FIRST NATIONS AND LAND RIGHTS

The following two presentations were made August 23, 2002, at the annual Council of Georgist Organizations conference held in London, Ontario, Canada. In Canada the name First Nations generally replaces the term Indian of the native tribes who lived for many centuries on the land of southern Canada and northern America before the Europeans arrived.

FIRST NATIONS RESOURCE MANAGEMENT

Mike Williams, Assistant Director, is in charge of the natural resources and environment division of the Walpole First Nations Heritage Center, which is like a research center. His father is Ojibwa and mother is Potawatomi, and one of the unique things about Walpole Island First Nation is that it is not one nation, but a council representing the three tribes of Ojibwa, Potawatomi, and Ottawa.

Williams' presentation covered resource management, cross border movements, and pollution issues. Those are important issues for First Nations as they take care of a lot of the gifts that the Creator has provided.

Historically, many years ago there weren't international borders separating the United States and Canada. There were political affiliations made with the wars and the Ojibwa people ended up being an integral part in the way things settled out. Chief Tecumseh is probably the most famous historical figure in this era from the First Nations side. He was killed in the War of 1812, and a monument was built at his burial place by the war veterans from six different nations. Quoting Tecumseh, 1768-1813, "The Great Spirit above has appointed this place for us on which to light our fires and here we will remain."

Treaties were signed many years ago even though nobody really owned the land. First Nations occupied this territory, they used this territory, and the basis of a lot of the treaties signed were to share the resources with the newcomers. There was a major misinterpretation over the treaties with the British Crown who probably felt at that time that they were taking ownership. The First Nations, however, didn't look at it as giving up ownership of land they had occupied for many, many years. This year is the 207th anniversary of the treaty which is more specific to Walpole Island. The 1796 treaty stipulates we are to be perfectly free and un molested in trade and hunting grounds and to pass and repass freely to trade with whomever we please, Williams said. That treaty was made with the British Crown and the people of Walpole Island (two sovereign nations) and it was very specific, and that is one of things that we keep trying to push front and center.

Walpole Island is located on the international border. You can take the ferry across the St. Clair River to Algonac, Michigan. Customs will ask for citizenship. We tell them we are First Nations citizens, where we came from, and they will usually let us go. Coming back to Canada, we get a rougher time. Customs usually search your car, and ask you to pay for goods and sometimes confiscate your goods. When we go across in power boats, 200 of us come across at the same time in boats, and they don't want to deal with that, so they let us through. We have to keep pushing. Williams commented. Other First Nations along the border (Chippewa of Sarnia) do that as well.

Following is a quote from "Walpole Island, the Soul of Indian Territory." It is now on CD rom and on First Nations' web site. The quote is from Major John Richardson of the British Army back in 1849 as he was passing through Walpole Island. These are the words that he wrote down in his diary. "As I contemplated the scene and contrasted the native dignity and simplicity of these interesting people with the hypocrisy of civilized life, I could not but record the fast approaching extinction of the lords of this soil, gentlemen of nature, whose very memory will soon have passed away with little or no authentic record behind them of what they once were." First Nations are still a vital community and still a vital people.

As far as cross border movements go, First Nations are still doing that and are still exercising those treaty rights. It is very difficult getting governments to recognize treaties. Treaties were very explicit as to what the First Nations were giving up, and interpretation by the courts is that First Nations still have an interest in shared resources. Williams (continued on page 2)