



A Circle of All Nations Facebook Post on the 1999 Marshall Supreme Court Ruling and the East Coast Fisheries Crisis.



Donald Marshall Junior and William Commanda, Halifax – photo Romola V. Thumbadoo

Excerpt from our October 19, 2020 Facebook post regarding the Marshall Supreme Court Ruling and the East Coast Fisheries Crisis.

The following post resurfaced via the Facebook algorithms on October 21, 2021, and I remembered that just a couple of weeks ago, September 17, 2021, I had listened in on a webinar at St. Francis Xavier University hosted by Dr. L. Jane McMillan, PhD, Professor Department of Anthropology on the Marshall Ruling and state of Fisheries in Nova Scotia. It was entitled “Learning Lodge on Livelihood Marshall Decision”. She herself was also a plaintiff in the case. What stayed with me was the despair of the Mi'kmaq leadership about the ongoing struggle to negotiate a "modest living" called for by the ruling over 22 years ago. In this time of supposed "National Reconciliation", it is hard to understand how we can live with ourselves and hold our heads up in the context of so many unresolved Indigenous Justice issues. It is obvious the resolution won't come from government - citizens at large, the rich and the poor, and especially the rich, need to weigh in. It is the only way we can transform our society.

October 19, 2020 Facebook Post:

CAN SOMEONE PLEASE HELP ME THINK THE EAST COAST FISHERIES CRISIS OUT? I surely did not get much further ahead trying to understand things this evening with Power and Politics or Evan Solomon.

Amidst the COVID global pandemic, climate change, environmental crises, massive projected loss or transfiguration of ocean life right down to zooplankton; amidst the Truth and Reconciliation wake up and, the continuing slaughter of Indigenous Women; amidst the October 12 Columbus Day reminder of our colonial roots and burden; amidst all of this, we now have the MARSHALL legacy literally flaring at the same moment the WE controversy re-presents. Ironically, on his September 13 2020 birthday Circle of All Nations did a commemorative video on him, highlighting his Passion for Youth; a week later his sons and nephew were in the boats at Digby, Nova Scotia.

I scan the press coverage and the one voice I see “getting” a bit of the picture appears to be the Minister of Indigenous Issues, Mark Miller - he sees the way the Mi’qmaq people are being treated is a national disgrace and with pain and shame says he does not recognize this face of Canada (<https://www.cbc.ca/player/play/1808529475810...>); NDP leader Jagmeet Singh discusses domestic terrorism; I remembered the face of Canada from the Oka days - Late Mohawk Elder Bill Brant had given us the 2000 documentary of Mohawks being attacked on the bridge in Montreal in - Rocks at Whiskey Trench –NFB. Do you know how frightened the children, women, men and elders were then? Can you imagine how it might feel to see uncontrollable hatred looking out at you? How it must feel to be marginalized and alienated in your own home? I was working for Secretary of State Department in Saskatchewan then - daily we watched after this first national wake up of Indigenous Peoples; Native People from across the country went to OKA, (this includes William Commanda and Donald Marshall Senior; by the way I am also remembering William Commanda sent money to support the Mohawks in OKA and later in Caledonia in these land based struggles). OKA and other justice crises OBLIGED legislative change in Canada, with the First Nations Policing and Aboriginal Justice Strategy policies; Donald Marshall Junior’s name is associated with both; not for nothing have I said for years he is the most significant historical figure of our times.

But over a quarter of a century, nothing has changed fundamentally really for Indigenous Peoples in the criminal justice system or with respect to fundamental rights.

Sometimes I think I am roaming around alone in another "think world". This weekend, after weeks of unrest and strife and violence, the threat, we actually have had the burning of the First Nations lobster fishery and this is good for no one - ironically, even the “bad guy” had it back *fire* on him; the union leader is apparently trapped between extreme voices amongst the same commercial fishermen who voted him in, and reasonable discussions with some native voices (including the chief’s), while his family is now experiencing racism and intimidation from the “white folk”(<https://www.cbc.ca/.../n-s-fishermen-s-union-head-quits...>); the RCMP from the community are intimidated by the “mob mentality” such that the Chief thought the Army needed to be called

in to maintain peace (what a shift from OKA); it appears that a handful of folk with big boats are holding ALL at ransom and stirring up strife, racism, violence and, yes, shame.

As for government, well the premier, no matter how well meaning he might be with his negotiation strategy, does not get it that this is a nation to nation issue; and just what is the federal government doing but letting nastiness flare up again - once out of the box, it is difficult to pack certain things away again; beyond Oka and the Justice Inquiries, have we not also had Gustafson Lake, Ipperwash, Haida, Chief Spence's 2012 Hunger Strike on Victoria Island and more? Have we not had quite a few years since the Confederation of 1867, when, as William Commanda says it in his documentaries, the "mannequins divided my country without my permission", gave the provinces my grand natural resources and put us in residential schools, and left us to deal with the challenges presented to us by our colonial history. But even the media can't see the picture for what it is.

All this is happening, despite the science that notes that (the comparably miniscule) Mi'qMaq fishing will not impact lobster stocks and conservation whatsoever ... and despite the law.

SO I THOUGHT THIS ONE THROUGH in the context of William Commanda's historical words about the equitable sharing of the THREE FIGURE WAMPUM BELT, and decided to reconfigure things beyond the legal parameters of "the moderate living" legal ruling.

So these are the rough figures I googled and approximated; there are under a million people in Nova Scotia (979,000); and about 50,000 are "Aboriginal" - that is about 5.7 percent of the population (Over 51,000 Nova Scotians identify as Aboriginal, making up 5.7 per cent of the population (<https://atlantic.ctvnews.ca/nova-scotia-s-indigenous...>)); not all Nova Scotians and not all First Peoples are fishing; the commercial fishermen have 400,000 lobster traps and the Mi'qMaq 350 to maybe 500 lobster traps max; if one calculated proportionately, then the Mi'qMaq should have at least 20,000 - 25,000 lobster traps; if one wanted to count on reserve First Nations even more conservatively, still the disproportion is apparent.

SO WHAT EXACTLY IS THE PROBLEM that needs to bring us to this state of affairs?

Sure, these are anxious times for all, but surely we have to also use our heads. The world of economic development is no longer what it was; all the world over, we have exploited natural resources to the near breaking point and we surely all need to look deeply into what might sustain us all into the future. Nature is warning us that the mindless commodification of life will cost us. Check out the documentary *Blue* and see how commercial fishing satellite mapping and mechanical nets are wiping out entire schools and generations of fish and depleting the oceans. Donald Marshall's people used to eat eel; EEL triggered the Marshall Decision; Eel has been depleted almost to point of extinction. If anybody should be eating lobster now, it should be people for whom the food from the natural world meant life. Lobster is telling us something.

Pray we move back to the spirit of the Sharing Three Figure Wampum Belt and let Donald Marshall's tremendous sacrifice lead us beyond the baffle gab, pettiness, limitations and injustice of the present moment and aspire collectively for something more worthy of us all as Canadians.

Circle of All Nations will host a live video Donald Marshall Junior and his bridge building work on our facebook page before October 31 - watch out for details and JOIN US for another lens into his story and help us animate his larger legacy of hope.

PS. I shall be posting other Blogs about the *Circle of All Nations* relationship with Donald Marshall Junior. At this time, may I refer you to the *Circle of All Nations* live video on our YouTube Channel October 31, 2020: Donald Marshall Junior: October 2020 Fisheries Crisis, Tribute and Hope

https://www.youtube.com/watch?v=g8e0cBTUcSw&list=PL2MfFD9VMJOUAH05Zmhr7yk0Xft3_Olz1&index=2