NO'KMAQ VILLAGE

Flat Bay Band, Inc.

Update 2025

flatbayband.c

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FLAT BAY BAND, INC. · NO'KMAQ VILLAGE

ENLIGHTEN · CALM WATERS

Pjila’si! Welcome!

No’kmaw Village, governed by the Flat Bay Band Inc., stands as a beacon of Indigenous self-governance and cultural preservation in Canada. Established in 1972 and later adopting its current name in 2012, it represents a significant chapter in the history and ongoing story of the Mi’Kmaq people. As the oldest surviving on the island
portion of Newfoundland. Its roots run deep, with a membership comprising individuals of Mi’Kmaw ancestry within four generations, all proven by the 1945 Census. This community, while centered in the village of Flat Bay, spans across the province and nation, reflecting a broad and inclusive approach to Indigenous identity and belonging.

Over the past five decades, No’kmaw Village has been at the forefront of governing community affairs, Mi’Kmaq rights, and providing a wide array of services and programs that have significantly contributed to employment, education, and infrastructure within and beyond its immediate community. Its annual powwow is a testament
to its cultural vibrancy and appeal, attracting upwards of 10,000 visitors from around the world and marking it as one of the largest gatherings of its kind in Canada.

The village’s approach to governance is particularly noteworthy. Eschewing colonial-style government systems, No’kmaw Village has maintained a form of self-governance that is deeply rooted in Mi’Kmaq traditions and values. This system, free from governmental or municipal financial support, emphasizes policies and decisions that emerge from the community, for the community, through the band council. This model of governance not only preserves the integrity and autonomy of the Mi’Kmaq way of life but also serves as a model for Indigenous self-determination and governance.

No’kmaw Village’s contributions extend beyond its borders through its role as a mentor and partner to other bands, organizations, and Indigenous peoples across NL and Canada. As the lead partner in the Newfoundland Alliance of Rural Mi’Kmaw Nations (NARMN), it plays a crucial role in supporting rural Mi’Kmaw Chiefs and bands, further amplifying its impact on Indigenous communities across the island.

The Flat Bay Band Inc.’s mandate to protect the First Nation rights of its members underscores a commitment to advocacy, representation, and the preservation of Mi’Kmaq heritage. Recognizing the ancestral links and the vital role of its community within the broader Mi’Kmaq Nations of Canada, No’kmaw Village pledges to promote equality, fairness, and solidarity among Indigenous nations.

No’kmaw Village’s story is one of resilience, cultural pride, and unwavering commitment to the principles of self-governance and community empowerment. It stands as a testament to the strength and vibrancy of the Mi’Kmaq people, their traditions, and their enduring legacy.

FLAT BAY BAND INC

INTRODUCTION

Dr. Elder Calvin White

•The earliest visitors to Bay St. George recorded Indian occupation at various locations in Flat Bay.

•Flat Bay was the description given to the sheltered water inside the peninsula identified as Sandy Point, now referred to as St. George's Harbour. It was in the early 1800's when a land base was given the name Flat Bay as it exists today.

•Its population was a collection of Mi'kmaq families who moved in close proximity to each other, mainly due to European encroachment on Mi'kmaq traditional family territory. A few families remained in location other than Flat Bay Village, however many moved away from the area to the South Coast in places such as Conne River, White Bear and Grandy's Brook.

•Flat Bay Village was ideally located in an isolated area borded by Flat Bay River to the East, Fischell's River to the West, the ocean to the North (fishing grounds) and 90 miles of wilderness to the South (hunting and fishing territory).

•Flat Bay Mi'kmaq traded and bartered with these new neighbors and carried out a traditional lifestyle. In the 1930's, Mi'kmaq offered their services to logging companies and provided guiding services from the first European interior travel (WE Cormack 1822).

•From its origin until 1970, well after Confederation (1949), Mi'kmaq and Flat Bay lived under a traditional system of government. In 1972, due to European pressure and imposed changes to lifestyle, a new form of governance was adopted, which included a democratic election of Chief and Council, same traditional structure, a new system of process and added responsibilities of modern-day services such as garbage collection and water services. We have avoided colonial dictatorial government, one where policies are developed and passed down by imposing them on people. Our system originates from the people and is carried out by Council. We have no desire to abolish what has worked for hundreds of years.

NO'KMAQ VILLAGE
FLAT BAY BAND, INC.

The Difference Between Flat Bay Band and Qalipu First Nations Band

Qalipu
FIRST NATION

Our introduction would be incomplete if we didn't address the difference between Flat Bay Band and Qalipu First Nations Band. Qalipu is an Indian Act band created by the application of Bill C-25 and an agreement in principle between the Federation of Newfoundland Indians and the Government of Canada. However, later a supplementary agreement was added without member consultation or approval. Membership was determined by a point system. Its design saw twins separated, one registered as Indian and the other not. People who left their community for education, employment or to serve their country in the services, including RCMP, were also denied. Flat Bay Band is an independent band and has 4th Generation Rule, pre-confederation documents required to determine its membership. Out of a population of approximately 1200, only 140 people were accepted. Qalipu is a landless band and does not represent any other band. It represents its membership, that is people who are registered as status Indians under the creation of the Qalipu Band. Flat Bay Band has historically represented its people since community creation. For hundreds of years, a village form of governance existed. In 1972, we first adopted Indian Act model elected chief and council by universal suffrage. Never have we accepted provincial, municipal or local service district governance. We were never consulted at the time Newfoundland entered Confederation. It was 1969 when we were made aware of Canada's constitutional responsibility to First Nation people. Due diligence was never on the table and Flat Bay awaits in meaningful negotiation. Our position: We are Mi'kmaq Treaty people, We are Federal Government Constitutional responsibility 91 (24), We have a specific land claims dating back to Newfoundland's entry into Confederation when land should have been negotiated for colonial community occupation, We are members in good standing of the Assembly of First Nations since the year 2000, and We are self-governed people without Indian Affairs funding or provincial support. We have become criminals for foraging on our lands and in our waters. The time has come for Canada to treat us as Treaty Holders with Specific Land Claims and access to all the responsibilities in the Canadian Constitution with regard to its aboriginal population.

Elizabeth Halbot Legge

July 5, 1910 - September 11, 1953

Descendant of Mi'kmaq woman Modeste Bernard of Cape Breton, NS who moved to Sandy Point, NL and married Francois Halbot.

The 1945 Census

4th Generation Rule

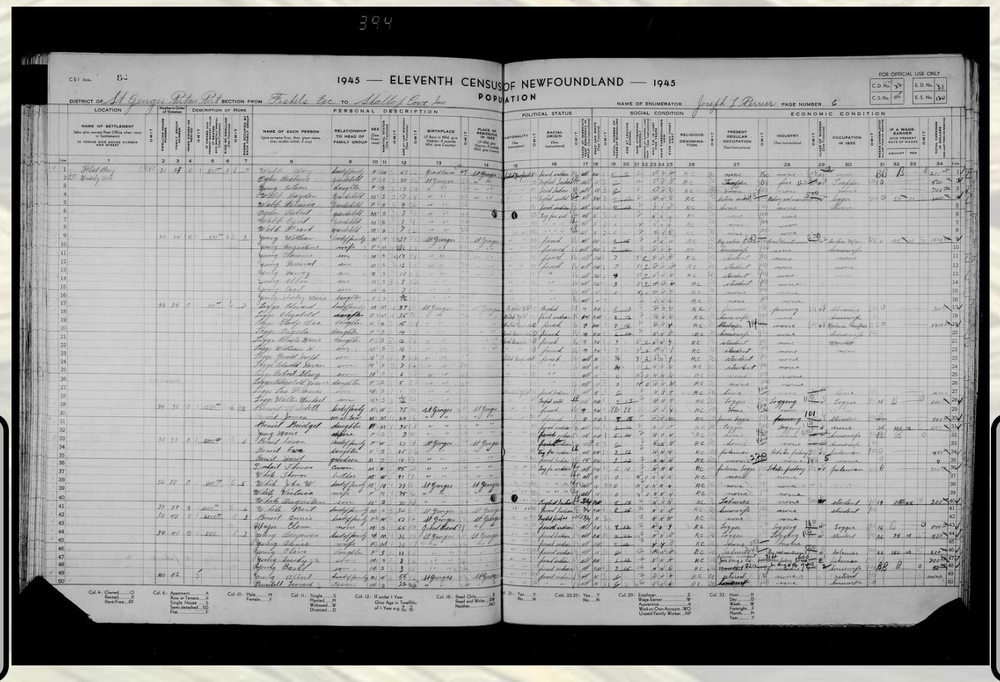
*A person must be a descendant of the following who identified as being Indian pre-confederaion:

*parent

*grandparent

*great grandparent

*great great grandparent



1945 — ELEVENTH CENSUS OF NEWFOUNDLAND — 1945

POPULATION

The Rooms
Newfoundland & Labrador Canada

Provincial Archives, Art Gallery and Museum

TRUE COPY

This is a certified copy of the complete information extracted from the records of the Provincial Archives of Newfoundland and Labrador

GN 2/39/A

1945 NOMINAL CENSUS OF NEWFOUNDLAND

DISTRICT: St. George's - Port au Port

PAGE: 82, Entry 18

DWELLING HOUSE: 33

HOUSEHOLD: 35

NAME: Elizabeth Legge

NAME OF TOWN: Flat Bay, Post Office - Muddy Hole Value of Home if owned - $700
Rooms - 3

SEX: Female

RELATIONSHIP: Wife

MARITAL STATUS: Married

AGE AT LAST BIRTHDAY: 35

TOWN AND COUNTRY OF BIRTH: St. George's: Residence in 1935 - St. George's

NATIONALITY: Newfoundland British - Racial Origin - French Indian

RELIGION: Roman Catholic

PERSONAL OCCUPATION: Housewife: Occupation in 1935 - housewife

INDUSTRY OR SERVICE WITH WHICH WORKER IS CONNECTED:
None

FAMILY MEMBERS: Wife to Head of Household - Edward Legge - age 39 - Ten children ranging in age from 1 month to 15 years - Gladys Mae, Angela, Genita Maria, William H., Gerald Joseph, Edward Kevin, Robert Elroy, Elizabeth Yvonne, Leo Francis, Walter Michael.

Certified on March 16, 2005

Shelley Smith
Director/Provincial Archivist

Provincial Archives of Newfoundland and Labrador
Colonial Building, Military Road
St. John's, NL, A1C 2C9
www.gov.nl.ca/panl/

I certify that this is a true and correct copy of the original.

Clerk of the Court

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

261 Residents identified as Indian on the 1945 Census. The 1945 Census was the first census providing a column for ''Racial Origin'' allowing those 261 people the opportunity to identify.

1947 - “Pencilled Out”

There was a pre-negotiation document prepared by the Canadian federal government in 1947 to outline the terms of union with Newfoundland for the Newfoundland.The term **"pencilled out"** refers to the fact that the plans for Newfoundland's aboriginal people were drafted by the federal government without consultation with the people themselves. The document also outlined a plan for Canada to continue administering federal programs for aboriginal people after Confederation, but this plan was a "take-over" of existing programs, with the aboriginal people having no say in the matter. The document included a section on how the Canadian government would handle aboriginal people, which was to transfer funds to Newfoundland for the province to administer specific federal programs in areas like health, education, and municipal services. The **"pencilled out"** nature of these plans means that the administrative transfer was a pre-determined decision made by the federal government and the Newfoundland government, with no input from the aboriginal people themselves.

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“Report Of The Meetings Between The Delegates From The National Convention of Newfoundland And The Representatives Of The Government Of Canada, Summary of Proceedings And Appendices, Ottawa, June 25th - September 29th, 1947

APPENDIX XI

A PRELIMINARY STATEMENT REGARDING THE POSITION OF NEWFOUNDLAND’S INDIANS AND ESKIMOS IN THE EVENT OF UNION

Under the *Indian Act*, Indians and Eskimos in Canada are regarded as one race for the purpose of administration. In the event of Newfoundland becoming a province of Canada the Indians and Eskimos of Newfoundland and Labrador would be the sole responsibility of the federal government and, under existing legislation, would be entitled to benefits and would be subject to regulations which include the following:

1. Free education, provided through day schools and boarding schools. Where boarding schools already exist subsidies ranging from $165.00 to $300.00 per pupil per year are paid.
2. Free medical services including hospitalization.
3. Family allowances on the same basis as [the] white population and applied in the normal way wherever possible.
4. Land reserves for settlements and trapping lines are set up, by arrangements with the provincial government.
5. Free conservation projects, fishing projects, handicrafts and other aids are undertaken in their behalf.
6. The federal government sets up trading posts, where there are no satisfactory arrangements for trading posts by private interests. This is done to help Indians eventually to buy and market cooperatively themselves.
7. Indians and Eskimos are exempt from land tax and tax on income earned on reserve.

[In the Newfoundland report on this meeting another federal duty was added as number 8]

8. Protection by law and rights thereunder as applied by the Act [this statement appears in the report of Newfoundland delegates to this meeting].

1949 - Newfoundland Joins Confederation

Newfoundland's Premier Joey Smallwood declares that there are no Indians in Newfoundland removing the Federal Government's Constitutional 91(24) responsibility for the aboriginal people of Newfoundland.

1969 - Canada's Constitutional Responsibility To First Nation People Awareness

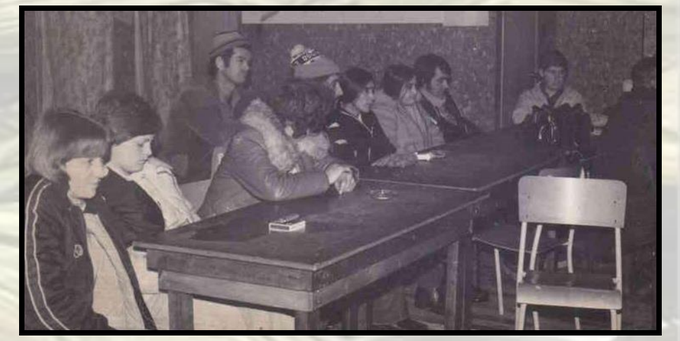
It was 1969 when people of Flat Bay and other Mi'kmaq communities such as Conne River were made aware of Canada's constitutional responsibility to First Nation people. This was the beginning of those communities of Newfoundland coming together to learn more about their rights as aboriginal people.

1972 - Flat Bay Band Is Formed

Flat Bay adopts Indian Act model of Chief and Council. Due to European pressure and imposed changes to lifestyle, a new form of governance was adopted, which included a democratic election of Chief and Council, same traditional structure, a new system of process and added responsibilities of modern-day services such as garbage collection and water services. We have avoided colonial dictatorial government, one where policies are developed and passed down by imposing them on people. Our system originates from the people and is carried out by Council.

1981 - Conne River Agreement Signed

FNI President Calvin White and Minister of Indian Affairs John Monroe sign a deal for Conne River to be recognized as an aboriginal community. It wasn't until 1985 that Conne River was Federally recognized as a reserve and officially became a reserve under the Indian Act in 1987. During the signing of the Conne River deal, Minister Monroe gave FNI President Calvin White a letter of commitment that the government would address with other aboriginal communities.



1985 - Conservative Government

Once the Provincial Government changed from Liberal to Conservative, Justice Minister John Crosbie decided not to honor the letter of commitment given to FNI President Calvin White from Minister John Monroe. Then Premier, Brian Peckford, refused to address the concerns and rights of the aboriginal people of Newfoundland.

1989 - Federation of Newfoundland Indians File Lawsuit Against Government

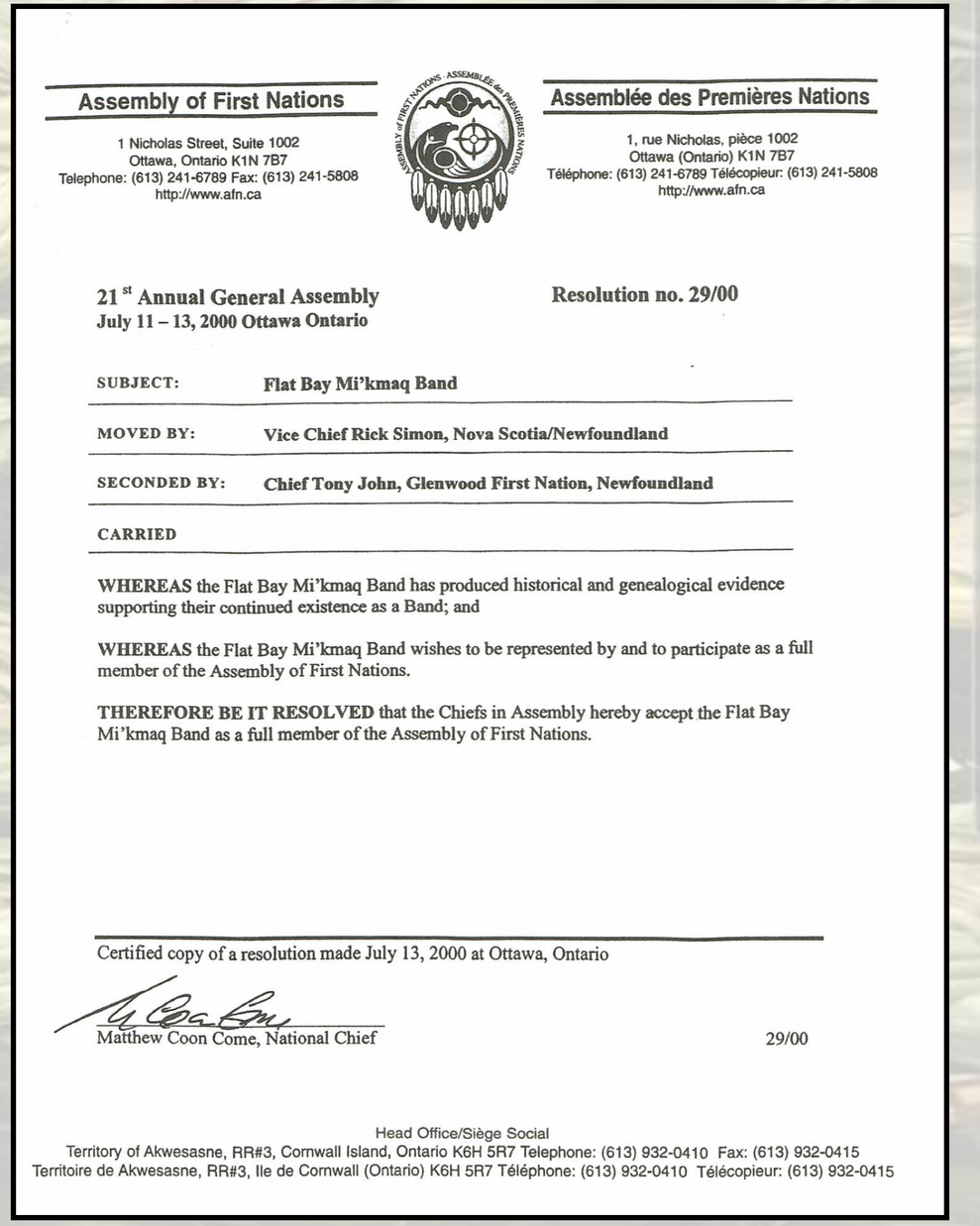
Five plaintiffs from the Federal of Newfoundland Indians file lawsuit against the Federal government – FNI President Calvin White, Chief Wilson Samms, Chief Benny White, Chief Larry Jeddore and Chief Marie Sparks. There was a change in the leadership in the Federation and the lawsuit was in limbo for several years before it was a priority again with the FNI. During the Discovery, the Federal Government made the decision not to go to court with the Plaintiffs. Based on the evidence before them, the Federal Government agreed to negotiate with the Federation of Newfoundland Indians.

2000 - Flat Bay's Acceptance in Assembly of First Nations

Confirmation of Flat Bay Band's Acceptance in Assembly of First Nations July 13, 2000

2006 - Agreement In Principle Reached

In 2006, an Agreement-in-Principle (AIP) was reached that identified the process for recognition, the creation of a band with no reserve land, and specific FNI members who can vote on ratification. On November 30, 2007, the Government of Canada and FNI announced that they had completed negotiations and the Agreement-in-Principle was initialed. FNI members ratified this AIP on March 2008 and Canada ratified it on June 2008. Enrolment process began in December 1, 2008 until November 30, 2012.



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21st Annual General Assembly
July 11 – 13, 2000 Ottawa Ontario

Resolution no. 29/00

SUBJECT: Flat Bay Mi'kmaq Band

MOVED BY: Vice Chief Rick Simon, Nova Scotia/Newfoundland

SECONDED BY: Chief Tony John, Glenwood First Nation, Newfoundland

CARRIED

WHEREAS the Flat Bay Mi'kmaq Band has produced historical and genealogical evidence supporting their continued existence as a Band; and

WHEREAS the Flat Bay Mi'kmaq Band wishes to be represented by and to participate as a full member of the Assembly of First Nations.

THEREFORE BE IT RESOLVED that the Chiefs in Assembly hereby accept the Flat Bay Mi'kmaq Band as a full member of the Assembly of First Nations.

Certified copy of a resolution made July 13, 2000 at Ottawa, Ontario

Matthew Coon Come, National Chief

29/00

Head Office/Siège Social
Territory of Akwesasne, RR#3, Cornwall Island, Ontario K6H 5R7 Telephone: (613) 932-0410 Fax: (613) 932-0415
Territoire de Akwesasne, RR#3, Ile de Cornwall (Ontario) K6H 5R7 Téléphone: (613) 932-0410 Télécopieur: (613) 932-0415

Qalipu FIRST NATION

2011 - Qalipu First Nations Band Is Formed

Qalipu First Nations Band is formed on September 26, 2011. When the applications appeared to be far more than anticipated, they decided to include a supplement to the agreement, July 4, 2013. There was no consultation on the Supplemental Agreement and didn't go for ratification to the membership. It was imposed by the Federal Government and the Federation of Newfoundland Indians. This agreement followed a point system which would cause division in families. Some that were given status would not have that status revoked. Twins dealing with one twin being accepted while the other not. Some siblings accepted, others denied. Children accepted while their parents were not.

2014 - Liberal Minister Carolyn Bennett Speaks on Bill C-25

When in Opposition, Liberal MP Carolyn Bennett challenged government on the injustice of the Supplemental Agreement and Bill C-25. In 2015, when the Liberal Party was elected, Carolyn Bennett was appointed the Minister of Indigenous and Northern Affairs. When reminded of her statements the prior year advocating for the Indigenous people of Newfoundland, her response was "Things have changed" and our response to that was "The only thing that changed was the color of the party from Blue to Red". Again, the rights of the aboriginal people of Newfoundland were ignored.

https://www.youtube.com/watch?app=desktop&si=SLkVMCWTcYxVDscB&v=Bp9sbjgYbKM&feature=youtu.be

2025 – Proposal For Specific Claims Funding Completed

January 27 Funding Proposal Submitted

April 2 We receive an email stating that Flat Bay Band is not registered in the First Nation Profile but that it is registered in the financial system and has been receiving funding from other programs. Advise where to send payments if approved.

July 9 Proposal Approved for $30,000 of $39,898 applied for.

Emails sent asking next steps to access approved funding.

September 15 We receive this email “It has come to our attention that Flat Bay Band Incorporated is not recognized as a "band" under the Indian Act, but rather as an incorporated entity whose members are affiliated with the Qalipu First Nation. At this time, the Specific Claims Funding Unit is not in a position to provide the $30,000 in research funding directly to your organization.However, you may submit an application under the Qalipu First Nation.”

While some of our members have status under Qalipu First Nation, many were denied or status revoked. We service and assist ALL of our members, both status and non-status. Qalipu does not work in partnership with the bands that were there from the beginning, founding members. Once approved in July for funding, we had a student researcher as well as a genealogy researcher ready to work on this project. Losing the funding has put us in a difficult position. The funding eligibility for Specific Claims under “Who Can Apply?” does not state Status Band/Indians only.

Current Chief of Qalipu First Nations Band feels that Flat Bay Band should not have a seat at the table nor a vote with the Assembly of First Nations. We have been a voting member since 2000. This was expressed in two recent assemblies, one being the Premier-Indigenous Leaders Roundtable Meeting. At this time, it seems to be her personal opinion and hers alone as nothing has been discussed or voted on within council. So not only are we not recognized by government, we are also not recognized by the very band that was formed from many of our own founding members.

Progress Report: We will continue our fight for recognition. We have a manuscript of the key components of the Land Use and Occupancy argument as well as the history of our people. We hope to have this in print by summer of 2026. We continue to do the work that we do without core funding, from proposal writing, providing programs and assistance to our people because that’s what we do. We are here for our people. We opened our new Transition/Guest House this year providing shelter and services to those in need. Our Reaching Homes Program is one of the best in providing aid to those who are at risk of homelessness. Our staff and volunteers go above and beyond for our people and will continue to do so. If you would like to see more of what programs we provide go to **flatbayband.ca**

Something to think about: In the spirit of Reconciliation, the Indian Act is not and should not be the the only identity. If we look at the Repatriation of the Constitution in 1982 and the case Daniels vs Canada, in 2016 it was ruled that **Métis** and **non-Status Indians** are included in the federal government's legislative authority over "Indians" under section 91(24) of the Constitution Act, 1867. We should be considered equal not less than.

Flat Bay School Children Pre 1949 Confederation