

Treaties: The Symbiotic Connection Between Land and Body Sovereignty
An Exploration into Re-Presencing Indigenous Epistemologies to Re-story
Sovereignty

by

Hope-Ann Ace

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Abstract

A central claim of this thesis is to illumine the innate connection between land, body, and treaty sovereignty. In this thesis, I will argue that the land and the female body are innately tethered to one another through a reciprocal relationship bound by Anishinaabe epistemologies. A primary purpose of this thesis to demonstrate the interconnectivity between body and the more-than human world which are tethered to treaties and sovereignty. Through this exploration, I offer pathways of possibility to re-presence Anishinaabe epistemologies to re-story the narrative of sovereignty. This thesis will illustrate that epistemic violence has contributed to the exclusion of Anishinaabe knowledge's which obstructs the relationality between land, body, and treaty sovereignty. Anishinaabe epistemologies can be repositioned to refute settler colonial infringement and reject the states exercise of their borrowed sovereignty which undermines the autonomous nation-to-nation relationship entrenched within treaties between Indigenous Peoples and the Crown within Canada. This research supports the repositioning of Indigenous Peoples and land-based epistemologies to illumine the ways in which Indigenous Peoples can continue to revitalize and reject colonial heteropatriarchy and land usurpation. By grounding my thesis between the relations of the feminine body and the land it refuses the dismissal of nature as a living entity and re-story's relationality. Rejecting the systemic institutional dispossession of Indigenous epistemologies and sovereignties is essential for Indigenous futurities to reclaim presence and re-story sovereignty.

Introduction

Connecting Bodies, Land and Treaties

Echoes of women singing rippled across the waters, gaining strength with the waves, each crash a chorus of sound clear as crystals, they rose up out of the water and spun around in the wind till they filled all the empty spaces around her, spaces that reached far back and forward in time...below her, the ground shook and started to beat, she could feel it move up, through her body like rushing water, she opened her voice and their song escaped through her, strong and powerful, and they stood around her, in a circle...¹

Deanna Kimball, *Untitled*

I came to this work while I was waiting for the bus after attending a lecture during my fourth year of my undergraduate degree while living in Ottawa, Ontario. As I stood waiting for the bus, going over that evening's lecture, where my classmates and I discussed; the violence continuously perpetrated against Indigenous Peoples, dispossession, resource extraction, land, and the settler states framework of reconciliation, matched with land acknowledgements and grand press releases and declarations that Canada could exist in a post-colonial space. However, the one thing that continued to be eclipsed within the discussion, was the integral role of treaties to both Indigenous Peoples and the settler state. I began thinking of the disconnect that I often felt and bore witness too as I lived within a bustling political urban centre realizing colonial fill² encapsulated all areas of the settler state, physically, emotionally, and spiritually. The colonial fill I discuss here is the ways in which settler colonialism operates and fills spaces with their normative was of knowing,³ while erasing and disappearing Indigenous presence. The grandeur of the parliament buildings and the "successful" advancement of the colonial project that seemed to be echoed within many of the spaces I found myself reluctantly to be in was void of treaty

¹ Deanna Kimball, *Untitled*, Red Rising Magazine Issue 10: Matriarch, 27.

² Megan Bang et al, "Muskrat Theories, Tobacco in the Streets, and Living Chicago as Indigenous Land," *Environmental Education Research* 20 no.1 (2014): 49.

³ Ibid.

responsibilities and treaty sovereignty. I felt called to begin to reflect on my treaty responsibilities, and my responsibilities to all my relations and how treaties should be revered and reconciled.

Through my understanding of the use of the legal institution I have grounded my understanding of the invisibility of Indigenous sovereignty within the settler state. The legal system has often been used as a way to disable Indigenous assertions of rights and title and the articulation of these rights. This leads itself to the disablement of Indigenous Peoples connection to territory, which ruptures connection to relations and Nationhood. The legal system plays a large role in reconciling treaty constitutionalism and the juncture of treaty constitutionalism with the scope of its rights and limitations. As stated by legal scholar Mark Walter, the provinces have been given a legal framework in which they can negotiate seceding from the state, dismantling the existing constitutional order, then it could be argued that a framework for renegotiating a new constitutional order can be resolved.⁴ This also includes the de-stagnation of colonial jurisprudence and precedence of past legal cases in regard to Aboriginal rights and title. John Borrows an Anishinaabe scholar states, “the Court’s current approach to Aboriginal rights overemphasizes the past by restricting the Constitutional meaning to certain foundation moments.”⁵ The precipice of the disallowance of the fluidity of rights and title continues to limit the expression of through and conceptualization of treaties as dominating instruments outlining our roles and responsibilities.

⁴ Mark Walters, “Rights and Remedies within Common Law and Indigenous Legal Traditions: Can the Covenant Chain be Judicially Enforced Today?” in *The Right Relationship: Reimagining the Implementation of Historical Treaties*, ed. John Borrows and Michael Coyle (Toronto: University of Toronto Press., 2017), 205.

⁵ John Borrows, “(Ab)Originalism and Canada’s Constitution,” *Supreme Court Law Review* 58 (2012): 358.

Before I continue, I find it essential to position myself in relation to this work. I am an Anishinaabe woman with roots also from England. My skin's whiteness has allowed me to transverse spheres that have been designed to refute my Indigeneity. This often left me within the creation of a third space, one where I am privileged as a white seeing and passing cis-Indigenous woman yet one where my essence is confined and encoded with the lived experiences I have undergone as an Anishinaabekwe. The moments that led up to when I learned my body was disposable to the Canadian state lay bare and raw in my being, it has transformed the way in which I walk through the world, the treatment of my Anishinaabe or to the settlers, my 6.2 status *Indian Act* body has not been lost upon the whiteness that is borne on my skin. I am no longer solely defined by societal expectations that characterises my being, but I am akin to my lived experiences and the moments that have brought me to this space and time.

Through personal connection, and personal resurgence, I have chosen to locate myself within my work. Through the act of self-reflexivity, I am able to centre and ground myself and personal experience as I hope to create a work that is influential to community members as they reconnect with their bodies, the land, and see themselves in relation to one another. I hope to revitalize the spirit and intent of these treaties which I aim to present in relation to Indigenous women's bodies. It is important for my work that I position myself within these webs of connection, as a treaty Anishinaabekwe from M'Chigeeng First Nation, as an individual who grew up within an urban center, in a middle class family and as a white passing woman which ascribes me to a position of privilege, and also as a woman who seeks to reclaim body sovereignty and repudiate settler colonial notions of it; a woman who saw and was troubled by many things my fellow Indigenous brothers and sisters have seen, whose

relations have been impacted by colonialism since contact and as a women who is privileged to be in a space that was designed to render my relations and I disappeared.

Positionalities mold and change over time, and throughout spaces, and my location to this research is embedded in memory and place that enforces me to re-remember⁶ who this work is for, my relations.⁷ However, I also want to reaffirm that by locating myself I will not misrepresent and collectively generalize experiences.⁸ I understand the duplicity in some of the points that I will make within this work as I lay out my current positioning. I hope that by refuting colonial fill and reclaiming presence, there is the illumination of voice and sovereignty. This research aims to embolden the connection between land, and body, and display the power of women to nourish life, and rebirth nations through spirit-to-spirit connection with Creator and Mother Earth. I recognize for myself and others this piece is bound to be ambivalent as self-location is constantly informed as it is cyclical, it cannot be defined entirely, it does not need to be exposed in detail in order to enrich individual connection to the work. Nor do I intend for personal connection or non-passive resilience to exonerate settler guilt.

To formulate this research, I had to contemplate three pressing concepts, land sovereignty, sovereignty, and body sovereignty. These concepts, I project will continue to mould and change over time and be informed through experiences I have yet to have.

⁶ Linda T. Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed. (London & New York: Zed Books, 2012), 147.

⁷ Smith defines re-remembering “in terms of connecting bodies with place and experience, and, importantly, people’s responses to that pain [healing and transformation] become crucial strategies in any approach that asks a community member what they may have decided to unconsciously or consciously forget.”

⁸ Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts*, (Toronto: University of Toronto Press, 2010), 97.

However, going forward these three concepts explained below are how I understand them at present and are integral to my thesis.

The first concept to introduce is land sovereignty. My use of the word land also encompasses the spirit of water. The land and water are the fleshy body and veins of the land, that continue to remind me of the inherent relationality between the land and myself. As a result, the rest of this paper will use the language of land, but it does not exclude the sacredness of water. Within Anishinaabe epistemologies, they speak of the connection between the feminine, and the more than-human, and how they cannot be separated. Land sovereignty is the autonomy and animacy of Mother Earth, and the inherent agency encompassed by the land. Indigenous scholars have continuously looked at the synonymity of land and knowledge. I use Mohawk scholar Vanessa Watts and her explanation of place-thought to guide my exploration she defines place-thought as,

Place-Thought is the non-distinctive space where place and thought were never separated because they never could or can be separated. Place-Thought is based upon the premise that land is alive and thinking and that humans and non-humans derive agency through the extensions of these thoughts.⁹

Through this understanding of agency and obligatory relationality between the land, the more-than humans and humans, I can begin to explore the innate connection between the land and are relations based on the premise of synonymity. As Watts reiterates, “the female earth or the feminine is intrinsically tied to the notion of sovereignty and how humans interact with the more-than human in the formation of governance.¹⁰ This will be used to introduce body sovereignty. As Indigenous flesh is an extension of the soil,¹¹ it is inherently understood as a connection to

⁹ Watts, “Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour,” *Decolonization: Indigeneity, Education & Society* 2 no.1 (2013): 21.

¹⁰ *Ibid*, 27.

¹¹ *Ibid*.

both land and body sovereignty and cannot be removed: the land is kin. Land sovereignty calls us to our responsibilities as treaty people with the land and the more-than human, and as kin to uphold our responsibilities.

Moreover, this paper also includes the concept of sovereignty and how sovereignty has been discussed within treaty narratives. The ambiguity within the state surrounding the narrative of sovereignty continues to be incongruent with the spirit and intent of the treaties that were signed by two autonomous nations. This ambiguity of what sovereignty is, who holds it, if sovereignty can be surrendered or ceded and what the exercise of sovereignty looks like within a colonial context continues to complicate reconciling the nation-to-nation relationship. The sovereignty of Indigenous Peoples is disputed as a result of the threat it poses to the settler state's assumption of sovereignty. Within the discourse of sovereignty, the dialogue of the importance of treaties cannot be undermined. This narrative offers pathways forward when brought to the forefront of the narrative to reinstate the responsibilities of all relations under the nation-to-nation compact/agreement. This is what brings me to delve into the conversation of treaty sovereignty.

While grounded in Anishinaabe thought, I explore these concepts and narratives through the scholarship of Indigenous and non-Indigenous scholars to look at the concepts institutionally. I acknowledge that there are distinct nations with distinct governments, languages, , epistemologies, and diplomatic processes spanning across Turtle Island. However, for the purposes of this thesis I will be discussing the works of Indigenous and non-Indigenous scholars to guide me through this exploration.

Treaty scholarship has always included questions of sovereignty. Scholars have maintained that Canadian sovereignty is predicated on the treaties made with Indigenous nations.

I turn towards political science and law scholar James Tully, he states,

The only valid way, therefore that Canada and the United States could acquire sovereignty in North America was by gaining the consent of the sovereign nation that were already here. The basic justness of Canada as a self-governing federation actually rests on its recognition by the Aboriginal peoples, not the other way around..., and, secondly, on Canada conducting relations with the First Nations by consent gained through the treaty system. There is no other valid justification of Canada as a sovereign federation and no way of avoiding this one.¹²

For Tully, the treaties stand as a principle of coexistence between two nations while legitimizing the co-existence of state sovereignty. Anthropologist Michael Asch also affirms that the Crown could not have the title of a legitimate and recognized state without the consent of the existing sovereign nations.¹³ He proceeds to explain, that “Treaties, then, and not the constitution, are our Charter of Rights, for they give us what is necessary before any form of self-governance can become legitimate: the legitimacy to be living in a place.”¹⁴ However, as Anishinaabe scholar Aaron Mills explains the nuances to this, he states,

The cry of Indigenous peoples has consistently been that treaty is the only legitimate justification for the constitution of shared political community on Turtle Island...citizenship is violent from the outset: instead of sharing, disagreeing, and slowly learning with and from one another – the treaty story – they strive to erase the existence of Indigenous peoples.¹⁵

¹² James Tully, *Public Philosophy in a New Key: Volume 1, Democracy and Civic Freedom*, (Cambridge: Cambridge University Press, 2008), 234

¹³Michael Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, (Toronto: University of Toronto Press, 2014), 101.

¹⁴ Ibid, 99.

¹⁵ Aaron Mills, “What Is a Treaty? On Contract and Mutual Aid,” *The Right Relationship: Reimagining the Implementation of Historical Treaties*, ed. John Borrows and Michael Coyle, (Toronto: University of Toronto Press: 2017), 219.

The treaty principles are foundational to state sovereignty and the legitimization of settlement, but as Coyle stated above, it is reliant on the disappearance of Indigenous Peoples. Using Asch and Tully's analysis it is foundational that the state relies on the treaties and cannot entirely assert sovereignty because of the pre-existing nations. Patricia Monture-Angus, a Mohawk scholar also argues that state sovereignty has historically attempted to, "deny Aboriginal experience and understating of our rights to self-determination."¹⁶ This can be attributed to the possessive logic of patriarchal white sovereignty which denies and refuses what it cannot own -- which in the context of Canada, is the sovereignty of the Indigenous other.¹⁷ Scholars have done extensive research in order to expose the qualms in state sovereignty and its reliance on Indigenous nations and treaties which I come back to throughout this project.

I did not know it at the time, but the year prior to the conception of this thesis idea, I was embarking on a journey of coming back to the body and coming back to my body sovereignty. I draw upon my relationship to my body, and my experiences to inform the discussion of body sovereignty. My understanding of body sovereignty is the pleasure of the full determination of control, and authority over one's body without ambiguity. There is freedom from interference, the absence of body submission and subjugation of external threats or coercion. It is the capacity to engage with kin, and all our relations, the ability to advocate and participate in experiences that fulfil desires and responsibilities you are called to. To have body sovereignty, is to express and contribute to your nation, family, world, ecology, and self. I understand it as the capacity to be free from violence, both implicitly and

¹⁶ Patricia Monture-Angus, *Thunder in my Soul: A Mohawk Woman Speaks*, (Halifax: Fernwood Publishing, 1995), 157.

¹⁷ Aileen Moreton-Robinson, "Virtuous Racial States: The Possessive Logic of Patriarchal White Sovereignty and the United Nations Declaration on the Rights of Indigenous Peoples," *Griffith Law Review* 20 no. 3 (2011): 647.

explicitly and the structures that continue to perpetuate violence against Indigenous bodies. These structural processes are maintained throughout time and are persistent in their agenda of disappearance and denial of Indigenous sovereignty. In the report, *Violence on the Land, Violence on Our Bodies*, the synonymity between land and body is again reaffirmed. It is stated,

For women, there is no separation between production and reproduction, land and life, resistance and survival. Because of this, women taking on roles in the struggle to defend their territory and fighting gendered oppression for their own liberation are not separate, but always interconnected.¹⁸

There is connection between the subjection of Indigenous women's bodies, the land and sovereignty. This connection and symbiosis of body, land, and treaty sovereignty cannot be undermined.

Our bodies allow us to connect, to feel, to express and think as sovereign beings. I have recognized a need to come back to my body, and begin to learn my responsibilities to the land, and as a treaty partner that begins with learning my body as a sovereign being. This loss of body sovereignty, began to lead me to identify the tethers and interspace between land and treaty and if the dispossession of body sovereignty is connected to the dispossession of land, Indigenous epistemologies and how it is related to treaties. Body sovereignty is integral to the discussion of treaties and land and the re-storying of sovereignties. By centering Indigenous women and the land, we can view Indigenous women through a decolonial lens, and demonstrate how Indigenous epistemologies can be used in the resurgence of land practices while exercising sovereignty. By grounding my thesis between the relations of the feminine body and the land it refuses the expungement of nature as a living entity and as a relational being.

¹⁸ Women's Earth Alliance and Native Youth Sexual Health Network, "Violence on the Land, Violence on Our Bodies: Building an Indigenous Response to Environmental Violence," (2016), 12.

I aim to connect these three concepts and show the relationship between them as they are each integral to all spheres of life, and our capacity to express our sovereignties. I offer this thesis as a treatise to myself to come back to my responsibilities as a treaty partner, and through language of possibility. In hopes to reclaim Indigenous presence and refute settler-colonial fill on the land, within spaces and throughout time, unrestricted by colonial limitations. Language to Michi Saagiig Nishnaabeg writer and scholar Leanne Simpson, “expresses reality as constructed by the people who are born into it, and it reflects the reasoning, philosophy and values of culture. The structure of language is designed to reflect worldviews.”¹⁹ In this way, language and reconciling sovereignties and treaty will help to incite resurgence, as there will be distinct sovereigns living in relation to one another. The re-recognition of Indigenous sovereignty and political recognition rejects the attempts at epistemic violence by redressing knowledges, teachings, and languages. Allowing Indigenous Peoples to cognitively rethink their bodies, identity, and sense of community and belonging to their nation. This rejects the ambiguity over Indigenous sovereignty and governance and asserts itself as legitimate, dispelling colonial rhetoric.

This thesis seeks to identify the connections between land, body and treaty sovereignty. Concepts and questions that I will deliberate will include: what is sovereignty? What is the connection between land and body sovereignty? And what responsibilities come with being sovereign or having sovereignty? What does sovereignty look like through a settler-colonial and an Indigenous lens? What does this reclamation of land and body look like? And what does land, and body sovereignty and treaty mean if we can reposition them as symbiotic to one another?

¹⁹ Simpson, “The Construction of Traditional Ecological Knowledge: Issues, Implications and Insights,” (PhD diss.,) University of Manitoba (1999): 69.

In this thesis, I will argue that the land and the female body are innately tethered to one another through a reciprocal relationship bound to Indigenous epistemologies. This thesis will argue that this interconnectivity between body and the more-than human world are bound to treaties and sovereignty. They can be repositioned to refute the settler colonial infringement on Indigenous epistemologies and reject the states exercise of their borrowed sovereignty which undermines the autonomous nation-to-nation relationship entrenched within treaties between Indigenous Peoples and the Crown within Canada.

I seek to show the synonymy of place and knowledge as they can never be separated, founded on the premise that the land is alive and thinking, in which humans and more-than humans derive their agency from.²⁰ Watts discusses that possible implications of disruptions of land-based practices. As a result of the deliberate disconnection and displacement of land, that can cause Indigenous Peoples the loss of the capacity to think, act, and govern²¹ in the ways taught before colonial intrusion. Within Anishinaabe epistemologies it is understood that Indigenous bodies and flesh are an extension of the soil and land, which is understood as feminine. As the female body is an extension of the land, we retain our agency and understanding of the land and its sovereignty under this lens, as the femininity of the earth itself is the embodiment of all meaning and place-thought. When the land is being abused and its sovereignty unrecognized, and our teachings are not taught, and the power of the teachings and the land are lost.

Chapter One

²⁰ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour," 21.

²¹ Ibid.

My first chapter will begin by introducing the Anishinaabe Creation story and epistemologies. It is imperative to include this at the beginning to reframe and centre Anishinaabe knowledges. As a result of colonialism, many Indigenous knowledges have been at the epicentre of epistemic violence. This chapter will comprise of three main points. The first portion will include the Creation story and begin to explain the inherent connection between land and body. This will include explanations of the more-than human world, and responsibilities to one another. In addition, I will also be looking at the original treaties made between the more-than human and the human. The synonymy of land and body will become evident within this chapter. As well as the epistemology of reciprocity and the encoded understanding that Indigenous Peoples are called to live in accordance with treaty. Additionally, in this chapter I will engage in a short discussion about the concepts and notions of gender in both settler colonial and Indigenous positions in order to enrich my discussion of the relation of body and land in a gendered perspective. The work that has been done on the importance of land will be pertinent in bridging the gaps and representing various Indigenous cosmologies and epistemologies at the forefront of this thesis. This chapter will reframe collective responsibility and the understanding of land and body in relation to sovereignty and treaties within the colonial settler state, tethered to concepts of sovereignty.

Chapter Two

Furthermore, the focus within my second chapter will be on the concept of sovereignty. I will analyze varying Indigenous perspectives of treaties. Once these perspectives have been clearly identified, I will then begin to explain the nation-to-nation relationship as understood in Indigenous knowledges, through examples of treaties with the more-than human and other Indigenous nations. This will set up my next portion of the chapter which will begin with a

discussion of sovereignty in both a western and Indigenous perspective. The transmission of ideologies based on taking-up lands can be devolved into understanding reciprocity and responsibility to all relations as the land belongs to Creator and we are to share its abundances.

This chapter will explore how the Canadian state has evoked settler colonial principles of sovereignty and land accumulation in order to dismember land and body that disregards treaty principles. This chapter will undoubtedly grapple with the ambiguity and ambivalence of sovereignty and settler colonial and Indigenous perspectives of treaty.

Chapter Three

My third chapter will centralize Indigenous women in relation to sovereignty, and as political bodies. This chapter will begin to discuss Indigenous body sovereignty and coming back to the body without the limitations imposed by the state. This chapter will illuminate the ways in which the state has informed gender norms within Indigenous nations. By refuting and coming back to the body, there can be the exercise of body sovereignty and the re-presencing of relationality within everyday interactions. This chapter seeks to refute body and land violence while reframing treaty principles that re-presences our reciprocal responsibilities to the land and Indigenous sovereignty within Turtle Island.

Methodology and Autoethnography

I place my basis of this research in Indigenous, specifically Anishinaabe Creation, centered around the spiritual and feminine, interconnected with all our relations, including the more-than human. In order to discern the nation-to-nation relationship between two autonomous sovereigns living in relation to one another, and Creation in one terrestrial space. It is imperative to understand the ways in which the Anishinaabe predicated these living treaties and how the settler colonial state has extrapolated their hierarchal power structures over Indigenous Peoples

as a result of their interpretation of treaties. Researchers have begun looking at the ways in which historical treaties can be remedied and reimplemented in order to establish the renewal of the nation-to-nation relationship.²²

The methodology I have used for this thesis has been an analysis of published primary resources and a secondary literature review. I have relied heavily on secondary resources and published primary resources. This thesis is also a written autoethnography, throughout the duration of my researching and writing process, I have come to learn myself in relation to the land. I note that this will be a lifelong journey, but for the purposes of the next few chapters, it has aided greatly in the re-presencing of my body in relation to my kin, and through the exercise of body sovereignty and relearning my treaty responsibilities.

I have positioned myself as a witness and participant to my research, allowing me to enrich the ethnographical methodology as I have begun to learn myself in relation to the subject matter. As Plains Cree and Saulteaux scholar Margaret Kovach states, “reflexivity brings forward the political and representational dimension of research in knowledge construction inherent to their particular theoretical standpoints.”²³ Self-locating my subjective experiences in relation to the research I have conducted allowed for transparency and to identify true knowledges and practices.²⁴ I have aimed to be careful to not generalize my experiences but to show relation to my research from my experiences when expressing the symbolism of my body in relation to the land. By self-locating, I will also be re-membling, internalizing the stories in order to gain perspective, while I walk on the land, and connect to water. I have reflected

²² John Borrows and Michael Coyle, *The Right Relationship: Reimagining the Implementation of Historical Treaties*, (Toronto: University of Toronto Press: 2017).

²³ Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts*, 33.

²⁴ *Ibid*, 111.

critically on the stories and teachings that guided this research in unison with my reconnection.

Smith states the power that accompanies re-remembering, she says,

re-remembering in terms of connecting bodies with place and experience, and, importantly, people's responses to that pain [healing and transformation] become crucial strategies in any approach that asks a community member what they may have decided to unconsciously or consciously forget.²⁵

By doing this, it has provided the space to allow for the resurfacing of the symbolism that has been hidden, forgotten, or disrupted as a result of the colonial imposition. I use this to reflect back on the loss of knowledge transmission that has come as a loss of knowledge transmission and the prevalence epistemic violence. Through re-remembering, I can relocate body, place, and treaty.

Additionally, this thesis was done with the lens of the practice of *biskaabiiyang*, allowing me to restore connection to Anishinaabe teachings by reflecting on impacts and contact with colonialism.²⁶ The practice is described by Wendy Makoons Geniusz:

this is the only way to conduct new research that will be beneficial to the continuation of *anishaabe-gikendaasowin* (knowledge, information, and the synthesis of personal teachings) and *anishinaabeg-izhitwaawin* (Anishinaabe culture, teachings, culture and history).²⁷

The principle here is that *biskaabing* research approach is founded in principles derived from *Anishinaabe-inaadiwiwin*, meaning the ways of being.²⁸ My work has been grounded in this principle.

Within my research I have greatly used the practice of reflexivity and have continuously engaged in self-reflection throughout the entirety of my research. This research and reconnection

²⁵ Linda T. Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed. (London & New York: Zed Books, 2012), 147.

²⁶ Simpson, *Dancing on Our Turtles Back: Stories of Nishnaabeg Re-Creation, Resurgence and New-Emergence* (Winnipeg: Arbiter Ring, 2011), 59.

²⁷ *Ibid*, 50.

²⁸ *Ibid*.

to land has and will continue to transform the ways in which I relate to the human and more-than human world. I have engaged in feminist²⁹ and land-based epistemologies; through this approach, my subjectivity and presence has been at the forefront of my methodology. I have been mindful to understand the ways in which my work can echo concepts and theories of the scholars who have come before me while learning myself in relation to the land and treaty sovereignty. This work has gone beyond what I initially intended to do, I have begun to actively reimagine a world where I am a part of its cyclical relationality and echo the epistemologies that have been rendered invisible and have sought to actively re-presence my sovereignty.

Through my auto-ethnography, I have gathered knowledges by observing relationships within the natural world.³⁰ I have done this through walks, camps, learning about the medicines of the land and the lives that it sustains. By acknowledging myself amidst my relations I have been able to recognize the more-than human world as being interconnected sovereign beings, who I, as a sovereign being have an inherent responsibility too. This has helped revitalize my connection to territory and sovereignty and recognize my treaty responsibilities. I have done this in an urban setting allowing me to actively disrupt the intrusion of colonial presence onto Indigenous lands. Kovach reinforces the power of place, as it connects with the past, and our personal experiences as place transverses time. Place has the capacity to allow us to learn about ourselves in relation to place, to epistemologies and our ancestors as it has the capacity to inform our identity.³¹ By using place it reconnects bodies and refocuses our sovereignty. My experiences of this practice within an urban setting has allowed me to engage with the more-than

²⁹ I ground my feminism in the land, while challenging patriarchy, colonialism, and white supremacy.

³⁰ Ibid, 34.

³¹ Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts*, 61.

human and all my relations beyond the colonial concrete, and allow for the fluidity of existence and experience to take precedence.

Moreover, I have attempted to articulate the practice of interpretive meaning-making, in *Indigenous Methodologies: Characteristics, Conversations, and Contexts*, Kovach explains, “a subjective accounting of social phenomena as a way of giving insight or to clarify an event.”³²

This contextual analysis has allowed me to further develop my connection to my research. Additionally, I have analyzed research and literature that has already been published. These teachings and perspectives have aided to further ground my research in support of my argument towards the innate connection between land and the feminine body that stems from Indigenous cosmologies and epistemologies. This allowed me to further engage in reflexivity, learning the ways in which my experiences will interpret this knowledge and how it presented itself as relevant to my thesis. This research seeks to offer a language of possibility, as Smith mentions it is a language that can be cared for by Indigenous Peoples allowing us the opportunity to create solutions and actualize our worldviews.³³

By refuting the confines of the settler states depictions of the body and land, and the fluidity of space and sovereignty we can begin to reimagine the treaties. By reframing land pedagogy and the reciprocal relationship, we can begin to re-presence Indigenous epistemologies that negate colonial assertions on sovereignty and land and body autonomy that can begin to challenge the settler states ambivalence on the treaty relationship within its colonial borders. The negation of the pervasion of colonial rhetoric will undoubtedly work to recentre and reconnect

³² Ibid, 130.

³³ Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 204.

body, land and treaties that allows for the reconceptualization of sovereignty and our responsibility to the land.

Chapter One

Refuting Epistemic Violence

While grounding this thesis in Anishinaabe thought, it is imperative to conceptualize the states attack on the body sovereignty of Indigenous women. This connection can be found within the femininity of the earth, creation and Indigenous women. The feminine is encapsulated within Indigenous epistemologies and cosmologies, that tether land and body sovereignty together as kin. Indigenous knowledges have been at the epicentre of epistemic violence stemming from colonial commitments to expunge the animate from the more-than human world. Done in order to assert dominance and appropriate over what has been twisted to be understood as something that can be owned. This chapter seeks to preface Anishinaabe worldviews while connecting Indigenous women's bodies to the land through creation. This will include reframing kinship and relationality to demonstrate land and body sovereignty. Western theologies and epistemologies have confined and restricted the fluidity of time and space in order to subdue the multiplicity of pleasure. Through attempts to constrict Indigenous Peoples agency in order to disable the capacity to live in accordance with the more-than human world. This, and the subsequent dispossession of body and land sovereignty, has resulted in the dismemberment of Indigenous cosmologies and epistemologies bound by land pedagogy. I seek to show these intricate connections between land and body sovereignty, to tether the body to place.

Creation

The Creation story is an embodiment of laws that we are to govern ourselves by. In Basil Johnston's telling of original Creation, Kitche Manitou (The Great Spirit) had almost completed

his vision in which he had created stars, the sun and moon, and earth, filled with mountains, valleys, trees, flowers, walking, swimming, flying and crawling beings as Kitche Manitou, “brought into being and existence what he had seen, heard, and felt.”³⁴ After Kitche Manitou had brought life to Creation, he gave creation the Great Laws of Nature in order for the ‘well-being and harmony of all things and all creatures...all things lived and worked by these laws.’³⁵ Soon after, a great destruction came, and after a while the sun began to shine again, during this time Kitche Manitou was approached by Sky-Woman. Sky-Woman asked Kitche Manitou to dispel her loneliness, they obliged and sent her consorts with who she conceived, after the second consort left, the creatures recognized her unrest in the spirit world and offered her a haven down from the skies.³⁶ Sky-Woman came down and rested on the turtles back and asked the water animals to retrieve soil for her from the depths of the water. When the muskrat returned with the soil, Sky-Woman placed it around the rim of the turtles back and “breathed life upon it, and into the breath of life.”³⁷ As Turtle Island grew, and life forms continued to flourish, Sky-Woman infused her life giving breath into all beings.³⁸ Sky-Woman at last gave birth to her children and women and men were born, each possessing *chibowmun* otherwise known as an aura or spirit, stemming from their *cheejauk* in which their inner being could be sensed and felt.³⁹ This aura or spirit could be understand as body sovereignty, enabling the sovereign to feel, to sense, and to act in a way according to their own will. This body sovereignty continues to connect Indigenous Peoples to Sky-Woman and the first brother and sister through the webs of connection between

³⁴ Basil Johnston, *Ojibway Heritage*, 4th ed. (Toronto: McClelland & Stewart, 2008), 12.

³⁵ *Ibid*, 13.

³⁶ *Ibid*, 14.

³⁷ *Ibid*.

³⁸ *Ibid*, 15.

³⁹ *Ibid*.

sall of our animate relations and kin, which includes Indigenous Peoples and the more-than human members of Creation. Creation is dependent on four aspects. Johnston explains,

First is the physical world; second, the plant world; third, the animal; last, the human world. All four parts are so intertwined that they make up life and one whole existence. With less than the four orders, life and being are incomplete and unintelligible. No one promotion or self-sufficient is complete.⁴⁰

The connection between the four distinct aspect of Creation disproves the colonial ideology that land is commodifiable and possessable which is reaffirmed in their colonial hierarchies. We are called by the Great Laws which have informed and been encoded into Indigenous epistemologies that teach us how to live and learn⁴¹ in accordance with Creation. As Indigenous Peoples we are taught that we are dependent upon all spheres of Creation and must live in harmony and work to uphold the balance of all living beings. The Creation story is an embodiment of laws that we are to govern ourselves by.

Creation states that there is an inexcusable connection between the body and land, each possessing *chibowmun* and unique soul spirits exhibiting individual sovereignty. This original way of understanding kinship and responsibility denotes the colonial pyramid of rights recognition and recognizes more-than humans with the capacity and right to their own knowledges, spirits, and intentions.⁴² Hierarchy of rights is detrimental to the resurgence of Indigenous epistemologies, the animacy and autonomy of the more-than human. Not only does Creation affirm without ambiguity that there is a connection between land and body, but Watt's also understands that Creation illumines that human beings are made directly from the land, and

⁴⁰ Ibid., 21.

⁴¹ Ibid.

⁴² Robin Wall Kimmerer, "Mishkos Kenomagwen, the Lessons of Grass: Restoring Reciprocity with the Good Green Earth," in *Traditional Ecological Knowledge: Learning from Indigenous Practices for Environmental Sustainability*, ed. Melissa K. Nelson and Daniel Shilling (Cambridge: Cambridge University Press, 2018), 28.

by extension their flesh is the soil.⁴³ Watts continues, “Land is understood to be female: First Woman designates the beginning of the animal world, the plant world and human beings. It is the femininity of earth itself that institutes all beings as literal embodiments of localized meanings.”⁴⁴ Indigenous Peoples and the land are synonymous, and we are called to respect our relations as we are kin. Sky-Woman is the beginning of animals, plants, and human beings, because the femininity of the Earth itself institutes all beings as literal embodiments of place-thought.⁴⁵ There can be no survival of one without the other, place grounds thought, it grounds the Great Laws, and it calls us to act on our responsibilities. In Edna Manitowabi’s retelling of Creation, recounted by Simpson,

Gzhwe Mnidoo wanted one who would reflect her/his thoughts, and so from the first woman s/he took four parts of her body — soil, air, water, and fire and molded a being, a vessel. Gzhwe Mnidoo blew his/her own spirit breath into the being and gave him her/his own thoughts, and these thoughts were so vast that they spilled out of his head into his entire body. Gzhwe Mnidoo touched Original Man’s breast causing his heart to beat in harmony with the rhythm of the universe and with Gzhwe Mnidoo.⁴⁶

Johnston and Manitowabi’s retelling of the Creation story affirms that all living things are connected, and that the gift of life was brought to us by Sky-Woman. She remains honoured as she brought life to all beings and calls for us to live in accordance with Creation. By representing Indigenous epistemologies and cosmologies we can begin to understand that sovereignty is inherent to our beings, and more-than human beings. As Sky-Women drew out the first breath of life, and the Anishinaabe came to their fleshy sovereign bodies as extensions of the

⁴³ Vanessa Watts, “Indigenous Place-Thought & Agency Amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour,” 27.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Simpson, *Dancing on a Turtles Back*, 43.

of the soil, Sky-Woman becomes the designator of how living beings will organize upon her.⁴⁷ As sovereign beings, we are called to act in the ways that Sky-Woman has organized us to do so. In this way, all of Creation is connected to Mother Earth. Johnston writes, “At birth, a man receives his life from his mother; in death he gives up his life to Mother Earth. The Anishinabeg loved the Earth, the soul-spirit of which was beauty, growth, bounty, and peace.”⁴⁸ Simpson further explains that,

We are born from the sky world, and we return there when our time in the physical world is done. The spirits live there. Knowledge is held there...we have to strive and commit to maintain deep everyday relationships with this world [sky world] when we are physically on earth.⁴⁹

As an Anishinaabe being, I am called within my everyday networks and through the transmission of knowledges to uphold my responsibilities and my relationships. This call to relationality is extended to all of Anishinaabe kin. Our connection is intuitive and necessary for our fulfillment of being. It is intrinsic that we understand, exercise, and cherish these relationships that allow us to exist. These relations can be realized within continuous manifestations of life energies which inform the whole life-flow of Creation.⁵⁰ Through these webs of connection, reaffirmed through kinship and a call to responsibility and reciprocity, we are bound to the Great Laws and to live in a way that upholds this respect. We are called as stewards who are dependent on all of Creation to recognize the more-than-humans animacy and spirit that teaches and sustains us. Sioux scholar Vine Deloria Jr. explains, “The awareness of the meaning of life comes from observing how the various living things appear to mesh to provide a whole tapestry.”⁵¹ Through adopting this

⁴⁷ Watts, “Indigenous Place-Thought & Agency Amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour,” 23.

⁴⁸ Johnson, *Ojibway Heritage*, 26.

⁴⁹ Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence* (Minneapolis: University of Minnesota Press, 2017), 212.

⁵⁰ Vine Deloria Jr., *God is Red; A Native View of Religion*, (Colorado: Fulcrum Publishing, 2003), 87.

⁵¹ *Ibid.*

epistemology, it is intangible that the animacy of the more-than human and Mother Earth can be separated from their agency, and that the kinship and relationality between the human and the more-than human can be negated or dismissed. This animacy of the more-than human, is inherent to all living beings. This relationality and animacy belongs to the more-than human and humans and exists without the presence of hierarchy, allowing each living being to exist in a space where they are free to exercise their sovereignties. These sovereignties are important to respect, and are integral to the relationality between the more-than human and human.

Within Anishinaabe epistemologies, not only is this connection reaffirmed and respected, but there is no requirement for homogeneity to create unity. There is the absence here hierarchy and neutrality within creation to uphold power dynamics. Instead, there is recognition and acceptance of fluidity of the more-than humans and Indigenous Peoples. These relationships and the interspace between also do not rely on difference to support hierarchies in unnatural webs of power hierarchies. Deloria Jr. states,

To recognize or admit difference, even among the species of life -, does not require then that human beings create forces to forge to gain a sense of unity or homogeneity. To exist in creation means that living is more than tolerance for other forms – it is recognition that in differences there is the strength of creation and that this strength is a deliberate desire of the Creator.⁵²

The differences between all parts of creation are to be respected for the distinct and important roles that make up creation and the functions of the living world. Hierarchal structures are bound to sexist and racist discourses that help support western normative values and ways of being. Body sovereignty allows us to exercise and act on our responsibilities and inform our internal ways of organizing and governing upon the land. Anishinaabe concepts of sovereignty, cannot be reconciled in a way that the colonial settler state seeks it to be understood. That is, land cannot be

⁵² Ibid, 88.

commodifiable, it has soul spirit, it has autonomy, and as humans, it is our kin. Power cannot be derived and transferred from us or the more-than human as if it is ours and ours alone, independent, and free of external intrusion.

Gender

Within this thesis, concepts of gender cannot be ignored; however, colonial concepts of gender and the implications that have arisen as a result of the gender binaries enforced within the state cannot be fully unpacked within the scope of this thesis. Within my third chapter I will delve into a more discursive discussion on gender and body sovereignty. However, to further supplement this chapter I have included a short overview of the gender power paradigm that threatens the colonial settler state which has been the foundational rationale for the violence against Indigenous women, girls, and members of the 2SLGBTQQIA community.

Indigenous gender orientations and the fluidity of existence have been under siege from colonial governing bodies and the body politic. This violence comes as a result of the power and significance of Indigenous body sovereignty that continue to threaten colonial powers and interrupt the colonial land usurpation project.⁵³ Offering pathways forward, gender should not be restricted to colonial boxes used to confine and control expression. All genders have valuable, ethical, consensual, meaningful, and reciprocal relationships with all aspects of creation. Through the expungement of colonial thought, a space can resurface that acknowledges that relationships within Creation are not tied to the essentialized feminine body but can be recreated and understood in a space that encapsulates connection to the land.⁵⁴ Indigenous women's sovereignty compels us to dismantle, reproduce and contribute to the re-centering of our knowledges and identities which is crucial to understand the innate respect and connection

⁵³Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 107.

⁵⁴ *Ibid*, 121.

between our relations. As a result, colonial gender and binary norms have been enforced within Turtle Island and within Indigenous communities to assert dominance and instill colonial cultural, societal, and economic norms and traditions.

In Indigenous epistemologies, the feminine is essential within creation and the connection between body and land is visible. Simpson explains that when the feminine creates new life, it becomes an “extension of ourselves,”⁵⁵ we are intertwined with creation and take part in the re-creation of ourselves and the re-creation of relationality with all our kin.

In both, past and present, to the Anishinaabe, the feminine has a responsibility towards Indigenous knowledges and leadership, who share a sacred spiritual relationship with between the Mother Earth, more-than humans, and other Indigenous women. When Indigenous girls are transitioning into their new women spirit, the teachings of this new spirit our foundational in Indigenous epistemologies because these young women come to understand themselves in relation to and as Mother Earth herself.

They will understand her seasons, her moods and her cycles. They will understand that she is the Mother to all Creation. They will understand that she takes care of herself. They will see that she is beautiful, sacred and that she was created first. They will know that she holds a special place in our hearts because she is our Mother. They will understand that our people connect to the land as their Mother.
⁵⁶

This connection between the feminine body and land roots place-thought and sovereignty. It becomes apparent why the gendered component of sovereignty becomes prevalent in the colonial project. There is a fundamental connection between the patriarchies disregard for nature, women, and Indigenous Peoples as the colonial/patriarchal mind that seeks to control women also seeks

⁵⁵Ibid, 39.

⁵⁶Ibid, 37.

to control nature.⁵⁷ Furthermore, the assertion of patriarchy is essential to settler colonialism for the state necessitates the subjugation of Indigenous women from their political, economic, and societal roles in their nations. As Simpson explains, “Heteropatriarchy isn’t just about exclusion of certain Indigenous bodies; it is about the destruction of the intimate relationships that make up our nations and the fundamental systems of ethics based on values of individual sovereignty and self-determination.”⁵⁸ This is done in an attempt to instill colonial gender roles, and their binary of the feminine and masculine which eradicates variance and fluidity in order to uplift capitalism and modernity. As a result, Indigenous women are not only racialized but also experience multidimensional layers of subordination through a gender power paradigm.⁵⁹ The connection between body and land sovereignty as I have expressed in sections above, continue to interrupt the institutionalization of colonial ideologies into the body politic that undermines the rights of Indigenous women and the more-than human and subsequently the sovereignty of Indigenous nations.

Epistemic Violence

Indigenous epistemologies and codified ways of being that were given to us by Creator are targets of dispossession. This has resulted in an eclipse of these knowledges and how we are called to place while respecting and exercising body and land sovereignty. The epistemic violence perpetrated against Indigenous knowledges in combination with the systemic influx of settler-colonial ideologies has infused both Indigenous and settler state societies. This has

⁵⁷ Kelsey T. Leonard, “The (Un)Making of Property: Gender Violence and the Legal Status of Long Island Algonquin Women,” in *Keetsahnak: Our Missing and Murdered Indigenous Sisters*, ed. Kim Anderson, et al. (Edmonton: The University of Alberta Press, 2018), 111.

⁵⁸ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 123.

⁵⁹ Walter D. Mignolo, “The Zapatistas; Theoretical Revolution: Its Historical, Ethical and Political Consequences.” *Review* 25 (2002): 218.

enforced and dictated the ways in which our expression of being is accepted within the state.

Dene researcher Glen Coulthard explains misrecognition of cultural or group-specific identity as,

the disparagement of such identity and its consequent effects on the subjectivities of minorities, recognitions and misrecognition should be conceived of in terms of the “institutionalized patterns of value.”⁶⁰

The lasting impacts of deliberate dismissal of Indigenous identity in combination with the misrecognition and dismissal of Indigenous epistemologies have become embedded into the settler states body politic which seeks to expunge other ways of knowing and the sovereignty of other animate beings. As a result, colonial ontologies have become encoded in our subconscious, while the state has unanimously instituted the naturalization and normalization of hierarchy and the insertion of heteropatriarchy⁶¹ into our nations. This has become eclipsed into the language of zero-point epistemology which denies all over perspectives of knowledges⁶² and privileges settler-colonial ontologies is essential to the state to disappear Indigenous Peoples and creates false identities in order to ensure the dehumanization of Indigenous Peoples.

Colonial ideologies have the capacity to obscure Indigenous knowledges of personal identity and fragment relationality, when the truth remains that everyone shares a fundamental call to reflect the reality of their relationship to all beings in what they think and do.⁶³ As a result of the persistence of colonialism, and the disruption of kinship and relationality, there has been a disruption in the capacity to communicate with the more-than humans, which has in turn, disrupted our body sovereignty. Watts explains that this fragmentation in conjunction with

⁶⁰ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Manitoba Press, 2014), 36.

⁶¹ Robyn Bourgeois, “Generations of Genocide: The Historical and Sociological Context of Missing and Murdered Indigenous Women and Girls,” in *Keetsahnak: Out Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 69.

⁶² Bang et al, “Muskrat Theories, Tobacco in the Streets, and Living Chicago as Indigenous Land,” 41.

⁶³ Marc Kruse, Nicholas Tanchuk, and Robert Hamilton, “Educating in the Seventh Fire: Debwewin, Mino-Bimaadiziwin, and Ecological Justice,” 589.

violent assimilationist tactics and continued structural removal of Indigenous epistemologies and agency, have compromised Indigenous Peoples capacity to act and converse with the more-than humans.⁶⁴ Consequently, Watts argues that this violence goes beyond the epistemic violence of Indigenous epistemologies, and the sense of identity stemming from place, but it is a direct infringement on the land's intentionality.⁶⁵ This deliberate misrecognition and disturbance of the lands intentionality refuses to accept the animacy of the more-than humans and refutes any possibility of the capacity to recognize innate responsibilities to the more-than human which stem from the Great Laws, disrupting our ability to exercise our sovereignties.

This relationality remains embedded and encoded into our ways of being, which must be reilluminated. We are called to reflect on our responsibilities regardless of colonial intrusion and interact meaningfully with one another in ways that echo our teachings and codify how we are to walk in the world. Kruse et al. explains that as Indigenous Peoples we need to feel presence in our relations and see the value within these relationships as we all share a common ethos that we are kin.⁶⁶ Further they state, "life is not given to use to individually process; instead we are called to give ourselves to our relationships with the diversity of life."⁶⁷ This relationality, is supposed to be echoed within all aspects of life. By re-learning and dismissing the colonial hierarchy of beings, the ways in which kinship and relationality can be transformed and understood in a way that reframes sovereignty and exercise of autonomy that encapsulates responsibilities to our relations while continuing to remain sovereign and interconnected with Creation.

⁶⁴ Vanessa Watts, "Smudge This: Assimilation, State-Favoured Communities and the Denial of Indigenous Spiritual Lives," *International Journal of Child, Youth and Family Studies* 7 (2016): 152.

⁶⁵ Ibid.

⁶⁶ Kruse, Marc, Nicholas Tanchuk, and Robert Hamilton, "Educating in the Seventh Fire: Debwewin, Mino-Bimaadiziwin, and Ecological Justice," 589.

⁶⁷ Ibid.

Settler state epistemic violence not only includes the dispossession of knowledges in order to privilege the colonial project through attempts to alienate Indigenous epistemologies and in turn, indoctrinate colonial epistemologies; it also includes the dispossession of place and connection to our relations. Watts argues,

All new beings carry the knowledge of beings before them. The relationship we have to place is also one that we have with ourselves. When place is altered, we are altered as current and future inheritors.⁶⁸

The attempted rupture between place and body sovereignty illumines distorted Indigenous futurities that have been dismembered as a result of epistemic violence. However, even if we have been forcibly removed from our traditional territories or places, our systems of governance were organized upon, our embodiment of place continues to call us to act in a way that is in accordance with our laws.⁶⁹ We have the tools to speak back to the dismemberment of Indigenous epistemologies and re-centre ways of being that restore Indigenous futurities. There is a value to the more-than human that cannot be commodified in colonial terms as it is unique and indoctrinated into Indigenous epistemologies. Kruse et al. further explains that the subjectivity of the more-than human life allows for the ascension of these lives to live in an objectified and ethically mute way that is prevalent in colonial thought which continuously reconstructs colonial thought.⁷⁰ There is a knowledge gap as a result of epistemic violence and the dispossession of Indigenous worldviews in order to favour the colonial project at the hands of the colonial oppressor. This gap leaves a discrepancy in how we are to live in accordance with our relations, including animals, plants, and all things connected to the land. Watts explains that

⁶⁸ Watts, "Smudge This: Assimilation, State-Favoured Communities and the Denial of Indigenous Spiritual Lives," 151.

⁶⁹ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 194.

⁷⁰ Marc Kruse, Nicholas Tanchuk, and Robert Hamilton, "Educating in the Seventh Fire: Debwewin, Mino-Bimaadiziwin, and Ecological Justice," 591.

there is an inherent synonymy of land and knowledge systems that explain a theoretical understanding of the world embodied by a specific place. This can be known as place-thought.

Watts states,

Place-Thought is the non-distinctive space where place and thought were never separated because they never could or can be separated. Place-Thought is based upon the premise that land is alive and thinking and that humans and non-humans derive agency through the extensions of these thoughts.⁷¹

Place-thought allows for the possibility to envision and come back to a space that is fluid and can be experienced relationally. Grounded normativity holds and reproduces practices and procedures of Indigenous knowledges formed through the innate deep reciprocal relationship between humans and the land rooted in place-thought.⁷² Grounded normativity refuses colonialism and capitalism and teaches Indigenous Peoples to live in harmony with the land, and to be respectful to the land and non-Indigenous Nations where there is shared territorial responsibilities.⁷³ This relationship to the land generates the processes, practices, and knowledges that inform Indigenous governance structures in which Indigenous Peoples stand in solidarity with the land. Presence is essential to the maintenance of good relations⁷⁴ with the more-than human and other Indigenous nations with whom the land is shared. This concurrent connection between land and body sovereignty is rooted and reaffirmed in both in the body and land. It establishes a basis to understand the fundamental connection between place and being. This presence of connection to the land can be felt within the bush, within our communities on

⁷¹ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour," 21.

⁷²Glen Coulthard and Leanne B. Simpson, "Grounded Normativity/Place-Based Solidarity," *American Quarterly* 68 no.2 (June 2016): 254.

⁷³ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour," 23.

⁷⁴ Simpson, *Dancing on Our Turtles Back: Stories of Nishnaabeg Re-Creation, Resurgence and New-Emergence*, 89.

reserves, and in both urban and rural spaces within our traditional territories, but this presence of the land is also encapsulated within our beings, and can be realized and felt within our bodies.⁷⁵ Simpson speaks of this spirit that is encoded within our body sovereignty as an authentic power that has influence from humans and the more-than humans.⁷⁶ Our bodies are bestowed with the power to recognize and learn from this connection that cannot be expunged completely but just remains covered with colonial intrusion. Place-based connection can be re-felt and re-sensed in order to reclaim Indigenous knowledge's that have been at the epicenter of colonial epistemic violence that has sought to remove Indigenous body and land sovereignty.

Western Colonial Perspective

Indigenous epistemologies and ontologies frame relationality in a way that displays kinship, governance, and sovereignty, however, in contrast, this relationality is absent from western perspectives. The setter states prefaces that the more-than human lacks agency in comparison to human agency. Within Eurocentric frameworks, it is conceived that the more-than human is to be owned, consumed, and at the ready for human consumption and exploitation. Kruse et al. continues to explain that, further, to have moral obligations and responsibilities to the more-than human would simply be irrational. Continuing, colonial ideologies deny the existence of other knowledges; furthermore, modern natural and social sciences bindrationality to superiority.⁷⁷ There is a deliberate link between the dismissiveness of Indigenous knowledges and the colonial commitment of hierarchal structures which extend the proclaimed dominance of the more-than human world. Through this violence perpetuated against knowledges, Indigenous

⁷⁵ Leanne B. Simpson, "Centering Resurgence: Taking on Colonial Gender Violence in Indigenous Nation Building," in *Keetsahnak: Out Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 216.

⁷⁶ Ibid.

⁷⁷ Marc Kruse, Nicholas Tanchuk, and Robert Hamilton, "Educating in the Seventh Fire: Debwewin, Mino-Bimaadiziwin, and Ecological Justice," 591.

ceremonies, prayers, practices and ways of being are alienated and viewed in a colonial lens that sees no inherent value to colonial modernity as teachings or guiding practices but solely as preferences, reduced to myth and story, a tool used by the west.⁷⁸ This nuanced view of colonial ideologies casting out agency from more-than human beings, and defines the scope of their usefulness solely to their capacity to control eliminates the possibility for Indigenous ontologies to be discerned as science. However, as Watts explains,

Scientists refer to this as ecosystems or habitats. However, if we accept the idea that all living things contain spirit, then this extends beyond complex structures within an ecosystem. It means that non-human beings choose how they reside, interact and develop relationships with other non-humans. So, all elements of nature possess agency, and this agency is not limited to innate action or causal relationships.⁷⁹

By expunging colonial presence over Indigenous ontologies, Indigenous knowledges can be reinstated, not as discernable myth or folklore but as a science. This enables the reimagination of society living in accordance with the Great Law and reflecting that everyone possesses sovereignty. This is necessary to begin to reimagine the state to ensure that it that does not ignore or denote Indigenous epistemologies. The expungement of epistemic violence and visibility of Indigenous ways of being can offer languages of possibility to re-story sovereignty.

Further, this also extends into colonial understandings of the Euro-Christian Creation story otherwise known as the Genesis story, and how gender and nature were the precursor of humanity's burden since Creation. These are foundational differences in the ways in which we can understand how gender and nature are respected and viewed. Colonialist ideologies are internalized and echoed in persisting rhetoric that aims to dismantle the animate world and the

⁷⁸ Ibid, 593.

⁷⁹ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour,"23.

dismemberment of female bodily sovereignty. Within the Euro-Christian Creation story, the Garden of Eden was given to both Adam and Eve, in the garden there was the forbidden tree with an apple, when Eve took a bite of the apple, enticed by the snake, she damned all of humanity into exile as they were cast out of the garden.⁸⁰ Watts explains the two fundamental consequences of this interaction between the feminine and nature. She explains firstly that humans were positioned above nature.⁸¹ Secondly, it affirmed that this relationship between the more-than human and humans ended in loss for humans as they are one of the causes that condemned humanity.⁸² This facilitated the notions that the agency between human and more-than human and their interactions were dangerous and poignant.

This interaction between Eve and the more-than human, eclipsed women, and the more-than human, and outcasted them in settler state society, depriving them of their sovereignties within the settler state. In turn, this profane rhetoric became encoded in the settler state which established the rationale for epistemic violence towards Indigenous epistemologies as the sacredness of land and women are corrupted and misrecognized. Deloria also delves into the duplicity of difference between creation stories. Deloria explains that within Genesis, Adam was the surrogate of the whole of Creation, when he and Eve were expelled from the Garden of Eden, it also was the root factor in the unmitigable consequence that the natural world became corrupted.⁸³ This articulation of women aids in the pervasive dismissiveness of women and women's roles within society in order to circumvent Indigenous women's body sovereignty. Simpson explains there is a deliberate colonial need to interrupt Indigenous relations and social

⁸⁰ Kimmerer, *Braiding Sweetgrass* (Canada: Milkweed, 2016),7.

⁸¹ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour," 24-25.

⁸² Ibid.

⁸³ Deloria Jr., *God is Red: A Native View of Religion*, 79.

structures and the violence that is heteropatriarchy as she states, “heteropatriarchy is a foundational dispossession force that deliberately attacks Indigenous body sovereignty as political orders, though, agency, self-determination and freedom.”⁸⁴ Not only is there the active dispossession of Indigenous body sovereignty but simultaneously in colonial ideologies there is the internalization of natural hierarchy continues to diminish the enriched relationships and interconnectivity between all living beings.

Deloria further explains that through the Genesis story, after creation, man was given the responsibility to name the more-than the humans, including the animals as he becomes the master and owner of animate members of creation.⁸⁵ This naming responsibility also transforms the relationship between man and the world as, “he has authority and power to subdue the earth which is echoed in colonial thought with their concepts of economic exploitation and possessorship over the animate world.”⁸⁶ Illegitimate entitlement of power hierarchies causes a paradigm shift in the natural being of all things and deliberately goes against the Great Laws. Not only does this cause unrest and unbalance in creation, but it dramatically alters the reciprocity that everyone has with their kin, whether human or more-than human.

The dismemberment of Indigenous women’s sovereignty also works to disable body sovereignty. Jaffee and John argue that Indigenous epistemologies can belie colonial ontologies about the land and the bifurcation of human and the more-than human.⁸⁷ The direct attempt to rupture this connection as a tactic of the settler colonial project moulds itself and conceals itself in many ways. This involves the perception that the land can, and is willing to be appropriated,

⁸⁴ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 52.

⁸⁵ Deloria Jr., *God is Red: A Native View of Religion*, 81.

⁸⁶ Deloria Jr., *God is Red: A Native View of Religion*, 81.

⁸⁷ Laura Jaffee and Kelsey John, “Disabling Bodies of/and Land: Reframing Disability Justice in Conversation with Indigenous Theory and Activism,” *Disability and the Global South* 5 (2018): 1408.

that natural resources are there for over-consumption and the forced removal and physical, spiritual, and mental displacement of Indigenous bodies and their presence on their territories.⁸⁸ This intentional act of dispossession, reinforced through epistemic violence also calls for the regulation of bodies that in turn dismantles Indigenous body sovereignty and the capacity to engage in nationhood as a result of colonial ideologies surrounding women. The female earth or the feminine is intrinsically tied to the notion of sovereignty and how humans interact with non-human creatures in the formation of governance.⁸⁹ The relationship between the more-than human and Indigenous women are fundamental to Indigenous governance systems and the diplomatic processes in order to support the navigation and continued renegotiation of treaties between kin. Indigenous Peoples do not relate to the land through possession or coercive control over the land but through connection and an affirmative, complex, and non-linear relationship.⁹⁰ There is no secularity between humans and the more-than humans, all living beings are animate.

Regardless of the differences of Creation stories, Kimmerer explains that now, these two distinct nations each play an integral part of our treaty story now, as our stories are encoded in our ethos, our cosmologies and identity are shaped and informed by our Creation. This meeting of nations has now had a surmountable number of consequences for our land, interrupted from colonial ontologies has suffered the irreconcilable differences between both Sky-Woman and Eve.⁹¹

Clearly, these varying perspectives have created an unstable foundation for reconciliation in the way that we can understand currently. There needs to be the restoration of Indigenous

⁸⁸ Ibid.

⁸⁹ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour)," 27.

⁹⁰ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgenc*, 43.

⁹¹ Robin W. Kimmerer, *Braiding Sweetgrass*, 7.

epistemologies that can exist beyond the settler states dominating ideologies that continue to disavow Indigenous kinship and sovereignties. This is the language of possibility, and the resurgence of Indigenous ways of being grounded in sovereignty.

Kinship Treaties

Before proceeding, I find it imperative here to not only explain this interdependency between humans and the more-than humans but to exemplify their diplomatic processes and systems of governance that were flourishing before colonial contact. The nationhood which encompasses the relationality between the more-than human and the human can be described with what Simpson explains as, “Kina Gchi Nishnaabeg-ogamig” meaning, an ecology of intimacy.⁹² Kind Gchi Nishnaabeg-ogamig is an, “Ecology of relationships in the absence of coercion, hierarchy, or authoritarian power. Kina Gchi Nishnaabeg-ogamig is connectivity based on the sanctity of the land, the love we have for our families, our language, our way of life.”⁹³ This nationhood between the more-than human and human identified that this relationality is renewed based on continuous reciprocity, non-interference and the recognition of sovereignty⁹⁴ independent from your own. This interdependence recognizes the sovereign of the other for who they are, not in terms of exploitation and extrapolation. There is no hierarchical dynamic created or integral to this relationship between two distinct sovereigns. Our realities depend upon our relations to the more-than human, and it is crucial to survivance for us to recognize this dependency between kinship and sovereignty among all relations. The structure of societies is demarcated by territory, which again, is an extension of Sky-Woman’s original circumstance.

⁹² Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 8.

⁹³ Ibid.

⁹⁴ Ibid.

Sky-Woman is present in the relationships between humans and humans, humans and more-than humans, and more-than humans and more-than humans.

With the erosion of colonial hierarchal power structures, there is a vivid presence of manitous (spirit), where Indigenous Peoples did not control or command the more-than human to abide by their personal wants, but knew to respect the Great Laws, as there was a respect that as humans there were dependent on the spirits of the more-than humans for survival and well-being.⁹⁵ The more-than humans were the founders of society, as humans are the fourth part of creation, and are integrated into the political, social, private and public spheres. Watts explains that the more-than human world is self-determining societies and structures that govern ethics and inter-species treaties, which are acted upon in the right way.⁹⁶ As a result of these pre-existing societies before Indigenous Peoples became a part of creation, which was negotiated with the more-than humans before the arrival of Indigenous Peoples, their governance systems influence how Indigenous Peoples are to organize themselves within creation.⁹⁷

This way of organizing upon the land and within nations, preceded the role that treaties would play between different autonomous nations. Treaties are integral to the diplomatic processes between Indigenous Peoples and the more-than human. Simpson explains that these treaty principles between nations promote the security and sacredness of resources. Simpson recalls the protocols and responsibilities that these relationships relied on. She explains that clan leaders would negotiate agreements with animal nations or clans to ensure balance within the

⁹⁵ Basil Johnston, *The Manitous: The Supernatural World of the Ojibway*, (New York: HarperCollins Publishers, 1995), xxi.

⁹⁶ Watts, "Smudge This: Assimilation, State-Favoured Communities and the Denial of Indigenous Spiritual Lives," 152.

⁹⁷ *Ibid.*

particular territory they are sharing from.⁹⁸ For example, Simpson explains that for thousands of years the fish clans met with the fish nations to talk and tend to their treaty relationships in order to renew life.⁹⁹ These discussions supported the Nishinaabe in times when they faced scarcity of resources.¹⁰⁰ This relationality not only means survival, but it holds nations accountable for their use of the shared resource, being mindful of the gift and the responsibility to take only what is needed. This also meant, that there was a responsibility to share the gift with others.¹⁰¹ These agreements were based on a relationship bound to reciprocity, and respect, while requiring consistent maintenance and nurturing of the relationship to ensure peace and good faith.¹⁰² The sovereignty of the two nations is never questioned, but the continuous respect and maintenance of the relationship and kinship that is formed is contingent on demonstrating the respect for the land, and nations that you share the land with.

Not only is this taught to us in a meaningful way through our maternal relations, but the land is also our teacher as well. Through our interactions with the more-than human we engage in treaty making relationships as well. We learn this relationship throughout interactions with the land. In Simpson's *Land as a Pedagogy*, she speaks of young Kwezens learning the journey of her relationship with the land, as Kwezens comes to know that this relationship is in the pursuit of whole-body intelligence which is practiced in the context of freedom.¹⁰³ When this agency is realized it collectively creates generations¹⁰⁴ of individuals practicing their mind, spirit and land

⁹⁸ Leanne Simpson, "Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships," *Wicazo Sa Review* 23, no 2, (2008): 35.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Leanne B. Simpson, "Land as a Pedagogy: Nishnaabeg Intelligent and Rebellious Transformation," *Decolonization: Indigeneity, Education & Society* 3 no.3 (2014): 7.

¹⁰⁴ Ibid.

sovereignty, this then creates communities of individuals with the capacity to uphold and revitalize political traditions and systems of governance.¹⁰⁵ As Kwezens comes to learn her relationship with the land she realizes that she learned both *from* and *with* the land.¹⁰⁶ However, with the encroachment of capitalism and colonialism there have been racialized and gendered incursions perpetrated against Indigenous women as a result of the spiritual, political, and economic roles within their communities.

This sense of belonging felt through presence of place upholds arguments that place is both birth and inheritance as it is the basis of cosmologies as we are introduced to the place, and in death we inherit place through our bodies and spirits.¹⁰⁷ This calling of place-consciousness and place-thought orients us to know our epistemologies and calls us to reflect on our relations, including our responsibilities and treaty responsibilities, between humans and the more-than humans.

Indigenous sovereignty respects that all beings are equal parts of creation and related to one another.¹⁰⁸ Reaffirming that the laws given to us by Creator are in essence apart of our internal and external ways of governing. Venne explains that our duties are defined and informed by our spirituality and our responsibilities, and that sovereignty can be understood in this way, it besets our spirituality and responsibilities.¹⁰⁹ All actions taken is a part of a larger circular decision amidst all of creation. This ethical and meaningful practice of sovereignty is an obligation that is essential for the continuation of self.¹¹⁰

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ Watts, "Smudge This: Assimilation, State-Favoured Communities and the Denial of Indigenous Spiritual Lives," 151.

¹⁰⁸ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour)," 27.

¹⁰⁹ Ibid.

¹¹⁰ Ibid, 28.

When we re-present Indigenous epistemologies we learn that treaties have been made between other nations and the more-than human world since time immemorial. We are taught about this circular interdependency from a young age, these relations guide the ways in which we fulfill our responsibilities and acknowledge and respect sovereignty, including our own. This teaching is embedded in the original treaty, breastfeeding. Breastfeeding teaches about the relationality encoded within treaties¹¹¹ and the mutual beneficiaries to both independent sovereigns, whether it be nations or individuals.

We are taught that treaties must be continuing to be in balance with one another, similarly to how we are called to live in harmony with the land and the more-than human world. We are taught to protect our treaties that are derived from the love of the land and the people.¹¹² We are taught from birth about the importance of relationality and the need to uphold our responsibilities as a result of our relationality. This relationality teaches us that this circular dependency calls us to act on our responsibilities and walk in a way that reflects Anishinaabe epistemologies and reaffirms sovereignty in accordance with the land and nations.

Indigenous body sovereignty is essential to concepts of leadership, nationhood, and the active response to the responsibilities between all relations. Simpson explains that, “individuals were accountable for their own self-actualization and self-determination in relation to the spirit world and their responsibilities to their relations.”¹¹³ The practice of body sovereignty is intrinsic to daily life and the ways in which individuals are to walk in the world according to their relations. Body sovereignty is directly tethered to land and the more-than human, this

¹¹¹ Simpson, *Dancing on Our Turtles Back: Stories of Nishnaabeg Re-Creation, Resurgence and New-Emergence* 107.

¹¹² Ibid.

¹¹³ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 117.

governance and leadership is realized differently in each sovereign Indigenous body.¹¹⁴ This cannot be negated, it is not a hierarchical power structure, it is not the blind consent to the state, it is living, developing, body sovereignty that internally governs interactions with other spiritual beings, human or more-than human. The exercise of body sovereignty does not negate communal responsibilities and responsibilities to kin. Johnston explains that that the independence and individuality of Indigenous Peoples is highly important, as the freedom of the individual and their exercise of their sovereignty supports the well-being of the community.¹¹⁵ He further explains that both the individual and the community were best served when “both man and women who were resourceful, independent masters of their own time, space, and spirits, the equals of all other men and women in the community.”¹¹⁶

Through the exercise and participation in the recognition of body and land sovereignty and within interactions between the land, and our kin there is a conscious effort to remediate the colonial presence submerged within the unconscious of being to expel the animacy and sovereignty that the more-than human bears, but instead we re-present and revitalize these relationships that we acknowledge take meaningful time and a commitment to our relations to fulfill.

Re-Storying

As the remaining chapters are read, it is important to ensure the presence of Indigenous cosmologies and epistemologies in order to reframe the lens we can begin to decolonize body sovereignty through. Agency is tied to spirit, and spirit exists in all things, then all things possess agency, expelling all colonial intrusion to Indigenous epistemology and re-remembering our

¹¹⁴ Ibid.

¹¹⁵ Johnston, *The Manitous: The Supernatural World of the Ojibway*, xix.

¹¹⁶ Ibid.

direct relationship with the land and the more-than human. To re-story, involves the creation of a new temporal scheme, or a space, whether implicit or explicit that allows for the relationality between the more-than humans and humans to be realized. This may include an internal shift in the dimensionality and recognition of the animacy agency of all beings. This cannot be done without the language of sovereignty free from colonial direction on what it is, and the release of restraints put on the exercisability of such bodily and land sovereignty. This shift and space created within our spirits will become realized when society offers new dimensions to view land, body, and treaty sovereignty within and outside of the colonial state.

In this new temporal scheme¹¹⁷ which disallows the dispossession of gendered bodies and land, we can re-engage with our sensuality and it will allow us to reclaim our eco-erotic birthright.¹¹⁸ Anishinaabe/Métis scholar Melissa Nelson explains that this reclamation over eco-eroticism also requires the negation of “patriarchy, heteronormativity, internalized oppression, original sin, shame and guilt...especially relation to our bodies and our capacity for intimacy and pleasure.”¹¹⁹ By engaging in this active motion of recentring our relationality to welcome “carnal knowledge”¹²⁰ of Indigenous epistemologies, connecting nation specific understandings of place, language and sovereignty.¹²¹ Nelson explains that our minds are erotic, which makes it feasible to understand that by consciously reconnecting to the land through engaging in sensual pleasures and transcending species divisions, we can feel connection to not only humans but to the more-

¹¹⁷ Deloria Jr., *God is Red; A Native View of Religion*, 85.

¹¹⁸ Melissa K. Nelson, “Getting Dirty: The Eco-Eroticism of Women in Indigenous Oral Literatures” in *Critically Sovereign: Indigenous Gender, Sexuality, and Feminist Studies*, ed. Joanne Barker, (Duke University Press, 2017), 235.

¹¹⁹ Ibid.

¹²⁰ Ibid, 237.

¹²¹ Ibid.

than human.¹²² This reconnection and kinship with land and the more-than human further informs and reinstates our responsibilities to all of our relations.

When we are able to reconnect and learn in unison from land, it reaffirms the connection of sovereignty. These teachings are the crux of nations, Nelson explains that the relationality between the human and the more-than human in the “contact zone” of carnal knowledge where, “unspoken agreements arise out of the ecotone between the sovereignty of human and the sovereignty of other-than human people.”¹²³ Nelson continues that this is where knowledges are exchanged and “codes of behaviours are learned.”¹²⁴ In this way, the land is where knowledges are transmitted including how these teachings and stories become encoded into laws. Baker states in Nelson that, “this process is a way of narrating Indigenous [P]eoples back into their governance, territories, and cultures.”¹²⁵ By discerning colonial rhetoric’s and re-storying sovereignty and land it asserts our bodies as political, upholds political orders and pays respect to the nation-to-nation relationship as autonomous governing bodies living in accordance with the treaties while signifying the defiance of Indigenous bodies to disappear. The space that is created is not restricted to colonial perceptions of time and space because the treaty principles are enveloped in the ways in which we act and think throughout the world.

Furthermore, we cannot limit ourselves to the colonial ontologies and obstruct the pleasures that are found within relationships with humans and the more-than human allowing for growth, reconnection, and presence in our bodies, mind, and on the land. This reclamation precipitates the insurgence of Indigenous futurities, known as ways, that group, produce and

¹²² Ibid, 250.

¹²³ Nelson, “Getting Dirty: The Eco-Eroticism of Women in Indigenous Oral Literatures,” 252.

¹²⁴ Ibid.

¹²⁵ Ibid.

imagine knowledges about the future.¹²⁶ Engaging in land-based practices allows for intertemporal¹²⁷ transfers of knowledges and the creation of futurities in relation to both spatial and temporal moments. Indigenous knowledge production is not limited to linear concepts of time or thought, but Indigenous knowledges are encompassed in everything we do. Kanaka Maoli academic Goodyear-Kao'oupa talks about futurities as neither non-possessive nor controlling but rather as, “include[ing] ways of relating that involve putting out bodies in motion with various kinds of so non-human rhythms that engage multiple senses...such practices as a multiplicity of land-centered literacies.”¹²⁸ This enables us to create and re-produce knowledges in accordance with experiences through the exercise of sovereignty.

Reclaiming and recentering of Indigenous land-based knowledges in unison with the sovereignty that illumines gender variances, relations with the land, and refutes settler-colonial fill of normalized rhetoric designed to shame Indigenous bodies. It directly refutes colonial structures and allows Indigenous bodies to abolish them in their knowledges and return to Indigenous holistic practices as political beings. By re-storying, reconnecting to the land and reclaiming knowledges it disrupts the settler-colonial project, this is what Simpson would define as radical resurgence, including the “destruction of the colonial hierarchy that heteropatriarchy embeds in us, our communities, and our nations.”¹²⁹ Seeing Indigenous bodies in relation to political power, engaging and traversing with all our relations and allowing our bodies and minds to feel the pleasures of creation. Reengaging with Indigenous knowledges and network systems,

¹²⁶ Noelani Goodyear-Ka'ōpua, “Indigenous Oceanic Futures: Challenging Settler Colonialisms and Militarization,” in *Indigenous and Decolonizing Studies in Education: Mapping the Long View*, ed. Linda Tuhiwai-Smith, Eve Tuck and K. Wayne Yang (New York: Routledge, 2018), 86.

¹²⁷ Ibid, 86.

¹²⁸ Ibid, 87.

¹²⁹ Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 134.

resurgence can become viable, and the self-determination of our bodies leads to the self-determination of our nations and land without the inherent colonial settler state violence that has become encoded into our bodies. Indigenous Peoples origin stories explain that Sky-Woman was able to communicate with the animals and vice versa. This communication was reliant upon established sophisticated governance systems, that are contingent on the more-than human's willingness to communicate and teach us.¹³⁰ This continual renegotiation of treaties, and the respect for the sovereign of the other allows for our epistemologies and ontologies to be enriched with the thoughts, and presence of the more-than humans that guide us and teach us, as we learn with and from the land. Through re-presence, this communication can be restored and this resignification of the more-than human within not only Indigenous societies but also the settler state can be restored, and discerned as science, and the gratuity for these relationships can be sensed. Deloria argues,

All human events are referenced to land or with land in mind. This is not intended, at the outset, as political strategy (though it works as one); rather, it is something that we all hold as sacred. Spirit is contained within all elements of nature (Sioui, 1992) and therefore, we, as humans, know our actions are intrinsically and inseparably tied to land's intentionality.¹³¹

Deloria explains that there is an intrinsic connection, and land cannot be eclipsed within treaty dialectics and the re-negotiation of treaties in the present day in order to create and offer treaty futurities.

By re-storying and illuminating the ways in which this power is manifested within our communities we can identify how colonial identities are transmitted within our stories and norms. In Anishinaabe scholar waaseyaa'sin Christine Sy's piece, *Considering Wenonah*,

¹³⁰ Watts, "Indigenous Place-Thought & Agency amongst Humans and Non-Humans (First Women and Sky Women Go on a European World Tour),"30.

¹³¹ Ibid.

Considering Us, she explains that “cultural narratives transmit ideas about who we are without us being conscious of it. It suggests that how we see the world is deeply influenced in subconscious ways.”¹³² By re-awakening, we can transform. Sy continues to explain that there has been this internalized unconscious adoption of colonial rhetoric that continues to bind space and knowledges to uphold colonial-settler supremacy. She states, “how we see the world is deeply influenced in subconscious ways...we must be open to learning about ourselves and the possibilities for our cultural persistence and regeneration...”¹³³ There needs to be the expungement of the intrusiveness of colonial thought that clouds the capacity to create futurities. Johnston also explains an awakening that can occur without the onset of colonialism, but more specifically the dismissiveness of the corporeal and the material that can be realized through the awakening that occurs within Indigenous Peoples when they live in harmony, a consciousness awakens there realities and presences in life.¹³⁴ By illuminating and confronting colonialism that has both been objectively or subjectively internalized and experienced, it can ignite a healing process such that Indigenous epistemologies and ontologies are sought out, allowing for the transmission of knowledge into a decolonial framework and mindset. In order to re-story, we must confront the colonial ontologies that have attempted to replace Indigenous ways of knowing.

Conclusion

The more-than human life can be free from fragmentation and perceived as whole animate beings with sovereignty through the disallowance of colonial control and colonial

¹³² Waaseyaa’sin Christine Sy, “Considering Wenonah, Considering Us,” in *Keetsahnak: Our Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 199.

¹³³ Ibid, 199.

¹³⁴ Johnston, *The Manitous: The Supernatural World of the Ojibway*, xviii.

perceptions of relationality. The epistemic violence of Indigenous worldviews and epistemologies have led to the continuous dismissal of agency. This includes the ignorance of Indigenous sovereignty echoed within colonial world views. This direct correlation between body and land, tethered to sovereignty stands to disrupt the settler colonial project.

Colonial modernity and the quest for capitalism that has manifested in the deliberate attack on the land, this violation of the lands is synonymous with the disruption of Indigenous knowledges and teachings which come from the land as the responsibilities¹³⁵ and duties we as members of the eco-system and Creation. In the article, *Muskrat Theories, Tobacco in the Streets, and Living Chicago as Indigenous Land*, Bang an Anishinaabe scholar explains that re-storying ontologies and epistemologies mean that, “we could move towards Indigenous identity and possibility living in our ceded lands not defined by current power paradigms.”¹³⁶ This form of resistance visibly allows for the land to become teacher, for our bodies to feel safe and free to be fluid and feel the ways in which they interact with other humans and the more-than humans and resist the settler states efforts of epistemic knowledges and erasure of place. Now that this space has been created, we can begin to engage in exploring our sensualities free from the carceral state violence that has been internalized and polices our bodies. Gerald Vizenor as described in Simpson discusses that sovereignty is realized in the active presence.¹³⁷ In turn, this transmotion allows for the fluidity of governance¹³⁸ as Anishinaabe peoples can live in accordance with the laws of nature within the territory they share. As laws and formations of

¹³⁵ Knott, “Violence and Extraction: Stories from the Oil Fields,” *Violence and Extraction: Stories from the Oil Fields*, in *Keetsahnak: Our Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al. (Edmonton: The University of Alberta Press., 2018), 151.

¹³⁶ Megan Bang et al, “Muskrat Theories, Tobacco in the Streets, and Living Chicago as Indigenous Land,” 50.

¹³⁷ Simpson, *Dancing on Our Turtles Back: Stories of Nishnaabeg Re-Creation, Resurgence and New-Emergence*, 89.

¹³⁸ Ibid.

governance are formed through individual sovereignty and by the meaning and intent of our responsibilities to our relations, it reinstates the power of presence and renegotiates our treaty relationship to all of our treaty partners.

Chapter Two

Reimagining Sovereignty

Within my last chapter, I discussed the innate networks of connection between the body and the land, analogous to the fleshy body and the lands soil. This relationality can offer a starting point to the tethers between this synonymy of the land and body to the treaties. As I come to learn myself in relation to this work, I am called to question the role my body sovereignty has in connection to the treaties. Further, I am called to examine what sovereignty is and how it is understood within Anishinaabe thought. This is not a definitive study on sovereignty, but an inquiry into sovereignty, through treaty scholarship and literature.

Through this exploration of sovereignty, I am urged to play with the spatial, animate, and relational factors that inform my Anishinaabe worldviews. These are not restricted to the stagnant, and inanimate colonial constructions of the ways in which our kin are understood in the Euro-Christian western perspective. I want to offer a possibility to re-conceptualize the language of sovereignty, and envision the intimate relationship between land, body, and treaty. I am called to reflect upon the animacy and the spirit and intent within the treaties that encapsulate Indigenous epistemologies. I will draw upon multiple treaties, and various Indigenous scholars to guide and inform this inquiry into the topic of sovereignty.

Sovereignty within the narrative of the Crown, and Indigenous nations is often ambiguous. For the remainder of this chapter, I will be using the language of the Crown, as a result of the historical context in which the treaties were signed not with the settler state

government, but by the Crowns negotiators on behalf of the English monarch. Sovereignty is ambiguous, and its differences and definitive meaning can be understood within the difference between Euro-Christian Western understanding of sovereignty and Indigenous understandings of sovereignty. Within the political consciousness of the body politic, treaties with Indigenous nations wield no responsibility, there is an absence of the reciprocal nature of treaties that is echoed within Indigenous understandings of treaty. This reciprocity and relationality were explored within the previous chapter, I call on these ways of knowing to inform and understand treaty. I am compelled to explore notions of sovereignty and make our responsibilities visible. There is an understanding that as autonomous beings with body sovereignty, and as members of a nation, there is a duty to uphold our responsibilities to our kin, our treaty partners. Within this chapter, I will offer the theories and scholarship of both Indigenous and western sovereignty. This will be in efforts to demonstrate the need to re-present Indigenous epistemologies in order to come back to body and land sovereignty and show their connection with the treaties. This re-storying can recentre Indigenous ways of being treaty partners within the current body politic, with an emphasis on the animacy of sovereignty and relationality.

In this chapter I will use the treaties as a lens to make Indigenous concepts of sovereignty visible. By linking treaty principles to concepts of sovereignty, it will unilaterally display the relationality between the land and body sovereignty. This will include treaties made with the more-than human and other Indigenous nations. Further, I will explore the concepts of the spirit and intent in order to reaffirm the animacy and continuous nature of the treaty relationships. This will incorporate a brief historical overview to demonstrate the changes and exclusion of this spirit and intent within the treaties because of the Crowns need for land acquisition. I will then begin to examine the concept of sovereignty as understood in both Indigenous and western thought to

demonstrate the irreconcilable differences. By offering the narrative of both Indigenous and western ways of knowing, it can demonstrate the capacity to decolonize assumptions of treaties and sovereignty.

The Hoof Clan Treaty

The relationality intertwined between the body, and the land is integral to our understanding of our treaty responsibilities. These treaties between the Anishinaabe and the more-than human and are bound to the exertion of body sovereignty. Through body sovereignty, we are called to act and know our responsibilities to the land, as it continues to hold its animate sovereignty. These sovereignties are connected to one another and form our relational understanding of reciprocity. I use Indigenous treaties to guide me through this exploration of concepts of sovereignty, which involves the practice of learning them and visualizing them in a space not confined to colonial constructions of treaty. I locate sovereignty within Simpsons retelling of our treaty with the Hoof Nation. Simpson explains that slowly the relatives of the Hoof Clan had begun to disappear and so began a great turmoil that took over within their territory, the more-than human and Nishinaabeg felt feelings of guilt, sadness, and disgruntlement.¹³⁹ Feeling this loss, the Nishinaabeg sent out their kin to go and find relatives of the Hoof Clan and speak with them. The Nishinaabeg were told that they had left their territory because they felt that they were being disrespected and were no longer being honoured. As a result, the Hoof Clan had withdrawn from their relationship with the Nishinaabeg and the territory.¹⁴⁰ In order to remedy the relationship, the Nishinaabeg agreed to, “honour and respect the lives and beings of the Hoof Clan, in life and in death.”¹⁴¹ The Hoof Clan agreed and in exchange, “the Hoofed Animals

¹³⁹ Leanne Simpson, *The Gift is in the Making: Anishinaabeg Stories*, (Winnipeg: Highwater Press, 2013), 15.

¹⁴⁰ Ibid, 16.

¹⁴¹ Ibid, 16-17.

would return to our territory so that the Nishinaabeg people could feed themselves and their families.”¹⁴² This treaty informs our relationship with the Hoof Clan and guides us in our decisions and actions, as we remember our responsibilities and the respect that must be given. It teaches how to live relationally without interfering with other nations living within a shared territory. Simpson states, “we remember how to take care of the land so we can all bring forth more lives.”¹⁴³ The treaty between the Hoof Clan and the Nishinaabeg reaffirms the reciprocal relationship between the human and more-than human world. There is no absence of sovereignty for either treaty partner, but responsibilities, and respect. In my previous chapter, I discuss this relationship, as a result of the intimate and animate relationships between both body and land sovereignty as we are inherently connected.

This treaty as told in story, discusses customary laws that Indigenous Peoples are to follow in order to live in accordance with all their relations. It warns of the consequences of abandoning agreed upon principles, and the subsequent consequences of the dissolution of treaty. The teaching evokes feelings of duty, and responsibility, matched with harmony and the understanding of sovereignty in Indigenous thought. These treaty principles are bound in respect and continue to call on us to reflect on our relationships with other nations. As I have discussed previously, these teachings are pertinent to the resurgence of Indigenous epistemologies that have been at the center of epistemic violence. These teachings call on us to reflect on what sovereignty means, and what it means to be a treaty partner that is often eclipsed from the narrative. I rely on the teaching of the Nishinaabeg and the Hoof Nation to reimagine territoriality that is not bound to borders, but to share a territory while remaining sovereign.

¹⁴² Ibid.

¹⁴³ Ibid, 18.

There is no reflection of ownership, or possessorship because of the relationality that binds treaty partners together. Relationality cannot be negated in treaties, as it informs the sovereignty, and demonstrates that it is possible to rethink territoriality.

The Nishinaabeg and Hoof Clan nations agreed to share the territory where both sovereign nations lived within and living in accordance too their own nations laws and ways of being. This treaty allows me to conceptualize sovereignty in a way where multiple sovereign states can live within one shared territory respectfully. This notion of sovereignty and reconceptualizing internationalism can also be read within treaties between more than one Indigenous nation. Treaties between Indigenous nations were predicated on principles of peace, respect, independence, nationhood, and sovereignty, and were often used as tools to settle territorial disputes.¹⁴⁴ These principles were informed by political relationships that were bound to individuals and their relations. Simpson explains, “Nishnaabeg culture allowed for strong individual autonomy and freedom, while at the same time the needs of the collective were paramount.”¹⁴⁵ By imploring individual autonomy, it promotes a way of living that is grounded in balance with the more-than human, and all relations within each community. These concepts are embedded within social and political structures.¹⁴⁶ There is no removal of individual autonomy, and simultaneously, the collective is enriched by this focus on body sovereignty. These are some of the guiding principles that were used within treaty negotiations.

Our Dish

¹⁴⁴ Aimée Craft, *Breathing Life into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One*, (Saskatoon: UBC Press, 2013), 24.

¹⁴⁵ Leanne Simpson, “Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” 32.

¹⁴⁶ Ibid.

Within the Our Dish treaty, also known as, A Dish with One Spoon treaty, ethos governing principles echo relationality, between body sovereignty, the animacy of the land, and the more-than human. This treaty set forth conditions that outlines the way in which nations will act with one another and live among one another in a shared territory while continuing to be separate, independent sovereign nations.¹⁴⁷ Simpson explains that the Our Dish treaty acknowledges that both nations would be sharing the same resources, and the living among the same ecological connections within their territories.¹⁴⁸ It allowed for the nations to live in peace with one another, and to live in a way of non-interference. This treaty also ensured that neither sovereign would abuse the more-than human world and both parties would continue to uphold their responsibilities to the more-than human the world. These responsibilities towards the land and to one another were practised in order to uphold and remain the beneficiaries of the treaty. These responsibilities must be kept in order for the nations to enjoy the benefits of the agreement.¹⁴⁹ This is synonymous with the treaty principles within the Hoof Nation treaty, the same respect is given regardless of who the treaty is with. The Haudenosaunee also respected and understood their part of the treaty in the same way, the treaty represented the relationship between both nations each with responsibilities and rights. Land ethics are at the core of the treaty to ensure that their territory was protected for the future.¹⁵⁰ These responsibilities did not expire, they were living documents. It was about the collective benefits of all treaty partners that included body and nation sovereignty, there was no separation.

¹⁴⁷ Ibid, 36.

¹⁴⁸ Ibid, 37.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

The Our Dish treaty can be used to explore and explain sovereignty within Indigenous epistemologies. It repositions sovereignty in a way where the concept of two autonomous nations can live in a shared territory without the need for domination or control over the other sovereign. There is no nuance or influence of proprietorship over the shared land; only, the respect and honour for the sovereignty and animacy of the land they live in accordance with. Simpson states,

Both political entities assumed that they would share the territory, that they would both take care of their shared hunting grounds, and that they would remain separate, sovereign, self-determining, and independent nations... They knew that Gdoo-naaganinaa [Our Dish] did not threaten their nationhood; our dish was meant to preserve their nationhood, protect their territory, and maintain their sovereignty.¹⁵¹

Both Nations knew they had to renew this relationship and treaty. Living in accordance with treaty principles informed the ways in which the Anishinaabe negotiated with settler governments, under the principles set out in the Our Dish treaty. Not only did this treaty respect the sovereignty of the other, but it also informed aspects of relationality. It can also be explained as a metaphor of “eating with many spoons from one bowl”¹⁵² which is cited as the principle behind this sharing. This attests that Indigenous sovereignty and diplomatic treaty principles have existed¹⁵³ for millennia. Indigenous sovereignty did not rely on possession for the need of resource extraction and domination over borders. As a result, under these principles, nothing is owned, or taken-up for selfish gain but shared and respected.

Craft explains that through the Our Dish treaty, and the shared territoriality as a common space for all nations to benefit from, free from the threat of war, it allows for the peaceful co-

¹⁵¹ Ibid, 38.

¹⁵² Dean Jacobs and Victor Lytwyn, “Naagan ge bezhig emkwaan, A Dish with One Spoon Reconsidered,” *Ontario History* 112 no.2, (2020), 200.

¹⁵³ Ibid.

existence and sharing of resources and hunting grounds.¹⁵⁴ Not only does this ensure co-existence and peace, but it also transforms treaty partners to kin. Anishinaabe/Métis lawyer and scholar Aimee Craft states, “They obligated themselves to as relatives toward each other in times of crisis or need. Each could be trusted and relied on steadfastly by the other.”¹⁵⁵ This transformation of kinship and vested support is entrenched with the respect for the sovereignty of the other nation, the other individuals, and the land. The Our Dish treaty can also be explained within the eyes of nature as,

Here’s the great dish and inside the dish are all the plants, the animals, the birds, the fish, the bushes, the trees, everything you need to be healthy and therefore, happy. The three basic rules are: only take what you need, second, you always leave something in the dish for everybody else, including the dish, and third, you keep the dish clean... that was the treaty between us and nature, and then the treaty between us and everybody else.¹⁵⁶

This understanding of reciprocal responsibility and sovereignty of all beings is called upon and to be remembered. Through the Our Dish treaty, I am able to locate the fluidity of sovereignty as it pertains to the land and how body sovereignty is called to be exercised in alignment with the treaties. Similarly, to the treaty with the Hoop Nation, the Nishinaabeg are called to their responsibilities and to their kin. The animacy of the treaties require both nations to ensure they uphold their responsibilities and meet the obligations agreed upon within the treaty.¹⁵⁷ This also includes, the continuous renewal of the treaty, to demonstrate the commitment to respect all relations and the sovereignty of one another.¹⁵⁸ Simultaneously, I am taught to reimagine the

¹⁵⁴ Craft, *Breathing Life into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One*, 25.

¹⁵⁵ Ibid.

¹⁵⁶ Dean Jacobs and Victor Lytwyn, “Naagan ge bezhig emkwaan, A Dish with One Spoon Reconsidered,” 203.

¹⁵⁷ Craft, *Breathing Life into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One*, 34.

¹⁵⁸ Ibid.

ways in which two sovereigns can exist and share one territory. This allows me to re-conceptualize sovereignty that exists outside of Eurocentric western sovereignty.

The treaty principles and diplomatic processes within the Our Dish treaty were not a singular event, Indigenous nations have, and continue to have strong diplomatic processes which were governed by their understanding of sovereignty. The Royal Commission of Aboriginal Peoples affirmed that Indigenous nations had,

Well-established diplomatic processes—in effect, their own continental treaty order. Nations made treaties with other nations for purposes of trade, peace, neutrality, alliance, the use of territories and resources, and protection. Since interaction between the nations was conducted orally, and the peoples involved often had different languages and dialects, elaborate systems were adopted to record and maintain these treaties. Oral traditions, ceremonies, protocols, customs and laws were used to enter into and maintain commitments made among the various nations...Protocols between nations were maintained conscientiously to ensure that friendly and peaceful relations prevailed.¹⁵⁹

These diplomatic processes never questioned nor sought to possess other nations, but sought to extend the opportunity to live peacefully within a shared territory. The treaty process was fair and based on a mutual understanding that was specified and agreed upon within treaty principles. Simpson explains that Indigenous treaties were built and grounded in communities' political cultures and knowledges systems informed by worldviews and languages and the treaties were bound with other nations built upon values of “respect, reciprocity, and accountability.”¹⁶⁰ This continues to reaffirm the emerging pattern of connection between kin, marking the continual responsibilities all treaty partners are called to uphold.

Respect also was extended to ethical responsibilities that informed how nations would enter another territory and outlined great respect for the other sovereign nations. An example of

¹⁵⁹ Leanne Simpson, “Looking after Gdoo-naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” 29.

¹⁶⁰ Ibid, 29.

this is known as, “waiting in the woods” or “waiting at the woods’ edge.”¹⁶¹ Simpson explains that the waiting in the woods customary protocol occurred when an individuals or group was approaching a new territory. They would build a fire to announce their presence on the land, and that they were ‘waiting in the woods.’¹⁶² This respect of the sovereignty promoted peaceful diplomatic relationships that were often times then formalized within treaties.¹⁶³ It becomes apparent that the land is respected, along with other autonomous nations which aided in treaty negotiations, which were often informed by the nations legal traditions.¹⁶⁴ In this way, there are connections between body, land and treaty sovereignty that are not siloed from other sovereign spheres of governing actions, but integral to one another to form a holistic approach, understanding and execution of sovereignty.

Indigenous treaties, and diplomatic relationships are vested in reciprocal responsibility and respect. They call upon individuals to act in accordance with their relations. Neither is body sovereignty, nor nation sovereignty is absolved with the recognition and respect of someone else’s. It offers pathways of possibility to reconsider how the colonial treaty relationships can be remedied to mirror these ways of knowing. The Our Dish treaty will inform my understanding of Indigenous diplomatic principles and treaty relationality throughout the rest of this chapter.

Sovereignty

Through learning how these treaties inform our response to responsibilities and respect to all our relations, it also informs the ways in which I have begun to unpack concepts of sovereignty. To continue to consider pathways forward involves remedying the nation-to-nation relationship with the settler state, I must explore the concept of sovereignty that the treaty

¹⁶¹ Ibid.

¹⁶² Ibid, 35-36.

¹⁶³ Ibid.

¹⁶⁴ Craft, *Breathing Life into the Stone Fort Treaty: An Anishinaabe Understanding of Treaty One*, 20/

partners agreed upon in my previous section. To understand these concepts of sovereignty is to bear witness to the possible reconcilable or irreconcilable differences of the ambiguity surrounding the treaty sovereignty narrative. I draw upon Anishinaabe and non-Anishinaabe scholars for this section to supplement this exploratory dialogue and to guide me through these concepts. I discuss this concept of sovereignty through treaties, as I continue to identify the networks of connection between land, body, and treaty sovereignty.

Indigenous sovereignty is entrenched with respect, stewardship and relationality among all animate beings who are entitled to their own bodily sovereignty. Through body sovereignty, we are taught to act in ways according to our governing principles. The interspace of body, land and treaty sovereignty is narrow. Heidi Stark who is Turtle Mountain Ojibwe, expresses that Anishinaabe sovereignty can be roughly translated into *ezhi-ogimaawaadizid*, meaning, “To act in a way that recognizes those who I am responsible for.”¹⁶⁵ This way of being, and acting in accordance to respecting other sovereigns, including being respectful to your own bodily sovereignty, is explicit in the language itself, it is written into our codes of knowing. This way of knowing also directly tethers the relationality between the land, and body together, demonstrating an intimate inescapable relationship between the two.¹⁶⁶ Land and identity are immensely connected and cannot be separated as it encapsulates the identity of the Anishinaabe peoples. The fundamental differences between Indigenous and the Euro-Christian western epistemologies are crucial in understanding how treaty sovereignty can be understood. In these

¹⁶⁵ Heidi Kiiwetinepinesiik Stark, “Changing the Treaty Question: Remediating the Right(s) Relationship” in *The Right Relationship Reimagining the Implementation of Historical Treaties* ed., John Borrows and Michael Coyle, (Toronto: University of Toronto Press, 2017), 265.

¹⁶⁶ Ibid.

following sections, I present how sovereignty is understood within Indigenous worldviews through the lens of the treaties.

As discussed within the Our Dish treaty, the shared territory is for mutual benefits to all nations occupying the territory. This normative way of knowing dispels notions of private property and ownership while instead relying upon understandings of respect, and responsibility. Blackfoot scholar, Leroy Little Bear states,

The standard or norm of the aboriginal peoples' law is that land is not transferable and therefore is inalienable. Land and benefits from there maybe shared with others, and when Indian nations entered into treaties with European nations, the subject of the treaty, from the Indians' viewpoint, was not the alienation of the land but the sharing of the land.¹⁶⁷

As Little Bear explained, there were no intentions of alienation or sense of dispossession of the land, but an extension and offer to share the land. Indigenous nations extended their diplomatic processes, and the relationality of treaty to the Crown. Asch also reinstates this way of thinking through treaty and sovereignty, he explains that the foundational element of these treaties was to share the land. It was predicated on the basis of upholding the custodial responsibilities that comes from the relationality vested between the land, body, and nations.¹⁶⁸ There was no abdication of ownership in the understanding and perspective of Indigenous nations. This theory is consistent among scholars. For instance, non-Indigenous scholar Julie Jai also explains that within the treaty negotiations, land title or ownership could not have been transferred; instead, it was an agreement to share the responsibilities that come from being treaty partners to the land.

¹⁶⁷ Leroy Little Bear, quoted in Rick Ponting, *Arduous Journey: Canadian Indians and Decolonization* (Toronto: McClelland and Stewart, 1986), 247.

¹⁶⁸ Michael Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, 78.

¹⁶⁹ There are responsibilities, and each party must uphold their duties, bound to relationality and at no point did treaties transfer their sovereignty.

The pinnacle points I am trying to connect are these concepts of sovereignty and the extension of responsibilities to the land opposed to a transference of ownership. This can be attributed to the sovereignty of the land and the incapacity to own the sovereign of another animate being. As you recall, by re-presenting Indigenous knowledge, we are no longer discerning Indigenous epistemologies as myth but seeing them for the truth, the animacy, and sovereignty of all beings. There was an absence of hierarchal power dynamics within these relationships because of the mutual benefits and reciprocity encoded in these treaties, Anishinaabe scholar Aaron Mills recounts Elder Fred Kelly from Treaty Three territory, “You can’t sell what you belong to; you can only share it.”¹⁷⁰ This reciprocity, and relationality cannot be expunged from the concept of sovereignty. The cyclical relationship of belonging to a nation, who has long lasting treaties with the land and the more-than human and guiding principles to act in a good way to exercise and respect the body sovereignty of the other, rejects notions of ownership and claim, but reinforces respect.

Indigenous epistemologies that focus on relationality and the dismissal of ownership were also recognized within the Royal Commission on Aboriginal Peoples. The commission also identified that Indigenous sovereignty could not have been surrendered or ceded because it was an inherent human attribute.¹⁷¹ This is consistent with other treaty scholarship which identifies

¹⁶⁹ Julie Jai, “Bargains Made in Bad Times: How Principles from Modern Treaties can Reinvigorate Historic Treaties.” In *The Right Relationship: Reimagining the Implementation of Historical Treaties*. John Borrows and Michael Coyle, (Toronto: University of Toronto Press., 2017), 128.

¹⁷⁰ Aaron Mills, “What is a Treaty? On Contract and Mutual Aid,” In *The Right Relationship: Reimagining the Implementation of Historical Treaties*. John Borrows and Michael Coyle (Toronto: University of Toronto Press., 2017), 209.

¹⁷¹ Royal Commission on Aboriginal Peoples, 1991, vol. 2 p.105

that the sovereignty of the land and more-than human cannot be owned by another sovereign. The relationality and networks of connection inform Indigenous understanding of treaty. This brings me to dissect the relationship between Indigenous nations and the Crown, specifically regarding treaty and sovereignty.

Indigenous treaty negotiations were informed by the precedents of Indigenous diplomatic processes and relationships between other Indigenous nations before contact. Within Indigenous ways of knowing, the relationship between the Crown and Indigenous nations was built on the mutual aid between two sovereign nations. It was based on a partnership as re-settlers or colonizers were able to stay within their nation's boundaries based on these agreements made that were to be continuous.¹⁷² These animate, cyclical relationships are different than settler states could comprehend because of the vested interest on private accumulation. There continues to be the deliberate exclusion of Indigenous presence in the negotiating and execution of the treaties. This exclusion can be referenced back to the concepts of hierarchal gender and race structures, epistemic violence, and the incapacity to view all relations as being connected, and their sovereignty respected.

The recognition of Indigenous sovereignty is imperative to begin to understand the reciprocal relationality between all beings. As treaties mark the recognition of two sovereign nations, it is the continuous renegotiation and respect for the other sovereign that needs to be upheld. We are continuously called to our responsibilities, and to act in a way that respects our sovereignty and the sovereignty of others. Connection and relationality cannot be eclipsed from treaty discussions, there is a great need to re-presence Indigenous epistemologies in order to refute the disappearance of Indigenous understanding of treaties. This is crucial in the process of

¹⁷² Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, 99.

coming back to body sovereignty, and reconceptualizing our responsibilities to treaty partners, to our nations, to ourselves and to the land. This can offer pathways forward to begin to reimagine the treaty relationship, and challenge colonial discourses.

Spirit and Intent

As these discussions develop, the spirit and intent of the treaties must be addressed to further grasp the sovereignty and animacy of treaty. Indigenous nations, as explained above have strong networks of connection, and withstanding diplomatic principles that guide the relationships with other nations. These principles were to be extended to the Crown, providing the same reciprocity and respect. In this section, I will detail how the treaties were understood by Indigenous nations, as well as walk through how they have been misappropriated. This misappropriation is correlated too discrepancies of understanding relationality, animacy, and land and body sovereignty.

Based on understandings of past treaty relationships, when the negotiators came on behalf of the Crown to conduct treaty talks, it was presumed that Indigenous sovereignty would be recognized and respected. In *Treaty Elders of Saskatchewan: Our Dream is that Our Peoples Will One Day be Clearly Recognized as Nations*, Cree scholar Harold Cardinal explains,

when the colonizers first came to his territory, Cree law applied, the foundation of which rests in the “maintenance of harmonious relations.” He sees the treaty as an adoption ceremony, where the Cree adopted the settlers as family and took them in as relatives, inviting them to live in Kiciwamanawak and live by the laws of the Cree.¹⁷³

Cardinal again reaffirms that through the negotiation of treaty, the Crown became a part of this relationality, as they become kin. Indigenous epistemologies inform how I can navigate ways to reimagine sovereignty, which is bound by respect and responsibility. As we have come to

¹⁷³ Harold Cardinal and Walter Hildebrandt, *Treaty Elders of Saskatchewan: Our Dream is that Our Peoples Will One Day be Clearly Recognized as Nations*, (Calgary: University of Calgary Press, 2000), 6-7.

understand there can be no transference of title, or conceivable ways to surrender the lands sovereignty, or their own nations sovereignty. Treaties instead formed this relationality and kinship, and were for the mutual co-existence of all sovereigns involved. Continuing, Cardinal and Walter Hildebrandt write:

The treaty nations — First Nations and the Crown — solemnly, promised the Creator that they would conduct their relationship with each other in accordance with the laws, values and principles given to them by the Creator. ... "It was the will of the Creator that the White man would come to live with us, among us, to share our lives together with him, and also both of us collectively to benefit from the bounty of Mother Earth for all time to come." ¹⁷⁴

These treaty stories about the intent behind the negotiations is crucial to understand that the treaty relationship is bound to Indigenous epistemologies. This lens sets the foundation to begin to understand how to remedy and reframe this relationship. Through this understanding, we can begin to see the ways in which the spirit and intent was understood within Indigenous perspectives.

The obligations which stem from the agreed upon treaties are not solely restricted to the written recounts. Nor can treaties be deduced to stagnant, inanimate words, as they are living documents, encapsulated with the spirit and intent of sovereign nations. Borrows explains that the First Nation understanding of treaties does not solely include the written version of the treaty but also encapsulates the oral promises made during negotiations, which is often identified as the “spirit and intent” of the treaty.”¹⁷⁵ Often, the spirit and intent of the treaties is written out and disparaged from responsibilities. The spirit and intent of the treaties exemplifies the relational

¹⁷⁴ Ibid..

¹⁷⁵ John Borrows and Leonard Rotman, *Aboriginal Legal Issues: Cases, Materials & Commentary*, (Toronto: Lexis Nexis, 2012),298.

and kinship factors that are integral to Indigenous treaty making processes.¹⁷⁶ Relationality compels us to act in a respectful way, honouring those whom we have chosen to enter into treaties with, as taught within the Hoof Clan and the Our Dish treaty. It cannot be ignored, and when there is no respect and honour, we have seen that the land and other sovereign beings can withdraw from this relationship because it requires continual renewal and respect for our kin.

A fundamental difference between the treaty principles to Indigenous Peoples is the spirit and intent that is put into and carried throughout them. Indigenous sovereignty is encoded into the treaties as many treaties include Indigenous laws and perspectives within the treaty process.¹⁷⁷ Treaties are informed by Indigenous ways of knowing, grounded in place-consciousness and place-based sovereignty as I discussed in my previous chapter. This place-consciousness is critical to our understanding of land sovereignty in regard to treaties. Indigenous treaties were inherently spiritual, and agreements were maintained as required, informed through all relations and Creator. Important characteristics of treaties between Indigenous Peoples were annual renewals, clear demarcations of territory, and protocols for travelling in shared territories. A treaty is not an empty phrase but “a living spirit.”¹⁷⁸ Cree Elder Jimmy Myo states, “You cannot begin to understand the treaties unless you understand our cultural and spiritual traditions and our Indian laws.”¹⁷⁹ These worldviews extinguish these understandings of treaties as property agreements. They hold innate animacy and draw from Indigenous worldviews; they have agency. However, the success of the assimilation rhetoric

¹⁷⁶ Micheal Coyle, “As Long as the Sun Shines: Recognizing that the Treaties were Intended to Last,” In *The Right Relationship, Reimagining the Implementation of Historical Treaties* Edited by John Borrows and Michael Coyle, (Toronto: University of Toronto Press., 2017), 47.

¹⁷⁷ Borrows, “Ground-Rules: Indigenous Treaties in Canada and New Zealand.” *New Zealand Universities Law Review* 22 no.2 (2006), 189.

¹⁷⁸ Sheldon Krasowski, *No Surrender: The Land Remain Indigenous*, (Saskatchewan: University of Regina Press, 2019), 12.

¹⁷⁹ Ibid.

contributes to the "...pervasive ignorance of treaty history and an amnesiac settler culture ...work to disavow the ongoing significance of treaties, and especially any obligations that they might infer for settler peoples."¹⁸⁰ This continued dismissal and invisibility of Indigenous epistemologies and sovereignty further dispossesses Indigenous body, land and treaty sovereignty.

Moreover, treaty principles are incumbent of respect and responsibilities towards the land. This is further echoed within the spirit and intent that is alive and within every treaty. Elder Myo describes this spirit as a link that, "...illustrates the obligations of Indigenous Peoples as stewards of the land."¹⁸¹ These treaty principles uphold and represent Indigenous sovereignties that go beyond western perspectives and understandings of treaty, they cannot be changed or twisted without losing their spirit or intent. In order for treaty ambiguities to be reconciled, the state will need to recognize the spirit and sovereignty of the land and more-than human.

This spirit and intent echoed within the treaty negotiations, both oral understandings and written treaty texts, brings me to begin to delve into the Treaty of Niagara which came as a response to the *Royal Proclamation* of 1763. The *Royal Proclamation* is a legal instrument that reflects both the recognition and refusal of Indigenous sovereignty. It was used as a tool to delineate boundaries between Indigenous Peoples and the Crown.¹⁸² Borrows also explains that the *Royal Proclamation*, "...illustrates the British government's attempt to exercise sovereignty over First Nations while simultaneously trying to convince First Nations that they would remain

¹⁸⁰ Chris Hiller, "No, do you know what your treaty rights are?" Treaty consciousness in a decolonizing frame" *Review of Education, Pedagogy, and Cultural Studies* 38, no.4, (2016), 382.

¹⁸¹ Krasowski, *No Surrender: The Land Remain Indigenous*, 34.

¹⁸² John Borrows and Leonard Rotman, *Aboriginal Legal Issues: Cases, Materials & Commentary*, 20.

separate from European settlers and have their jurisdiction preserved.”¹⁸³ This recognition of jurisdiction and autonomy is crucial and aligns with Indigenous treaty perspectives of recognizing and respecting the sovereignty of the other. In the same turn, the proclamation was written in a way that was absent of the recognition of Indigenous nations and their sovereignty as autonomous nations. This transformed the nation-to-nation relationship to a hierarchal racial power dynamic which I will explore further as it swiftly implored Crown systems of law, and sovereignty. The Crown became persistent in the transformation of wardship where Indigenous subservience and wardship¹⁸⁴ was essential to the Crown and its colonial project. However, the *Royal Proclamation* has also been referenced as the “[Indigenous] Magna Carta”¹⁸⁵ as it sets out responsibilities for the settler body politic to abide by, which assured the autonomy of both sovereign nations. This initial legal instrument, which can be looked through a lens of treaty is imperative to begin to discern the ambiguity surrounding the treaties and how sovereignty would be recognized and exercised.

Nearly a year later, the Treaty of Niagara convened and can be viewed as a response to the *Royal Proclamation*. It was comprised of nearly two thousand chiefs constituted by the Covenant Chain, who were invited to participate by Crown officials.¹⁸⁶ The Covenant Chain can be explained as a “multination alliance in which no member gave up their sovereignty.”¹⁸⁷ The negotiations stressed the need for the reassurance of mutual co-existence as independent sovereign nations, alliances and the need to request permission or mutual consent for re-

¹⁸³ Ibid, 171.

¹⁸⁴ Eva Mackey, “Unsettling Expectations: (Un)certainly, Settler States of Feeling, Law, and Decolonization.” *Canadian Journal of Law and Society* 29, no.2 (2014), 244.

¹⁸⁵ Krasowski, *No Surrender: The Land Remain Indigenous*, 4.

¹⁸⁶ Jim Reynolds, *Aboriginal Peoples and the Law*, (Vancouver: Purich Books, 2018): 35.

¹⁸⁷ Borrows and Rotman, *Aboriginal Legal Issues: Cases, Materials & Commentary*, 23

settlement in Indigenous territory and mutual peace, friendship and respect.¹⁸⁸ Non-Indigenous scholar, Jim Reynolds explains that the presentation of wampum belts between Indigenous nations and the Crown, signified that various parties would live among one another in peace and in accordance to their own customary laws and traditions.¹⁸⁹ The Two Row Wampum Belt, presented to the state by the Anishinaabe demonstrated sovereignty and non-interference¹⁹⁰ treaty principles that would be pillars for the relationship going forward. The Niagara treaty reflected Indigenous Nations as “being treated as sovereign nations with treaty capacity.”¹⁹¹ This illustrates again, the diplomatic processes of Indigenous nations and how important the spirit and intent and oral understandings of treaties are to upholding the responsibilities and the renewal of treaties and this relationship.

As sovereign bodies, a part of sovereign nations, we have obligations to understand and envision the treaty principles in animate everlasting ways, where the sovereignty of the other is never undermined or eluded. Through the Treaty of Niagara, the *Royal Proclamation* evolves into a treaty as they come to be seen as a part of one another. This is understood within the teachings of the spirit and intent of the oral discussions and meetings that took place at the Treaty of Niagara. The agreed-upon terms do not abrogate or deaborgate from Indigenous sovereignty, however, the colonial presence of these treaties is encapsulated within the written treaties and exemplified in the Crowns future treaty negotiations.

I call into this dialogue various treaties from Southern Ontario, with the Treaty of Niagara, to treaties across the prairies to demonstrate the development of treaty negotiations. The

¹⁸⁸ Ibid, 27.

¹⁸⁹ Reynolds, *Aboriginal Peoples and the Law*, 35.

¹⁹⁰ Ibid.

¹⁹¹ Aimée Craft, *Breathing Life into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One*, 33.

numbered treaties vary differently from the Treaty of Niagara, and they exemplify the disconnection between both Indigenous and Eurocentric western ontologies. Often, the spirit and intent of the treaty discussion is lost, and the primary purpose of these treaties is focused on land transfer clauses. This reinstates the loss of the spirit and intent that was embedded in the treaty of Niagara and reaffirmed with the presentation of the Two Row Wampum. The Numbered Treaties in the western provinces were deemed necessary for settlement as they were large land tract treaties, that encompass clauses such as the above mentioned, including cede and surrender clauses. Negotiations were void of the any recognition of the sovereignty of Indigenous Peoples that was included in the spirit and intent of the Treaty of Niagara that stood as a foundational point for future treaties.

As discussed, Indigenous concepts of sovereignty did not include any transfer of title, because of the relationality between body and the land. Treaties could be understood within Indigenous epistemologies as compacts of peace, commerce, and territory that governed non-Indigenous access to and use of Indigenous lands.”¹⁹² However, in the wake of Crown settlement, treaties became tools to secure land. This rendered and dispossessed the relationality between the land and body, including nationhood. Within Treaty One, also known as the Stone Fort Treaty, exemplifies how the agreed-up responsibilities stemming from the Treaty of Niagara were ignored in future treaty negotiations. These governing principles which inform the continual understanding of separate sovereigns retaining their autonomy while living in a shared territory becomes invisible. The innate differences of treaty negotiation processes become clear when analyzing the negotiation of Treaty One. Krasowski explains that during Treaty One

¹⁹² Krasowski, *No Surrender: The Land Remain Indigenous*, 3.

negotiations, Crown negotiators specifically ignored the surrender clause that they intended to write within the treaty, while orally agreeing to share the land, permitted that non-reserve lands would have shared jurisdiction between both Indigenous Peoples and settler state.¹⁹³ The ambiguity of the cede and surrender clauses became the on-going strategy of treaty negotiations.¹⁹⁴ This is evident in the language that was written into the treaty, which privileges English common law and is replete with legal jargon. During the Report on the Royal Commission of Aboriginal Peoples, it was confirmed that

terms such as cede, surrender, extinguish, yield and forever give up all rights and titles appear in the written text of the treaties, but discussion of the meaning of these concepts is not found anywhere in the records of treaty negotiations.¹⁹⁵

The omission of the Crown's intent to include land extinguishment clauses such as cede and surrender, was premised on deceit. Craft explains that if it was made known, that land title extinguishment clauses were to be included in the treaty negotiations would have been abruptly halted and would likely have broken-down.¹⁹⁶ The Anishinaabe would not have conceded to a land title surrender, as they promised there was an innate responsibility to uphold their relationship to the land.¹⁹⁷ The Crown's dismissal of the Treaty of Niagara, relationality, and its omission of land extinguishment clauses demonstrates this dichotomy of land sovereignty between Indigenous Peoples and the Crown. Anishinaabe epistemologies surrounding land sovereignty could not be entrenched within common perceptions of treaties as a result of the incapacity for Indigenous treaty principles to be remedied within English common law practices, including proprietorship. Craft continues to state that neither the settler state nor the Anishinaabe

¹⁹³ Ibid, 73.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Craft, *Breathing Life into the Stone Fort Treaty: An Anishnabe Understanding of Treaty One*, 64.

¹⁹⁷ Ibid.

envisioned themselves bound to the laws of the other sovereign.¹⁹⁸ Within this short example, the deliberate exclusion of spirit and intent is evident. The governing principles of Indigenous treaty making were not followed and the relationality was broken because of the façade of treaty negotiations and written treaties.

Interpretations of Treaty

Relationality informs understandings of treaties and calls us to respect the sovereignty of others, we are taught through our teachings of body sovereignty, animacy and kinship, and through diplomatic principles that these responsibilities endure. As we have been taught, we belong to the land and are a part of creation. As a result, there is no ownership or exertion of sovereignty over another sovereign being. As I continue my exploration, I come to a crossroads where I must address the discrepancies in the understanding of treaties that Indigenous Peoples have recognized.

Within Treaty One, it was apparent that the principles discussed within the Treaty of Niagara were ignored, and the Crown privileged their treaty process with no regard for Indigenous protocol. As a result, the Crown continues to fail to acknowledge the truth of the treaty relationship and the responsibilities as a treaty partner¹⁹⁹ living within a shared territory with other sovereign nations. Hiller attributes this to the varying understanding of treaties and what they entail. He states,

Treaties to the settler state society are founded upon the dominant rhetoric that treaties were real estate deals that extinguished the property rights of the original occupiers and eliminate the legal impediment to settling Indigenous lands.²⁰⁰

¹⁹⁸ Ibid.

¹⁹⁹ Michael Coyle, "As Long as the Sun Shines: Recognizing that the Treaties were Intended to Last," 45.

²⁰⁰ Chris Hiller, "No, do you know what your treaty rights are?" Treaty consciousness in a decolonizing frame" *Review of Education, Pedagogy, and Cultural Studies* 38, no.4, (2016): 383.

From this understanding, the principal treaty responsibilities are forgotten, there is no recognition of sovereignty or obligations to the land. Instead, treaties have become known as transactional instruments to green light land settlement. Asch explains that Indigenous sovereignty has not been transferred or abolished and remains “notwithstanding European settlement.”²⁰¹ Asch continues to explain that treaties did not concede or surrender the land, but they were representative of a new political relationship between the Crown and Indigenous nations.²⁰² There can be no transfer because there is no ownership. Anishinaabe understandings of land are relational and tied to this reciprocal responsibility as bodies and land are tethered together and inform our treaty responsibilities.

Indigenous scholars have discussed their perceptions of the Crown's intent of the treaties.

At the time of negotiation, the Crown arguably used the treaties to assert sovereignty over Indigenous lands. We saw this through the example of Treaty One. Cardinal explains,

The treaties were the way in which the white people legitimized in the eyes of the world their presence in our country. It was an attempt to settle the terms of occupancy on a just basis, legally and morally to extinguish the legitimate claims of our people to title to the land in our country... [There is no] doubt in the mind of the government ... upon the basis of white recognition of Indian rights that the treaties were negotiated. Otherwise, there could have been nothing to negotiate, no need for treaties.²⁰³

The Crown saw treaties as a tool for settlement to build their presence on Turtle Island. The Crown heavily relied on language regarding land extinguishment clauses opposed to language of reciprocity. This makes the treaty relationship hard to reconcile, when one perspective is reliant on taking up lands, and the other is informed by sharing territory. Treaties also did not include

²⁰¹ Asch, “From Terra Nullius to Affirmation: Reconciling Aboriginal Rights with the Canadian Constitution,” *Canadian Journal of Law and Society*. 17 (2014), 35.

²⁰² Ibid.

²⁰³ Harold Cardinal, *The Unjust Society: The Tragedy of Canada's Indians* (Edmonton: M G Hurting Ltd, 1969) 29.

Indigenous laws and obligations set forth for the Crown's body politic to uphold. But they did ensure that the Crown's laws and jurisdiction were established within a shared treaty territory and further subjected Indigenous nations to these new laws.²⁰⁴ Again, the hierarchical forms of power come into question, as treaties were acknowledgments for the Crown, but they could not conceive that the spirit and intent made them treaty partners and kin to Indigenous Peoples.

Further, Borrows explains that treaties were vested in land ownership and settlement, but exemplifies how they ground Indigenous ways of knowing. He states,

They allowed for settlement and development of large portions of country, while at the same time promising certainty for Indigenous peoples' possession, governance and livelihood. They are also crucial because they can implement Indigenous law by grounding Indigenous peoples' deepest obligations to the Creator and others in a framework of reciprocity and mutual exchange.²⁰⁵

The Crown's grasp of the territorial acquisition is vested in ownership, and control was the premise of their treaty negotiations. The treaty promises were integral to Indigenous Peoples' responsibilities to their nations, the relations, the land, and themselves. Borrows posits that the treaties also offer ways to entrench and reaffirm Indigenous laws, and these reciprocal responsibilities. If the re-presencing of Indigenous knowledge's that reframes how we view the body in relation to land, then we can also reframe the obligations set forth by the treaties.

These understandings of treaty through the lens of treaty scholars have guided me through the concepts of sovereignty and treaty. They thread the connections between relationality and call us to reflect on our responsibilities as sovereign beings under a sovereign nation. There is a drastic need to re-presence Indigenous epistemologies to reimagine the ways in

²⁰⁴ Borrows, "Ground-Rules: Indigenous Treaties in Canada and New Zealand," 192.

²⁰⁵ Ibid, 195.

which we can understand treaty sovereignty, and how we can begin to re-frame the spirit and intent.

Euro-Centric Sovereignty

Within the following section, I analyze and explore the Eurocentric western concepts and understanding of sovereignty, in order to understand the dichotomous ways of the Crown when discussing the treaties. This includes concepts of possession, and hierarchy and racist power dynamics instilled by the Crown. As I continue this exploration into sovereignty through the treaties, I draw upon the concepts of terra nullias. While, this is not the purpose of this thesis, I recognize that the ambiguity surrounding assertions of sovereignty are imbued with terra nullias and the doctrine of discovery. Canada does not claim that the concept of terra nullias was used; however, the Crown's assertion of sovereignty mirrors the principles of terra nullias. Asch explains that the concept of terra nullias was fundamental to the presumption of settler state sovereignty²⁰⁶ and the assertion of sovereignty of Indigenous lands. Asch further explains that there was a need for the recognition of the existing sovereignty of Indigenous nations in order for the Crown's sovereignty to be recognized within the same territory.²⁰⁷ Using Asch's analysis, it is apparent that the treaties were meant to allow for two sovereigns to exist within one shared territory. On the contrary, Borrows explains that treaties could have aided in the building of nations of the foundation of consent rather than the

than the violence of presumed military or cultural conquest. They establish ground-rules for future interactions with the lands and people. They provide a stronger normative base for creating and re-creating [Canada] than the morally inferior justifications of discovery, occupation and adverse possession, which assumes the inferiority of Indigenous populations relative to the Crown."²⁰⁸

²⁰⁶ Michael Asch, "From Terra Nullias to Affirmation: Reconciling Aboriginal Rights with the Canadian Constitution," 29.

²⁰⁷ Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, 101.

²⁰⁸ Borrows, "Ground-Rules: Indigenous Treaties in Canada and New Zealand," 191.

But this historical debate continues to be contended, as the proceedings of the settler state were more similar to the proceedings of the doctrine of discovery than terra nullias. Under the doctrine of discovery, there are requirements for treaties to be ratified for sovereignty, which has occurred within Turtle Island. We see regardless of whether it was terra nullias or the doctrine of discovery, there was a persistent need for the Crown to enter into treaties with Indigenous Peoples and land acquisition was the driving factor. I recognize that I cannot fully develop this idea within the confines of this thesis but leave it as open to explore further within my dissertation.

With the nuance of terra nullias and the doctrine of discovery suggested, I now begin to call into question the political theory of the state of nature. To the Crown, sovereignty is intrinsically tied to concepts of ownership and property; including the right to have control over their territory. Eva Mackay uses Jeremy Bentham's explanation of property when she writes,

Property is nothing but the basis of expectation . . . consist[ing] in an established expectation, in the persuasion of being able to draw such and such advantage from the thing possessed.²⁰⁹

By adopting this theoretical approach about settler sovereignty and possession it is evident that sovereignty is vested in the advantage, control and power derived from the thing that is being possessed. I make the argument that to the Crown, Turtle Island was a land mass that could be controlled and possessed. Thus, marking territorial acquisition essential for the control of the land, and Indigenous Peoples.

Racial Hierarchies

To begin, it is crucial to contextualize the Crown's recognition of Indigenous Peoples. The Crown's assertion of sovereignty over Turtle Island can be connected to the Euro-centric

²⁰⁹ Eva Mackey, "Unsettling Expectations: (Un)certainty, Settler States of Feeling, Law, and Decolonization." 24.

dependence on racial hierarchies²¹⁰ embedded into settler state society. This assertion of sovereignty was done despite the sovereignty of Indigenous Peoples²¹¹ who already had established diplomatic processes and governance structures. This racial marking of Indigenous Peoples and the loss of their body sovereignties was critical to the Crown's assumption of sovereignty. These racial hierarchies are used in efforts to support claims for their legitimacy based on racial hegemony dependent on Indigenous inferiority. This supposed racial inferiority is in alignment with other settler colonial tactics of alienation and dispossession, such as epistemic violence and the regulation of gender in order to subdue the developed and enriched Indigenous nations. This racial making and un-making of Indigenous Peoples was also dependent on western legal theory that continues to be indoctrinated with Christian principles. As a result, it can be argued that the Eurocentric lens used to view Indigenous Peoples was the state of nature, written under natural law.

These racial hierarchies were supported by the presumption that Indigenous Peoples within Turtle Island were living in the state of nature. Here, Indigenous concepts of body sovereignty are refuted because of the space the state of nature exists within where, "every man has a right to everything, even to one another's body."²¹² This removal of autonomy and respect that I have explored in above sections of this chapter is absent within the Crown's foundational understandings and their western perspectives on sovereignty as predicated on ownership.

Ktunaxa, Cree-Scots Métis scholar Joyce Green explains,

Settler states emerge from colonial enterprises that establish permanent settlements, which are intended to become both the focus and the enactment of a

²¹⁰ Ibid, 243.

²¹¹ Ibid, 241.

²¹² James (Sákéj) Youngblood Henderson, "The Context of the State of Nature," in *Reclaiming Indigenous Voice and Vision* ed, Marie Battiste (Vancouver: UBC Press., 200), 17.

politico-cultural project of the founding colonial entity. To execute this project, Indigenous populations must be contained or eliminated.²¹³

This exemplifies that there was a reliance on land acquisition and ownership for settlements. The settlements were to endure, and Indigenous Peoples were to be absorbed into the Crown's sovereignty.

Settler colonial assertions of sovereignty over Indigenous lands can be explored within the lens of the state of nature. Locke and Hobbes relied on the presumptions of the state of nature and relied on mis-interpretations and the dialect of difference to support their arguments towards Indigenous Peoples living in the state of nature and in "unadulterated savage states."²¹⁴

Quandamooka scholar Aileen Moreton-Robinson explains that Locke and Hobbes' ideas "inform[ed] theories about the rights of man within the context of the rise of democracy, relegating Indigenous people to a state of nature without any sovereign rights."²¹⁵ This is a foundational precipice of the settler state's refusal to recognize Indigenous sovereignty. The state of nature was also used in efforts to dispossess Indigenous Peoples from the land and for the Crown to take possession²¹⁶ in order to bring the land out of the state of nature.

However, as other scholars have argued, the land has its own sovereignty, and as a result of body sovereignty, there are responsibilities driven through this relationality, there is no ownership. Settler colonial thought is bound to land entitlement codified in their philosophies and hierarchal power structures. These structures seek to dominate and dismiss Indigenous governance and deliberately refuse Indigenous sovereignty. This structured refusal and dismissal

²¹³ Joyce Green, "Enacting Reconciliation," in *Visions of the Heart: Issues Involving Indigenous Peoples in Canada*, ed. Gina Starblanket, D Long, and P Dickenson. (Oxford: Oxford University Press, 2019): 8.

²¹⁴ Aileen Moreton-Robinson, *White Possessive: Property, Power, and Indigenous Sovereignty*, (Minnesota: Minnesota Press, 2015), 56.

²¹⁵ Ibid.

²¹⁶ Moreton-Robinson, "Virtuous Racial States: The Possessive Logic of Patriarchal White Sovereignty and the United Nations Declaration on the Rights of Indigenous Peoples," 646.

is made visible within the treaty relationship. Stemming from this relationship and this reliance on ownership, the intentions behind the treaty principles become even more ambiguous. The seeming vacancy of the land matched with the invisibility of western normative values within Indigenous nations acted as precursor for the subjugation of Indigenous Peoples by the settler state.

Moreton-Robinson continues to explain that the settler state was able to exhume Indigenous sovereignty and establish their right to sovereignty not only under natural law but also through the obscurity of their moral value and their capacity to commodify the lands.²¹⁷ This assertion of sovereignty is marked by gender and race and the patriarchal white sovereignty that is predicated on the states need to secure land and its resources.²¹⁸ Moreton-Robinson continues to explain that “sovereignty’s divine being as a regime of power is constituted by and through gender and race.”²¹⁹ The state was unable to envision a nation with two sovereigns, and asserted their rights to the state through exerting power structures and dominion over Indigenous lands, co-opted under the guise of terra nullius, or the doctrine of sovereignty but developed without recognition of Indigenous treaty principles. The connections between body, land, and the treaties are undeniable as they are predicated on the Crown’s need for control.

Arguably, sovereignty to the settler state can be used in a way to protect itself from an internal threat, meaning threats coming from within their territorial borders. This, however, would not be a concept reconciled within Indigenous perspectives. This is attributed to the recognition of other sovereigns living within a shared territory. There was respect between all nations to live in accordance with their own customary laws, free from fears of infringement

²¹⁷ Ibid, 644.

²¹⁸ Ibid, 645.

²¹⁹ Ibid.

because of the encoded responsibility's entrenched into treaty. The Crown relies on the absence of external intervention²²⁰ and could not have more than its own sovereign power living in a shared territory because of the binary between Indigenous and Eurocentric perspectives.

Moreton-Robinson states,

The possessive logic of patriarchal white sovereignty is compelled to deny and refuse what it cannot own – the sovereignty of the Indigenous other.²²¹

Moreton-Robinsons' understanding of this reliance of control in combination with the states assertion of sovereignty can be acknowledged as ways to defend against external threats. The Crown continues to deny the sovereignty of Indigenous Peoples as a result of the reliance on control and ownership of Indigenous lands and by extension, Indigenous Peoples. It also supplements the dialogue that the Crown could not comprehend or reconcile Indigenous treaty perspectives that support more than one sovereignty living within a shared territory. There could be no relationality to inform right relationships between these treaty partners because the difference in understanding sovereignty and land is insurmountable. When the Crown asserts sovereignty over Indigenous lands, and dismisses Indigenous laws, governances, and structures, the process of subjection is can be named. This includes the transference of authority and jurisdiction over territory, dismissing the sovereignties of Indigenous Nations and their autonomy of their lands and Peoples within the boundaries now held by the settler state.²²² There is a deliberate attempt to sever the land from Indigenous Peoples. This possession of land and its ownership can also be extended to the individual person.

²²⁰ Ibid.

²²¹ Moreton-Robinson, "Virtuous Racial States: The Possessive Logic of Patriarchal White Sovereignty and the United Nations Declaration on the Rights of Indigenous Peoples," 647.

²²² Moreton-Robinson, *White Possessive: Property, Power, and Indigenous Sovereignty*, 139.

The adamant removal of individual body sovereignty can be accomplished through ownership. Moreton-Robinson explains that concepts of possessiveness became encoded in predominant discourses, as when she writes:

A firm belief that the best in life was the expansion of self through property and property began and ended with possession of one's body. Within the realm of intersubjectivity, possession can mean control over one's being, ideas, one's mind, one's feelings, and one's body, or within intersubjectivity it can mean the act or fact of possessing something that is beyond the subject, and in other contexts it can refer to a state of being possessed by another.²²³

These concepts of possession are extremely important in order to understand that the settler state continues to extend over Indigenous territories and nations. This possessorship of lands circumvents the nation-to-nation treaty partnership and the autonomous sovereignty of Indigenous nations. Thus, Indigenous land and body sovereignty is ultimately ignored and denied.

For the Crown, treaties actualized and legally acknowledged through these agreements as the property of land and power is a derivative of them.²²⁴ Thus, land agreements and treaties were able to legitimize the sovereignty of the Crown. Jennings explains that land agreements were used ultimately to, “dispossess the Indians, depriving them simultaneously of government over persons and ownership in land. In legal terms they lost both sovereignty and property.”²²⁵ Treaties to the Crown were seen as contractual real estate agreements. Again, I make mention that they were void of the spirit and intent that went into the treaties. Mills outlines, in the Western perspective, that, “contract was never alive and the treaty is breeding ground for certainty and perpetuity – for permanence, in which change, the pulse of life, has been negotiated

²²³ Ibid, 50.

²²⁴ Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest*. (Virginia: University of North Carolina Press, 1975): 128.

²²⁵ Ibid.

out – it yields only undeath in its participants.”²²⁶ Relationality cannot be negated within the treaties, as to do so ensures a loss of connection and responsibilities that come with the continual renewal and renegotiation of these treaties. Again, I draw upon the Hoof Clan, these treaties are animate because they call on our body sovereignty, and on our duties to uphold and respect the sovereignty of our treaty partners, including the land. Mills continues to explain that treaties are not contractual agreements but frameworks for right relationships, and understanding them as contracts impedes them and their intentions. He states,

The total relational means by which we orient and reorient ourselves to each other through time, to live well together and without all relations within creation. They have a legal quality in the sense that they constrain behaviour, and they are at once political, social, economic, spiritual and ecological.²²⁷

Treaties inform all treaty partners how they are to act so that they continue to form and work on the right relationship, as two sovereign nations who have become kin share the land. These responsibilities are taught from our understandings of land, body sovereignty, and relationality. This relationship between sovereigns focused on the need of mutual aid, and a relationship between the two. Mills explains mutual aid as, sharing of gifts to meet one another’s needs, it is within our minds, bodies, spirits, and hearts to ensure the mutual beneficiary of the other²²⁸ as we reorient ourselves to uphold our responsibilities to our relations. This further enriches the rebuttal to the supposed surrender of First Nations lands through treaties. This relationship was one built on the mutual aid between two sovereign nations, based on a partnership as settlers or colonizers can stay within their nation’s boundaries based on these agreements made that were to be continuous.²²⁹ This Anishinaabe understanding of treaty refutes the understanding of stagnancy

²²⁶ Ibid, 217.

²²⁷ Mills, “What is a Treaty? On Contract and Mutual Aid,” 225.

²²⁸ Ibid, 233.

²²⁹ Asch, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, 99.

and disconnection as it shows responsibility as a community to the land and the treaty for both sides to prosper.

As I have come to learn the intricacies of the Crown's objectives of the treaties vested in control and possession it has become evident that treaties have been transformed into land transfer agreements. Relationality has been written out of the treaties, and instead there has been a focus of contractual obligations. The land to the settler state has always been commodifiable, but to Indigenous Peoples, it is kin, independent yet uniquely connected to all ways of life. Land and body sovereignty cannot be removed from the inanimate settler state treaties.

Conclusion

Indigenous treaties are vested in Indigenous worldviews and epistemologies. Our responsibilities to our kin have been encoded into treaties. Through treaties with the Hoop Nation and the Our Dish treaty, we see the success that comes from following our treaty responsibilities and know the consequences when we don't. It is necessary to decolonize the current rhetoric of treaties between Indigenous Peoples and the settler state in order to understand how Indigenous land sovereignty can be understood, taught and how we can live in accordance with Indigenous understandings of treaty and sovereignty. The sovereignty that the state has constructed is artificial and actively removes body and land sovereignty. Treaties are alive and can continue to inform our ways of being and the ways in which we walk within the settler state and our own communities. Our body sovereignty cannot be exercised and is not recognized under the Crown's concepts of possession and control over Indigenous nations, land, and bodies. It is imperative to reconcile the concepts of sovereignty and begin to unpack and alter the discursive norm that seeks to disappear Indigenous sovereignty vested within the treaties, which subsequently attempts to alienate land and body sovereignty.

Chapter Three

Coming Back to the Body

My last two chapters have discussed the connection between the body and the land as told within the Anishinaabe Creation story, and the connection between the body, land, and treaty. These chapters have re-presented the importance of relationality, and autonomy, but have also discussed the epistemic violence perpetuated against Indigenous epistemologies. This dismissal of Indigenous epistemologies is an act of dispossession and violence in order to favour western ontologies and advance the colonial project. Again, as I continue to position myself in relation to this work about sovereignty, and body sovereignty, gender becomes inescapable from the discussion. I have centered my positionality in this chapter, in order to further explore this connection between gender and sovereignty.

As I work through this exploration into sovereignty, and body sovereignty, gender becomes inescapable from the discussion. I approach this section on gender and body sovereignty in a way that does not limit gender to be confined or limited to binaries, or for it to be spatially experienced but to be understood as fluid. Body sovereignty is inherent to everyone and can be expressed by the will of the individual who possesses it, we are autonomous beings. In the same way as sovereignty, gender can also be fluid and experienced without limitation or restrictions. I come to the exploration of gender and sovereignty through Sky-Woman, and the innate connection between the feminine and the land. Remembering that our bodies are extensions of the soil, and are relationality calls us to reflect on our actions.

This chapter will begin to centralize resurgence practices to re-centre body and land and the kinship between them both and the treaties. My previous sections have explored the concepts of land, gender, and sovereignty. In this chapter, I hope to create a space to continue to delve into

the concepts further and make connections to tether them together. Before I continue, I must address that colonial violence continues to be perpetuated in abstract space between gender and sovereignty, where they intertwine and interact with one another and become inescapable. As discussed previously, within the colonial settler state the more-than human is renounced of its agency, and sovereignty, as it becomes regarded as exploitable. In the same way, the concept of sovereignty continues to be a concept that is fluid within Anishinaabe thought but is understood in Western perspectives as stagnant the concept is warped and made to be exploited. This chapter will include a deeper look into the connections between the body and the land, women's roles within their nations, as well as pathways forward. It will also include the voices of various Indigenous scholars to continue to bolster this exploration.

I aim to explore and analyze the ways in which gender has been used to control and restrict Indigenous Peoples, specifically women. Colonialism has allowed for Indigenous perspectives on gender to be restricted and confined in order to benefit the state regime, it has become a tool of control. Indigenous bodies, sovereignty, relationality continue to be an unsettling reminder to the settler state of an alternate way of being. This violence perpetuated against the more-than human and against Indigenous women is a result of their sovereignty and how their sovereignty suspends the states usurpation of illegitimate sovereignty and power.

Kelsey Leonard from Shinnecok Indian Nation states,

...there is a connection between patriarchy disregard for nature, women, and Indigenous peoples. The colonial/patriarchal mind that seeks to control the sexuality of women and Indigenous peoples also seeks to control nature.²³⁰

²³⁰ Kelsey T. Leonard, "The (Un)Making of Property: Gender Violence and the Legal Status of Long Island Algonquin Women," 111.

Through Leonard's analysis, the connection between the violence perpetuated against Indigenous women and the land is made visible. The connection affirms that the state continues to sever the sovereignties of Indigenous women and land, and the attempt to rupture and disrupt this connection. This is the foundation I base the following exploration off.

As the affinity between Indigenous women and the relationship to the land continues to threaten the states sovereignty, I am called to reflect on Monture-Angus' explanation of external and internal threats. She explains that the state is imbued with Indigenous sovereignty and presence on their lands as they are internal threats to the settler sovereign. I will use Monture-Angus' analysis in conjunction with Leonard to ground my understanding of colonial violence against Indigenous women and the land as synonymous. Before continuing, I again must re-present Watts' understanding that the flesh is an extension of the soil and re-remember the relationality between the body and land. Further, Dane Zaa, Nehiyaw Métis scholar Helen Knott explains the states determination of Indigenous women's power and connection to the land, she states,

To acquire the power and full ownership over the land, the power that Indigenous women held needed to be undermined and usurped, and this was the key instigation for Native women's oppression, disempowerment, political demolition, and victimization.²³¹

This explicit recognition of the power of Indigenous women matched with the colonial violence and insertion of heteropatriarchy aimed to alienate Indigenous women's body sovereignty from their nation's governance structures reveals the deliberate gender-based attacks on sovereignty. However, before I continue to explore this dialogue further, I take guidance from Indigenous

²³¹ Knott, "Violence and Extraction: Stories from the Oil Fields," 151.

scholars Starblanket, and Stark, to be mindful not to romanticize pre-settler state Indigenous societies. They explain that this is harmful for two reasons,

- (1) it obscures the hard work that produces Indigenous knowledge and enables the flourishing of relationships with humans and non-humans, and (2) in the absence of this attention to the work involved in living out our relationality, makes space for settler replacement narratives that posit Indigenous relationships and knowledge as natural and innate. Consequently, these narratives position Indigenous realities as inauthentic and contaminated by colonialism and frame the rise of settler-states as inevitable and thus inculpable.²³²

I remain mindful to this important factor; I do not have intentions to reduce Indigenous women and place them in a stagnant distant space. I want to illumine the fluidity of experiences, and the autonomy to express, take-up space, and exist in a way that fulfills the appetite of life for each sovereign body and how they connect to their relations. These experiences, and coming back to body, which I will discuss later in this chapter is entangled with the concepts of treaty, re-presenting Indigenous women's roles in our nations, and re-remembering our connection to all our relations, including the more-than human, and our sovereignties.

Political Bodies

As I move this discussion further, I recall my earlier exploration into the reliance, and prevalence of epistemic violence that seeks to disrupt Indigenous relational ways of being, and relationality. Epistemic violence in combination with the removal of Indigenous autonomy has led to the removal of Indigenous women in traditional roles. As Simpson explains, Indigenous women's bodies are political, such that, "political systems are...rooted in our bodies and our bodies are not just informed by but created and maintained by relationships of deep

²³² Gina Starblanket and Heidi Kiiwentinepinesiik Stark, "Towards a Relational Paradigm – Four Points for Consideration: Knowledge, Gender, Land and Modernity," in *Resurgence and Reconciliation: Indigenous Settler Relations and Earth Teachings*, ed. Micheal Asch, James Tully, and John Borrows (Toronto: University of Toronto Press, 2018), 190.

reciprocity.”²³³ Historically, this symbolism of political status was a cause of great concern for the settler state. Indigenous women as political bodies signify alternate ways to the settler state’s hierarchal, patriarchal structure it relies on to maintain dominance over its’ body politic.

Indigenous bodies continue to stand as political bodies and this has persisted over time. Simpson explains that as a result with this recognition of Indigenous bodies as political bodies orders, the state continues, “attempts to break the network of intelligent relationships housed in Indigenous bodies in order to prevent the replication of Indigenous freedom, in order to get land.”²³⁴ These acts of the severance of the body and land, becomes visible and connects the past and present as the violence is ongoing. To the settler state, gender was identified to control and assume power. Land, body, and treaty sovereignty are threats to the colonial state, and the state continues to make efforts to dispossess all three of these essential beings.

Indigenous bodies continue to interrupt and dismantle the colonial project. Because of this connection to the land, the state remains adamant to rupture Indigenous self-determination through the violation of Indigenous bodies.²³⁵ It has been expressed that Indigenous woman have been targets of violence because of, “...their abilities to *reproduce*, Native peoples, Native nations, and, by extension, Native land epistemologies.”²³⁶ This reproduction is not limited to Indigenous women ability to physical rebirth, but demonstrates their ability to nurture, hold, and transmit Indigenous ways of being. This rupture of sovereignty can be recognized through the

²³³ Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence* (Minneapolis: University of Minnesota Press, 2017),182

²³⁴ *Ibid*, 127.

²³⁵ *Ibid*.

²³⁶ Laura Harjo, Jenell Navarro, and Kimberly Robertson, “Leading with our Hearts: Anti-Violence Action and Beadwork Circles as Colonial Resistance,” in *Keetsahnak: Our Missing and Murdered Indigenous Sisters* ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 282.

regulation of identity that continues to perpetuate settler state gender-based violence. It was and continues to be an exercise of control. Simpson explains that a significant portion of the colonial project was designated to control Indigenous women's political power, often done through the restraint and control of body sovereignty and sexual agency.²³⁷ This was done to circumvent the influence of Indigenous women on colonial heteropatriarchy, and the continuation of Indigenous political orders.²³⁸ She further states, "Indigenous body sovereignty and sexuality sovereignty threaten colonial power."²³⁹ This reconstruction of gender was a part of the colonial project, Simpson explains such that "Indigenous forms of gender construction and fluidity around gender had to be replaced with a rigid heteropatriarchal gender binary and strict gender roles."²⁴⁰ This was because of the state's reliance on hierarchy to assume and keep control and to mold the body politic. The importance of hierarchy cannot be undermined in this discussion, the reliance on power structures, influenced by race and sex, has been fundamental to the settler states' claims of assertion of geopolitical power.

Prior to the assertion of heteropatriarchal power paradigms, Indigenous women were included in various Indigenous nations treaty discussions as they held esteemed positions in their communities. Métis scholar Kim Anderson interviewed twelve female chiefs from various nations located within Turtle Island. Five of the Chiefs interviewed explain that treaties were known to be a women's responsibility.²⁴¹ There is a direct connection between Indigenous women and the political community. Furthermore, Simpson explains that during Nishinaabe

²³⁷ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 107.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Ibid.

²⁴¹ Kim Anderson, "Leading by Action: Female Chiefs and the Political Landscape," in *Restoring the Balance: First Nations Women, Community, and Culture*. ed. Gail Guthrie Valaskais, Eric Guimond, and Madeleine Dion Stout. (Winnipeg: University of Manitoba Press, 2009), 109.

treaty negotiations with other nations, it was not only the men that went, but families would travel to the meeting place and camp nearby. After the daily negotiations were complete, they would return to discuss the negotiations with their families. Simpson notes that women held significant influence in the negotiations and with the leaders conducting such negotiations who were akin to being spokespeople who had the responsibility of relaying back the issues raised by the women.²⁴² The explicit presence of Indigenous women's voices speaks back to the invisibility of Indigenous women that settler modernity itself relies upon.

As a result of the significance of Indigenous women within their communities and the settler state, the double objectification of Indigenous women can be realized. The hierarchal structure that was created and which continues to remain in play is systemic, further subjecting Indigenous People as state wards, but they also enforce the double objectification of Indigenous women, creating a hierarchy of the settler state's body politic and Indigenous Peoples. Through this process, Indigenous women experienced both racism and sexism.

This hierarchy reinforces the adoption of settler norms. Simpson explains that settler powers, and the body politic, specifically settler women were, "...out to destroy our agency, self-determination, body sovereignty, and freedom and to contain us under the heteropatriarchy within which they live and used to have power over us."²⁴³ The violence was emotional, physical, and spiritual. It ruptured Indigenous women's roles in all spheres of their communities and within their nations. This power paradigm was necessary for the state because, "...Indigenous body sovereignty and sexuality sovereignty threaten colonial power."²⁴⁴ The

²⁴² Leanne B. Simpson, "Centering Resurgence: Taking on Colonial Gender Violence in Indigenous Nation Building," in *Keetsahnak: Out Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 223.

²⁴³ Ibid, 97.

²⁴⁴ Ibid, 107.

representation of body sovereignty existing outside of state norms threatens the viability of the state regime and their hierarchies which support their presumed sovereignty.

However, because of these colonial hierarchies, Indigenous women have been dispossessed of their roles. Prior to state policies which have been instrumental in the regulation of Indigenous Peoples' existences, Indigenous women held political positions. These included, traditional or hereditary chiefs, clan mothers, and participation on women's councils.²⁴⁵

Anderson explains that Indigenous women held authorities to make key decisions on issues that arose within their communities. Yet, when colonial powers encroached, women's leadership roles were not recognized and settlers chose to exclusively engage with the men.²⁴⁶ Anderson reiterates this irreconcilable difference between settler state governance invisibility of women and Indigenous governance system that illuminates women and how this presence of women threatened the success of the colonial project.²⁴⁷ As mentioned above, Indigenous women were heavily involved within the political process, and the transmission of knowledge. For example, Anishinaabe women are responsible for the treaty stories.²⁴⁸ There is a trust, and a sacredness of this keeping and transmission of knowledges. By deploying structural systemic dispossession of Indigenous women in unison with epistemic violence, attempts are made to rupture Indigenous women's connection with their roles in their communities is evident. In turn, obligations and responsibilities to ourselves, our communities our relations, and our treaty partners that stem from understanding these roles are threatened.

²⁴⁵Anderson, "Leading by Action: Female Chiefs and the Political Landscape," 100.

²⁴⁶ Ibid.

²⁴⁷ Ibid.

²⁴⁸ Aimee Craft, "Living Treaties, Breathing Research," in *Canadian Journal of Women and the Law* 26 no.1 (2014): 20.

This dispossession of Indigenous women from their positions within their communities continues to have echoed effects in Indigenous women's political roles. This imposition of the dispossession of gender roles continues to corrupt the connection between land, body and treaty sovereignty. This separation of the relationality of these three components continues to be connected to support the states usurpation of sovereignty. We Wai Kai Nation lawyer, Jody Wilson-Raybould attributes the erosion of Indigenous women's roles, authorities, and responsibilities directly to the repudiation of Indigenous laws and governance.²⁴⁹ Connecting the attempts to dismiss Indigenous women's roles in governance, along with the dismissal of Indigenous ways of being such as, understandings of sovereignty and treaty diplomatic processes reaffirms this refusal of Indigenous nationhood and sovereignty. The invisibility of Indigenous women from their traditional governance roles fails to account for the specific and direct needs, protections, and supports Indigenous women experiences in the settler state.

The topics I have been discussing cannot be separately contained or discussed, because of the synonymy of the: they are related in such a way that they inform ways of being and the relationality among all living beings. As such, there is a prevalent need for the restraint of Indigenous body, land, and treaty sovereignty to maintain the supremacy of the settler state. This type of colonial dominance has been deployed in a multiplicity of ways and is echoed subconsciously and consciously within the settler state and Indigenous communities through the need to totalize on the false hierarchies that were inscribed in the state. These false hierarchies continue to separate responsibility, relationality and the animacy of Indigenous epistemologies. This can be named as an example of lateral violence, the invisibility of the colonial structure

²⁴⁹ Jody Wilson-Raybould, *From Where I stand: Rebuilding Indigenous Nations for a Stronger Canada*, Vancouver: Purich Books, 2019), 181.

continues to rupture connection between land, body and treaty sovereignty and our subsequent responsibilities. There needs to be the expungement of epistemic violence, and the disassembling of colonial hierarchies in order to support a coming back to Indigenous ways of knowing and organizing.

Sovereign Bodies

As I continue this expedition into the connection between land, body, and treaty sovereignty I must further delve into what it means to be and to have a sovereign body. As a precursor to the following section, I must admit that my understanding of the meaning of sovereign bodies I presume will continue to develop as I continue to exercise and come back to body sovereignty. As a result of the implementation of heteropatriarchy, colonial gender norms and western perspectives on land, the more-than human and treaty sovereignty, body sovereignty has become eclipsed from the narrative. In conjunction with land and treaty sovereignty and this work towards coming back to Anishinaabe ways of being and the re-presencing of Anishinaabe epistemologies we must include how we can re-presence Indigenous sovereign bodies, free from colonial intrusion or violence.

The sovereignty of the other is irreprehensible for the state to imagine as it seeks to control and possess. Through this lens, attacks on body sovereignty can be recognized as a direct correlation. As a result of the fluidity of expressing sovereignty through the innate autonomy of the body, the state seeks to gain control of this expression. The settler state has continued to attempt to replace the bodies that occupied and lived with and on the land that stood as a challenge to occupancy of the settler state and the employment of western dominant narratives

and norms.²⁵⁰ Lenape academic Joanne Barker encourages the action of coming back to the body sovereign and the re-presencing of the body, lands, and Indigenous ways of being that include upholding our responsibilities to our relations.²⁵¹ Using Foucault, Aileen Moreton-Robinson explains that understanding race becomes the thing that allows the state to regulate and defend society from itself.²⁵² Indigenous bodies are sovereign and political and remain a symbol of Indigenous ways of being and threatens the dominance of the settler state.

I approach this discussion with the lens of terra nullias, and the rhetoric that I have delved into within my previous chapter. With the affirmation of the connection between the body and the land, it is worth the inquiry to begin to explore the connection of the theoretical perspective of terra nullias and its application to the body. Indigenous scholar Doenmez has argued that Indigenous bodies cannot be terra nullias,²⁵³ even though the state has allowed for the perpetuation of violence to occur against Indigenous bodies. Our bodies are not barren lands, but full of networks of relationships, animacy, and sovereignty. Our bodies have the intelligence to be transformative and not be limited to experiences of sovereignty. As a result of this sovereign power and the presence of Indigenous bodies on the land, they stand in the way of the usurpation and control of lands and calls for the spirit and intent of the treaties to be upheld and centered.

Indigenous bodies stand to remind the body politic of the nuances of the state's rhetoric that is reconstructed within stories, the media, and research that are made to renounce

²⁵⁰ Joanne Barker, *Critically Sovereign: Indigenous Gender, Sexuality and Feminist Studies*, (Duke University Press, 2017), 21.

²⁵¹ Ibid.

²⁵² Aileen Moreton-Robinson, "Towards a New Research Agenda?" in *Journal of sociology*. 42, no. 4 (2006): 387.

²⁵³ Caroline Fiden Tyler Doenmez, "The Unmournable Body of Cindy Gladue," in *Forever Loved: Exposing the Hidden Crises of Missing and Murdered Indigenous Women and Girls in Canada*, ed. Meme Lavell-Harvard and Jennifer Brant (Demeter Press: 2016), 124.

Indigenous women of their sovereignty and to disavow the involvement of the state in our disappearance. Coulthard using Butler explains that,

the body is a “cultural locus of gender meanings.” Furthering the logic of the body as a cultural locus, I contend that Native women’s bodies, as markers against territorial appropriation, Indigenous futurities and contestations of colonial politics, are a locus of gendered colonial meanings and a site of contest.²⁵⁴

Using this analysis, I can locate the body, and sovereignty as a tether to land and treaty and the settler states survival. However, the sovereign body does not need to be confined to colonial rhetoric marking them as sites of contest but instead can be freed to exercise their body sovereignty and come back to the body. The reliance on geopolitical power becomes essential to the colonial project, but it depends on the erasure and control of Indigenous bodies and the connection to the land. The dispossession of this connection to the land simultaneously includes the dispossession of the animacy and spirit and intent of the treaties that informs our obligations and responsibilities as treaty partners to the land and other nations. The body is the locus of these attacks as a result of its place of connection to both treaty and land.

This network between the body, the land, and the ensuing violence perpetuated against both is identifiable within western language. The state continues to use language to reinforce their discursive norms on the land and the Indigenous women throughout society. Leonard states,

European settlers often used language to describe the continent with references to female characteristics, including “virgin land,” “woman,” “her bounty.” The language of the colonizer mirrored the language of sexual violence, such as “seizure,” “taking,” “pillaging,” and “invasion.”²⁵⁵

²⁵⁴ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, 108.

²⁵⁵ Leonard, “The (Un)Making of Property: Gender Violence and the Legal Status of Long Island Algonquin Women,” 110.

The language used to describe both the land and women establishes these divides in recognition and further dispossesses Indigenous women and the land from their sovereignty in efforts to bolster settler state power. To refute epistemic violence and the on-going gender-based violence the language and narrative must be changed. This language predicates the states false sense of supremacy and territorial acquisition and is reliant on assumptions of inferiority and continues to serve as instrumental and as a legitimizing tool of claims to Indigenous lands and violence.²⁵⁶

To dissect this discussion, it is crucial to understand that European colonial nations were systematized around the heteropatriarchal subordination of women, negating them from access to power within state institutions. As such, taking from Mohawk scholar Audra Simpson she explains that the state presumed that the subjection of Indigenous Peoples would require the heteropatriarchal disempowerment and neutralization of matriarchy and the assertion of patriarchy.²⁵⁷ This neutralization was done in efforts to subdue Indigenous women's positions within the community and to enforce their subservience within the settler state. Moreover, this neutralization was used to establish the common rhetoric and hyper-sexualization that Indigenous women's bodies are inherently violable and by extension also their lands.²⁵⁸ Again, the state recognized the connection between the body and the land and the complications it would cause as it unsettled the heteropatriarchal norms it relied on. Pulling from Ladner, the connection between colonialism and gender can be identified through the structure of colonialism.²⁵⁹ Adopting this perspective it is apparent that the body as the locus of connection is

²⁵⁶ Green, "Taking More Account of Indigenous Feminism: An Introduction," in *Making Space for Indigenous Feminism*. Ed., Joyce Green (Halifax: Fernwood Publishing, 2017) 11.

²⁵⁷ Audra Simpson, "The State is a Man: Theresa Spence, Loretta Saunders and the Gender of Settler Sovereignty," *Theory and Event* 19 no.4 (2016): 6.

²⁵⁸ Ibid.

²⁵⁹ Kiera L. Ladner, "Gendering Decolonisation, Decolonising Gender," *Australian Indigenous Law Review* 13 no 1. (2009), 66.

a direct threat as a result of its symbolism and sovereignty. Cree scholar Kiera Ladner continues to explain that sexism and racism are a result of colonialism,²⁶⁰ these concepts did not exist nor could they be identified within communities because of the respect of body sovereignty. As a result of the prevalence of colonialism, Indigenous bodies are subjected to this double objectification.²⁶¹ The traceable correlation between the diminishing status of Indigenous women and the progression of colonialism²⁶² is recognized as they are synonymous and essential to the colonial project. As such, it can be argued that Indigenous Peoples remain outside of the realms of humanity and trapped within the structure of colonialism that warrants and perpetuates violence against Indigenous sovereign bodies.

Indigenous women's public perception has been constructed to be gendered and racialized which fuels the binaries on the value of human life and in turn standardized heinous State techniques of subjugation.²⁶³ The categorization of gender is instrumental to the colonial land usurpation project and continues to hinder the ability to exercise body, land and treaty sovereignty. As discussed previously, Simpson explains that heteropatriarchy is not solely about the exclusion of Indigenous women's bodies, but "the destruction of the intimate relationships that make up nations, and the fundamental systems of ethics based on values of Indigenous sovereignty."²⁶⁴ This reorganization of Indigenous nations, governance, and societies has been done to regulate Indigenous body, land, and treaty sovereignty and expunge the relationality of all beings. Starblanket and Stark discuss this within their work, they explain that,

²⁶⁰ Ibid, 63.

²⁶¹ Bourgeois, "Generations of Genocide: The Historical and Sociological Context of Missing and Murdered Indigenous Women and Girls," 69.

²⁶² Ibid, 68.

²⁶³ Jaskiran K. Dhillon, "Indigenous Girls and the Violence of Settler Colonial Policing," *Decolonization: Indigeneity, Education & Society* 4 no.19 (2015): 19.

²⁶⁴ Simpson, *As We Have Always Done*, 123.

The imposition of Western gender ideals within Indigenous communities has historically aimed to distort Indigenous notions of identity to render them legible to (and easier to regulate within) colonizing orders. The internalization of gendered ideals presents a host of problems, transforming the way Indigenous peoples understand the self and the relationships we inhabit, as well as our systems of kinship, law, and governance.²⁶⁵

This is spatial injustice that limits the experiences of Indigenous women and condemns their body sovereignty. It relies on the confinement of body sovereignty because of the connection and relationality it informs.

State actors have chosen to beset the body politic against Indigenous women through relegating their humanity as unattainable, unreachable, and their bodies as penetrable and violable. This rhetoric establishes accepted discursive norms that perpetuate the ideology that Indigenous bodies and lands are to be taken-up.

Back to the Body

The dispossession of our bodies from the land, from our communities, and from our sovereignty also has obscured and projects the necessitated epistemic violence. Coming back to gender includes the decolonization of gender norms and hierarchy that subdues the sovereignty of the body. Colonial norms are benevolent to the settler state, and it takes up space within our hearts and minds while disappearing the sovereignty of Indigenous Peoples. This colonial juxtaposition can be exhumed, and there can be a coming back to the body through the re-presencing of gender, relationality, and the ways in which we uphold the spirit and intent within the treaties; it would be a reinstatement of sovereignty. By un-learning colonial norms surrounding gender and body sovereignty, we can begin to reposition the body in between the connection between the land and treaties in order to re-presence Indigenous ways of being and

²⁶⁵ Stablanket and Heidi Kiiwentinepinesiik Stark, “Towards a Relational Paradigm – Four Points for Consideration: Knowledge, Gender, Land and Modernity, 184.

sovereignty. However, I find it important to disclose that I continue to challenge the definition and the limitation of sovereignty, and continue to circle back to the limitlessness of it, in fact I adopt Ladner's adaptation of essence. Ladner expresses essence adopted from Linda Tuhiwai Smith definition connected to spiritually, Ladner explains,

As part of Creation, the power or essence of Creator is manifested within all beings and all beings exists within a common circle of life...It is the idea that people exist as part of Creation or the ecological order, that they are made of, or are an expression of the same power or *naato'silnatoji* as are all beings; be they human beings or non-human beings...²⁶⁶

Maybe, sovereignty is essence, as it is within all the spaces between the psychical and non-physical, it is the action of agency. Our essence could be tethered to our body sovereignties as we exist within Creators essence. Through my essence I am actively reclaiming my body sovereignty and accept my responsibilities and obligations to the land and to my treaty partners. This continued contemplation often calls me to reflect on my exercise of sovereignty and essence. Simpson reinforces this reflection when she states,

The decisions about how I use my body, my mind, my sexuality, and the relationship I'm embedded in are my decision and no one else's. The regulation of my body, my brain, and my sexuality are attacks on my body as a political order, my nationhood, and my freedom, regardless of the intent.²⁶⁷

A coming back to body offers the space and capacity to reimagine the exercise of body sovereignty and reinvigorates the connection between land and treaty sovereignty. In the following section, I offer the possibility of coming back to our bodies, to our relations, to the land, and to our sovereignty.

²⁶⁶ Kiera Ladner, "When Buffalo Speaks: Creating an Alternative Understanding of Traditional Blackfoot Governance" (PhD diss., Carleton University 2001), 66.

²⁶⁷ Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 114.

In *Our Bodies are of the Land* by Samantha M. Knock, she connects the beauty of the land to our bodies while tracing the synonymy of the gifts of the Creator and practicing to see the beauty in the world, including the gifts within ourselves. Knock states, “Our bodies are sovereign territory like our Nations. Our bodies are homes we have to live in and with. We are often displaced, displeased, and dismayed with where we come from, but we love it, deeply and intrinsically.”²⁶⁸ This re-presenting of the strength and love that intertwines between the essence of all animate beings within creation through a process of restoring and refuting gender-based norms and by redefining our connection of bodies to the land to eradicate colonial bias. It offers possibilities of language and the space for discussion in order to describe and to name the sacredness of our sovereign bodies. Indigenous women’s sovereignty is essential to their nations, Bonnie Clairmont states, “women’s sovereignty is central to Indian sovereignty because nations cannot be free if their Indian women are not free.”²⁶⁹ Women’s sovereignty has been placed at the forefront of these discussions and cannot be negated from the dialogue of decolonization. It is the power of Indigenous women’s ability to rebirth that I have discussed in the sections above that continue to demonstrate the connections between Indigenous women, the land, and their communities. The sovereign body offers pathways forward to re-present the sacredness and autonomy of all living beings. I begin to grapple with possible Indigenous futurities and the potential processes of coming back to the body.

Through resurgence efforts and practices, it has become known that that land is essential and at the centre of resurgence and decolonialization. Sovereignty has presence in our bodies and in the terrestrial spaces we inhabit and learn from.²⁷⁰ Learning as a form of witnessing and being-

²⁶⁸ Samantha M. Knock, “Our Bodies are of the Land,” *Red Rising Magazine*, Issue 3, 5.

²⁶⁹ Knott, “Violence and Extraction: Stories from the Oil Fields,” 147.

²⁷⁰ Simpson, “Centering Resurgence: Taking on Colonial Gender Violence in Indigenous Nation Building,” 216.

in relation to the land can begin to challenge settler mythologies about them and their knowledge systems that threaten the state because alternative political orders threaten the future of the state. As Cree school Alex Wilson states, “Indigenous sovereignty over our lands is inseparable from sovereignty over our bodies, sexualities, and gender self-expression.”²⁷¹ We must address body sovereignty and what it means to come back to the body in the context of pathways forward.

Returning to the body and its sovereignty enables the capacity for Indigenous bodies to relearn these knowledge systems and the power that comes from dispelling colonial authority that restrains the expression of sovereignty. However, in order to do so, it is imperative to locate and identify that the colonial violence perpetuated against sovereign bodies are entrapped in carceral systems and colonial institutions that espouse logics of elimination designed to assert access to territory that destroys in order to replace.²⁷² The habitual genocidal tactic of settler colonialism continues to seek the dispossession and rupture of Indigenous bodies from the land. Bodies and land are synonymous, and this connection is extended to the treaties and without it there is a loss of connection and understanding. In addition, it disrupts the connection to the manitous²⁷³ and interrupts *mino bimaadiziwin*.²⁷⁴ Simpson explains that Indigenous bodies were,

Encouraged to show a broad range of emotions, express their gender and sexuality in a way that was true to their own being, as a matter of both *principle* and *survival*... Agency was valued, honoured, and respected because it produced a diversity of highly self-sufficient individuals, families, and communities.²⁷⁵

Expressions of gender, and body sovereignty are essential and without them there is a rupturing of sovereignty and severed connections to our relations, including the more-than human and

²⁷¹ Alex Wilson, “Skirting the Issues: Indigenous Myths, Misses, and Misogyny,” in *Keetsahnak: Our Missing and Murdered Indigenous Sisters*, ed. Kim Anderson et al, (Edmonton: The University of Alberta Press, 2018), 171.

²⁷² Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8 no.4 (2006): 388.

²⁷³ Means spirits.

²⁷⁴ Means the good life.

²⁷⁵ Simpson, “Centering Resurgence: Taking on Colonial Gender Violence in Indigenous Nation Building,” 221.

human. I turn towards a conversation of this rejection. Knott explains, “It is impossible to have a truly self-determining nation when its members have been denied self-determination over their own bodies.”²⁷⁶ The repositioning of Indigenous sovereignty cannot be done without the repositioning of Indigenous body sovereignty.

Through this examination into gender, I also am keen to begin to play with the concepts of re-learning our connection to our relations and re-learning the pleasures that come from coming back to our bodies and its sovereignty. Colonialism has enforced the rejection of the subconscious of pleasure and gender expression and instead has shielded us from the pleasures of the more-than human. Through a coming back to the body, we can relearn our relationality and these pleasures. This can be named as sexuality, Tallbear an enrolled member of the Sisseton-Wahpeton Oyate nation defines sexuality as, “a way of being that directly and intentionally mediates social relations across the family, clan, ...and other forms of relations, including other-than human persons.”²⁷⁷ Through this new definition of sexuality, we can relearn language and terms in order to allow for the fluidity of experience and relationships as we reimagine words and concepts. Tallbear redefines promiscuity, often given a negative connotation, and reclaims the word as, “to seek abundance through partial connections. It is openness to multiple human loves and/or to deep connection with other-than-humans, with the lands and waters of our hearts and with different knowledge forms.”²⁷⁸ In this space, there is the reclamation and refusal of colonial rhetoric that extends into the colonial notions of gender. These expungements of social

²⁷⁶ Knott, Helen. “Violence and Extraction: Stories from the Oil Fields,” 153.

²⁷⁷ Kim Tallbear, “Future Imaginary Lecture: Disrupting Settlement, Sex, and Nature,” Obxlabs, January 25th, 2011, 11.

²⁷⁸ Kim Tallbear, “Critical Poly 100’s,” in *Shapes of Native Nonfiction: Collected Essays by Contemporary Writers*, ed. Elissa Washuta and Theresa Warburton (Washington: University of Washington Press, 2019), 155.

coercion and constriction allows for fluidity and relationality. This space challenges and refutes the erasure of gender variance²⁷⁹ and reaffirms the spectrum of gender and fluidity.

As I contemplate this movement towards self-determination of the body leading to self-determination of nations, I recognize that it also encompasses the redefinition of sexuality and the escape from the imperial prude society that colonialism has indoctrinated into societies as a form of social cohesion. Sexuality offers an outlet to become in tune with your bodies and see it in relation to your relations allowing for the engagement with sensuality and power over the body. Tallbear states, “sexuality is not like power. Sexuality is a form of power. And of the forms of power, sexuality might prove uniquely efficacious in both individual and collective healing.”²⁸⁰ Tallbear argues that rejecting shame around sexuality, the power that it yields may be able to “soothe the pains of colonization and the scars of internal colonization.”²⁸¹

Confronting this colonial enforced shame and reconnecting with our bodies and the pleasures it can experience allows Indigenous bodies to heal. This includes queerness and the rejection of heteronormativity and patriarchy which makes everyone other than cis white males lesser than.²⁸² Again, this has been something that has become sunken into the sub-conscious and needs to be made abnormal and rebuked. We can come back to body sovereignty and re-present our epistemologies, cosmologies, our ways of being, the fluidity of our beings and reclaim roles within society with the extrapolation of colonial un-conscious bias.

In addition to the ways that Indigenous women’s bodies have been accredited as threats to the state, there has also been the shame and pain that adheres to the constant threats made

²⁷⁹ Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 123.

²⁸⁰ Tallbear, “Future Imaginary Lecture: Disrupting Settlement, Sex, and Nature,” 9.

²⁸¹ *Ibid*, 10.

²⁸² Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence*, 129.

against our body's sovereignty. The on-going denial and dismissal of Indigenous body sovereignty is also attributed to the deliberate disappearance of Indigenous expressions of pleasure. Akiwenzie-Damm, an Anishinaabeg scholar states, "to deny the erotic, to create an absence of erotica, is another weapon in the oppressor's genocidal arsenal."²⁸³ Allowing these sensualities and reclamation of our bodies and learning them in relation to land refutes state sponsored violence. There is a future that can be created where Indigenous body sovereignty is fluid and free, where it exists not within the confines and under the fear of the colonial settler state. This coming back to body is essential as we tether the connections and multiplicity of connection and knowledge transmission.

I rely on Coulthard's explanation of the memories and histories that are entrenched within the bodies of women²⁸⁴ these written memories continue to offer pathways forward, to demonstrate the strength, and the autonomy of Indigenous bodies. Indigenous survivance can include these pleasures in addition to the reawakening of sovereignty. By offering possibilities of coming back to body sovereignty there are opportunities to express sovereignty and essence without conflict. Seeing Indigenous bodies in relation to political power, engaging and traversing with all our relations and allowing our bodies and minds to feel the pleasures of Creation while reengaging with Indigenous knowledges and network systems. Resurgence can become viable, and the self-determination of our bodies leads to the self-determination of our Nations and land without the inherent colonial settler state violence that has become encoded into our bodies.

Conclusion

²⁸³ Kateri Akiwenzie-Damm, "Erotica, Indigenous Style." In *Learn, Teach, Challenge: Approaching Indigenous Literatures*, ed. Deanna Reder and Linda M. Morra (Waterloo: Wilfried Laurier University Press, 2016), 395.

²⁸⁴ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, 114.

Indigenous body sovereignty has become the epicentre of violence as a result of the undeniable connection between the land, including the more-than human and the body. The settler state has relied on the insertion of their hierarchal structures that continue to subject Indigenous women to double objectification because of the significance of their political sovereign bodies. It is imperative to come to learn what Indigenous bodies represent to the settler state, and what they are, they interrupt the colonial project. Indigenous body sovereignty is the locus of connection between the land and the treaties, this sovereignty tethers and grounds the connections and is reliant on the transmission of knowledges as it creates and recreates Indigenous futurities. A coming back to body can offer new possibilities and locations of connection to our kin, and our relations as we come to learn the power of our bodies and explore our capacity to express sovereignty. As I have positioned myself in relation to this research, I am called to reflect on this coming back to the body and discover this connection and the engagement with the land. Not only does it call me to engage and uphold my responsibilities and rethink the ways in which I understand my body in position to my relations, but I am also aware of the re-commitment to the treaties that come from this coming back to the body and expressing my expression of body sovereignty. Throughout the writing of this chapter, I recognize that this will be a journey of self-exploration and the constant re-negotiation of these concepts as I begin to unpack and exercise these concepts in a space that is free from colonial intrusion. Undoubtedly, this exploration into the discussion of bodies allows me to further grasp the connection between land, body, and treaty sovereignty as they become synonymous to one another.

Chapter Four

Conclusion

The purpose of this thesis has been to demonstrate the connections between land, body, and treaty sovereignty within Anishinaabe ontologies and reillumine knowledges that have been disrupted as a result of epistemic violence and colonial intrusion. I argue that there is an inherent connection between land, body, and treaty sovereignty and that the knowledge of the animacy of these beings have been subject to epistemic violence. This epistemic violence is a result of the colonial project that seeks to dispossess Indigenous Peoples. I reassert that there is an innate connection between the body and the land is evident within Anishinaabe creation. Through this connection, a reciprocal relationship is affirmed and the interconnectivity between the body and the more-than human world are bound to relationality becomes visible. I work my way through discussions surrounding the significance of the body, the land, and the treaties in both Indigenous and western understandings. This is done in order to support my exploration into these connections and the requirement of the settler states epistemic violence. Using various scholars, the dichotomy between Indigenous and western understandings of the land, the body, and sovereignty are realized and recognized.

I established connections between the body and the land as told through creation, reinstating not only the inexcusable connection between the two, but also the *chibowmun*, the individual sovereignty of all beings. I explored the concepts of kinship and relationality to demonstrate the connection between all beings while reaffirming the space for all beings to exercise their autonomy while responding to their responsibilities towards all relations. This exploration also included the repositioning of the feminine and the feminine body in conversation with gendered sovereignties and the inexcusable connection. Through Watts' theory of place-thought, I deploy the analysis that place cannot be separated from thought and that the land informs ways of being. This exploration could not be completed without the

understanding of the state's reliance on epistemic violence to dispossess knowledges and connection to our relations. However, through place-based connections our sovereignties have the capacity to refute settler state norms and come back to our ways of being. I begin to uncover how western perspectives of gender and the more-than human as told within the Euro-Christian Creation story which deprives them from their sovereignties. I recognize that this deep binary of understandings regarding the feminine and the more-than human can cause significant complications in reconciling the sovereignty of the body and the more-than human without the restoration of epistemic violence. I explore this connection between the land and feminine to exemplify how these intelligences and ways of being cannot be separate from treaty narratives.

As I have learned and demonstrated, the land, treaties and Indigenous bodies hold animacy, spirit and are sovereign. I have begun to understand the deep reciprocity between these networks of relations by re-affirming the obligations and duty that arises from our responsibilities to our relations and through our treaties. I have demonstrated how these relationships have informed diplomatic processes and treaty negotiations with the more-than human and other nations as understood within the Hoof Clan and the Our Dish treaties. I have also been able to exemplify relationality between the land, and the more-than human that is written into treaties. These relationships remain in a space not confirmed to lateral understandings of time but tethered to our body sovereignty free from colonial intrusion. Through this work, I have begun to reclaim space and bear witness to the sovereignty and animacy of the more-than human allowing for their sovereignty to be made visible. The land becomes written into treaty responsibilities and through a transformation of sovereignty. I sought to reposition the spirit and intent of the treaties at the centre of treaty discussions. This was done in order to negate the inanimate contractual treaty perspective that the western state presupposes.

I offer alternative possibilities to thinking through treaties, relationships and responsibilities that must be renegotiated and upheld as they are written into the spirit and intent of the treaties which remains a living document. I began to redefine and grapple with the concept of sovereignty and re-learn it in a way that does not inhibit transfers of title but allows for the sharing of responsibilities that are associated with living in accordance with the land. In addition, I have also begun to walk through the ways in which we can relearn treaties, and understandings of sovereignty notwithstanding western stagnant inanimate theoretical perspectives. I worked through this section in a way that repositions Indigenous epistemologies, while continuing to reflect and thread the relationality between body and land within the treaty narrative the connection of the three becomes clear.

I concluded that relationality informs our ways of knowing and continues to ensure that our responsibilities are upheld. I again, reposition kinship and relationality at the centre of this exploration to again reinstate Indigenous epistemologies as pathways forward to reconcile concepts of sovereignty and treaty relationships between the state and Indigenous Peoples.

By continuing my exploration into the connection between land, body, and treaty sovereignty. I found it essential to explore the feminine body in relation to sovereignty, to uncover the ways in which the state has attempted to remove Indigenous women from their sovereignty and roles in their communities. Through this discussion, I examined Indigenous bodies as political and sovereign bodies. By exhibiting the rationale towards the insertion of hierarchy, the significance of Indigenous women's bodies becomes evident as they stand to interrupt the colonial project. I assess that colonialism is a gendered project designed to eliminate and disappear Indigenous women from the land and their roles in governance. Again, the body becomes the locus for the connection between the land and treaty sovereignty which informs the

persistence of epistemic violence. Within my examination into sovereign bodies, I have begun to immerse myself in possibilities of coming back to body sovereignty. I begin to acknowledge the pleasures of the more-than human when rekindling our connections with our relations. I challenge myself to continue to explore the capabilities to decolonize perspectives on body sovereignty and seek to uncover future pathways forward.

This thesis contributes to further treaty discussions by placing the disposition of sovereignty in between the tethers of land and body. I challenge the normative understandings of treaty and sovereignty by recognizing and illuminating the consistent ruptures of Indigenous knowledge transmission because of epistemic violence. I aim to position land, body, and treaty as three integral components together, as they cannot be discussed separately to explore the comprehensive understandings of sovereignty. I use this exploration as a precursor to begin to delve into further discussions on treaty constitutionalism, sovereignty, and gender-based violence. However, I found it necessary to uncover the binaries between Indigenous and western perspectives in order to develop an awareness of the dispossession of knowledges. This thesis offers an analysis into relationality, the more-than human, the land, treaties, and the body that are not confined to time but express the ways in which we are to understand Anishinaabe epistemologies.

I have chosen to put myself in relation and as witness to this work. I have begun to come back to my sovereign body and understand it as a political sovereign being that remains on this land in defiance to the colonial project. Through this process, I have begun to understand that it occurs in accordance with the reclamation and illumination of Indigenous land-based knowledges. This occurs in unison with the creation of a sovereignty that illumines gender variances, relations with the land, and refutes settler-colonial fill of normalized rhetoric designed

to shame Indigenous bodies and re-presences Indigenous epistemologies to reconnect land, body, and treaty sovereignty. I have privileged Anishinaabe and Indigenous scholars throughout this process in order to continue to re-presence Indigenous voice against the dominant settler narratives that continue to romanticise the settler-colonial structure.

I offer this thesis as a contribution to the academy and to community as we continue to reimagine the ways in which we can understand sovereignty and re-animate the body, the more-than human and the treaties in accordance with Indigenous epistemologies. I urge the takeaway from this work to be that Indigenous bodies are symbols of connection. They are empowered by relationality and sovereignty. By the agency of these bodies, our sovereignty is inherent and cannot be dismembered or disappeared. Rejecting epistemic violence among Indigenous nations and the settler body politic allows for the reconceptualization of Indigenous epistemologies. This can allow them to exist in a space where they are not discerned as myth but understood as concrete ways of knowing that inform our ways of being and re-story sovereignty. I sought to encapsulate the beauty of the connection and relationality among all living things to display the agency, animacy and sovereignty that exists in a space that values and respects the sovereign of the other without infringement. I aim to raise the social consciousness of the evaporation of sovereignty and illumine the possibly of ways back to the body. I hope to provide imaginations of potential treaty relationships informed by treaties with other Indigenous nations and the more-than human. I contend that the connection between Indigenous bodies, the land and treaties are crucial in the examination of ways forward in the relation between the dispossession of Indigenous knowledges and bodies.

I intend to begin to pragmatically dispel the systemic institutional dispossession of Indigenous epistemologies that intend to dismantle the creation of Indigenous futurities. Doing

so could allow for the fluidity of resurgence practices to occur within a space that can incorporate the representing of Indigenous ways of being to radically transform the treaty relationship.

Making Indigenous lands and epistemologies visible reaffirms presence and the resistance of colonialization. In conjunction with place-consciousness, reestablishing the connection between the feminine body and the land revitalizes the connection of the feminine and Mother Earth. Reconceptualizing the understanding of sovereignty and the more-than human world. This connection is symbolic to the state, and by repositioning my body and spirit in relation to the land, informed through Indigenous epistemologies and cosmologies, it signifies the disruption of the death and disappearance of Indigenous women. Thus, land as pedagogy²⁸⁵ has the capacity to reposition the ways in which Indigenous women and land are viewed, learning in relation with one another, demonstrating the strength of Indigenous women who actively obstruct colonial practices rooted in land theft and gender violence.

By illuminating this sacred connection, the state's need to disappear and dispossess Indigenous women becomes clear. Society has tacitly consented to the sanctions of the colonial state which perpetuates social inequality and discrimination through the structure itself, informing the reproduction of systemic discrimination through the body politic. This research supports the repositioning of Indigenous Peoples and land-based epistemologies in order to expose the ways in which Indigenous Peoples can continue to revitalize and reject colonial heteropatriarchy and land usurpation. By grounding my thesis between the relations of the feminine body and the land it refuses the dismissal of nature as a living entity and as a relational

²⁸⁵ Leanne B. Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resurgence* (Minneapolis: University of Minnesota Press, 2017), 150.

being. In turn it refutes structural colonialism that enfranchises Indigenous knowledges through epistemic violence.

By doing so it argues that Indigenous women are formidable actors in the resistance of the colonial state while alluding to the states need to dispossess and disappear these bodies. Indigenous women are targeted because of their capacity to continue to rebirth Indigenous Peoples, nations, and epistemologies, as I argued are grounded in the land as an extension of Mother Earth and in relation with the more-than human world. Highlighting the presence of land and body shows that the land cannot be separated from Indigenous women. The state's implicit removal of Indigenous women from their land is done in order to circumvent reclamation of Indigenous women in their political, social and economic spheres, and to dissuade political mobilization, place-consciousness and resurgence of women's bodies as sacred spiritual beings. As Leanne Simpson states, "resurgence is about both land and bodies."²⁸⁶ Through showing how these are the embodiments of one another, the inseparable linkages between body and land can be clearly recognized.

When I embarked on this journey, I offered this exploration as a personal treatise for myself. I set out to relearn my body in connection to the land and the treaties and put these concepts in conversation with sovereignty. I undertook the process of thinking through possible Indigenous futurities. Goodyear-Ka'ōpua defines futurity as a place that does not inhibit settlers but creates knowledges and reclaims futures.²⁸⁷ Futurity now informs my work through the relationship between living, past, and yet to come, that is found within the space

²⁸⁶ Simpson, "Centering Resurgence: Taking on Colonial Gender Violence in Indigenous Nation Building," 219.

²⁸⁷ Noelani Goodyear-Ka'ōpua, "Indigenous Oceanic Futures: Challenging Settler Colonialisms and Militarization," 86.

between treaties and land and body sovereignty. Futurities in this sense then disable the state's capacity to control time, space, and an individual's connection to their relations by reinforcing the innate connection that is encoded within Indigenous futurities and epistemologies. It can ignite the resurgence of Indigenous epistemologies and the denial of Indigenous erasure to reclaim and re-presence relationality.

I find solace in the opportunity to come back to the body and relearn my body in relation to the more-than human, the land and the treaties that allow me to occupy space in accordance with all my relations. I contend that the possibility for resurgence can occur proximally at the individual level by dispelling the colonial myths indoctrinated into state structures and we can turn away from this violence and into our teachings and our ways of knowing bound to relationality. Our bodies are Indigenous survivance, they connect us to the land and to the treaties.

As a result of my research scope within this thesis, some components have been excluded. Future explorations could include analyzing the concept of terra nullias and the doctrine of discovery. I aim to continue to develop my analysis around the rational towards land surrender treaties. Subsequently, this will include a further delve into the language of the Crown, and the settler state to further distinguish the unique position of sovereignty and treaties within Turtle Island. Further, I hope to continue this exploration into the significance of Indigenous bodies on the land to the settler state to begin to unpack the interdependence between bodies and treaty to gain succession to the land. I acknowledge the limited exploration into gendered bodies throughout this thesis, but I am aware of the large significance of the gendered body to my future research. I seek to continue to develop the connection made between the body, land, and sovereignty.

Throughout this process, I have uncovered future research questions I intend to analyze and develop throughout my future dissertation. These questions include, but are not limited too; Can a third interspace of sovereignty be created to remedy understandings of treaty and sovereignty? Does the state allow violence against Indigenous bodies? Is this violent dispossession gendered? If the body is the locus between the land and the treaties, what does this mean if the theory of necropolitics is used to conduct this analysis? Can sovereignty be reconciled? And what does it mean to have Indigenous bodies on the land?

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