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On behalf of the Maine Unitarian Universalist State Advocacy Network
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Maine 131st Legislature – Joint Standing Committee on Judiciary
Testimony in Favor of LD 78, Public Hearing March 7, 2023

Senator Carney, Representative Moonen,
and esteemed Members of the Joint Standing Committee on Judiciary:

My name is Meret Bainbridge. I am a resident of Saco, and I am testifying in support of LD 78, RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine regarding the Publication of Maine Indian Treaty Obligations. I am testifying on behalf of my organization, the Maine Unitarian Universalist State Advocacy Network / MUUSAN.

My faith tradition, the Unitarian Universalist faith, is guided not by dogma, but by ethical principles, one of which is “a free and responsible search for truth and meaning”. I was raised Christian and telling the truth has been one of my most basic values since childhood. I want to tell you a story about truth telling. It may sound long-winded but please bear with me and hear me out.

I am a member of First Parish in Portland, the oldest place of worship in the city, dating back to the earliest settlers of the area in the early 1600s. The first building on the current site, called “Old Jerusalem”, was where the Peace Treaty with the Norridgewock Indians was signed in 1749, and where the Constitution of the State of Maine was drafted in 1819. The current granite building, finished in 1826, was one of the only structures to survive the Great Fire of 1866, and is a historic building that is deeply entwined with the history of Portland and Maine.

But our Meeting House, as we call it, has its ghosts and hidden secrets. Inside are many honorary plaques to former ministers and prominent early church members, including Rev. Thomas Smith, the longest-serving minister, Stephen Longfellow, an ancestor of the poet, and Capt. James Milk. While these plaques list impressive resumes of their education, military service, and public positions, significant portions of their life histories have been omitted: These three men signed “Articles of Agreement” in 1757 to finance and equip a bounty posse to hunt “Indians” for scalp money, sanctioned in the 1755 Phips Bounty Declaration. They gained significant personal riches from the slaughter of Penobscot citizens and contributed to the genocide against Wabanaki that made Maine one of the whitest states in the country.

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Truth telling includes digging up these dark secrets and telling the full story.*

I think by now you can see how the story of my church relates to Article X, section 5 of the Maine Constitution, a section that includes the Articles of Separation of Maine from Massachusetts. That section spells out that “The new State shall assume and perform all the duties and obligations of this Commonwealth, towards the Indians within said District of Maine, whether the same arise from treaties or otherwise;...”.

But in 1875, a constitutional commission amended the Maine Constitution such that this section would be omitted from all future printings of the constitution. Although “...section five shall remain in full force, as part of the constitution...” – this constitutional amendment rendered it hidden, invisible, tucked away, swept under the rug, and over time forgotten - an inconvenient truth that the State of Maine had failed its treaty obligations towards the Wabanaki “Indians”.

By then, Wabanaki Peoples had been dislocated from most of their traditional territories, driven north, and decimated through genocide, war, famine, and disease, living in poverty. Maine had become predominantly white, and white descendants of early settler-colonialists enjoyed generational wealth gained through genocide and land theft.

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My church, First Parish, learned about the historic truths that had been omitted only in 2018. Since then, we have embarked on a process of Truth Telling and Reconciliation that involves telling the full story, speaking Land Acknowledgments at each gathering, engaging in dialogue with the original Indigenous inhabitants of what now is Maine, and being allies to today's Wabanaki Nations, acknowledging their inherent Sovereignty.

Confronting these truths is not an easy process, but it is necessary. In the words of Wabanaki R.E.A.C.H. "Healing begins with Truth". There is a reckoning happening across the United States to come to terms with our colonialist history, to make amends, heal and reconcile. To take down or correct historic statues, monuments, plaques, and names. To tell the full story. A movement for Place Justice, as exemplified in the Place Justice Initiative of the Permanent Commission.

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LD 78 would be a significant step in making visible what had been pushed into hiding, in reversing that constitutional amendment from 1875, almost 150 years later and print the Maine Constitution in its full text: Reminding us that we have made treaties, that we have obligations.

This shouldn't be a big deal; it should be a straightforward formality to print the section that, albeit hidden away, remained in full force all along. Yet to reverse a constitutional amendment requires another constitutional amendment. And prior attempts to correct this omission have failed, last when then-Maliseet Representative John Henry Bear introduced legislation in 2017.

But times have changed, and a groundswell of support for Wabanaki Nations has built across Maine, along with an interest in learning the historic truths that has many Mainers engaged. The time is NOW. Almost 150 years of omission is enough.

In the spirit of truth telling and reconciliation, I implore the Committee to vote OTP on LD 78 and to do it unanimously, and I urge the full Legislature to pass this constitutional amendment. And ally groups like MUUSAN and First Parish Portland will get out the vote to pass the Citizens Referendum in the fall. Let's get this done.

Thank you for allowing me to testify.