

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

Great Plains Research: A Journal of Natural and
Social Sciences

Great Plains Studies, Center for

February 1993

Review of *Aboriginal Land Claims in Canada: A Regional Perspective* by Ken Coates

Olive Patricia Dickason
University of Alberta

Follow this and additional works at: <https://digitalcommons.unl.edu/greatplainsresearch>



Part of the [Other International and Area Studies Commons](#)

Dickason, Olive Patricia, "Review of *Aboriginal Land Claims in Canada: A Regional Perspective* by Ken Coates" (1993). *Great Plains Research: A Journal of Natural and Social Sciences*. 94.
<https://digitalcommons.unl.edu/greatplainsresearch/94>

This Article is brought to you for free and open access by the Great Plains Studies, Center for at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Great Plains Research: A Journal of Natural and Social Sciences by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

Aboriginal Land Claims in Canada. A Regional Perspective. Ken Coates, ed. Toronto, Ontario: Copp Clark Pitman, 1992. 246 pp. Maps, references, bibliography. \$24.95 paper.

This informative collection of eight essays by different authors plus an introduction by the editor surveys the present state of aboriginal land claims across Canada. Each essay deals with a separate province or region, providing regional detail that fleshes out the overview. A selection of excerpts from pertinent documents at the end of each essay adds substantially to the usefulness of the work.

As David R. McNab, formerly of the Native Affairs Secretariat of the Province of Ontario, points out in his article, the aboriginal peoples have never been conquered, so that Canada's acquisition of their lands has been by negotiation. In arriving at these arrangements—once called “treaties” but today called “agreements”—Canada has never strayed from inherited British imperial policy, a “perpetual compromise between principle and immediate exigency.” The principle involved has been the official extinguishment of aboriginal title; the exigency has been the need to acquire lands for settlement and industrial development. The process is still far from complete, and the end is not in sight.

The procedure has not been without its difficulties; as Frank Cassidy sees it, the debate about aboriginal title has been essentially cultural. Rather than being a question of money and power, it has been “rooted in the need for mutual recognition and respect.” Although the resolution of aboriginal claims can be viewed as expensive, not resolving them also involves substantial cost. Matters have not been eased by continued official insistence on the surrender of

aboriginal right in return for specific benefits, such as title in fee simple to a defined territory, and cash benefits. Where such conditions were accepted in the past, Amerindians today are more inclined to seek entrenchment of aboriginal title. William R. Morrison notes that the Inuit have not been so insistent on this point, as they are still in the majority in their Arctic lands, which are not attractive to Whites for settlement, and which pose expensive challenges to economic development. As a result, some major accommodations have been arrived at comparatively quickly in the Arctic. By way of contrast, the Lubicon Cree of oil-rich northern Alberta have been at the negotiating tables, on and off, for more than half a century, and the First Nations of the Maritimes (apart from Labrador) have not been able to get their claims accepted for negotiation. Most of Quebec is still under some form of Amerindian claim. The Métis, although constitutionally recognized as an aboriginal people, are also experiencing difficulties. According to D. N. Sprague, recent legislation has made it easier for Métis to be reclassified as Amerindians and so become eligible to claim aboriginal right, than it is to do the same thing as Métis.

Successful as this work is in presenting the current state of land claims in Canada, it is less so in probing for the historical roots of the situation. J. R. Miller, dealing with the Mohawk claims of Oka, Quebec, makes the best attempt, but does not go far enough. Not discussed anywhere were the compromises Europe made with its own ancient legal traditions, when in the sixteenth to eighteenth centuries, it reinterpreted its laws to justify the takeover and colonization of New World lands. **Olive Patricia Dickason**, *Department of History, University of Alberta*.