now live within the territory.

2. The Geography of Mi'kma'ki

Mi'kma'ki is a vast territory traditionally divided into seven districts, each with its own regional

chief, who in turn would have a representative on the Grand Council [10][11][12]. This structure reflects a decentralized yet unified system of governance deeply tied to the land itself.

The Seven Districts

1. **Unama'kik:** "Land of Fog" (Cape Breton Island, NS)
2. **Eskikewa'kik:** "Skin Dressers' Territory" (Eastern Shore and Halifax area, NS)
3. **Sipekne'katik:** "Wild Potato Area" (Annapolis Valley, Hants, and Colchester counties, NS)
4. **Kespukwitik:** "Land's End" (Yarmouth and Shelburne counties, NS)
5. **Piktukewa'kik:** "The Explosive Place" (Pictou and Antigonish counties, NS, and into PEI)
6. **Epekwitk aq Piktuk:** "Lying in the Water" (Prince Edward Island, with connections to the mainland)
7. **Kespek:** "Last Land" (Gaspé Peninsula, QC, and northern New Brunswick)

Territorial Scope

The entirety of Mi'kma'ki encompasses all of what is now:

- Nova Scotia
- Prince Edward Island
- The Gaspé Peninsula of Quebec
- The northern and eastern portions of New Brunswick
- Parts of the island of Newfoundland
- Historically, areas of northeastern Maine (USA)

Significant Waterways and Lands

The region's geography is defined by its relationship with water. Major rivers like the **Wolastoq** (Saint John River), which marked a shared boundary and use area with the Wolastoqiyik (Maliseet) people, were vital arteries for travel, trade, and sustenance [13][14][15]. The **Bay of Chaleur**, the **Bay of Fundy**, and countless coastal estuaries and marshlands were essential to the Mi'kmaq way of life, providing abundant fish, game, and plant life.

3. Historical Context

Pre-Colonial Governance and Society

Prior to European contact, Mi'kmaq society was highly organized. The **Sante' Mawio'mi** (Grand Council) was the central governing body, comprised of the Grand Chief, a Grand Captain (warlord), and a council of district chiefs [4][5][6]. This government made decisions on a consensus basis regarding territory, trade, and diplomacy. The society was structured around seasonal rounds, moving between coastal areas in the summer for fishing and inland forested areas in the winter for hunting, a practice that ensured the sustainable use of resources [16][17][18].

Treaties, Colonization, and Dispossession

The arrival of the British in the 18th century marked a significant shift. The Mi'kmaq, along with other Wabanaki Confederacy nations, entered into a series of agreements with the British Crown. These are known as the **Peace and Friendship Treaties** (e.g., 1725, 1752, 1760-61) [19][20][21]. Crucially, these treaties were not land-surrender agreements; they did not cede or sell territory. Instead, they were political compacts establishing peace and promising mutual respect for laws and trading rights, while implicitly acknowledging Mi'kmaq title to the land [22][23][24].

Despite these treaties, the British Crown aggressively pursued settlement and resource exploitation. Colonial governments systematically dispossessed the Mi'kmaq of their lands through unnegotiated grants to settlers, the establishment of a reserve system under the **Indian Act of 1876**, and policies designed to force assimilation, such as the residential school system [25][26][27]. These actions were direct violations of the spirit and intent of the treaties.

Cultural Resilience

Throughout this period of immense pressure and violence, the Mi'kmaq Nation demonstrated incredible resilience. They preserved their language (*Mi'kmawisimk*), oral histories, spiritual traditions, and governance structures, often in secret [28][29][30]. This persistence forms the bedrock of the nation's contemporary revitalization and assertion of sovereignty.

4. Legal and Sovereignty Status

Unceded Territory and Treaty Rights

The central legal fact of Mi'kma'ki is that it was **never ceded** to any colonial power. The Peace and Friendship Treaties affirm a relationship between nations but do not transfer ownership of the land [19][22][24]. This means that Mi'kmaq Aboriginal Title—the inherent right to the land based on millennia of occupation and use—has never been extinguished.

This legal reality was famously affirmed by the Supreme Court of Canada in the **1999 R. v. Marshall decision** [31][32][33]. This landmark case confirmed that the 1760-61 treaties guaranteed the Mi'kmaq right to hunt, fish, and gather to earn a "moderate livelihood." The ruling was not a grant of new rights, but a recognition of pre-existing, constitutionally protected treaty rights.

Inherent Sovereignty

The Mi'kmaq Nation maintains its inherent right to self-government. This sovereignty predates Canada and is not granted by any colonial entity. International frameworks, such as the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**, which Canada has adopted, affirm the rights of Indigenous peoples to self-determination, their traditional lands, and their cultural practices [34][35][36]. All residents and governments operating within Mi'kma'ki are therefore on the territory of a sovereign nation, which

necessitates a nation-to-nation relationship based on respect and recognition.

5. Contemporary Recognition and Meaningful Action

Recognizing Mi'kma'ki requires more than a simple statement; it demands concrete and ongoing action from non-Indigenous residents, institutions, and governments.

Residents of Mi'kma'ki are encouraged to:

1. **Acknowledge the Territory:** Begin public events, meetings, and classes with a meaningful land acknowledgement that names the Mi'kmaq as the rightful stewards of the unceded land you are on. Go beyond a script and understand the history behind the words.
2. **Educate Yourself and Others:** Read books by Mi'kmaq authors, take courses on Indigenous history, and explore the resources provided by Mi'kmaq organizations. Challenge colonial narratives in your family, workplace, and community.
3. **Support Indigenous Governance and Economy:** Support Mi'kmaq-led initiatives, businesses, and conservation efforts. Advocate for government policies that respect treaty rights and promote Mi'kmaq self-determination, including the return of land.
4. **Promote Land Stewardship:** Learn from Mi'kmaq principles of *Netukulimk*—the use of natural resources for the well-being of the community without compromising the environment for future generations [37][38][39]. Support Indigenous-led environmental protection and co-management initiatives.

6. Conclusion

All residents of the region known as Atlantic Canada—whether in New Brunswick, Nova Scotia, Prince Edward Island, or adjacent areas—live on the unceded, sovereign territory of the Mi'kmaq Nation. This is a fundamental, indisputable fact of history and law. Recognizing Mi'kma'ki is not a symbolic gesture; it is a necessary first step toward dismantling colonial structures and building a future based on justice, truth, and mutual respect. It is a call to honour the treaties, uphold Indigenous rights, and redefine our collective relationship with the land and its first peoples. Reconciliation cannot begin without this truth.

7. References

- [1] Nova Scotia Museum. (n.d.). *Mi'kma'ki: The Mi'kmaq Ancestral Territory*. Retrieved from <https://museum.novascotia.ca/mikmaqs/mikmaki-mikmaq-ancestral-territory>
- [2] Parks Canada. (2022). *The Mi'kmaq*. Retrieved from <https://www.pc.gc.ca/en/lhn-nhs/ns/kejimikujik/culture/mikmaq>
- [3] Augustine, S. (2013). *Living in a Mi'kmaw world*. Canadian Museum of History. Retrieved from https://www.historymuseum.ca/cmc/exhibitions/archeo/paleo/p_logane1.html
- [4] Mi'kmawey Debert Cultural Centre. (n.d.). *The Grand Council*. Retrieved from <https://www.mikmaweydebert.ca/sharing-our-stories/the-grand-council/>
- [5] Paul, D. N. (2006). *We Were Not the Savages: Collision Between European and Native American Civilizations*. Fernwood Publishing.
- [6] The Canadian Encyclopedia. (2018). *Mi'kmaq*. Retrieved from

<https://www.thecanadianencyclopedia.ca/en/article/mikmaq>

- [7] Union of Nova Scotia Mi'kmaq. (n.d.). *History*. Retrieved from <https://unsm.org/history>
- [8] Indigenous Peoples Atlas of Canada. (2018). *Mi'kma'ki*. Canadian Geographic. Retrieved from <https://indigenouspeoplesatlasofcanada.ca/article/mikmaki/>
- [9] Battiste, M. (2013). *Decolonizing Education: Nourishing the Learning Spirit*. UBC Press.
- [10] Mi'kmaq Rights Initiative. (n.d.). *Mi'kma'ki Map*. Retrieved from <http://mikmaqrighits.com/negotiations/mikmaki-map/>
- [11] Cape Breton University. (n.d.). *Mi'kma'ki*. Retrieved from <https://www.cbu.ca/indigenous-affairs/mikmaki/>
- [12] Treaty Education Nova Scotia. (n.d.). *Mi'kmaq Territory*. Retrieved from <https://novascotia.ca/treaty-education/>
- [13] Wolastoqey Nation in New Brunswick. (n.d.). *Our Story*. Retrieved from <https://wolastoqey.ca/our-story/>
- [14] GeoNB. (n.d.). *Wolastoq*. Retrieved from <https://www.gnb.ca/geonb/>
- [15] Wherry, J. D. (1981). *The Sesquicentennial of the Maliseet-Micmac Land Dispute*. Journal of the New Brunswick Museum.
- [16] Native Council of Nova Scotia. (n.d.). *Our History & Culture*. Retrieved from <https://ncns.ca/our-culture-and-history/>
- [17] McMillan, A. D., & Yellowhorn, E. (2004). *First Peoples in Canada: A New Perspective*. Douglas & McIntyre.
- [18] Davis, S. A. (1997). *Mi'kmaq & Maliseet Cultural Ancestry*. Nimbus Publishing.
- [19] Indigenous and Northern Affairs Canada. (2010). *The Peace and Friendship Treaties*. Retrieved from <https://www.rcaanc-cirnac.gc.ca/eng/1352227142426/1535458085420>
- [20] The Canadian Encyclopedia. (2019). *Peace and Friendship Treaties*. Retrieved from <https://www.thecanadianencyclopedia.ca/en/article/peace-and-friendship-treaties>
- [21] Wicken, W. C. (2002). *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Jr.* University of Toronto Press.
- [22] Calloway, C. G. (2008). *The Scratch of a Pen: 1763 and the Transformation of North America*. Oxford University Press.
- [23] Upton, L. F. S. (1979). *Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713-1867*. UBC Press.
- [24] Assembly of First Nations. (n.d.). *Treaties*. Retrieved from <https://www.afn.ca/policy-sectors/treaties/>
- [25] Government of Canada. (2021). *The Indian Act*. Retrieved from <https://www.rcaanc-cirnac.gc.ca/eng/1100100010782/1534874052322>
- [26] Truth and Reconciliation Commission of Canada. (2015). *Honouring the Truth, Reconciling for the Future: Summary of the Final Report*. Retrieved from <https://nctr.ca/records/reports/>
- [27] Palmater, P. (2011). *Beyond Blood: Rethinking Indigenous Identity*. Purich Publishing.
- [28] Mi'gma'wei Mawio'ni Secretariat. (n.d.). *Language & Culture*. Retrieved from <https://mms-secretariat.ca/language-culture/>
- [29] Battiste, M. (1986). *Mi'kmaq Linguistic and Cultural Affiliations*. Dalhousie University.
- [30] The Resilience Research Centre. (n.d.). *Indigenous Peoples and Resilience*. Retrieved from <https://resilienceresearch.org/our-work/indigenous-peoples-and-resilience/>

- [31] Supreme Court of Canada. (1999). *R. v. Marshall*, [1999] 3 S.C.R. 456. Retrieved from <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1739/index.do>
- [32] Mi'kmaq Rights Initiative. (n.d.). *The Marshall Decision*. Retrieved from <http://mikmaqrights.com/the-marshall-decision/>
- [33] Cape Breton University. (n.d.). *The Marshall Decision - 20 Years Later*. Retrieved from <https://www.cbu.ca/indigenous-affairs/unamaki-college/the-marshall-decision-20-years-later/>
- [34] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*. Retrieved from <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>
- [35] Department of Justice Canada. (2021). *United Nations Declaration on the Rights of Indigenous Peoples Act*. Retrieved from <https://www.justice.gc.ca/eng/declaration/index.html>
- [36] Amnesty International. (n.d.). *The UN Declaration on the Rights of Indigenous Peoples in Canada*. Retrieved from <https://www.amnesty.ca/our-work/issues/indigenous-peoples/the-un-declaration-on-the-rights-of-indigenous-peoples-in-canada/>
- [37] Unama'ki Institute of Natural Resources. (n.d.). *Netukulimk*. Retrieved from <https://www.uinr.ca/netukulimk/>
- [38] Iwama, M., et al. (2009). *The concept of Netukulimk in the context of Indigenous fisheries management*. Canadian Journal of Native Studies.
- [39] Johnson, D. (2018). *Connecting to the Land: A Mi'kmaw Perspective*. Fernwood Publishing.

Related Additional Readings

- **Book:** *First Fish, First People: Salmon Tales of the North Pacific Rim* by Judith Roche and Meg McHutchison. While focused on the Pacific, it provides excellent context on the cultural significance of fishing rights to Indigenous peoples.
- **Website:** *Native-Land.ca*. An interactive map resource to see the traditional territories of Indigenous peoples across the globe.
- **Report:** *Truth and Reconciliation Commission of Canada: Calls to Action*. A foundational document for understanding the framework of reconciliation in Canada.
- **Book:** *The Inconvenient Indian: A Curious Account of Native People in North America* by Thomas King. Provides a sharp, witty, and deeply insightful overview of Indigenous-settler relations.
- **Website:** *Wolastoqey Nation in New Brunswick* (<https://wolastoqey.ca/>). To learn more about the Mi'kmaq's neighbours and allies, with whom they share territory and history.