

# TREATIES, LAND DISPUTES, AGREEMENTS & RIGHTS

## THE HOUSE STORY

### THE HOUSE

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Imagine a house, a large house — a veritable mansion. Despite its many rooms, only a few people live in it. They have lived there a long, long time — as long as anyone can remember.

Their history is embedded in the walls of the house; their stories are in the air. They had touched every part of it, over many generations. This house has always been their home.

They live in the mansion quietly. No one has ever disturbed them. They have bothered no one.

One day out of the blue, a stranger marches through the door. He wears odd clothes. He carries strange equipment. He scans the room, looking right past the people who live there, and does not acknowledge them. He spreads his stuff on the floor and soon walks out.

The people in the room watch, but say nothing.

A short while later, another stranger comes into the house, this time accompanied by several others. They stay longer, setting up camp in the middle of the room.

Like the first visitor, these newcomers behave as if the people already in the house are invisible, as if they are not even there. The newcomers don't say hello, don't ask permission to be there or to take up valuable space. They don't ask what the rules are. They just move in and take up space.

And they stay.

Gradually, more strangers come into the house, each with their own stuff. They each find a place in the main room along with the others, and unpack their stuff and spread it around. The people who lived there are still not acknowledged by the side of the room — their own living space becoming more and more confined as the room fills up with newcomers.

Eventually, the room becomes too crowded, so the newcomers decide that the people who lived there first should move to a smaller room. The people do so, out of fear of the strangers, whose behaviour is unpredictable and at times threatening.

In a short time, however, the number of newcomers arriving at the house increases rapidly, and they begin to take over all the rooms in the house. Pretty soon, the original inhabitants are confined to the smallest rooms available — the closets scattered throughout the mansion.

The newcomers, meanwhile, comfort themselves with the assumption that the house they have taken over was unoccupied, and so they confidently claim it for themselves. It's theirs, they say, to do what they want.

And as they begin to look around, they notice that the house contains many valuables which could be worth a lot of money if they were sold. They begin making plans to remove things from the house.

In the meantime, the original people start to get fed up with the conditions they are forced to live in. This was their house to begin with, and no one ever asked for their permission to move in, let alone sell off its belongings and keep the profits.

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While the old people remained afraid of the newcomers, the younger generation were not: they had grown up familiar with the newcomers' ways, and were able to deal with them with greater confidence.

They began to meet amongst themselves and compare notes about what was happening in all the different parts of the house. They found that they were all experiencing the same thing; they were being ignored, pushed aside and marginalized — denied the right to live their own lives according to their own cultural values. They were also seeing their house being taken over by these newcomers, who were now making plans to empty the house of its contents.

The younger generation decided there was an urgent need to act. They decided to form an organization so their voices would be listened to by the people who were taking over their house. The first thing they wanted was for the newcomers to recognize they were the original owners of the house, and that they had a right to sell their space, and to a say in what happened with the house's valuables.

At first the newcomers just glanced at the people and patted them on the head, saying such demands were entirely unrealistic and therefore impossible to meet; and they continued on with their plans to sell off the house's valuables.

But the people didn't sit down and be quiet. They were persistent. They were patient. They knew they were right — it was their house, and they knew that they had a right to have a say in their own house.

At a certain point, the people made so much noise and were so persistent, that the newcomers became tired of pestering and agreed to sit down and talk about their concerns, if only to get them out of their hair. They offered to give the people exclusive rights to all the closet space in the mansion, plus a lot of money that they could then use to buy things from the newcomers.

To the newcomers' surprise, the offer was rejected. The people said: "This house is not for sale!"

"Then we'll offer you even more money!" The newcomers pleaded. But the people stood firm, because they knew that if they signed away all the rights to their house, they would never have the power to influence what happened to it in the future. And if they took the money, it would soon be spent and they'd be left with nothing to show.

For a while, the two sides refused to budge. Each side claimed to own the house and all its contents. Neither side was willing to concede to the other.

At a certain point, however, the people themselves took steps to break the deadlock. They realized that all the newcomers were here to stay, and they were always going to have to live with them in the house. They also knew that the newcomers were really committed to "owning" the house, because to them ownership meant having control of everything.

So the people put forth an offer; they said they would allow the newcomers to own roughly 80% of the house... IF the newcomers agreed that all decisions about the house and its contents would be made jointly with the people.

Well, the newcomers had to think about this unexpected offer- they were used to one side winning everything and the other side losing. The idea of sharing decision-making power was new to them. After long and careful thought, however, they decided that they would accept this arrangement.

"Great," said the people.

"But that's not all!"

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“We also want you to give us a billion dollars in exchange for giving up our claim to owning all the house; and also to compensate us for all the valuables that you’ve sold off before it was even yours, and without sharing any of the profits with us.”

“Hmmm ... well... OK.” Said the newcomers.

“And that’s not all!” the people said.

“We also want to guarantee that if anyone gets hired to look after the house or the yard outside, a fair share of those jobs has to come to us.”

“OK,” the newcomers said, getting a bit exasperated.

“And that’s not all!” the people said.

“We also want a share of any money you make from any valuables that are sold.”

“OK, OK,” the newcomers said, getting even more exasperated.

“And finally,” they said, “we want to have a council where all decisions about the future of the house are made, and everyone in the house will have a vote to decide who sits on it.”

“But wait a minute,” cried the newcomers. “There are a lot more of you than there are of us, and so you’ll have more votes than we will.”

“That’s exactly right,” said the people. “And that’s the way it should be, because this has always been our house, and it will continue to be our home.”

And the newcomers said: “So, if we agree to all these things you’ve been asking for, then will you agree to surrender your ownership of the house?”

And the answer came back: “We will, but only if we really have to.”

And in the end, they did.

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Description in The House Story	Analagous to...
House	Nunavut
Newcomers	Any of the traders, missionaries, mounties, government administrators, mineral prospectors, oil & gas companies, etc.
Owners of the house	Inuit
Valuables	Oil and gas, minerals, water, animal fur pelts
They began to meet amongst themselves	Coppermine conference
Younger generation	All the negotiators involved in the Nunavut Land Claims Agreement
They decided to form an organization	ITC (now Inuit Tapiriit Kanatami, ITK)
They wanted newcomers to recognize they were the original owners of the house	In 1973, the Supreme Court of Canada ruled in the Calder case that Indigenous people who had never signed treaties (such as Inuit) could still have their Indigenous title to the land. This runs counter to all of the government's assumptions, and forces it to reconsider its approach to the issue.
They offered to give the people exclusive rights to all the closet space in the mansion, plus a lot of money that they could then use to buy things from the newcomers.	Shortly after the Supreme Court ruling in 1973, the Government of Canada brought out a Comprehensive Land Claims Policy. It called for undefined Indigenous rights to be extinguished in exchange for a package including limited amounts of land, special hunting and fishing right, and millions of dollars in cash. Indigenous groups in the North rejected this offer, arguing that it would leave them with little power to influence the future development of the North. Their response was "this land is not for sale!"
The two sides refused to budge.	1977-1979
They also knew that the newcomers were really committed to "owning" the house, because to them ownership meant having control of everything.	The government felt it had to own the land because it thought that this would give it the control it wanted.
So the people put forth an offer: they said they would allow the newcomers to own roughly 80 per cent of the house.	The Inuit put forth a counter proposal: they'd agree to let the government own most of the land in Nunavut if the government agreed to share decision-making over all the land and resources on it.
If the new comers agreed that all decisions about the house and its contents would be made jointly with the people	The government eventually agreed, so Inuit agreed to give up ownership of 82 per cent of the land in exchange for an equal say in the management bodies which were created to make decisions about land use, wildlife and water management, and the review of development projects. These are now known as Institutions of Public Government (IPGs.) Inuit now have an equal number of seats as government on the Nunavut Wildlife Management Board (NWMB), the Nunavut Water Board (NWB), the Nunavut Planning Commission (NPC), and the Nunavut Impact Review Board (NIRB).

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We also want guarantees that if anyone gets hired to look after the house or the yard outside, a fair share of those jobs has to come to us.

We also want a share of any money you make from any valuables that are sold.

We want to have a council where all decisions about the future of the house are made, and everyone in the house will have a vote to decide who sits on it.

In exchange for giving up their claim to 82 per cent of the land, Inuit also received compensation worth \$1.14 billion.

It was also agreed that, since governments are the biggest employers in Nunavut, Inuit should get their share of government jobs. Since Inuit make up 85 per cent of Nunavut's population, that means 85 per cent of government jobs should eventually belong to Inuit.

Inuit get a percentage of revenue that government collects from resource development on Crown lands. Inuit can also charge companies for coming onto Inuit Owned Lands, and can collect their own revenue from any minerals found underneath parts of their land (i.e., where they have sub-surface rights).

In addition to sharing decision-making over land and resources everywhere in Nunavut, Inuit also insisted that the government create the new political territory of Nunavut, by dividing the existing Northwest Territories. At the very end of negotiations, the government finally agreed to this.