

ANISHINABEK NATION

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ENGAGING ANISHINABEK NATIONS IN HERITAGE AND BURIALS ISSUES: A Gdoo-Gnawenmaanaanag Gdaankoobjignag Virtual Gathering



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ENGAGEMENT OVERVIEW

Introduction

On March 29, 2022, Gdoo-gnawenmaanaanag gdaankoobjignag, the Anishinabek Nation Heritage and Burials Program (Program) held a virtual Zoom gathering with its communities. The purpose of the gathering was to explore the priorities of the First Nations, what concerns they had, what opportunities exist, and to use this to seek direction for the Program with particular focus on engagement. Presentations were planned as items for consideration and further thought, with a traditional teaching planned at the top of the agenda.

Three presentations were planned. Laurie Leclair was to deliver a presentation on updates directly associated with the program and discuss what we had heard from our communities with regards to direction for advocacy. Archaeologist Paul Racher gave an overview of his work with First Nations, noting challenges and successes and Stephanie Rogers, a citizen and former employee of Aamjiwnaang First Nation, gave an overview of the work she completed noting her perspectives. A traditional teaching was also planned to be delivered by Tony DePerry, of Netmizaaggaamig Nishinaabeg. It is important to begin discussions of this kind with traditional teachings in order to have some common understandings and context in addition to discussing things in a good way.

BACKGROUND AND CONTEXT

Background

Despite the gathering being held via the virtual Zoom platform, challenges due to COVID-19 persisted for the planning team. While Elder Tony DePerry was unable to attend to deliver his traditional teaching, a general talk was given from the perspectives of the Ngo Dwe Waangizid Anishinaabe, as a guiding set of traditional principles, being developed by the Anishinabek Nation Getzidjig or Elders Nation Building Council.

The gathering opened with a talk on the Ngo Dwe Waangizid Anishinaabe, the preamble to the Anishinaabe Chi-Naaknigewin, which is the Constitution of the Anishinabek Nation. Anishinaabe Chi-Naaknigewin means the Great Law of the Anishinabek and it forms the foundation of a traditional governance system. Ngo Dwe Waangizid Anishinaabe means One Anishinaabe Family. The reciting of the preamble is an organizational directive and required of all staff who host meetings on behalf of the Anishinabek Nation Secretariat. The wisdom brought by the Ngo Dwe Waangizid Anishinaabe has direct relevance to heritage and burials initiatives, since it encompasses the sacred obligations we have to our earth and ancestors, and also the sovereignty to govern ourselves to achieve these obligations.

While the previous engagement focused on the provincial policy paper, *Standards and Guidelines for Consultant Archaeologists (2011)*, many themes surfaced during that discussion that could be applied to future direction for the Anishinabek Nation Heritage and Burials Program. This previous engagement yielded an excellent lead-in discussion, as it produced many avenues that began to branch out into other areas of focus.

PRESENTATIONS AND DISCUSSION

What We Heard: Program Initiatives, Dialogue and Direction

Over the years, the Anishinabek Nation has undertaken an archaeology awareness strategy that included the development of resources for communities to consider as they work through archaeology initiatives and processes, such as protecting sacred sites, and returning ancestors and sacred items home.

The resource, *A Toolkit for Understanding Aboriginal Heritage & Burials Rights & Issues* (Toolkit) was developed to assist communities in putting policy and legislation into plain language in a way that is easier for communities to understand.

The successive resource, *First Nation Responses to Repatriation and Sacred Sites*, designed as a companion to the Toolkit, added context through interviews with key Anishinabek Nation resource people, such as chiefs, policy technicians and Elders.

Finally the resource, *Community Heritage & Burials Consultation Protocol Template* (Protocol Template) demonstrated the potential for communities to approach archaeological initiatives and processes proactively. As the natural third step, it moves beyond the simple acknowledgement of archaeological policy and law and understanding the impacts they have on their communities to encouraging reflection and planning to taking steps to self-determination. Engagements on the Protocol Template also encouraged the sharing of resources and expertise among Anishinabek Nations.

One repetitive theme that was heard throughout the engagements was respect and honour for our ancestors as a core value. This drove other priorities such as “decolonizing our history”, an idea to correct inaccuracies in narratives regarding First Nation history and way of life and reflect Indigenous culture, language and the revision of terminology from “collections” and “remains” to “ancestors” and “grandfathers”, as examples. Other priorities also became apparent such as the insistence of in-depth involvement with the discovery of sacred sites or ancestors including the stewardship of ancestors and sacred items for protection and proper traditional care.

Having Elders as a key element in the process ensures the respect and honour for ancestors and sacred items with the necessary ceremonies being conducted in the

traditional language and the community's fulsome understanding of the traditional significance.

Finally, the last main theme was the assertion of jurisdiction. Community development of their own protocols, policies and laws along with the fulsome and meaningful involvement and representation in provincial archaeological processes, policy and law was affirmed. Occupying the field with Indigenous representation was identified as a key method.

Working with First Nations on Policy and Regulation

This presentation profiled the early work of Paul Racher where an ossuary had been discovered during the development of a curling arena in Midland as one of the earliest recollections of his working with Indigenous people in the 1980's.

During the course of this project, an Indigenous woman approached him with an emotional plea to which confusion was the initial response. The typical process was to excavate, box up the remains, catalogue them and have them shipped to a facility. The confusion and lack of options soon produced an Indigenous circle or committee to oversee the work. It is because of this woman that those ancestors were treated with respect and honoured, not because it was the normal process.

In another experience profiled, it was noted that the project appeared to have been a success, judging from the lack of controversy and media attention. In this example, the apparent success had more to do with the extraordinary lengths that the Indigenous community went to in order to ensure their wishes were respected rather than the accommodation of policy and the availability of resources or options to them.

The problems with the current system stem from the federal Indian Act, as a forced system of governance that placed constraints upon those communities it applied to. The result is a system that was never designed with the intention to accommodate or allow for the meaningful engagement of Indigenous people, only to acculturate. This kind of ad hoc is not the best approach as it relies on the availability, interest and resourcefulness of the Indigenous advocates. Such committees tend to have the one project as a goal

which, when complete, disbands the members with virtually no possibility of maintaining a functional memory from the experience for the next project.

It was noted that the 2-year election cycle enforced under the Indian Act destabilizes a First Nation's political leadership, creating confusion, loss of corporate memory and direction when undertaking an archaeological project.

Another inherent problem with the current system is that with the First Nation's lack of capacity and the Crown holding the resourcing, it also maintains the ultimate authority over any projects undertaken on behalf of the community.

Lastly, the archaeological sector functions on work, meaning that the archaeologist only gets paid to dig, not consult. This also presents a challenge when working with First Nations and works against even the most well-meaning of archaeologist when building relationships.

Gagwe-minotoon Iwe Zhiwaagamizigan wezhitooyin: Community Perspectives

The truth is being revealed through media coverage of the discovery of Residential Schools burial sites. We are better informed of our history with chances improved of changing our bleak situation. Canada has only recently committed to implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Laws will need to be brought into harmony with UNDRIP. Bill 76 (2019) would have ensured that UNDRIP had force in Ontario law but did not proceed after being referred to the Standing Committee on General Government following second reading. Currently, archaeologists doing their job must adhere to the Heritage Act and Standards and Guidelines for Consultant Archaeologists which commonly brings them into conflict with First Nations.

Particularly, in the last 20 years, there has been an international mobilization to change how archaeology and anthropology is impacting colonized populations. Entire faculties of decolonizing and Indigenous archaeology have been established at universities around the world where scholars write articles and theses that we have no real knowledge of that could help us.

As an example, in 2006, Anthropology Department Professor at Amhurst University Dr. Sonya Atalay wrote *Indigenous Archaeology as a Decolonizing Practice* where she set out a vision of how to decolonize archaeology. She envisioned a heart-centered practice of recovering, investigating and incorporating Indigenous knowledge, experience and cultural practices in changing design, process, and the implementation of archaeological results.

We will not get where we need to be by “tinkering” with current policy and legislation. Gagwe-minotoon Iwe Zhiwaagamizigan wezhitooyin, try and make good syrup. Get organized, collect the sap, chop the wood, feed the fire and boil it all down for what feels like a very long time to finally get the sweet stuff you want. The task in undertaking Anishinaabe Ode’imin (heart berry or strawberry) Archaeology requires:

1. Extensive research to create new and renewed Anishinabek knowledge by building on what we know to be true from our oral history. Creating our own Anishinabek truth in rebuilding our heritage to breathe new life into our culture, language and way of life for thriving and living in today’s world as Anishinabek;
2. Us to conduct extensive community education; and
3. Sincere Dodemaag, or Clan System structured community engagement.

In 1997 the Blue Water Bridge Authority proposed a site disposition agreement with Aamjiwnaang First Nation regarding a burial ground that was recently discovered at the base of the Blue Water Bridge and the surrounding plaza upon surveying for a second bridge between Canada and the United States. Research revealed that this was particularly significant site.

Close on the heels of the Dudley George incident, and as a relative of Dudley, Ms. Rogers understood that this must be handled with great care and respect for Aamjiwnaang First Nation. She decided that it was not up to an individual to enter into a site disposition agreement on behalf of the First Nation, but rather that this is the work of the people. The community would not consent to removal. After convening an ad hoc committee of Elders, Knowledge Keepers and other spiritual leaders.

Direction was sought through ceremony to avoid another occupation and possible bloodshed. Through partnership with archaeologists and other groups, they learned of archaeological practice, policy and law, including the Native American Graves Protection and Repatriation Act (NAGPRA). Together with the overseeing archaeologists, they determined the best way forward using this knowledge. In the end, a mutually beneficial site disposition agreement was negotiated that ensured as little disruption to the site as possible.

In contrast to her first story, Stephanie recounted a time when she reviewed a report that documented a situation where the ancestors unknowingly collected in soil samples of a particular site still remained at the offices of Timmins-Martell Heritage Consultants, the rest are in a provincially licensed cemetery on private property. There has been no response to requests for engagement. This is the brick wall that more commonly experienced and is the most difficult to overcome. If initial communication cannot be established, there is no possibility of collaboration.

CONCLUSIONS

Presentation Conclusions

Parallels were apparent in both Paul and Stephanie's case study projects. These stories underscore the need for good working relationships to achieve a favorable outcome.

Partnerships with both the Midland and Bluewater Bridge site are examples of an understanding being achieved on both sides. The non-Indigenous archaeologists learned of the customs and traditions of the First Nations, and why they were asking for the things that they did and most importantly, their rights. The First Nations learned of the policy, laws and processes, but not as uncompromising, rigid rules. They were also shown how they could use policy and laws to uphold their rights and achieve what they were seeking. During the telling of her story, Stephanie provided a stark contrast in comparison to the Camp Ipperwash incident, as a worst case scenario. In her final story, she described receiving no reply to requests for engagement, which defeats any possibility of collaboration. This unfortunately is the more common scenario.

In both Paul and Stephanie's stories, the most important element is the will to get things done together to arrive at mutually beneficial end. The common, most tragic outcome about these cases is that due to the ad hoc nature of the way things had to be accomplished, the individuals involved went their separate ways following the completion of the project, leaving one questioning if any of their experience or knowledge was shared or documented for future benefit. In the case of the Bluewater Bridge, the entirely ad hoc approach did provide a foundation for the new methodology for Anishinaabe Ode'immin Archaeology as a practice.

FURTHER READING

E-Books for Further Reading

Supernant, K. Baxter, J.E. Lyons, N. Atalay, S. *Archaeologies of the Heart*. E-book, Springer, 2020 https://www.uvic.ca/socialsciences/anthropology/assets/docs/news-events/archaeologies-of-the-heart-2020_full-volume-003.pdf

Anishinabek Nation *Treaties Matter*. E-book, Union of Ontario Indians <https://www.anishinabek.ca/wp-content/uploads/2016/06/Treaties-Matter-Understanding-lpperwash.pdf>

Anishinabek Nation *The Soul Wounds of the Anishinabek People*. E-book, Union of Ontario Indians <https://www.anishinabek.ca/wp-content/uploads/2016/07/Soul-Wounds-Booklet.pdf>