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# Elitekey; The Artistic Production of Mi'kmaq Women

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## Résumé

**A** la suite d'une discussion sur la production contemporaine de l'artiste mi'kmaq Teresa Marshall (née en 1962), cet article établit des rapports entre le travail de Marshall et les arts traditionnels de la fibre produits par les femmes mi'kmaq. Je soutiens que l'artiste continue la tradition de l'*elitekey*, laquelle, en langue mi'kmaq, renvoie à la fabrication d'objets associés au sacré et au bien-être de la communauté – un processus de production qui a été historiquement lié au monde des contes et à la dissémination d'informations culturelles spécifiques. L'article propose aussi que le travail de Marshall est politiquement engagé et s'efforce de récupérer une certaine histoire de la colonisation, histoire qui s'est retrouvée en grande partie occultée dans les pratiques artistiques dominantes. De la même manière l'auteur défend deux propositions théoriques : d'abord, qu'il faut élargir les paradigmes constitutifs de

sens afin de s'assurer que l'artiste trouve sa place à l'intérieur du discours artistique. Ensuite, que dans le cas spécifique de la production artistique des Premières Nations, on doit considérer l'objet selon la possibilité pour les femmes autochtones d'occuper les positions de sujet, au moment précis de sa production.

Pour mieux saisir la manière dont les pratiques artistiques autochtones contemporaines ont dû fonctionner malgré les limites structurales imposées aux Premières Nations, cet article a puisé dans les Actes Indiens et l'histoire de la colonisation au Canada. Les arts de la fibre produits par les femmes mi'kmaq aux dix-huitième et dix-neuvième siècles (connus maintenant mondialement et se trouvant dans tous les grands musées du monde), sont présentés dans cet essai comme des preuves matérielles de l'histoire de la colonisation et comprises comme symbiotiquement liées aux pratiques artistiques contemporaines d'artistes telle que Teresa Marshall.

**F**ibre arts produced by Mi'kmaq women during the eighteenth and nineteenth centuries are world-renowned and constitute some of the most spectacular holdings of major museums such as The Smithsonian Institution in Washington, D.C., the British Museum in London and the Musée de l'homme in Paris.<sup>1</sup> They consist of intricately woven birchbark objects adorned with delicate quillwork designs, embroidery of fine moosehair, splendid floral beadwork, and appliqué on elaborate traditional garments (figs. 1 and 2). These pieces have been composed as collectibles within a particular historical purview and have been encoded through a colonizing perspective. Surrounded by a history that constructs Canada as a just society, these objects are revered and their production is romanticized, but the actual experience of the colonized Native woman artist is for the most part rendered invisible.

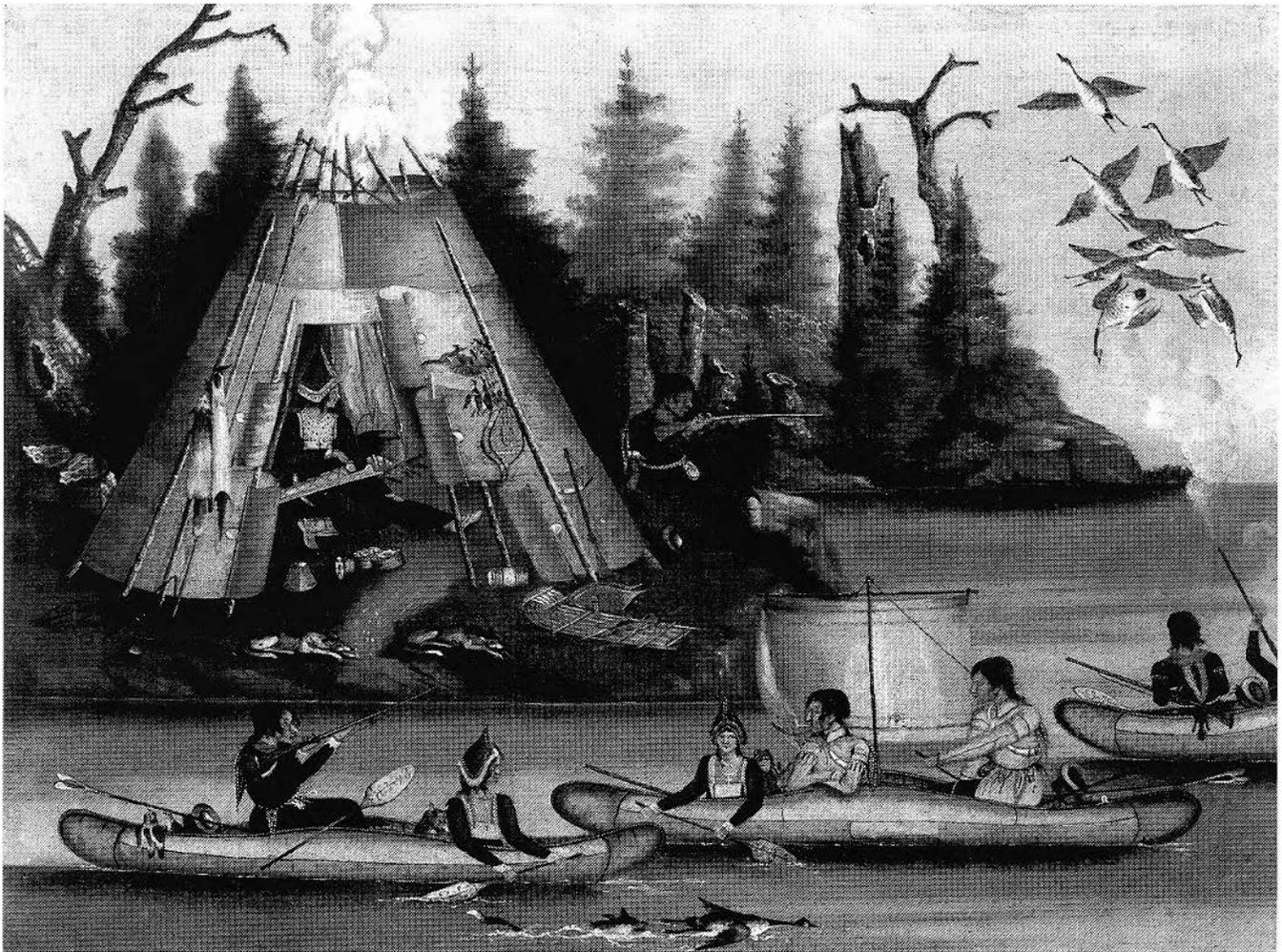
My intention is to link a particular history – that of the Native woman as a colonized subject – to the artistic production of Mi'kmaq women, and to suggest that the work of contemporary Mi'kmaq artist Teresa Marshall (b. 1962) is symbiotically tied to the historic fibre arts of her ancestors. I posit that Marshall continues the tradition of *elitekey*, which in Mi'kmaq refers to the the making of objects associated with the sacred and with the well-being of the community – a process of production which historically has been linked to story-telling and the dissemination of culturally specific information. I maintain that Marshall engages in the retrieval of a particular history of colonization that is for the most part erased in mainstream representational practices. Accordingly, I argue here for two theoretical points: first, a broadening of constructionist para-

digms of meaning in order to ensure that the artist *does* have agency within the discourse of art – in other words, a return to a measure of intentionist methodology; second (in distinction to the intention of this special issue of *RACAR*, which aims to avoid a perpetuation of woman as “victim”), in the case of First Nations artistic production, the object must be considered within the availability of subject positions which in turn help describe the process of production. Thus, the issue of victimization for First Nations women must be addressed so as not to efface the historic context, which is essential to political change and human rights in Canada.

While Marshall's voice is mediated by my position as author of this text, I have endeavoured to present her story in keeping with her particular history as a Mi'kmaq woman. I have acquired knowledge of this history through the stories of others and through conversations with First Nations artists such as Teresa Marshall. These accounts are supported by my research in Native history and through extensive examination of the social and economic effects of colonial practices in Canada, in particular the Indian Acts.<sup>2</sup> I consider contemporary artistic production such as Marshall's to be politically engaged, and my reading of her work is informed by this knowledge.

A subtext in this essay is the relationship between the concept of the “woman as producer” and the “woman produced,” the subject of this special issue of *RACAR*. Against a humanist concept of the subject as fixed and unified, theories of the subject upon which I draw (feminist, poststructuralist and postcolonial) consider society and culture to be determining factors in the construction of individual identity. The subject is

Figure 1. Anonymous, *Micmac Indians*, ca. 1850. Oil on canvas, 45.7 x 61.0 cm. Ottawa, National Gallery of Canada. Examples of Mi'kmaq objects are depicted in this historic painting. These include birchbark boxes, appliqué garments, jewellery, embroidered peaked caps, etc. (Photo: National Gallery of Canada, Ottawa, Ontario).



seen as tentatively and precariously constituted in discourses of the social, where it is both determined by and regulated through power, yet is capable of undermining that power and hence creating new subject positions.

Feminist interventions within the dominant discourses of art have enabled the shared histories of mainstream women to be acknowledged and celebrated. However, until recently Native women have not had equal access to mainstream epistemological frameworks, which are substantial tools for molding meaning and value. For First Nations women – twice “othered,” first as Native people and second as women – exclusion from the largely textual structure of Western knowledge has meant that personal and community experience of the world has historically been understood through oral communication. This raises a particular history, which intervenes in the seamless version of mainstream truth and its effects.

Since the 1960s contemporary Native artistic practices have been directly engaged with the structural limits imposed

on First Peoples through broken treaties, unjust colonial practices and discriminatory legislation. The role of Native artists in telling the history of colonization has been up-front, in-the-face, and significant. Indeed, it is through the work of aboriginal performers, visual artists, video artists, writers, curators and historians that the history of colonization has been presented and the claims for justice supported. For First Nations women, whose disempowerment was acutely connected to legislation directed by the state against them as women, this history is particularly relevant, its trace effects reverberating into the twenty-first century. Control of the reproductive woman was one of the key strategies toward effacing the political and economic power of Native people. According to Section Six, Article Three, of the 1869 Enfranchisement Act, any Indian woman marrying other than an Indian ceased being an Indian in law; and Article Four added that the children of such marriages could not be considered as Indians in law. Article Two, Item Twelve, of the Indian Act of 1876 stated that the term “person”

Figure 2. Christianne Morris, Mi'kmaq quillwork cradle, ca. 1850-1886. Bridgewater, Nova Scotia, DesBrisay Museum collection (Photo: Courtesy of the History Collection, Nova Scotia Museum, Halifax, Nova Scotia).



meant an individual other than an Indian. Thus, Indians were non-persons in law, and women less than non-persons; if the latter married non-Native men, they lost their identity and rights as Indians, and their children in law, referred to as half-breeds, had no rights under the Act.<sup>3</sup> Since the Indian Act gave men sole ownership of property through *certificates of possession*, women had no housing rights or recourse through the law. Because Indian status was determined in the Act by a patrilineal system, women who married non-status men lost their status and even with a subsequent divorce or after being widowed could not regain it. These women also lost band membership and so rights to property, inheritance, residency, burial, medical, educational and voting rights on the reserve.<sup>4</sup> What was at stake politically and economically for colonizing governments was the imperative to diminish the power of Native communities, thus facilitating treaty closures and the take-over of land for development.<sup>5</sup> The issue was reducing the number of Indians who had to be negotiated with over the ownership and use of the land.

After the War of 1812, British colonizers no longer needed aboriginal people as allies, or as guides to the geography, foods and herbs of the land. With the fur trade now obsolete, their value to an imperialist, colonizing state rapidly decreased, and aboriginal people were no longer considered equal partners in war and trade, but obstacles to the settlement of Canada. Elimination of the “Indian problem” was one of the colony’s foremost concerns throughout the nineteenth century. Beginning with “an Act to encourage the gradual Civilization of the Indian

Tribes” (1857), followed by the Enfranchisement Act (1869) and the infamous Indian Act of 1876, the Indian Affairs Department was given the power to invade, control and regulate every aspect of Native life, including curbing constitutional and citizenship rights in the paternalistic guise of Indian protection.

What has historically been described under the rubric of “assimilation” masked the political strategies devised to erase First Peoples as equal citizens of the nation. The rhetoric of survival of the “civilized” over the “primitive” veils the dynamics of cross-cultural interchange – a site from which Native people could have emerged as equal partners in a new nation-state, except for laws devised precisely to ensure they did not have equality as citizens of Canada. It is notable that since 1951 when some of the more restrictive features of the Indian Act were rescinded and Native people could

organize politically without fear of legal prosecution, Native people have made extraordinary headway in the lobby for full citizenship.

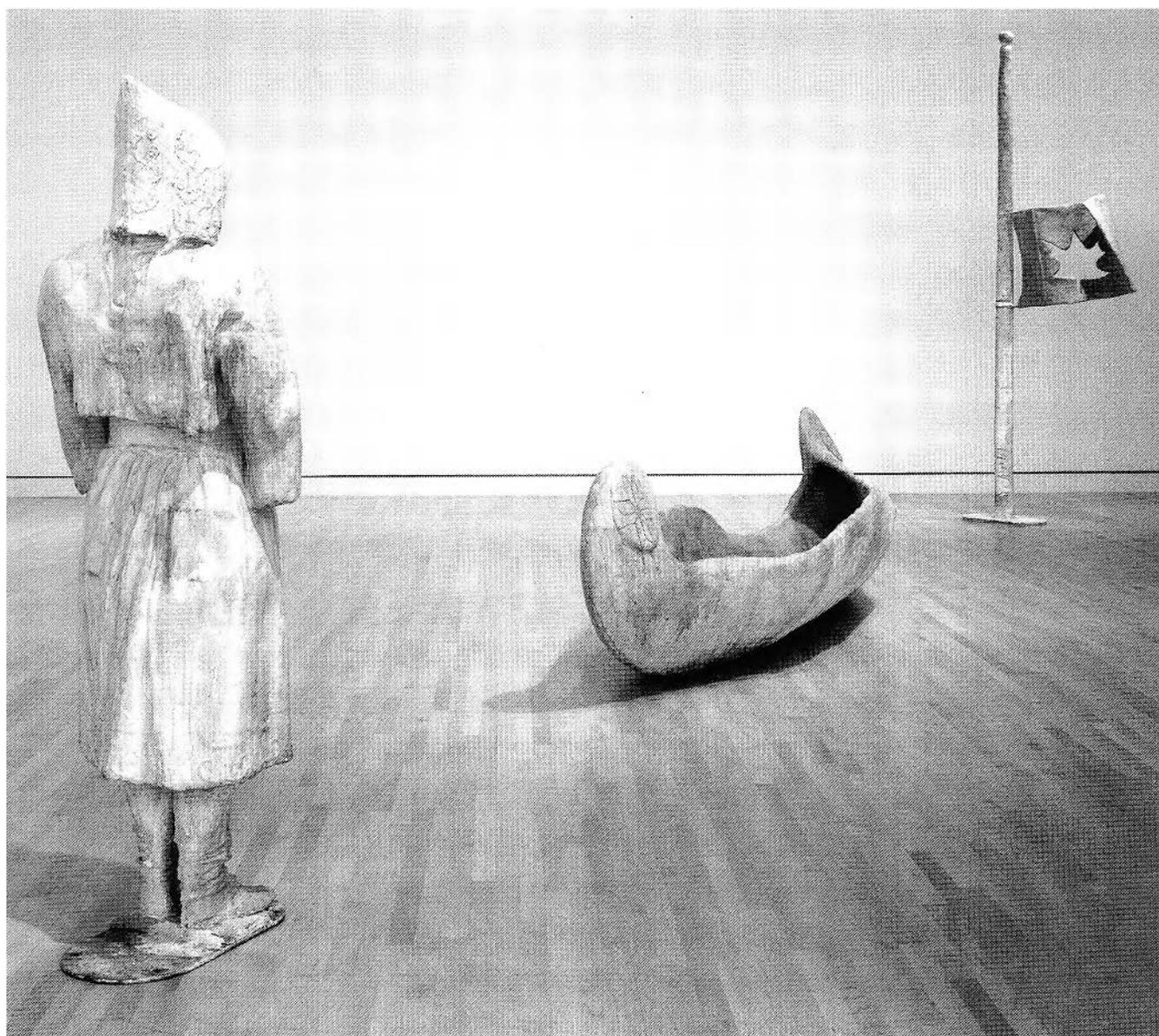
Teresa Marshall

Teresa Marshall is part of the third generation of contemporary First Nations artists in Canada – a generation born for the most part after 1960, educated in mainstream art schools and now successfully working in the art world. Though not a child of residential school experience or of reserve life (other than during the summer), Marshall is a Mi'kmaq woman, the daughter of a Mi'kmaq mother, the granddaughter of Mi'kmaq grandparents, and the history of Mi'kmaq people is her heritage.

In 1990 Marshall constructed *Elitekey* (fig. 3), which was featured in the ground-breaking exhibition *Land, Spirit, Power* (1992) organized by the National Gallery of Canada. This work is composed of three life-sized cement sculptural components washed in pale ochre: a female figure (named Eta Joe by her Mi'kmaq community) dressed in traditional Mi'kmaq clothing stands near a canoe (identifiable as Mi'kmaq by the curved, raised sides), facing an empty Canadian Flag (with the maple leaf cut out). For Marshall, this void “serves as an icon of oppression, assimilation, injustice, and racism that intends to deny First Nations people the inherent right to self-identity and human rights.”<sup>6</sup>

Marshall made *Elitekey* during the summer of the Oka crisis (1990) and affirms that it reflects her despair. During the

Figure 3. Teresa Marshall, *Elitekey*, 1990. Installation at the National Gallery of Canada, pigment on cement: Mi'kmaq canoe, 88.5 x 98 x 375 cm. Eta Joe (Mi'kmaq figure), 184 x 63 x 61 cm. Canadian flag, 325 x 113 x 26 cm. Installation dimensions variable. In the collection of the artist (Photo: National Gallery of Canada, Ottawa. Courtesy of Teresa Marshall).



construction of the pieces, she describes what was most important for her:

Gathering, gathering stories, fragments of stories, excerpts of text, and collecting remembrances of our past and immediate social existence. *Elitekey* in Micmac means, I fashion things, these are the things that I make, the things that my people, my ancestors make. ...<sup>7</sup>

Marshall emphasizes the role of oral history in Native culture, and she links these stories to the significance of Mi'kmaq material culture. The clothed body is important here. The clothing is

particular: it replicates her grandmother's traditional clothing and provides a valuable site for reading race and gender issues within colonizing parameters. For the marginalized Native woman subject, the figure of Woman/Body delineated by Western terms of sexual difference does not encapsulate the place of the body under threat of physical and cultural extinction. As Emberley has written,

In working towards a critical articulation between feminist and de-colonialist struggles, feminist theories continue to be predicated upon the metaphorical figure of Woman/Body or its coded metonym "sexual difference." As a (pre)liminary

Figure 4. Anonymous, *Micmac Woman*, thought to be Christianne Morris, 19th century. Pastel over a photographically generated image on wove paper. Saint John, New Brunswick, Webster Canadiana Collection. The image depicts Morris in traditional clothing which was much in demand by private collectors and museums (Photo: Courtesy of the New Brunswick Museum, Saint John, New Brunswick).



moment bordering the centrality of sexual difference in postcolonial feminist modes of social, political, and cultural analysis, the thresholds of gendered colonial difference mark the critical limits for further deconstructive materialist feminist investigations.<sup>8</sup>

Beyond the key signifier of skin pigmentation, it is through clothing difference that the marginalized and colonized female subject was historically identified (fig. 4); in the case of Native women, historical clothing and its construction are readable in terms of cultural survival and simultaneously problematical in terms of cultural appropriation. To be civilized meant *not* to be

the exotic, noble, savage “other.” It meant erasing all signs of that identity – and clothes were understood to be one of the ways in which to eliminate the Native other body. For Mi'kmaq people, clothes were a site of colonization; they represented the contradictory scene of reverence and distaste shown towards First Peoples in the nineteenth century; they were prized objects worth collecting and protecting as artifacts, while the skin and bones of the real bodies within were left to starvation and disease. However, this site of colonization was also the place of cultural and economic survival. On one hand, since Indian clothing was much in demand by non-Native people, its production provided an income; while, on the other hand, these garments were seen as a marker of ethnic identity and status within Native communities. As Ruth Phillips has pointed out:

We know that elaborate costume was a highly important form of aesthetic and symbolic expression among Woodlands Indians that has retained its importance into this century. ... To Indians they were signs of specific ethnic identity as well as the well-being that was traditionally expressed through the wearing of fine clothing. To the consumer the specificity of the costume motifs was satisfyingly exotic and picturesque.<sup>9</sup>

Initially related to the survival of the wearer, garments were made with care and attention to details of construction. References to particular symbols and animals were painted, appliquéd or embroidered onto the surface in the belief that they provided spiritual protection. For Mi'kmaq women, this role was understood as central to the survival of the community, initially protecting the hunter in a hunting-gathering economy, and after colonization, *elitekey* provided the primary means of subsistence for Mi'kmaq people. In spite of the Enfranchisement Act of 1869 in which a Native woman's autonomy was subsumed under the legal jurisdiction of her husband, it was through the economic sub-culture of her craft that First Peoples survived. Throughout the nineteenth century a forced colonial farming economy and restrictions on traditional hunting and

fishing, together with rampant European diseases such as tuberculosis, forced Mi'kmaq people into a diminished subsistence where the only means of survival was to roam from place to place, selling baskets and other fibre arts created primarily by women.

### Meta Sage

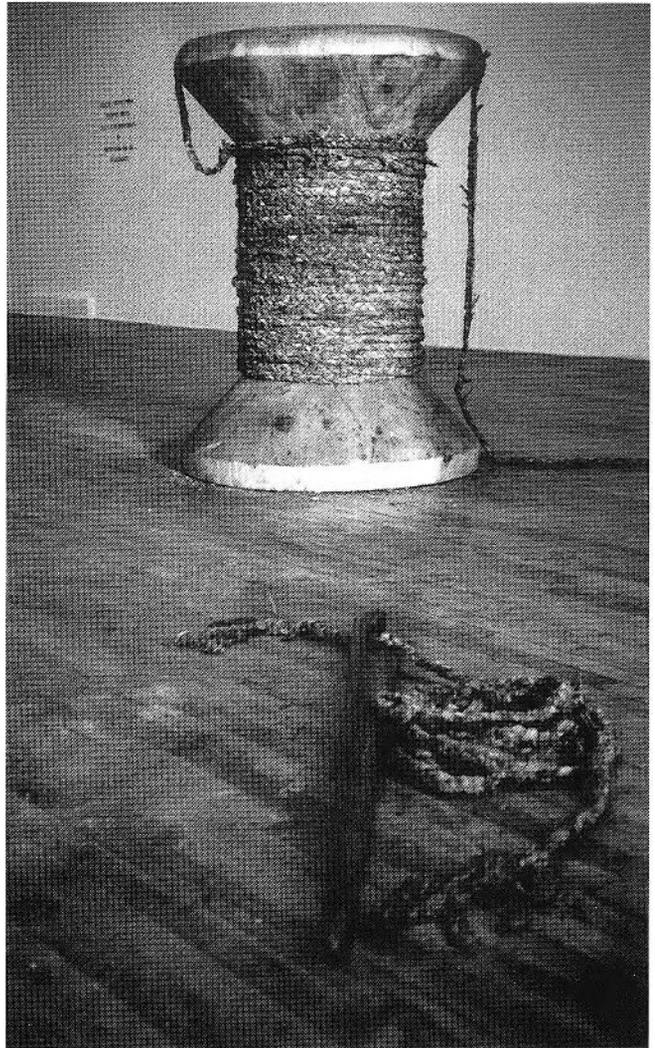
In 1995 Teresa Marshall sculpted *Meta Sage* (fig. 5), which consists of a surrealistically oversized thread spool approximately four feet high, carved from three pieces of yellow cedar and wrapped with a thick braid of fragrant tobacco, a traditional gift to the gods. Four stone needles (three feet long) were carved from black granite, red sandstone, white marble and yellow limestone; these are arranged in a circle around the spool of tobacco. Marshall speaks of the work as an offering for the ancestors. It is a "prayer spool," composed in the shape of ancient medicine wheels and referencing a legend which describes the migration of different people to Mi'kmaq territory.<sup>10</sup>

In *Meta Sage* the tactile, textural and aromatic wood, tobacco and stone represent over-scaled objects of women's daily labour. It suggests the sharing experience of work and speech among women and evokes memories of busy hands, and of the setting in which the intricate arts of traditional sewing, weaving, embroidery and quillwork were carried out. I think of these women working and talking, of their stories told and retold – from grandmother to mother to daughter and sister – of histories and skills intertwined and thoughtfully, carefully and personally taught. However, it was more than the teaching of technique that took place; here was the site of the stories, herstories and histories, transmitted from generation to generation – and a significant part of that history is the direct legislative assault on Native women, whose subject position was strictly determined by law to ensure disempowerment, poverty, loss of children, community, land, wealth, language, religion and culture.

### Bering Strait Jacket

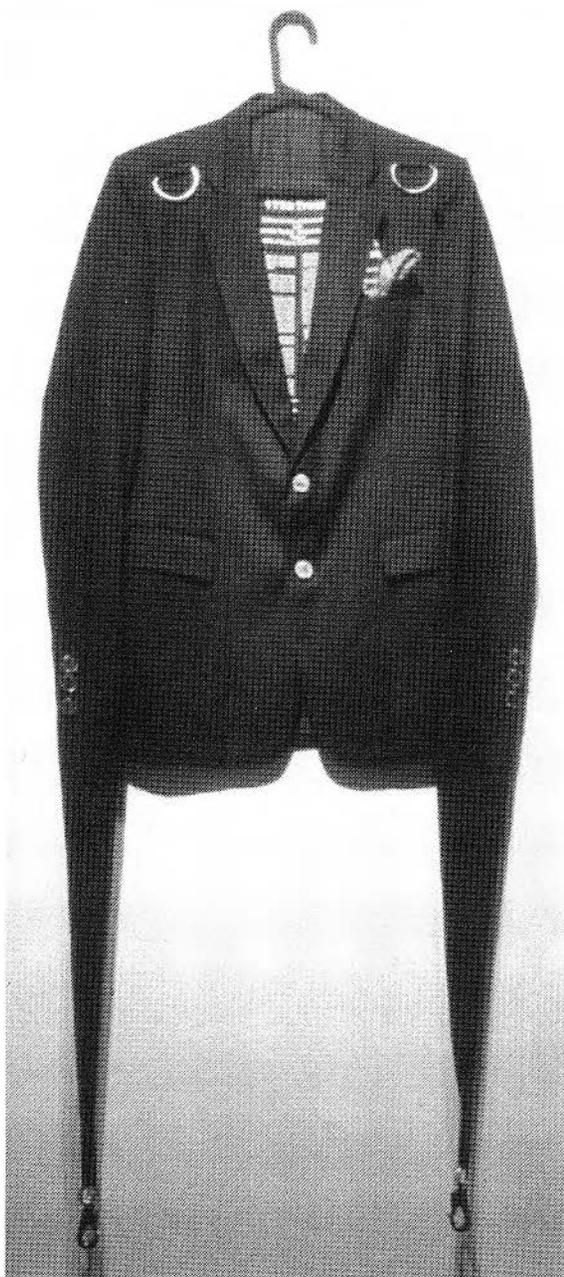
In 1993 Marshall made the *Bering Strait Jacket*, a size forty-two, dark blue, pin-striped suit-jacket, the sleeves of which have been unnaturally extended and tapered into restraining buckles like those of a strait-jacket (fig. 6). Printed on the silk lining is a section of the 1752 Indian Treaty. The history of that treaty is significant. In 1749, the present-day city of Halifax was founded on Mi'kmaq territory without Mi'kmaq consent, prompting a formal declaration of war. Colonists and soldiers were commanded to kill any Indian people they saw. Three years later, in 1752, the Mi'kmaqs signed a peace treaty, and over two centuries later Marshall used that treaty to line this suit. Even after

Figure 5. Teresa Marshall, *Meta Sage*, 1995. Multimedia installation, Montreal, Quebec. Galerie Optica: wood, stone and tobacco. Installation dimensions variable. In the collection of the artist (Photo: Sandra Alföldy. Courtesy of Teresa Marshall).



France ceded Acadia to Great Britain, Mi'kmaq life continued with relatively few changes. But this stability could only last as long as Nova Scotia was on the periphery of the British Empire. Once settlers began to arrive in large numbers in the 1780s, government interests were aimed at expanding the Empire into what was viewed as a vast, unpeopled wilderness. The Mi'kmaq way of life was totally disrupted at this time, particularly by farming settlements along riverbanks.<sup>11</sup> Mi'kmaq people could no longer support themselves by fishing, hunting and trading, and were subjected to numerous restrictions on their daily lives. The title of the *Bering Strait Jacket* additionally references the role the dominant culture played in determining every aspect of Native life in Canada. The perpetuation of the Bering Strait theory, which argues that Native people came to Canada via the Bering Strait some 15,000 years ago, is contradictory to the oral history of many aboriginal nations, which

Figure 6. Teresa Marshall, *Bering Strait Jacket*, 1993. Fibre construction, size 42, dark blue, pin-striped suit jacket. In the collection of the artist (Photo: Courtesy of Teresa Marshall).



teach a totally different migration pattern. The significance of this Jacket is that it evokes a particular history of domination; yet it also describes the resilient powers of Mi'kmaq women to survive through *elitekey*.

Marshall's jacket is reminiscent of residential school clothing, and of the bureaucratic suits that represented negative authority to First Peoples. It is also a reminder of the military coats handed out yearly as "presents" by Europeans to their

Indian allies. The effort to retain some semblance of traditional culture is evident in the elaborate adornment of these military garments, transforming them into clothing meaningful to Mi'kmaq people. Women lavished the garments with beads, embroidery and appliqué. One such greatcoat, featured in *The Spirit Sings* exhibition (1988), preserves the shape of an animal hide with forepaws and neck. It was taken to Australia in 1851, where it is now in the collection of the Museum of Victoria, in Melbourne.<sup>12</sup>

Significantly, as the desire for exotic beaded and embroidered clothing of Native peoples increased, the actual clothing of aboriginal people in Canada became impoverished of details of wealth, status and well-being. By the second half of the nineteenth century, benevolent colonialists, while purchasing Mi'kmaq clothing as prized artifact and exotica, found it necessary to appeal for clothing for Indian people in order to produce a fictional costume suitable for the visit of the Prince of Wales in 1860:

An Appeal for the Indians: The Committee for procuring Subscriptions and managing the affairs of the Indians in the Reception of the Prince of Wales, beg to solicit the contributions of Nova Scotians. The Indians are entirely destitute of suitable National costume, and without the means to purchase material to make it. ... The Committee have, however, to thank the liberality of that portion of the community already appealed to. ... The Indian encampments have been visited, ... [and] a certain portion of them provided with cloths, beads, &c ... The Chief [Jacques-Pierre Peminuit Paul] of the tribe is now here awaiting the Prince's arrival and endeavouring through the committee to clothe as many of his men as means can be provided for.<sup>13</sup>

Chief Paul's older brother had written to Queen Victoria some twenty years earlier (25 January 1841):

My people are in trouble. I have seen upwards of a Thousand Moons. When I was young I had plenty: now I am old, poor and sickly too. My people are poor. No hunting grounds – No Beaver – No Otter – no nothing. Indians poor – poor for ever. No Store – no Chest – no Clothes. All these Woods once ours. Our Fathers possessed them all. Now we cannot cut a Tree to warm our Wigwam in Winter unless the White Man please.<sup>14</sup>

Seven years later, in 1848 Abraham Gesner confirmed this in the *Legislative Assembly of Nova Scotia Journals*:

Almost the whole Micmac population are now vagrants, who wander from place to place, door to door, seeking alms

... They are clad in filthy rags. Necessity often compels them to consume putrid and unwholesome food. The offal of the slaughterhouse is their portion ... in winter, at places where they are not permitted to cut wood, they suffer from the cold ... In almost every encampment are seen the crippled, the deaf, and blind. ... During my inquiries into the actual state of these people in June last, I found four orphan children who were unable to rise for the want of food.<sup>15</sup>

With the traditional way of life so disrupted, there were few ways in which Native people could live. Through *elitekey* Mi'kmaq women ensured the survival of their families by fashioning beautiful aesthetic objects for sale to the colonial consumer. These objects, in large part in museum collections around the world, are material evidence which attests to colonizing practices and so become an essential component in the struggle for change in Canada.

In 1951 many restrictions were removed from the Indian Act. As a result Native people could speak their own languages, practice their own religions and organize politically without fear of prosecution. By 1960 Indian people were given the right to vote in Canada. Yet as late as 1973 the Supreme Court of Canada ruled that the Indian Act was exempt from the Canadian Bill of Rights.<sup>16</sup> In 1981 the United Nations Human Rights Committee ruled that Canada was in breach of the International Covenant on Civil and Political Rights, and four years later (June 1985), after intense lobbying on the part of Native women and with the support of women's advocacy groups, Bill C-31 was passed. This Bill was designed to remove the discriminatory sanctions of the 1869 Enfranchisement Act and the 1876 Indian Act as well as the negative elements of Bill C-79 (1951). In reality what it meant was that the federal government dumped the issue of Indian women's rights into the laps of individual bands, where it is still being disputed on a case-by-case basis.

In spite of the discriminatory features of the Indian Act, First Nations women have worked together to lobby for political change and in more private ways have been witnesses to a particular history of Canada which is largely hidden or erased. *Elitekey* continued throughout the twentieth century to be a system of artistic production linked to oral history and to the survival of the Mi'kmaq community.

In the *Montreal Gazette* of 5 September 1996 an article appeared with a photograph of a diminutive 97-year-old woman wearing the traditional peaked cap and clothing of Mi'kmaq people. The article read:

Cataracts have blurred her eyesight, and she can't hear very well any more. She weighs just 98 pounds, and seems frailer since a bout of pneumonia last spring.

Yet Rosalie Narvie is happier and sharper than many people half her age. Yesterday was her 97th birthday and thanks to her adoptive family and the generosity of a woman she had never met before, her secret wish came true.

For the first time in her life, she was wearing the ceremonial costume of her Micmac ancestors.

"This is my best outfit," she said, fingering the beadwork on the traditional vest and peaked cap, made especially for her by Pauline Loft, a Mohawk craftswoman from Kahnawake. ...

Rosalie Narvie was born in New Carlisle on the Gaspé coast in 1899. When she married a non-Indian she was obliged to leave her community. Narvie moved to Montreal in 1938, and worked at numerous different jobs to support herself and her young son. ...

Loft first learned traditional beadwork from elders in Kahnawake. As a young woman, she was married to a Micmac man and lived amongst his people in Eskasino, N.S., for nine years. ... Loft said she has personal reasons for going to so much trouble. "When I was making it, it was as if something spiritual happened. I never did this before, to make a whole outfit for someone I didn't know.

I did it for her, but I also did it for my Micmac friends. When I was there, I had a friend, an 82 year old woman. I used to carry her on my back to go salmon fishing, and we would stop and make tea in the woods. Her name was Carolin Gabriel. ... She died and I didn't even know it. ... So when I was making this, I kept thinking of Carolin." ...

Although her eyesight is too weak to see how beautiful she looked in the costume, Narvie could feel the texture of the wool, ribbon and beads.

"I'm very thankful and proud (she said) I'm smiling all the time."<sup>17</sup>

#### Acknowledgement

I thank Brian Foss, Janice Helland and Rhonda Meier for reading this essay and for their comments and recommendations. In particular I am grateful to Teresa Marshall who has provided insightful perspectives on her work which have been invaluable to this article.

#### Notes

- 1 For more information on Mi'kmaq holdings in major collections outside Canada, see H.F. McGee, Jr., *Inventory of Micmac Material Culture Outside Canada* (n.d.) as cited in Ruth Holmes Whitehead, *Micmac Quillwork* (Halifax, 1983), 230.
- 2 For a useful overview of the Indian Acts, see Sharon Helen Venne,

- Indian Acts and Amendments; 1868-1975, An Indexed Collection* (Saskatchewan, Native Law Centre, 1981).
- 3 Kathleen Jamieson, "Sex Discrimination and the Indian Act" in *Arduous Journey: Canadian Indians and Decolonization*, ed. J. Rick Ponting (Toronto, 1986), 112-36.
  - 4 Joyce Green, "Sexual Equality and Indian Government: An Analysis of Bill C-31 Amendments to the Indian Act," *Native Studies Review*, 1, no. 2 (1985), 81-95; *re* Sandra Lovelace, United Nations Human Rights Commission 6-50 M 215-51 CANA. Lovelace charged that Canada was in violation of sections of the Covenants of Civil and Political Rights, and Economic, Social and Cultural Rights, insofar as Section 12(1)(b) discriminated against her as an Indian woman. The Commission held that Canada had violated Section 27 of the Covenant on Civil and Political Rights, in that she was denied the right, in community with other members of her ethnic and religious group, to enjoy her culture, profess and practice her religion, and use her language.
  - 5 Olive Patricia Dickason, "First Numbered Treaties, Police, and the Indian Act," in her *Canada's First Nations: A History of Founding Peoples from Earliest Times* (Toronto, 1992).
  - 6 Diana Nemiroff, Robert Houle and Charlotte Townsend-Gault, eds, *Land, Spirit, Power: First Nations at the National Gallery of Canada*, exh. cat., Ottawa, National Gallery of Canada (Ottawa, 1992), 197.
  - 7 Diana Nemiroff interview with Teresa Marshall, in Nemiroff et al., *Land, Spirit, Power*, 196-203.
  - 8 Julia V. Emberley, *Thresholds of Difference: Feminist Critique, Native Women's Writings, Postcolonial Theory* (Toronto, 1993), xx.
  - 9 Ruth B. Phillips, "Glimpses of Eden: Iconographic Themes in Huron Pictorial Tourist Art," *Native American Studies*; V, no. 2 (1991), 19-28, esp. 26.
  - 10 Conversation with Teresa Marshall, 23 July 1996.
  - 11 The Native Council of Nova Scotia, *Mi'kmaq Fisheries, Netukulimk* (Truro, 1994).
  - 12 *The Spirit Sings: Artistic Traditions of Canada's First Peoples*, exh. cat., Calgary, Glenbow Museum (Toronto, 1987), 45.
  - 13 Ruth Holmes Whitehead, "A Brief Glimpse of Micmac Life: Objects from the McCord Collection" in *Wrapped in the Colours of the Earth: Cultural Heritage of the First Nations*, exh. cat., Montreal, McCord Museum of Canadian History (Montreal, 1992), 79.
  - 14 Louis-Benjamin Peminuit Paul to Queen Victoria, received by the Colonial Office, London, England, 25 January 1841. Colonial Office Archives (217/179, ff406-8, London).
  - 15 Abraham Gesner, in *Legislative Assembly of Nova Scotia Journals*. 1848, Appendix 24:119.
  - 16 Attorney-General v. Lavell and Isaac v. Bedard, SCC [1974] S.C.R. 1349, 1978 38 D.L.R. (3d) 481; 23 C.N.R.S. 197; 11 R.F.L. 333. Lavell and Bedard challenged section 12 (1)(b) of the Indian Act R.S.C. 1960, as offensive to the Canadian Bill of Rights, S.C. 1960. In a split decision upholding the Indian Act, the court held that equality under the law meant equal application of law. Since all Indian women marrying non-status persons were dealt with via 12(1)(b), the section was seen as not discriminatory.
  - 17 Peggy Curran, "A gift of a lifetime," *Montreal Gazette*, 5 September 1996, A3.