

Land Sovereignty and Food Rights: Looking Back and Moving Forward for Indigenous Peoples in Canada

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Introduction

Indigenous peoples around the world are known to have traditional values that are heavily embedded in relationship; with the land, food, and each other. Through an Indigenous lens, land and food are not mutually exclusive. Indigenous peoples have maintained these relationships, and sustainable food systems, through holistic approaches in which they coexist with other living beings in their territories¹. The long history of land sovereignty in Canada cannot be separated from the politics of food. Since settlers have touched down in North America in 1607, Indigenous peoples have been faced with immense environmental, sociocultural, and economic threats which have resulted in the loss of an immense amount of unique Indigenous foods and food knowledges that have sustained them for thousands of years. Western ideologies of land and resources, such as primitive accumulation and terra nullius, along with increasing globalization and industrialization has resulted in communities of Indigenous peoples facing poverty, poor health outcomes, and loss of land, cultural foods, cultural practices, and identities. The erosion of Indigenous sovereignty and self-determination has contributed heavily to the loss of traditional food systems that Indigenous communities face around the world and here in Canada.

Primitive accumulation in Europe and terra nullius in North America are both founded in the ideology of land use for agricultural purposes^{2,3}. Historically both terms implied that Indigenous peoples, or those living a subsistence lifestyle, did not and could not use the land in the ways it was intended in settler-European ideology. These ideologies are the foundation for current systemic issues for Indigenous peoples regarding land and food sovereignty. Western ideologies around land and food, and Indigenous connections to them, have influenced their approaches to the accumulation of land and resources. We have also seen how these ideologies have permeated into contemporary Indigenous peoples from being entrenched in Western systems for so long through their, often unknowingly, participation and perpetuation in them. By understanding the historical impacts of colonization on land and food sovereignty we can then begin to decolonize the systems that have long oppressed Indigenous peoples and begin to move forward in the self-determination of land and food.

Looking Back: How Did We Get Here?

It is important to understand the major steps that have occurred in Canada through settler colonialism that have severed Indigenous relationships with the land and their food systems. From initial contact to movement of settlers west across Indigenous territories in Canada, along with the enactment of settler colonial legislations and the treaty making processes, Indigenous peoples have faced a lot to maintain their connection to their land and food systems. Many of these tactics can be seen in the Crown Model of Colonization (Figure 1).

¹ Nadasdy, P., *Hunters and bureaucrats*.

² Marx, K., *Capital Part 8*.

³ Matties, Z., *Unsettling settler food movements*.

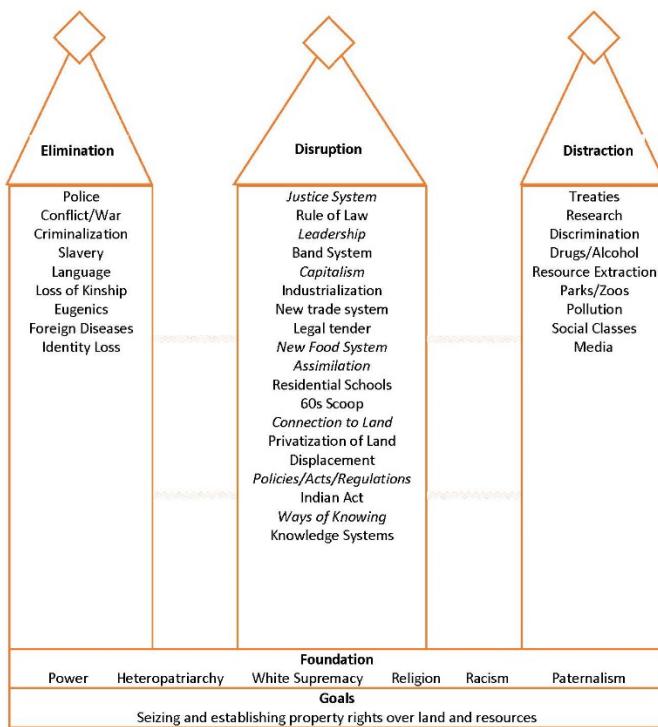


Figure 1 - Crown Model of Colonization (Compiled by GDP-7717 Students, 2020)

Many Indigenous people's traditional food systems are rooted in subsistence lifestyles. A subsistence lifestyle is defined as "synonymous with culture, identity, and self-determination" and not only a way of life but a life enriching process, it is taking "the minimum [food and shelter] to necessary to support life" without impacting the environment in which you live⁴. In Europe during the 14th century, we begin to see the shift from a subsistence lifestyle to an agricultural food system. This shift was characterized by primitive accumulation or the separation of producers from their means of subsistence⁵. Primitive accumulation is defined as the starting point of capitalism⁶. Primitive accumulation came in two waves – the first was through a physical separation from land as a means of subsistence followed by the suppression of alternative forms of production. These two steps are important to understand as they reoccur later when Christopher Columbus 'discovered' North America in the 15th century followed by the first settlement of Europeans in the 17th century⁷.

The first step of primitive accumulation is the removal of the means of production from the producer or the physical separation of land from the people. In Europe, the agricultural system in the 14th century consisted of feudalism, which is a medieval form of property ownership wherein lands were held the Crown or given to those with noble status in exchange for service to the Crown, and peasants (or serfs) lived on the land and shared responsibility to farm, live, and pay homage to the nobleman who owned the land⁸. At the time of feudalism in Europe, property was communal. Through expropriation, the British state did away with yeomanry (independent peasants) and was replaced by small farmers on leases. Primitive accumulation

⁴ Thorton, T.F., *Alaska native subsistence*.

⁵ Marx, K., *Capital Part 8*.

⁶ Marx, K., *Capital Part 8*, 507.

⁷ Matties, Z., *Unsettling settler food movements*.

⁸ Marx, K., *Capital Part 8*.

can also be described using a term called accumulation by dispossession⁹. This term is the process of land and resources being bought or stolen with the previous users (or Indigenous peoples) being dispossessed. With primitive and disposessive accumulation we see capitalism at the center. The new waves of accumulative dispossession are described as the crucial to imperialism and capitalist expansion. This movement into an agricultural model led to the private property model wherein a few people owned land and leased it out to farmers, or those who could produce on the land most efficiently.

Another element of primitive accumulation goes beyond just the mere separation of land, it removed all opportunities to continue to survive utilizing subsistence (non-capitalist) methods¹⁰. There were three main ways in which this occurred. The first was the creation of laws that forced those who were separated from lands to participate in the system of wage labour which created conditions that prevented anyone from participating in a subsistence lifestyle. Those that did not comply with this new system were classified as beggars, robbers, and vagabonds, criminalizing those who did not participate¹¹. This then created an even broader class divide amongst those who owned and produced and those who were merely means of production (slaves). It is here that it was made clear that the previous steps of primitive accumulation led to an incredible imbalance of power. Those who controlled the means of production then controlled the laws. It was during this time that we begin to see the emergence of a more modern form of capitalism as Europe became industrialized. Here we see not only those who monopolized on the primitive accumulation continue to grow, but also the small independent artisans and wage labourers entering the market as capitalists themselves. This led to the new class of proletariats. Proletariats are those who use their means of labour and turn it into capital¹².

Once we understood how primitive accumulation moved to full blow capitalism in Europe, we expanded our discussion to the rest of the world, with the movement to colonies. There were two barriers to the spread of capitalism in North America – there were already peoples living on the lands they wished to occupy and the people the capitalists brought as labor quickly realized that there was no land ownership and moved to subsist on their means as free producers. To have a better understanding of the role of colonization and capitalism in food systems, it is important to understand the Doctrine of Discovery. The Doctrine of Discovery was a European worldview that guided the exploration and expansion of the Catholic Church across the globe¹³. The doctrine is defined as a decree “that any land not occupied by Christians could be discovered, and its occupants subjugated and exploited”¹⁴. The doctrine was supported by a concept called *terra nullius* or ‘empty land’. This meant that land discovered under *terra nullius* could be legally claimed empty if previous occupants failed to make use of it. Upon arriving to North America, European settlers used both the Doctrine of Discovery and *terra nullius* to justify the claiming and settling of the land, which had already been occupied by Indigenous peoples. European settlers believed that Indigenous peoples were less than their European counterparts and therefore were justified in claiming the territory, asserting sovereignty.

Following the settlement of the land, the next step was to convert it into means of production. This created many issues, and a solution with those they brought with them was to move this new-found public land into private property. Therefore, those that might have just lived off the land, instead found themselves working once again for a wage to purchase the land they lived

⁹ Hall, D., *Primitive accumulation, accumulation by dispossession and the global land grab, 1582-1604*.

¹⁰ Figueora, M., *Food sovereignty in everyday life*, 498-512.

¹¹ Marx, K., *Capital Part 8*.

¹² Ibid.

¹³ Matties, Z. *Unsettling settler food movements*.

¹⁴ Matties, Z. *Unsettling settler food movements*, 3.

and for the Indigenous peoples from these newly converted territories? They would then be removed from the private property in various manners. From a European perspective, converting the land meant making it better. The Indigenous peoples of land were seen to be wasting the land as they had not made it better through cultivation. However, at the time, Indigenous peoples had a complex relationship with the land and cared for it. Indigenous subsistence activities included cultivation, stating “Indigenous subsistence activity was barely recognized... forests, coastlines, steppes, and deserts were cultivated systems, even if governments could not see the human activity therein as agriculture”¹⁵.

As European settlers moved west across Canada, we begin to see the growing expropriation of Indigenous territories. Agricultural and settler expansion was the main goal of this movement west as more Europeans arrived in North America, this resulted in several issues that directly impacted Indigenous food systems. The land grab movement where settlers claimed “unclaimed” territories for production and resource extraction was the precursor for the contemporary corporate land grabbing we see today¹⁶. The movement through Canada by settlers was followed by a general destruction of Indigenous territories, specifically the reshaping of the landscapes to make it better for agriculture. This reshaping resulted in general loss of ecosystems, this included edible, medicinal, and supporting plants, land, water, and sky creatures, and the reshaping of land and waters systems while either driving the Indigenous peoples from the land or trapping them within the local capitalist systems¹⁷. A great example of an intentional severing of Indigenous relationships to food systems can be seen clearly with the plains bison. With a growing demand for food by settlers bison were adopted as a food source, demand for bison hides culminated in a mass slaughter of bison, along with the encouragement by the US military to drive them into extinction as a strike against Indigenous populations along with the Canadian government prohibiting Indigenous hunters from their annual bison hunts^{18, 19, 20, 21}. This severed many of the connections that Indigenous peoples had to their lands, ones in which they viewed has “living, breathing, family” while settlers connections to the land was viewed as “one of productivity and power” in which it is inanimate and exploitable²².

One of the easiest examples of intentional destruction of Indigenous connection to land and food systems is in the treaty making process. The main characteristics of the treaties are different depending on the perspective. The intent of the treaties from a settler perspective was to gain sovereignty over the lands through strategic use and lack of use of language, clauses, and negotiation tactics. From the Indigenous perspective, the treaties were intended to protect traditional territories through partnerships, sharing, and mutual respect and the lands. As the government of Canada continued its movement west, they began negotiating treaties with the aim of dispossessing Indigenous peoples. Due to the destruction of food systems, like the bison, the Canadian government used food as a coercion tactic to get Indigenous communities to sign onto treaty agreements²³. Early treaties were focused on trade and settler security, but later treaties were used as means of acquiring land. This was done through coercion and confusion, with settlers involved in the treaty making process often not translating properly or using

¹⁵ Grey, S. et al., *Food sovereignty as decolonization*, 438.

¹⁶ Hall, D. *Primitive accumulation, accumulation by dispossession and the global land grab*, 1582-1604.

¹⁷ Alonso-Fradejas, A. et al., *Food sovereignty*, 431-448.

¹⁸ Daschuk, J., *Clearing the plains*.

¹⁹ Taylor, M.S., *Buffalo hunt*, 3162-3195.

²⁰ Brown, D., *Bury my heart at Wounded Knee*.

²¹ Smits, D., *The frontier army and the destruction of the buffalo*, 312-338.

²² Mackean, T. et al., *Human rights special – Indigenous sovereignty and Indigenous health*, 1.

²³ Krasowski, S. et al., *No surrender*.

misleading language, not to mention that the treaty negotiations had a complete disregard for Indigenous law and governance^{24, 25}.

Following the establishment of the treaties, the Canadian government used several tactics to further appropriate land, dispossess Indigenous populations, and use food as a weapon of colonization. The government used policies, such as the system of land ownership, to divide and sell reserve lands and remove land control from Indigenous band councils and to promote hunger and starvation through the control of rations, failing to provide farming tools as promised through treaty negotiations or taking them away if they surpassed settler agricultural production, as well as doing food and nutrition experiments on Indigenous children who were promised education during treaty negotiations^{26, 27, 28}.

Contemporary Indigenous People in Relation to Land and Food Systems

The brief history of land accumulation and Indigenous dispossession through violence, coercion, and legislation provided previously is the foundation for many of the current issues that Indigenous peoples face in relation to their health and well-being. Many of these historical events are not historical, but rather they have happened in the past but continue to occur. There are four main ways (capitalism, land ownership and unceded territories, food law and policies, and loss of cultural food systems) that the history of land accumulation continues to affect Indigenous connection to land and food.

Through the treaty making processes Indigenous peoples signed over their territories to be under the protection of the Crown²⁹. Indigenous peoples who have treaties with the Crown live on reserve land wherein the Canadian federal government has legal ownership over those territories. Not only do many Indigenous communities not live on their traditional territories, but many of them do not own the lands they are living on, according to federal law. For Indigenous communities who did not sign treaties, who live on unceded territories, according to Canadian federal law and the defined borders of Canada, also live under federal law. This means that all Indigenous territories are under Crown control and can be taken at any time as the government wishes. This can be seen in the moving of treaty communities back and forth in Northern Manitoba or the with the current stand-off on Wet'suwet'en territories³⁰.

Canadian legislation over territories, with or without utilizing the treaties, has continually dispossessed Indigenous land ownership and food systems. The most notable piece of legislation is the Indian Act. The rationality of the Indian Act is like the first quote, in that the act was a response to concerns about the treaties, the oral and written promises, and the need to remove Indigenous autonomy and settler responsibilities. There are multiple sections of the Indian Act that directly affected land and food systems including the introduction of residential schools, restricted movement on and off reservations, expropriated portions of reserves for public works or moved entire communities, leased uncultivated reserve lands to non-Indigenous leaseholders, forbade languages and traditional practices (including food practices), and declared cultural ceremonies illegal (many of which included food)³¹. While there have been amendments to the Indian Act that has removed some of these sections, the Canadian

²⁴ Krasowski, S. et al., *No surrender*.

²⁵ Kepkiewicz, L. et al., *Toward anti-colonial food policy in Canada?*, 13-24.

²⁶ Vowel, C., *Indigenous writes*.

²⁷ Krasowski, S. et al., *No surrender*.

²⁸ Kepkiewicz, L. et al., *Toward anti-colonial food policy in Canada?*, 13-24.

²⁹ Krasowski, S. et al., *No surrender*.

³⁰ Wet'suwet'en Nation, *Pipelines in Wet'suwet'en traditional territory*.

³¹ Milloy, J, *As long as the sun shines and the water flows*, 56-64.

government continues to legislate Indigenous land and foods. A notable act is the Safe Food for Canadians Act (2012) which intends to make food safe for Canadians by targeting unsafe food practices across all food commodities. The issue with the Act is that it includes definitions that are derived from a Western perspective. For example, it defines what safe meat practices are and how food should be shared, prohibiting the buying and selling of game meat. However, many Indigenous communities still rely on game meat for survival, with some even depending on it economically, which is illegal to sell. The act fails to take into account a long history of Indigenous food practices in which game meats are shared safely and for the benefit of the whole community. Another example of legislation that limits food practices is the quotas placed on hunting. During a conference in mid-February, I had the opportunity to sit in on a session provided by a group of Inuit youth. They shared how the Canadian government has placed quota on the number of belugas that can be harvested in the territory they come from. The quota is set for not only their community, but several surrounding Indigenous and non-Indigenous communities. This raises the competition for hunting, unless they choose to risk a large fine by going over quota. The biggest issue, one in which caused a youth to tear up while sharing, was that the quotas were making hunters in their community greedy. Traditionally, when a beluga is caught, they share the kill with the entire community, but because of the quota and fear of not being able to catch another, hunters began hoarding their kills for themselves. So, community members who once had beluga every year, might have to wait years to get some of this culturally important delicacy³². No matter the length of time that non-Indigenous peoples have occupied these lands, the jurisdiction belongs to Indigenous peoples. So as long as non-Indigenous peoples have jurisdiction over the lands using laws and property regimes, Indigenous peoples will continue to suffer as these Inuit youth have³³.

In Indigenous ways of knowing everything is interconnected, this means that these intergenerational influences have also directly or indirectly impacted areas such as family and community ties, language use, teachings and knowledge, traditional economies, governance systems, and identities. The more contemporary influences include the introduction of a market-based food economy, encroachment on traditional food territories through industry and environmental degradation, depletion of the traditional food sources that are still available, lack of cooking skills, confidence, and education around healthy foods, and policies and laws that restrict Indigenous food practices^{34, 35, 36, 37, 38}.

Generations of Indigenous peoples have missed out on the cultural teachings, practices, and traditions that are usually passed down from knowledge keepers due to these influences. Contemporary Indigenous peoples are under incredibly unique circumstances where they are learning whom they are as Indigenous peoples while at the same time navigating Western society³⁹. The complex social and political influences that affect dietary interests, preferences, and decisions contribute to the forming of culture and identity. The formation of identity is “a fundamental component of human development [and] it directly impacts self-esteem and how [Indigenous peoples] view themselves and their role[s]” within both Indigenous and Western

³² Canadian Roots Exchange, *Inuit youth and food resiliency*.

³³ Kepkiewicz, L. et al., *Toward anti-colonial food policy in Canada?*, 13-24.

³⁴ McGregor, L. et al., *Caregivers' perspectives on the determinants of dietary decisions in six First Nations communities*, 122-139.

³⁵ Willows, N., *Determinants of healthy eating in Aboriginal peoples in Canada*, S32- S36.

³⁶ Gaudet, J.C. et al., *Mino pimatisiwin project Healthy living mushkegowuk youth*, 20-40.

³⁷ Kamal, A.G. et al., *A recipe for change*, 559-575.

³⁸ Jamieson, S. et al., *Evaluating effectiveness of a healthy cooking class for Indigenous youth*, 6-8.

³⁹ Gaudet, J.C. et al., *Mino pimatisiwin project Healthy living mushkegowuk youth*, 20-40.

worlds⁴⁰. Cultural identity for Indigenous peoples plays an integral role in the “knowledge, attitudes, and beliefs” around food and food decisions⁴¹. However, food decisions based on Indigenous values are not consistent with Western food options such as popular or scientifically ‘nutritious’ foods. Indigenous peoples are under much pressure to assert their individual and collective identities within their Indigenous communities and the Western world. A key part component to identity, as described by Tabitha Robin (2015), is the sense of belonging, or having a place to go that supports Indigenous peoples learning of traditional food practices and self-sufficiency.

Moving Forward: Reconnecting to Our Sovereignty

The core of food sovereignty being local control over food systems to address food-related issues that confront oppressed peoples such as food insecurity, diminishing agricultural diversity, and a common connection to local and traditional food systems. From food sovereignty emerged another movement: Indigenous food sovereignty (IFS). This term, while very similar in its context to the original concept, is considered to have been around for millennia and often described as a living reality for Indigenous peoples for thousands of years. This movement aims to address colonial impacts on environmental and political systems that threaten Indigenous food systems⁴². There are many different ways that Indigenous peoples and communities can reconnect to their food and lands, the utilization of a self-determination framework as a foundation is key (See Figure 2).

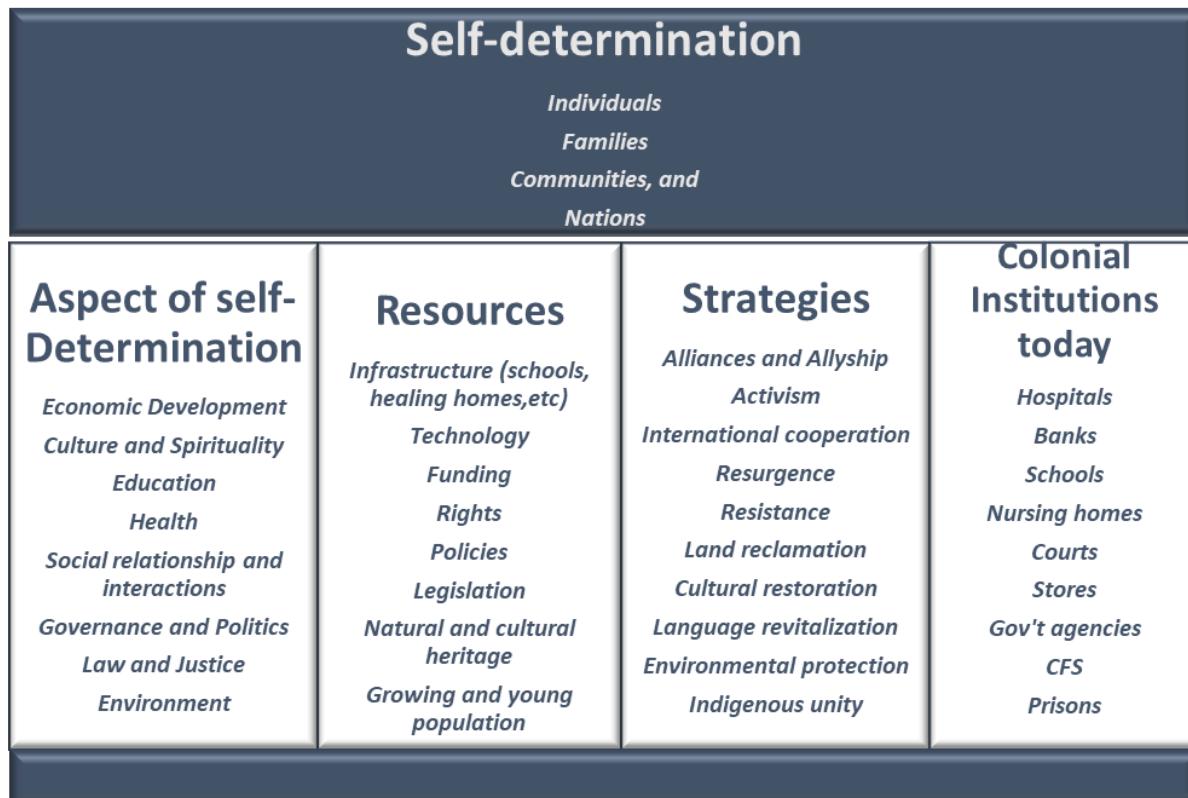


Figure 2 - Indigenous Self-Determination Framework (Compiled by GDP-7717, 2020)

⁴⁰ Baskin, C., *Indigenous youth exploring identities through food security in Canada and Brazil*, 2.

⁴¹ Willows, N., *Determinants of healthy eating in Aboriginal peoples in Canada*, S34.

⁴² Grey, S. et al., *Food sovereignty as decolonization*.

Changes to traditional food systems through colonization can be responded to through food sovereignty approaches. Food policies are often levers for colonialism and capitalism, which is the opposite of food sovereignty. Approaching food policies and food sovereignty from an anti- or decolonial perspective, calls attention to inequalities and making space for more progressive solutions. IFS can act as a framework that offers a unique alternative to current solutions that often do not seem to stick, which includes “traditional knowledge, innovations, and practices that viable alternatives to globalization”⁴³. Alternative and more practical approaches to food sovereignty include the revival of country foods, community gardens, agriculture, better-imported foods that align with the culture and health goals in communities, as well as the return to traditional territories.

Contemporary Indigenous peoples are often in foodscapes that include traditional and market foods. Therefore, they have a unique perspective on food security and should have unique solutions, policies, and programs. Cultural food security should be an additional level on top of the usual individual, household, and community levels⁴⁴. Research that approaches Indigenous food security from a food sovereignty framework and the unique Indigenous perspective can be a tool to measure Indigenous food security in ways that inform policy, programming, and interventions.

Food policies in Canada are often created from Western perspectives^{45, 46, 47}. There are varying levels of Indigenous involvement when developing policies in Canada, and when it comes to food policies, it is constrained. Over several years in food policy development. The discourse of engagement between Indigenous peoples and settlers when developing food policies and quickly noticed the high level of discomfort that non-Indigenous peoples have with discussing Indigenous issues and food policies⁴⁸. When moving towards reconciliation in Canada have difficult and uncomfortable conversations around colonial impacts and giving up power in order to have Indigenous inclusion and involvement is necessary to make progress. Creating spaces for this type of discourse allows for Indigenous self-determination and true collaboration.

The failure to combine or incorporate Indigenous food systems into policy demonstrates the long history of Western and colonial food policies and how, for years, they have undermined Indigenous food systems, infringed on Indigenous peoples’ livelihoods, and has prevented their ability to self-govern and determine. The right to food and the right to culture go hand in hand for Indigenous peoples, which suggests that by providing both you are providing the best possible solutions to counteract chronic diseases⁴⁹. Policies that support Indigenous rights, that meet community priorities, and involve Indigenous peoples in the planning process are incredibly important. Creating food policies that focus on other issues such as socioeconomic, access, and affordability and call for more exploration around the connections of current food policies and approaches and Indigenous peoples and chronic diseases to “broaden the understanding of the role that different forms of discrimination play in the westernizations of Indigenous peoples’ lifestyles, values, and food habits”⁵⁰. Indigenous food movements are fortifying community-based sovereignty and, in turn, the whole Canadian food system. Indigenous food-focused

⁴³ Rudolph, K.R. et al., *Seeking Indigenous food sovereignty*, 1079-1098.

⁴⁴ Power, E. M., *Conceptualizing food security for Aboriginal people in Canada*, 95-97.

⁴⁵ Kepkiewicz, L. et al., *Toward anti-colonial food policy in Canada?*, 13-24.

⁴⁶ Desmarais, A.A. et al., *Farmers, foodies, and first nations*, 1153-1173.

⁴⁷ Damman, S. et al., *Indigenous peoples’ nutrition transition in a right to food perspective*, 135-155.

⁴⁸ Kepkiewicz, L. et al., *Toward anti-colonial food policy in Canada?*, 13-24.

⁴⁹ Damman, S. et al., *Indigenous peoples’ nutrition transition in a right to food perspective*, 135-155.

⁵⁰ Ibid.

policies create space for the Indigenous perspective on food on the grander scale in Canada, which is not only positive for Indigenous health and well-being, but for re-forming legal food paradigms and agri-cultural restoration in Canada⁵¹.

Conclusion

Primitive accumulation, *terra nullius*, land grabbing, Western legislation, and many other aspects of colonization have played a role in the way Indigenous peoples around the world live their lives. Capitalism demands expanse and moving it to the colonies was a way to expand it globally. Along with the concepts of power and need to conquer, capitalism was one of the great tools for colonialism as it forced people into systems that were and are nearly impossible to break free. We see this in the constant battle over land between Indigenous peoples and the governments that occupy them, small scale trade between Indigenous groups being replaced and outlawed to force participation, and the appropriation of Indigenous cultures (clothing, items, plants, land, etc.) for profit. Treaties are partnerships that, without the deceptions, would provide space for both parties to practice self-determination. The text implies self-determination was the goal, and by undermining land claims and traditional territories, settlers undermined self-determination. The concept of “land back” and Indigenous autonomy is key.

Indigenous peoples in Canada represent unique perspectives and diverse knowledges regarding their Indigenous food systems^{52, 53}. Many Indigenous nations understand themselves to be a part of a sacred and collective relationships with each other and the lands they live on. It is not a resource to extract from. In Indigenous cultures, these land and food systems go hand in hand with health and healing, and it is about time that these knowledge systems be nurtured because of their potential to have positive impacts on Indigenous health, well-being, food security, and self-determination. The weaving of local and Indigenous food systems and associated knowledges and perspectives in the development of a land and food framework can have many positive impacts at local, national, and international scales for protecting food environments, restoration of Indigenous food ways and cultures, improving food security and accessibility, promoting local economies through community-based social enterprises, and reclaiming Indigenous territories.

⁵¹ Penner, S. et al., *Indigenous food sovereignty in Canada: Policy paper 2019*.

⁵² Kuhnlein, H. et al., *Indigenous peoples' food systems for health*, 1013-1019.

⁵³ Shukla, S. et al., *Our food is our way of life*, 73-100.

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