



Toronto Purchase Land Claim by Mississaugas Needs to be Revisited

By Dr. Lorne Foster

For most of the past 500 years the indigenous peoples' project in Canada has had one major priority: survival. This has entailed survival from the effects of a sustained war with the colonizers, from the devastation of diseases, from the dislocation from lands and territories, from the oppressions of living under unjust regimes, survival at a sheer basic physical level and as a peoples with their own distinctive languages and cultures. Now it appears that they are also going to have to survive a new brand of historical revisionism.

For instance, on February 18, 2001, the Toronto Sun's Peter Worthington published an op-ed article entitled "*Who Put the Indians in Charge of the Reservation?*", where he referred to the charter group identification of "First Nations" as "gibberish," while he propounded an historical theory that Canada's past policies toward aboriginal people were akin to "benign neglect," and today's policies amount to "malignant over-indulgence."

"Treaties signed two centuries ago have little relevance to today, despite the Supreme Court," wrote Worthington. "They were designed for that time, not ours. To presume that Indians can preserve, or return, to a life they once lived is just silly. Few Indians today live, or could live, as their ancestors did."

On this latter point, I am sure that the Mississaugas of the New Credit First Nation would agree, albeit for different reasons. From their vantage, trying to preserve the traditional Native world-view – "Respect for the land and all who walk on it" – must be one of the more challenging missions in the 21st century when you come face-to-face with a jackass who has a typewriter and a by-line.

The Mississaugas, whose ancestors were the original inhabitants of Toronto, are historic and local recipients of the theory of "benign neglect."

Nearly 200 years ago, the government of the day bought up the land that is now Toronto from the Native inhabitants for 10 shillings. In all, the land making up the so-called "Toronto Purchase" covers 100,312 hectares, which the Mississaugas say was never properly surrendered. Meanwhile, the grand sum bestowed by the government to the Native people was roughly the daily earnings of a low-ranking foot soldier in the British army.

As a matter of rough comparison with our American counterparts, the Treaty of Toronto made The Manhattan Purchase (of 60 Netherland guiders) look like inflated real estate.

If this is not enough to recommend the theory of "benign neglect," consider also that the first Treaty of Toronto in 1787 resulted from a meeting between one of the King's men and the Mississaugas at the head of the Bay of Quinte, and purportedly ended with the Mississaugas being dislocated and surrendering all lands north of Lake Ontario free of charge. The deed, however, was unsigned, and that was the problem that precipitated the first renegotiation.

Years later, in 1805, a government representative approached the chief of the Mississaugas in an attempted to remedy the previous “flawed” deal with a fresh proposal. This time, the land was transferred, as stated, for 10 shillings.

Now, nearly 200 years after the 1805 sale, the government of today and the Mississaugas of the New Credit First Nation are poised to hammer out a new deal on the “Toronto Purchase” land claim — one that has the potential to be one of the largest land claim compensation settlements of its kind.

The surrendered land stretches over 20 kilometres from Etobicoke Creek in the west, to Ashbridge's Bay in the east, and extends inland more than 40 kilometres. The Toronto Islands were not part of the first deal. Somehow, they ended up on the second surrender deal, according to the Indian Claims Commission's Web site, and the First Nation never accepted the boundaries as spelled out in the 1805 treaty. The band – who now occupy a 2,400-hectare reserve near Hagersville – says the islands were not part of either deal, and both are being disputed.

Late last year, after reviewing the land claim and original purchase, the federal government decided – even at the risk of being called “malignantly overindulgent” – that 10 shillings was just not an adequate consideration for the land, and some form of compensation was in order.

David Walker, a former Liberal member of parliament from Winnipeg, who served on a number of special committees and task forces, was named to head up the federal government's negotiating team last summer. Since then, the two sides have had informal discussions. Now talks are slated to begin negotiating in earnest.

Chief Dan LaForme of the Mississaugas said it is not clear how long the negotiations will last, but “Ottawa has (already) admitted that it wasn't a fair deal, and rightly so. The facts are there to prove that. And, we're just asking what is just for us.”

“Everything is wide open at this point, but that doesn't mean that people are going to be evicted from their homes, or things like that,” said LaForme. “That's not going to happen. That's a guarantee that this First Nation has said, and has stood by for a number of years now while trying to get this land claim back into the negotiating stages.

“Nobody's going to be put out of their home.”

Of course, once serious negotiations get underway, Chief LaForme and the Mississaugas might want to make one notable exception.