

## Residential Land Claims

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## Tips for Teaching Controversial Issues

The teaching of value-laden issues has generated much controversy. There is some basic consensus on the fundamental moral and ethical values in our society and that these values can be taught in a meaningful way.

It is assumed in Canadian Studies that there are fundamental values on which there is agreement. It is also assumed that there are many disagreements and that students need to learn to deal with controversy. The social studies and history curricula provide students with learning experiences that will help them identify some of the fundamental value positions of society and how these arose. This curriculum deals with controversy, even invites it. However, it does not suggest that any belief is as good as any other belief. Therefore, this curriculum makes no attempt to be objective in the sense of being value free.

Canadian Studies gives students opportunities to examine controversial issues. Debating these issues will provide students with the opportunity to apply concepts and higher order thinking skills in organizing, interpreting and communicating information meaningfully. In this process, students can begin to understand the role of values as the basis for making inferences, that values provide us with evaluative criteria, and that we depend upon the traditions of Canadian society to provide us with guidelines. These criteria include: human dignity, basic rights and responsibilities as defined in the Canadian Charter of Rights and Freedoms, and respect of, and tolerance for, individual differences.

There are many methods to teach controversial issues in the classroom. As these issues touch personal beliefs and trigger emotional reactions, these methods are sometimes difficult to conduct in an orderly fashion.

The following ideas may assist teachers:

- Recognize the general legitimacy of controversy as a part of society, and that students must learn to discuss the issues and problems presented.
- Establish ordered ways of proceeding: discussions, debates, take a stand, continuum, mediation, etc. Create and agree on effective rules.
- Concentrate on evidence and valid information.
- Represent the opposing positions accurately and fairly.
- Make sure to clarify the issue, so that everyone understands where there is a disagreement and where there is agreement (to avoid simultaneous monologues).
- Identify core issues.
- Avoid the use of slogans.
- Talk about concrete issues before raising the discussion to a level of abstraction.
- Allow the students to question your position.
- Admit doubts, difficulties, and weaknesses in your position.
- Teach understanding by re-stating the perspective of others. Have participants paraphrase what they hear to gain this skill.
- Demonstrate respect for all opinions.
- Establish means of closure: examine consequences and consider alternatives.

## Residential Land Claims

### Simulation Lesson

(two 72-minute periods)

### Objective:

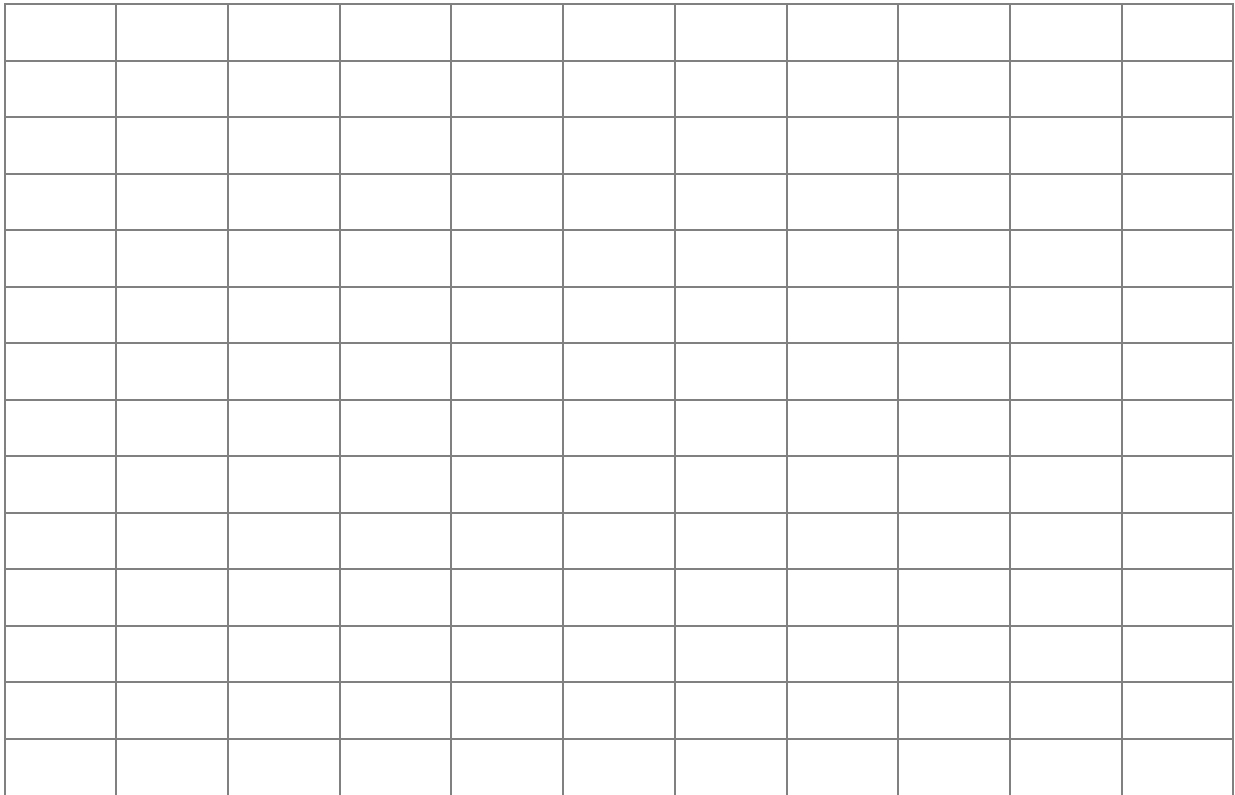
**Students will have an opportunity to become familiar with the issues surrounding Aboriginal land claims and create their own land claim. Students will then examine the history of Aboriginal land claims and compare their own response to the James Bay claims.**

### Introduction:

1. Students will receive a piece of grid paper that will have distinguishing features such as a river, mountains, swampy areas, wooded lands for hunting, lakes for fishing, flat lands for farming and settling. In addition, the boundaries of the paper should be marked of as belonging to the government. Teacher needs to create overhead blank work sheet to demonstrate process. (see Land Claim Settlement worksheet)
2. Each student will then be given the task of creating a community and its defining boundary. The community requires water for fishing and drinking, and land for hunting, farming, and housing. The community may not take up less than 15 or more than 20 squares on the grid and must provide for the basic need of their community.
3. After the students have successfully created their community, have them complete response #1 in their Land Claim Log. (see Land Claim Log worksheet)
4. Inform students that the government intends to build a hydroelectric dam on the southern end of the river that passes through their community. Teacher creates overhead to show the area that will be affected due to the dam. Overlay the two transparencies, and demonstrate the effects of flooding on the grid areas that will be impacted.
5. Have students black out the same areas on their Land Claim Settlement worksheet.
6. After they have blacked out the squares on the grid, have students complete response #2 in their Land Claim Log.
7. Propose the question to students “What is their next step?” Have them brainstorm possible scenarios. Look for responses such as forcing the government to compensate, moving to a new location, returning and trying to establish new economical businesses.
8. Have students pick at least two possible choices they might make and list them on response #3 in their Land Claim Log.
9. Explain that they are forced stay on the land and somehow survive. While surveying the community’s land, the government discovers that the community’s land is rich in

- a valuable Natural Resource. Introduce the theory of Land Claim rights and Governmental Claims.
10. Have students formulate an opinion on the topic of who owns the Natural Resources of lands given. Students will complete response #4 in the Land Claim Log.
  11. Instruct students on how to create a written argument or defense. Students will then complete response #5 in their Land Claim Log. They are to argue and state a claim to the government for the disruption of lifestyle and destruction of land. Remind them to consider in their response the following:
    1. Does a government have the right to destroy your land? Why or Why Not?
    2. Is the government entitled to the revenue from the sale of Natural Resources off your land? Why or Why not?
    3. With the loss of land, what obligation does the government have to help support and sustain the people of your community? Why or Why not?
    4. Would/Could/Should the government be forced to change their plans if your ancestors' remains were on the lost lands? Why or Why not?
  12. Provide rubric for assessment of Argumentative paragraph. Review with students expectations. (see Argumentative Paragraph Rubric)
  13. Take a note or provide handouts for identified learners on the A Brief History of Canadian First Nations Rights and Land Claims. (see A Brief History of Canadian First Nations Rights and Land Claims note)
  14. Lead students in a discussion comparing their feelings and reaction in their personal Land Claim Log to the feeling and reaction Canada's First Nations Peoples have had over similar rights and land claims.

## Land Claim Settlement



### Task:

This is a piece of land you are being given by the Canadian Government upon which you are to build a community.

The community has basic needs. It requires water for fishing and drinking, and land for hunting, farming, and housing. The community must take up a minimum of 15 squares and at maximum 20 squares on the grid and must provide for the basic need of your community. Each square you claim must touch a side or corner of at least one other square.

All remaining land will be taken over as Crown Land owned by the government or given to settlers.

The river is flowing south.

## Land Claim Settlement Overlay

					X	X	X			
					X	X	X			
				X	X	X	X			
			X	X	X	X	X			
			X	X	X	X	X	X		
				X	X	X	X			
				X	X	X				
			X	X	X	X				
				X	X					

## Land Claim Log

### **Response #1**

**You have made a community. How does it feel? What are you proud of? What are your plans for the future of your community?**

### **Response #2**

**After the events that have occurred, how do you feel about what has been done to your community?**

### **Response #3**

**List two possible “Next Steps” you and your community could take? And explain in point form why?**

1.

2.

**Response #4**

After the latest discovery, explain who you feel should benefit and who can claim ownership.

**Response #5**

Create an argument and state a claim to the government for the disruption of lifestyle and destruction of land. Consider in your response the following:

1. Does a government have the right to destroy your land? Why or Why Not?
2. Is the government entitled to the revenue from the sale of Natural Resources off your land? Why or Why not?
3. With the loss of land, what obligation does the government have to help support and sustain the people of your community? Why or Why not?
4. Would/Could/Should the government be forced to change their plans if your ancestors' remains were on the lost lands? Why or Why not?

## Argumentative Paragraph Rubric for Land Claim Simulation

Criteria	Mark	<b>Level "1"</b> 50 – 59%	<b>Level "2"</b> 60 – 69%	<b>Level "3"</b> 70 – 79%	<b>Level "4"</b> 80 – 100%
<b>Structure-Introduction</b> <ul style="list-style-type: none"> <li>• states claim/main idea</li> <li>• introduces main points</li> </ul>	/5	<ul style="list-style-type: none"> <li>– simple opening statement</li> <li>– limited identification of main points</li> </ul>	<ul style="list-style-type: none"> <li>– claim stated but unclear</li> <li>– main points unclear</li> </ul>	<ul style="list-style-type: none"> <li>– claim is stated but somewhat unclear</li> <li>– main points introduced with moderate clarity</li> </ul>	<ul style="list-style-type: none"> <li>– claim is precisely stated</li> <li>– main points clearly introduced</li> </ul>
<b>Structure-Conclusion</b> <ul style="list-style-type: none"> <li>• summarizes claim/main idea</li> <li>• summarizes main points</li> </ul>	/5	<ul style="list-style-type: none"> <li>– abrupt ending; limited summarizing of main points</li> </ul>	<ul style="list-style-type: none"> <li>– claim summarized but unclear</li> <li>– main point summarized but unclear</li> </ul>	<ul style="list-style-type: none"> <li>– claim summarized but somewhat unclear</li> <li>– main points summarized but unclear</li> </ul>	<ul style="list-style-type: none"> <li>– claim clearly summarized</li> <li>– main points clearly summarized</li> </ul>
<b>Supporting Reasons or Arguments</b> <ul style="list-style-type: none"> <li>• arguments are related to the main idea logically</li> </ul>	/5	<ul style="list-style-type: none"> <li>– arguments are unrelated</li> </ul>	<ul style="list-style-type: none"> <li>– arguments are unclear and not logically related to the main idea</li> </ul>	<ul style="list-style-type: none"> <li>– arguments are usually clear and logically related to the main idea</li> </ul>	<ul style="list-style-type: none"> <li>– arguments are quite clear and logically related to the main idea</li> </ul>
<b>Evidence and Examples</b> <ul style="list-style-type: none"> <li>• relevant supporting evidence</li> <li>• sufficient facts used</li> </ul>	/5	<ul style="list-style-type: none"> <li>– limited support of points, evidence mostly irrelevant</li> <li>– limited or unrelated facts used</li> </ul>	<ul style="list-style-type: none"> <li>– some points have been supported, some evidence not relevant</li> <li>– insufficient or missing some facts</li> </ul>	<ul style="list-style-type: none"> <li>– most points have been supported with relevant evidence</li> <li>– sufficient use of facts</li> </ul>	<ul style="list-style-type: none"> <li>– each point has been supported with relevant evidence</li> <li>– substantial facts used</li> </ul>
<b>Mechanics of Writing</b> <ul style="list-style-type: none"> <li>• correct grammar and spelling used</li> <li>• use of correct citation method</li> </ul>	/10	<ul style="list-style-type: none"> <li>– grammar and spelling used with limited accuracy and effectiveness</li> <li>– citation method not followed or absent</li> </ul>	<ul style="list-style-type: none"> <li>– grammar and spelling used with some accuracy and effectiveness</li> <li>– citation method used but with significant errors</li> </ul>	<ul style="list-style-type: none"> <li>– grammar and spelling used with considerable accuracy and effectiveness</li> <li>– minor errors in citation</li> </ul>	<ul style="list-style-type: none"> <li>– correct grammar and spelling used with accuracy and effectiveness almost all of the time</li> <li>– precise use of citation method</li> </ul>
<b>Knowledge and Understanding</b> <ul style="list-style-type: none"> <li>• correct usage of facts, terms and concepts</li> </ul>	/10	<ul style="list-style-type: none"> <li>– miscues in the use of the facts, terms and concepts</li> </ul>	<ul style="list-style-type: none"> <li>– some minor miscues in the use of the facts, terms and concepts</li> </ul>	<ul style="list-style-type: none"> <li>– correct use of the facts, terms and concepts</li> </ul>	<ul style="list-style-type: none"> <li>– correct and thorough use of the facts, terms and concepts</li> </ul>

## A Brief History of Canadian First Nations Rights and Land Claims

### 1920's — Roaring Years

- **Banning of many traditional ceremonies**
- **Children taken to residential schools**
- **Government made amendments to *Indian Act* banning traditional forms of government**
  - **Take to the new League of Nations and Ottawa refused to give in**
- **Some British Columbia bands formed alliances to defend their land and preserve hunting and fishing rights when non-native settlers were moving onto their ancestral homelands**
- **Because there were no treaties in place in British Columbia and much of the North, the provinces imposed themselves on the traditional lands**

## **1930's — The Great Depression**

- **The economic situation on the reservations and Métis communities became even worse with the droughts**
- **Government Relief authorities assumed that all Native people could and should continue to live off the land**
- **Native people were often prosecuted under provincial laws if they tried to live off the land outside of the reserve**
- **Provinces declared jurisdiction (ownership) of natural resources on all government owned land (in many cases reserve lands were still considered to be owned by the government)**
- **Ignoring tradition and Native rights, the Prairie provinces began laying charges against First Nations people who hunted and fished on government claimed land.**

## **1940-1950 — War Times and Post-War Boom**

- **Economic and regional disparity had already had devastating effects on the southern First Nation communities**
- **Developments in Canada's North, such as defense installations (DEW line), pipelines for natural gas and the use of the Northwest Passage rarely led to jobs for the peoples of the north and they destroyed the way of life for many of the Inuit and Dene living in the affected areas**
  - **The migratory patterns of the caribou and other herd animals was changed due to above ground pipeline routes**
  - **Income and benefits from the sale of gas was not seen by the Aboriginals of the north**

## **1960-1970 — Rise of Rights**

- **The government forced the Ojibway of Grassy Narrows in Northern Ontario to relocate**
  - **They were told to pursue fishing and hunting on their new land and to use the river for drinking water**
  - **Community discovered that the water was highly toxic with mercury**
- **Prime Minister Trudeau's government prepared the White Paper which proposed the elimination of Indian Status, and traditional and treaty rights**
  - **Response from the Aboriginals of Canada was full of criticism and led to protests**
  - **Government withdrew the White Paper**
- **Government created the Office of Native Claims and dealt with two types of land claims:**
  - **Specific land claims - for lands covered by treaties**
  - **Comprehensive land claims - based on traditional land claims**
- **Quebec Premier Bourassa announced the creation of the James Bay Hydroelectric Project as part of the Quiet Revolution in Quebec**
  - **Huge outpouring of protest from environmentalist, Cree and Inuit because the project would disturb ¼ of Quebec's ecology and destroy traditional hunting and fishing grounds**
  - **Quebec government still proceeded with plan**

- **Cree/Inuit won \$225 million settlement and rights to hunt and fish in other areas of Quebec**
- **James Bay Case recognized need to compensate Native peoples of Canada for economic and land losses**