

**Tobique First Nation, NB May 2015**

**Wulustuk Times**

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**Wulustuk Times** Each month we gather and publish the latest, most current and relevant native information for our readers. Proceeding with this concept, we feel that a well informed person is better able to see, relate with, and assess a situation more accurately when equipped with the right tools. Our aim is to provide you with the precise tools and the best information possible

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## **MALISEET TALKING CIRCLE, A PLACE FOR PEACE, HARMONY AND REFLECTION**

**p.paul, TFN, NB**

The Talking Circle is a traditional instrument for dealing with the things that interfere with the normal everyday concerns of a person or their community whether the concern is trivial or serious in nature. The Circle may be applied safely and confidentially to resolve conflicts, misconceptions, disagreements or deeper problems.

It can be taken as both, an opening or a closing of a door, depending on the individual's circumstances or the objective in mind.

A Talking Circle is a place of comfort, wisdom, security and redress. It is where people come in search for new directions, abandoning the old, making amends, righting the wrongs and establishing new pathways for tomorrow.

It is a sacred place that is usually directed by a Circle leader, (Nikonee Gloswen) a mentor or a person of distinct nature and attachment to the spirit realm who intervenes and directs the flow of collective energies in the Circle.

The Talking Circle consists of a number of people, ranging from a few to around twenty for the best results, gathered together in a circular formation to share ideas, hopes, dreams, cares and energies in total unity and in a sacred connection to one another.

It is also a place where individuals come to seek help, support, healing, comfort, warmth and understanding for any particular distress, discomfort or instability they may have, or has been with them for some time.

The Circle is a protective shield of honesty, trust and comfort. Confidentiality:

The material brought to the Circle is usually private, personal and/or confidential. As a general rule therefore, all material heard in the Circle stays in the Circle, unless a waiver or consent has been rendered beforehand.

## **UPDATED: SUPREME COURT OF CANADA RULES IN FAVOUR OF B.C. FIRST NATION ON ABORIGINAL TITLE**

### **CKNW News Staff**

The Supreme Court of Canada has ruled unanimously in favour of B.C.'s Tsilhqot'in Nation in a landmark case of aboriginal title.

It paves the way for First Nations to get title over large areas of land historically used for hunting and fishing.

The ruling is the top court's first on aboriginal title and will apply to unresolved land claims.

This could create problems for major projects lined up to go through aboriginal lands, like Enbridge's Northern Gateway pipeline.

The court also found that B.C. breached its duty to consult owed to the Tsilhqot'in.

The root of this battle was a fight against forest development decades ago.

Thrilled with the ruling, Chief Roger William of the Tsilhqot'in Nation describes how he will explain its significance to children in his community: "You are recognized. You have aboriginal title. You as a First Nation can make decisions from your history based on your history."

He says the ruling doesn't mean economic development planned for aboriginal land is going to stop altogether, but there will be changes and period of transition.

"They'll be greater partnership. They'll be more coming from our people – what we are willing to do and how we are going to do it and how it's going to happen."

Williams says they now have more time to put together plans to address land use for mining and logging projects.

B.C.'s Attorney General, Suzanne Anton, called today's decision "significant and helpful" but was vague about how so, even though the government was well aware the ruling was coming.

"We're taking time to read this decision and to analyze it, in terms of the legal issues. What I can tell you from the province's point of view is our very strong commitment to continuing to work with first nations.

As for treaty negotiations, Anton would only say they will continue.

## **NATIVE ELDERS AND SPIRITUALITY DENIED TO INMATES IN JAIL** CBC News

Several former inmates of the Southeast Regional Correctional Centre say they were blocked from practising their native spirituality or visiting with elders while in the jail.

Shawn Peterpaul from the Elsipogtog First Nation says he was not allowed to participate in native spirituality activities when he was in jail

For Peterpaul, the ability to smudge would have been adequate enough to fill his spiritual needs.

"It's a strong medicine ... for natives towards rehabilitation," says Peterpaul.

"It's good for the soul and spirit."

The Southeast Regional Correctional Centre opened its doors in the fall of 2012 and can house up to 180 adult offenders.

While it is the province's most modern jail, it is blocking some inmates from practising centuries-old spiritual ceremonies.

Smudging is performed by several Aboriginal Peoples in North America where four sacred medicines — sage, cedar, sweet grass and tobacco — are burned in a bowl. The smoke is rubbed on different parts of a person's body to cleanse them of negative energy.

Most jails and all prisons in New Brunswick permit native spiritual ceremonies. But some native people, who served time in Southeast believe the institution only accommodates Christian spiritual practices.

They say regular Bible study and masses are available and all inmates are provided a Bible upon request.

Peterpaul says some native people will smudge to help them with their addictions, such as alcohol or drugs.

"It helps most of the people, it's pretty powerful stuff," he said.

Department's figures questioned

A Right to Information request was sent to the Department of Public Safety last October regarding inmates' complaints about not being able to practice native ceremonies.

The department indicated there had been two complaints from inmates who said they were not allowed to practice their native spirituality while at the facility.

"These complaints were related to the clients' security classification and the amount of access. Both clients were accommodated," said Public Safety Minister Stephen Horsman in his letter.

Some inmates and former inmates say they believe that number is wrong.

Peterpaul said he remembers two occasions when 15 to 20 native inmates signed a petition to the jail's administration pleading for what they felt was a right to participate in native ceremonies while incarcerated.

Freedom of conscience and religion is guaranteed in the Charter of Rights.

But for Jermain Junior Breau from Elsipogtog, he said those particular rights were non-existent for him during his incarceration.

Breau said he witnessed Christian pastors visiting the jail twice a week to perform prayer service and Sunday mass with the inmates.

When he put in a request to the jail's administration for a native spiritual leader, he received no reply.

"It was wrong, it was discrimination and it was racism," said Breau.

"They got their right to pray, why don't we?"

Peterpaul said he thinks that not all requests reached the jail's administration.

"When we send request forms, seems like they just threw them in the garbage. They didn't even listen to us," he said.

Nibogtoog Francis, who was contemplating suicide during his incarceration in Southeast, says he was not allowed to practise native spirituality or see an elder.

"There were no spiritual leaders that came in there whatsoever, no one ever came in to talk to me," Francis said.

When the Moncton Detention Centre was open, Francis said he was able to seek spiritual guidance with elders and be involved in activities, such as smudging, drumming and pipe ceremonies.

But that changed when inmates were moved to the Southeast Regional Correctional Centre.

"There was nothing there," Francis said.

Dan Ennis, an elder and spiritual leader from the Tobique First Nation, has been working with native offenders since the late 1970s.

He's been allowed access to every jail and prison in the province.

But he said he was denied access to Southeast after receiving a call from an inmate's wife about her husband, who was contemplating suicide.

Ennis called John Cann, the jail's superintendent, pleading to enter the jail to speak with the inmate.

"John said, 'I'll get back to you, [but] never did,'" said Ennis.

When called, Cann would not comment on the refusal to allow inmates to have visits from elders or to participate in native spirituality activities in the jail.

Chris Brooks is a traditionalist from St. Mary's First Nation, who used to be a correctional officer at the Atlantic Institution in Renous. He now works as a spiritual leader for native offenders.

Brooks said he is an optimist and he is always looking for positive things.

"Obviously there's some good work going on throughout the country with regards to traditional people going inside and helping our men and woman inside," said Brooks

Brooks said First Nations people are still over-represented in the correctional system.

He said it is important for inmates to have access to elders.

"A lot of our men go to prison not knowing anything about their culture, ceremonies and it's a sad thing. But they go to prison to learn about themselves," says Brooks.

"That's why it's important to bring these things back to the institutions."

**(DISCLOSURE: Anthony Peter-Paul is a fourth-year journalism student at Saint Thomas University. He's Mi'kmaq from the Pabineau First Nation. He was recently an inmate at the Shediac jail where he says he was denied access to an elder and to smudging ceremonies. After his release, Peter-Paul decided to report on the issue of access to elders in prison for his journalism program.)**

## **MANITOBA JUSTICE REFUSES TO HELP WITH FUNERAL FOR SLAIN ABORIGINAL WOMAN**

**By CBC News**

A grieving mother in British Columbia is struggling to understand why the Province of Manitoba has refused to help pay for her slain daughter's funeral.

Janett Poorman's daughter Angela, 29, was stabbed to death on Dec. 14, 2014. Her case is one of 230 "missing and murdered" indigenous women's cases CBC found that remain unsolved.

Poorman had asked Manitoba's Compensation for Victims of Crime program for help, and she was denied because of her daughter's past criminal record.

"They just stomped on us," said Poorman from her Burnaby, B.C., home. "That's how I feel. They just stomped on her."

Less than a month after her daughter's death, Poorman found she is on the hook for the \$4,500 funeral bill.

'How is it her victimization — in this case homicide — is outweighed by the minor offences that exist on her criminal record?'

Poorman submitted an application for the funeral costs under Manitoba's compensation for victims of crime program.

That application was rejected, and the victims services employee dissuaded the family from filing an appeal, saying there was no point in trying.

Under the province's Victims' Bill of Rights, family members who have to pay the victim's funeral costs are eligible for up to \$5,400. The amount may be reduced if the victim was convicted of an offence in the past five years.

### **Victim's offences a sign of poverty**

In Angela's case, she had 10 convictions, the majority of which were breaching her conditions of release. Her original convictions were one count of driving while impaired and one count of identity theft for which she was fined and put on probation.

"The types of offences on her criminal record are those of someone who was experiencing poverty and are not uncommon to people who have a lower socio-economic status in society," said Christa Big Canoe, legal advocacy director at Aboriginal Legal Services of Toronto.

"How is it her victimization — in this case homicide — is outweighed by the minor offences that exist on her criminal record?"

Big Canoe points out the province had a choice when it denied Poorman's application. The Victims' Bill of Rights says "the director may deny or reduce the amount of compensation payable."

That means there is wiggle room, Big Canoe says, because "when the word 'may' is used, it means there is discretion, so this is a policy choice or a directive."

The Victims' Bill of Rights was changed in 2011 to allow for the exclusion of people with recent minor criminal convictions. At the time, the intent was to quell criticism that criminals were getting benefits as a result of injuries sustained in the commission of crimes.

"The intent of the law is that there is no discretion for the victims' services office, but there is the appeals process and the director can then take another look at it," said Rachel Morgan, a government spokesperson.

### **Aboriginal people shut out**

Manitoba's victim compensation laws end up excluding a large number of aboriginal people by virtue of their over-representation in the criminal justice system, Big Canoe said.

In the past five years of available data, the amount paid out per year in victim compensation has gone from a high of \$3.9 million in 2009-10 to \$3.3 million in 2013-14.

"There is a consideration tax dollars should not be spent on criminals and there is no space or means for compassionate grounds or exceptions," she added. "Those are the things that should be built in that are lacking."

Poorman can't understand why the province would deny her burial costs after she has been through so much.

"I just don't understand their laws," she said. "I just don't know how they can treat people like this."

The province issued a statement which said Poorman may be entitled to compensation from its Employment and Income Assistance department for the funeral expenses and that EIA staff have been trying to contact her in order to provide payment.

Poorman says her numerous phone calls to EIA haven't been returned since February.

### **Got a story for the I-Team?**

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## **FIRST NATIONS CHILDREN LEARN LANGUAGE AND CULTURE OUTDOORS**

### **CBC News**

Some aboriginal children in Fredericton are learning about traditional Maliseet language and culture in a new outdoor preschool program.

"I saw a Mihku," says four-year-old Maia Okoye, explaining that's the Maliseet word for squirrel. She can also imitate the animal's chatter.

Maia is one of a half dozen three- and four-year-olds who spend two afternoons a week playing and learning in Odell Park. A group of six two- and three year olds meets on two mornings. They do things like climb trees, snowshoe, go sliding, and sit around a campfire.

"The children do the leading," says project manager Moon Joyce. "It's their curiosity."

The Take it Outside learning project is part of the Aboriginal Head Start program Under One Sky.



Joyce says executive director Patsy McKinney helped come up with the idea.

"She grew up in northern New Brunswick — Eel River Bar — and she just remembered what it was like as a child to be outdoors and to do your learning outdoors and to listen to her language being spoken among her granny and aunts. And she wanted these children to have an opportunity to get back to their roots."

Joyce says a lot of language and culture is embedded on the land. The children are learning the words for the animals and other parts of the natural environment and interacting with them.

"The trees in this culture are referred to as standing people and so now they understand the relationship between themselves and the trees all around them that give oxygen for us to breathe," she says.

When the program started in September the children weren't quite sure what to do outdoors, says Joyce, but now they arrive smiling and are excited to get into the woods to their favourite climbing trees another spots.

They've also built a lot of resilience, she says.

"Walking in the soft snow now they're falling a lot, but they just roll — they just run with it, you know. They get up again and just keep on going. No tears."

## **GHOSTS**

I am not sure how our Sunday after dinner conversation around Minnie's table turned to ghosts. The Ghosts of the Maliseet world held the attention of everyone around the table. Well, to us they were types of spirits. Each type had a different name. There was *Ka-tukw-ss*, the one that you hear when you are inside a camp or other building, but can't see it. He was known by the sounds he made when he moved around outside around the camp. There could be a scratching sound at the door, not a full pounding or knocking or other peculiar noise, When you got to the door to open it, it was held tightly shut. It was impossible to even open it a crack. When finally you do open the door no one is there, you call asking if someone is there, but there is no answer. All is quiet. He was giving you a silent message or warning that a member of your family is very sick near death, or that there is a death in the family. If you are at home, you go to the bush to check your family; if you are in the bush, you go right home.

Then there was *Kee-zeg-a-be-zet*, the one wrapped in a white covering like a sheet floating or flying in the air above the ground. It sounded like paper or dried leaves blowing in the wind. At night he might take on the form of a rabbit or other creature. You could meet him in the woods or along a road that you were traveling. If you were bicycling you might be peddling as fast as you can but not make much progress. A strange power was holding you back. He could go into your house at night when you were sleeping, be at the foot of your bed, or perhaps look down at you. When you woke up, it was the first thing that you would see. Of course you would be scared to see that white-clothed spirit right by you. It was

harmless to you, but his presence told you to return immediately to your family. He could be a tormentor to one who was a drunkard or otherwise sinful.

The third is *Es-sque-de-wit*, the fiery one, is a fire ball that if one is outside even if one were in a canoe, it could come after you, buzz you or fly around your head. If you were in a cabin the very bright light would come to the window flying around forcing those inside to get its attention. It was a warning of severe illness or a death at home. The hunter or worker in the woods would immediately make plans to depart from the woods and go home quickly. A powerful medoulin who soon after falling into a trance might eject a fiery ball that could go after and buzz a competitor or go some distance far out of sight to investigate conditions in an unfamiliar town where one wants to go. The fire balls were usually helpful spirits but could be spiteful.

One of the men at the table said, Oh yes, I remember the fire ball, It was about the winter of 1923 when Frank Polchies and I had a job to cut firewood about three miles above Woodstock, about seven miles from home. At that time roads weren't open in the winter. There was a market square where farmers took their sleds with wood to sell. Frank and I went up there, talked to a farmer who hired us to cut wood. We went home, got some groceries and were back to the square. The farmer hadn't sold all his wood yet so he was still there and we got back with him. There was a little house for us. It was getting dark so we started making supper. There was a little table in the cabin. I was sitting with my back to the wall where the window was. We were eating by the light of a lantern hanging on a nail in the wall. Suddenly there was light so bright at the window that I could see my shadow on the wall opposite me. I could see my shadow move as the light went by! We just looked at each other not knowing what to say. Then we got up and looked out the window and saw the firey light go through the woods. Frank says, "Let's go home!" I replied, "I think we better." We quickly packed up, not even finishing our supper, and started for home. That night Frank's mother gave birth to a baby boy. It died before day light. That is my experience with the ball of fire. These spirits although scary, were friendly becoming a significant part of an important communications system between separated family members.

*Lexadel*, Alexander, added his story of the Corpse Who Came Back to Life, an event that occurred in the 1880s. Lexadel's family was one of the few still going to winter camps in the 1880s. His family went to Deerville for the winter. One morning the family found that old Lexadel had died. By afternoon one of the men had finished the casket. The body was laid out. The family was observing mourning for their lost member. It got to be almost time for the burial The family was singing some hymns in Maliseet for the dead.

Suddenly the old man sat up, yawned, and looked around seeing that he was in a casket! He said, "I guess that I am not ready for this yet." He pulled himself out saying, "We can store this in the barn until we need it." The casket was stored in the barn and not taken out until about a year and a half later when it was needed.

***Nicholas Smith***

## **LETTER FROM YVON:**

**Hi Pat!**

As always :interesting and educative articles.

Especially impressed by Dan's.

It is so obvious this talk of the new premier is lining up to divide and reign.

I am convinced the Irving are pushing very hard to keep government trying to manipulate the First Nation people. They are very concerned with the legal rights of F.N. over the "Crown" Lands of N.B. knowing all the agreements with licensees may well become meaningless if legally challenged by the F.N.

I believe they strongly wish they can continue getting away it by allowing some members of the F.N. to harvest a few thousands m<sup>3</sup> here and there on "crown" lands. This can, of course, be resulting in divisions amongst the rightful owners of the Land.

It seems to me that every time this stratagem of division to reign is used, they justify it by saying: they, the natives, cannot agree with each other, therefore we have no choice, we have to decide for their own good!

Like if all their so-called Governments in Canada always unanimously agree with every decision they make.

In over 65 years of personal observation, I have very seldom seen unanimity of members of governments to reach just about any decision.

Matter of fact, when one observes their deliberations, they look and sound like a bunch of juvenile punks strictly interested in sticking their heads in the trough.

**Best wishes and regards!**

**Yvon**

## **DEAN'S DEN: CONSUMMATE CANOE, FIRST RAINS OF SPRING**

### **Consummate Canoe**

I could almost taste the fresh morning dew

Feel senses strengthen as the new dawning grew

Watched a gray sky turn to deep burning blue

Me, myself, and I - my embodied crew,

I watched clouds gather - slip, slide, and slew

Blacken in torment as I saw the storm brew  
Still waters swirled - then went all askew  
Current and course - on affronts avenue,  
Fine visions find me, with a clear cry and hue  
Mesmerizing mind's eye - a total new view  
A character clue - a corroborative cue,  
A consummate chord - absolute, through and through,  
A wild waterway - a muse to pursue  
A delicious divergent, dispensing life's due  
Pliantly pampered, then tuned back to true  
Pursuing a purpose ... in my birch-bark canoe!

**D.C. Butterfield**

### **First Rains Of Spring**

The first rains of spring  
Everything that they bring  
Like, new birds to sing  
Sets my spirit a swing  
And, I'm off on a fling  
With a whim and a wing  
Oh my, hear them ring  
The first rains of spring!

**D.C. Butterfield**