

# A'ki/Land

## Land claim deals have paid pittance for huge acreages

By Lynn Gehl

PETERBOROUGH – Many are already aware that the Algonquins of Ontario are currently in the process of attempting to negotiate a land claims and self-government agreement with the provincial and federal governments.

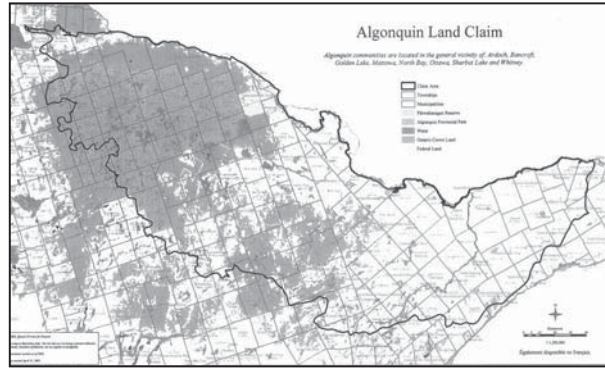
The land base, as illustrated in the accompanying map, consists of 34,398 square kilometres. Many are beginning to ask questions such as, 'What's in it for Algonquin people?' As a proud Algonquin-Anishinabe Kwe, I want to share my research of what various scholars have had to say regarding three major land claims and self-government settlements.

The James Bay and Northern Quebec agreement, established in 1975, was the first to resolve a contemporary comprehensive land claims settlement simultaneous with negotiating self-government. The Cree and Inuit received 5,544 and 8,151 square kilometres of fee-simple land respectively – or 1.17 % of their original land base of 1,165,286 square kilometers. In addition, the Cree and Inuit agreed to accept \$225 million in compensation, but no subsurface or mineral rights to their lands, along with municipal-style self-government with limited jurisdiction such

as education, social services and the right to define their own membership.

While such cash settlement numbers look big in isolation, when broken down the agreement actually means that the Cree and Inuit accepted a mere 79 cents per acre for the vast tract of traditional territory they surrendered.

In 1991, the 18,000 Inuit citizens of Nunavut negotiated a new territory in their settlement agreement and achieved jurisdiction in certain areas that resemble provincial jurisdiction. They agreed to accept fee-simple title of 18.4% – some 350,000 square kilometers – of the 1,900,000 square kilometers of the land they claimed, as well as mineral rights to one-tenth of this land base and the right to hunt, trap, fish and participate in land management of Crown lands. The Inuit of Nunavut also received over \$1



billion in financial compensation as well as the transfer of some federal government jurisdiction. The latter is vulnerable in that these self-government rights are not constitutionally-protected.

Once again, headlines made the \$1 billion compensation sound huge, but the deal actually meant that the Inuit were being paid about \$2.61 per acre for territory to which they relinquished title and control.

In 2000, the Nisga'a, with a membership of 5,500, settled for 1,900 square kilometers and \$240 million in financial compensation for their

claim area of 24,000 square kilometres. Although not constitutionally-protected, the Nisga'a also received one-fourth of the Nass fishery as well as a share of the forest industry. In addition, the Nisga'a agreed to phase out their sales and income tax exemptions.

In agreeing to accept title to 7.9 per cent of their traditional territory, the Nisga'a were actually accepting \$44 an acre for some of the most resource-rich land in the British Columbia interior.

Contemporary cash settlements in land claims and self-government negotiations fall well below real estate market values. When these cash settlements are broken down they don't look much better than the paltry annual payments of \$3 or \$4 given to citizens whose ancestors signed the historic numbered treaties.

The contemporary land claims and self-government process seems designed to force Indigenous peoples to sell their Earthly Mother for a mere pittance in return for small parcels of land, as well as the extinguishment of – or in the case of the Nisga'a – complete definition of their land rights. With the exception of the Inuit of Nunavut who achieved some jurisdiction similar to the provinces – possibly because they are the majority population in their homeland – in these settlements Indigenous peoples merely achieved municipal-style governments with minimal jurisdiction over areas such as education, social services, policing, culture and establishing membership. In fact the Nisga'a final agreement merely entrenched the Indian Act's existing system of government.

The Algonquin and other First Nations should surely be establishing new relationships with the Crown through treaty-making on a nation-to-nation basis.

Lynn Gehl, Algonquin, Turtle Clan, is a second year Indigenous Studies Ph.D. student at Trent University where her thesis topic is the contemporary comprehensive land claims and self-government process.

Cossette Media  
Canada Revenue

10.25" x 7.25"

