BRITISH COLUMBIA
OPINION LEADERS
ATTITUDES TO NATIVE INDIAN
LAND CLAIMS
- INITIAL SUMMARY -

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Presented to: Department of Indian Affairs

and Northern Affairs

Presented on: September 27, 1989

Presented by: Marktrend Marketing Research Inc.



#### INTRODUCTION

The Department of Indian and Northern Affairs is developing strategies to resolve comprehensive land claims in British Columbia. In order to understand prevailing opinions to land claims in British Columbia, a three-stage research program is being completed.

- Media Analysis
- Opinion Poll among Opinion Leaders
- General Public opinion poll

This report provides initial findings of the Opinion Leader poll component, which will be amplified in a subsequent final report.

The Opinion Leader poll consisted of 200 telephone interviews with a random sample of Opinion Leaders across the province. The sample was stratified by city size and opinion leader group. One-third of interviews were conducted in each of the major cities (Vancouver, Victoria) Medium-sized cities (20,000 - 100,000 population) and smaller centres (19 cities with 5,000 - 20,000 population).

The sample was comprised of the following opinion leader components:

		#
Small Business (less than 25 employees)	Owner/Manager	32
Medium/Large Business (25+ employees)	Owner/Manger	29
Municipal Government	Mayor/Alderman/Director	19
Adacemic	School Principal/ College Faculty	33
Trade Union	Member of Executive	25
Chamber of Commerce/		
Board of Trade	Official	21
Industry Association	Official/Executive	16
Voluntary Organization	Member of Executive	25



Please note that this survey is based upon a sample of individuals in positions of influence in such groups, not just the heads of the most important groups in the province. In addition, respondents were asked to give their personal views, not necessarily the same as the official positions of the organizations.

All interviewing was completed from Marktrend's fully supervised central telephone interviewing facility in Vancouver, using computer assisted interviewing. Interviewing was completed between September 20th and September 26th 1989.



#### CONCLUSIONS AND IMPLICATIONS

There is broad awareness of Indian land claims in B.C., and knowledge that the claims cover extensive areas of the Province. British Columbian Opinion Leaders support negotiating settlement with Native Indians on the land claims issue. Only one-sixth oppose settlement. Opposition is concentrated among business owners and managers, other Opinion Leaders (including business group/association leadership) being overwhelmingly in favour of settlement.

There is a broad consensus that any settlement should recognise and give some degree of recompense for relinquishing land claims. There is only limited support for title or full compensation for lands claimed. The preference for partial compensation, and recognition of the legitimacy of other Canadians rights is further indicated by:

- (a) Broad acceptance of Native Indian rights to mineral, forest, fishing and hunting rights, but a clear perception that their rights should be shared with other Canadians, and be subject to similar controls and regulation.
- (b) Markedly higher support for recognizing land claims on undeveloped (crown) land than on developed land.
- (c) Awareness that full compensation for land claims is financially prohibitive, but a belief that such a situation should not negate negotiating a more moderate agreement.

It is apparent that the support for land claim settlement is strongly correlated with an attitude that Native Indians have been unjustly treated. Recognition of land claims appears to be based on acceptance of the need to remedy injustice rather than an economic or legal need to address uncertainty. Business people, the core group opposing settlement, do not share the sense of injustice, and are perturbed at the scope of claims. In many studies we have found small/medium business people, who attribute their own success to hard work and ingenuity in overcoming competition and adversity, to be opposed to many kinds of sheltered situations such as monopolies, government or seemingly generous initiatives.



There is no clear consensus on the urgency or need for settling land claims, attitudes varying widely. While this issue is obviously not seen as a high priority, there is a clear feeling that progress should be made to resolve land claims. There is a high level of criticism of both Federal and Provincial government performance to date on land claims. Opinion Leaders prefer a negotiated settlement rather than settlement by the courts, and call for Federal and Provincial governments to be involved in the process. While the Federal government is seen as having prime responsibility for both reaching settlement and financial compensation, there is only limited support for the province remaining at a distance from the process, mostly from those opposed to settlement.

Commanding support from Opinion Leaders for negotiating settlements on land claims would be enhanced by positioning the process as:

- (1) A legal and moral imperative to remedy prior injustices.
- (2) To be limited in its impact upon businesses and property owners particularly with respect to developed land.
- (3) To involve granting Native Indians access to resource rights, without this excluding other Canadians, or being beyond current regulation and control.
- (4) To have modest or manageable settlement costs.



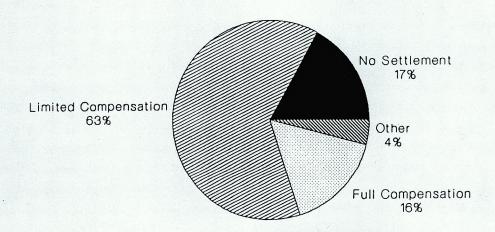
#### **SUMMARY OF MAIN FINDINGS**

#### 1. Position on Native Indian Land Claims

#### 1.1 Initial Reactions

The majority of the Opinion Leaders in B.C. feel that Indians have a legitimate claim to the land they are claiming and compensation of some sort is appropriate. Although full compensation is an option, less than one fifth of respondents agree that this is the best method of settlement. Almost two-thirds believe that a limited degree of compensation is most appropriate in land claim settlements. The remaining one-fifth do not believe Indians have any legitimate claims to land and therefore do not approve of any form of settlement.

### Opinion on Settlement



Although differing in their views on settlement, all three groups admitted to being somewhat or very concerned about the issue of land claims in B.C. Those respondents favouring full compensation for land claims feel the matter is urgent and should be resolved over the next few years (61%). The other two groups are split between solving the matter in the next few years and solving the matter over time with no specific time frame.



### 1.2 Profile on the Three Views of Settlement

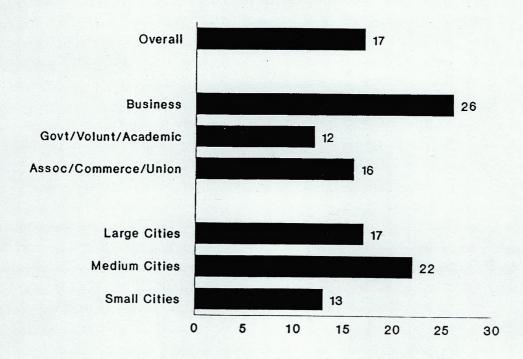
Business people were more inclined to oppose land claim settlement than other groups. Business organization leaders (associations, unions, chambers of commerce) were more positive towards settlement, as were other groups including academics, local government and voluntary organizations.

	<u>Total</u>	Business	Govt/ Voluntary/ Academic	Chamber of Commerce/ Associations/ Unions
	<u>%</u>	<u>%</u>	<u>%</u>	<u>%</u>
No legitimate claim, No settlement	17	26	12	16
Legitimate claim, some degree of settlement	62	66	65	53
Legitimate claim, ownership or full compensation	16	5	19	24
Don't Know	4	3	4	6

Those respondents from the larger cities (Vancouver and Victoria), where the Native Indian component of the population is relatively small, are more in favour of full compensation for land claims (26%, versus 7% in medium cities and 16% in small cities). There are no meaningful differences in age, gender, or income that characterize one of these groups from another.



### Opposition to Settlement



Those respondents who do not favour settlement feel that the amount of land involved is such that it would be to expensive to settle these claims (80% agreeing) and that Indians already get enough special treatment (80% agreeing). This is not true for those favouring some or full settlement, since the latter group is overwhelming in its agreement that Indians have been treated unfairly over the years. These "land claim settlement supporters" also do not agree that Indians already get enough special treatment and go on to disagree with the position that settlement of land claims would be too expensive. Both the "No Settlement" and the "Some Compensation" groups agree that land claims do not have any validity in developed areas, only in undeveloped areas, while those favouring full settlement tend to disagree with this statement.

The common element between these three groups is that they all agree, although perhaps for differing reasons, that unsettled land claims create an uncertainty in B.C. which will deter future investment and development.



	Those Somewhat or Strongly Agreeing		
	No Settlement	Some Compensation	Full Compensation
,	%	%	%
Indians have treated unfairly over the years	25	61	94
Because they cover so much land it would be too expensive to settle all the land claims in B.C.	80	66	24
Unsettled land claims create an uncertainty in B.C. which will deter investment and development in the province in future years	72	70	60
Indians get enough special treatment already, so land claim settlement is not needed.	80	27	18
Indian land claims have some validity in undeveloped areas, but not in developed areas, such as cities towns farms and ranches	63	62	27
Indian land claims have some validity in undeveloped areas, but	63	27 62	18 27

#### 2. Awareness of Land Claims

Over half of all the respondents (58%), were aware of land claims in their area of the province. The remainder were largely aware of land claims in B.C., in general. Only 7% of those people interviewed were totally unaware of any types of land claims in B.C. Those Opinion Leaders with extensive Native Indian components in their communities were understandabley more knowledgeable about land claims in their own areas (74% versus 57% aware with a small component and 32% aware in cities with no Indian component).

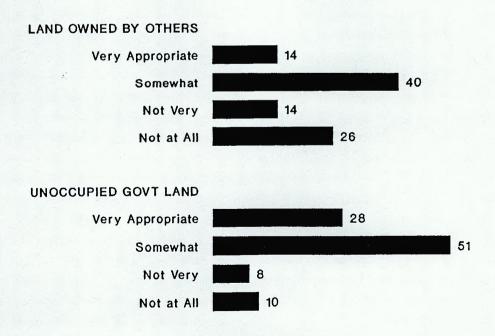
Forty-two percent believed the area involved in land claim settlements to be the land Indians historically occupied and used for hunting and fishing, while 37% believed the area involved to be a smaller portion of this same area. Fifteen percent of respondents thought the area involved in land claims were the actual reserves the Indians currently occupy. The average percentage of the province that was believed to be affected by Indian land claims was 42%.

#### 3. Settlement Options

Overall, 54% of opinion leaders believe settlement is appropriate for land which is now owned by other Canadians. This is most marked among those respondents who favour full compensation (84% viewing it as appropriate), or some degree of compensation (58% viewing it as appropriate). Those people who oppose settlement felt that settlement involving land now owned by other Canadians was not appropriate (83%). There was however, an overwhelming agreement that if Indians did successfully claim land owned by other Canadians, settlement should be in the form of a land/financial compensation combination (50%) or just financial compensation (19%). Having the compensation being in the form of the land itself was a unpopular alternative, even among those people supporting full compensation.

Settlement involving largely unoccupied lands was generally seen as more appropriate (79% saying somewhat or very appropriate). Again those who do not believe in any settlement gave little support to this alternative. Some combination of land and financial compensation was still the most favoured means of settlement (57% choosing), however settlement in the form of the land itself was seen as appropriate by 20% of respondents.

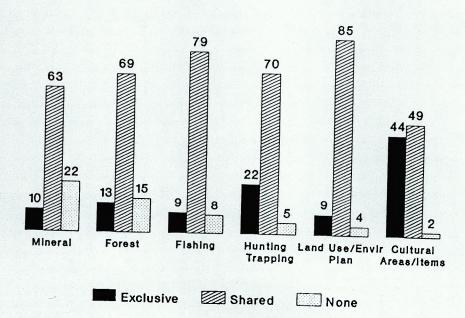
### Settlement by Type Of Land





When discussing the rights Native Indians should have on land that they are claiming, there was a general agreement that any rights should be shared rights, not exclusive. The majority of respondents felt that Indians should be granted shared rights to mineral and forestry resources, rights to hunt, trap and fish, and also have partial rights to participate in land use planning and environmental regulation. The only area which gained some support for exclusive rights was the rights to areas of items or cultural importance (44% saying exclusive, 49% saying shared). However, almost all respondents were in agreement that any rights Indians may have to the land they are claiming should be subject to controls and quotas similar to those regulating other users. This overwhelming agreement came from both those opposing any settlement and those supporting partial and full compensation.

### Rights to Resources



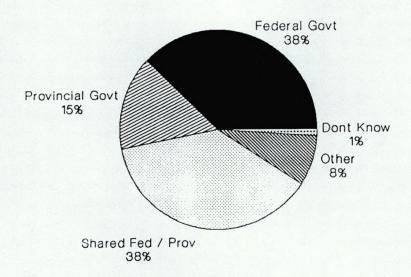


### 4. Settlement Responsibilities

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Over one-third of respondents believe the Federal Government to be primarily responsible for resolving Indian land claims, while another 37% believe it is the equal responsibility of both the Federal and Provincial Governments. Only 15% felt that land claims was primarily a Provincial Government responsibility. As for who should bear the cost of compensation, 38% believe it should be primarily shared between both governments and another quarter believe it should be primarily a Federal Government expense.

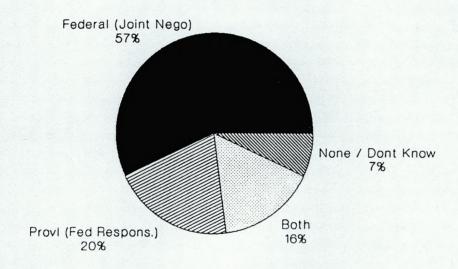
## Primary Responsibility





Fifty-seven percent of all respondents agreed with the Federal Government position that land claim negotiation should involve Federal and Provincial Governments since provincial interests are involved. Only one in five respondents agreed with the Province's argument that Indian Affairs is a Federal responsibility. Generally support for Federal Government's position was stronger among those who favour settlement.

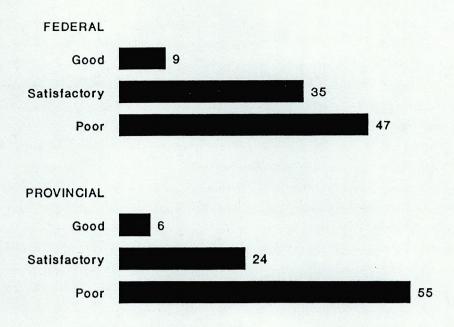
# Federal vs. Provincial Positions Agreement with Approach



Both the Federal and the Provincial Governments' performances regarding Indian land claims is seen at best as satisfactory, but generally poor. Approximately one-third of respondents feel that the Federal Governments performance is just satisfactory, while another 47% feel their performance is poor. The Provincial Government's performance is viewed as being just as poor (55%) or just satisfactory (24%).

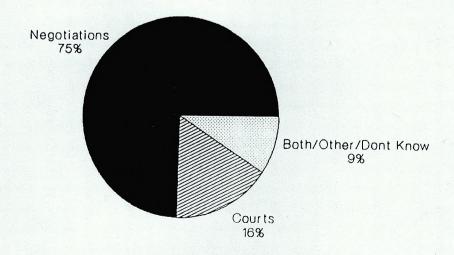


### Government Performance on Land Claims



Almost three-quarters of all opinion leaders feel that settlement would be best handled by negotiations between Indian groups and government. Court involvement is not widely seen as a viable alternative.

### Best Means of Resolving





RESULTS



### ABORIGINAL LAND CLAIMS OPINION LEADER SURVEY

Good afternoon/evening, my name is and I'm calling from research firm. Today/Tonight we are talking to a number of leader organizations about public affairs issues. Could I please speak to (SE RESPONDENT TITLE).	ers in busines	s and communit
IF NOT CONVENIENT TIME, MAKE APPOINTMENT TO CA	LL-BACK.	
IF RESPONDENT AVAILABLE REINTRODUCE AND CONT	NUE.	
You may know that Native Indian people are claiming certain area as their own. I would like to ask you some questions about these		British Columbi
1. How concerned are you about the issued of Native Indian I READ LIST	and claims in	B.C.?
		201
		<u>%</u>
Very concerned	1	36
Somewhat concerned		46
Not very concerned	3	14
Not concerned at all	4	3
DO NOT READ		
Don't Know	5	1
2. To your knowledge, are there areas in or near your commuclaims by Native Indians?	inity that are	involved in land
Yes	1	58
No	2	37
Don't Know	3	5
3. Are you aware of any Indian land claims in B.C.?		
Yes	1	34
No.		5



58% AWARE OF LAND CLAIMS NEAR THEIR COMMUNITY

Don't know .....

		est describ AD LIST
		20 _%
	The total area Indians historically	
	occupied or used for hunting or fishing before white settlement	42
	before white settlement	· · · · · · · · · · · · · · · · · · ·
	A smaller part of the area historically	
	occupied or used	37
or	The reserves that Indians have	
	occupied since white settlement	15
	DO NOT READ	
	None of the above (specify alternative) 4	1
	<u> </u>	
	Don't Know	4
	ch of the following best describes your views on the settlement of la AD LIST	ind claims i
	Indians have no legitimate claim to land	
	in B.C. and no settlement should be made 1	12
	Indians have a legitimate claim and there	
	should be some degree of compensation 2	62
	Indians have a legitimate claim and they	
	should be granted either ownership or be fully compensated	22
	runy compensated	22



7. In fact, Indians are claiming the total area they historically occupied or used for hunting or fishing before white settlement. For example, the Haida Nation are claiming the Queen Charlotte Islands, the Musqueam Band are claiming a substantial part of the Lower Mainland and the Kootenay Council are claiming the part of B.C. to east of Revelstoke and Castlegar. On this basis, which of the following best describes your views on settlement of land claims in B.C. READ LIST

		201 %
Indians have no legitimate claim to land in B.C. and no settlement should be made	1	17
Indians have a legitimate claim and there should be some degree of compensation	2	62
Indians have a legitimate claim and they should be granted either ownership or be fully compensated	3	16
Don't know	4	4

### IF CODE "1" IN Q.7, READ OUT INTRODUCTION BELOW, IF NOT, CONTINUE WITH INTRODUCTION BEFORE QUESTION 8:

Even though you believe settlement is not required, we would still value your opinions on the following questions.

### **READ OUT FOR ALL RESPONDENTS:**

Negotiations are currently underway with Indians on their land claims. I would now like to ask you a number of questions about the rights to the area Indians historically occupied or used for hunting or fishing.

8. When thinking of Indian land claims which involve land now owned by other Canadians, do you feel settlement is very appropriate, somewhat appropriate, not very appropriate or not at all appropriate?

Very appropriate	1	14
Somewhat appropriate	2	40
Not very appropriate	3	14
Not at all appropriate		26
Don't Know		5



9.		ans successfully claim certain areas of B.C. which are now or the settlement with the Indians be in the form of:	wned by other Canadians, READ LIST	
	SHOULG	the settlement with the fiduals be in the form of.	KL	201
				<u>%</u>
		Financial compensation	1	19
		The land itself	2	6
		A combination of land and some financial compensation	3	50
		or		
		Some other form of settlement (specify)	4	11
DO 1		No compensation		3
REAI	)	Don't Know	6	12
		tly owned by the Government, do you feel settlement is verificate, not very appropriate or not at all appropriate?		
		Very appropriate	1	28
		Somewhat appropriate	2	51
		Not very appropriate	3	8
		Not at all appropriate	4	10
		Don't Know	5	2
11.		ans successfully claim largely unoccupied areas of land whice overnment, should the settlement with them be in the form		
		Financial compensation	1	8
		The land itself	2	20
		A combination of land and some financial compensation	3	57
	or	Some other form of settlement (specify)	4	7
DO N	тот			
REAL	)	Don't Know	5	8



Indians are also asking for certain other rights on the land that they are claiming. Please tell me if in B.C. land claim settlements Indians should be granted exclusive rights, shared rights or no rights at all for the following: READ LIST

### Question 18

			<b>Exclusive</b>	Shared	None	Unrestr.	Controlled
40	D. 1	Ort.	10	(2	22		07
12.	Rights to mineral resources	%	10	63	22	1	97
13.	Rights to forestry resources	%	13	69	15	2	98
14.	Fishing rights	%	9	79	8	7	93
15.	Hunting and trapping rights	%	22	70	5	12	87
16.	Rights to participate in land						
	use planning & environmental						
	regulation	%	9	85	4		
17.	Rights to areas or items of						
	cultural importance	%	44	49	2		

### ASK Q.18 FOR EACH OF QNS 12 THRU 15, IF "EXCLUSIVE" OR "SHARED" RIGHTS:

- 18. Should Indians rights to (<u>specific item</u>) be unrestricted or subject to controls or quotas similar to those regulating other users? RECORD ABOVE
- 19. What degree of urgency do you think the government should place on the settlement of Indian land claims? READ LIST

		201 <u>%</u>
They should be resolved in the next fe	ew years 1	42
They should be resolved in the next 1		21
They should be resolved as feasible, w	ith no	
specific time frame	3	35
DO NOT READ		
Don't Know	4	1



20. Who do you think should be <u>primarily</u> responsible for resolving Indian Land Claims?

ONE RESPONSE DO NOT READ LIST

IF BOTH FEDERAL & PROVINCIAL GOVERNMENTS MENTIONED, SAY: Would that be primarily Federal, primarily Provincial, or equal responsibility?

	Q.20	Q.21
	<b>Primary</b>	Other
	201	201
	<u>%</u>	_%_
Federal Government	37	13
Provincial Government	15	26
Fed/Prov equal responsibility	37	10
Municipal Government		11
Industry		2
Courts		4
Other (specify)		28

- 21. Who else is responsible? MULTIPLE RESPONSE DO NOT READ LIST
- 22. Who should bear the cost of compensation to Indians for settling land claims?

  ONE RESPONSE DO NOT READ LIST

IF BOTH FEDERAL & PROVINCIAL GOVERNMENTS MENTIONED, SAY: Would that be primarily Federal, primarily Provincial, or equal responsibility?

	Q.22	Q.23
	<b>Primary</b>	Other
	201	201
	<u>%</u>	<u>%</u>
Federal Government	26	8
Provincial Government	5	11
Fed/Prov equal responsibility.	38	10
Municipal Government		6
Industry/Business	-	8
Other (specify)		8



23	Who else is responsible?	<b>MULTIPLE RESPONSE</b>	DO NOT READ LIST

24. Do you think that Indian Land Claims would be best resolved by means of negotiation between Indian groups and government, or would it be better to let the courts decide on the settlements?

	<u>_%</u>
Between Indian groups & government 1	74
Let courts decide 2	16
Both	4
None	1
Don't Know	4

25. Some people say that because there has never been a treaty with Indians in most of B.C., negotiations to settle Indian land claims are important to resolve uncertainty about who owns certain areas.

while

Others say it is no longer possible to settle land claims because of development and use of the land by other Canadians over the years.

Which position do you agree with?

Important to resolve	1	57
Not possible to settle	2	35
None		5
Don't Know	4	2

26. How would you rate the <u>Federal</u> government's performance regarding Indian Land Claims? Would you say they have done a very good job, quite good, just satisfactory, quite poor or very poor job?

	<u>Q.26</u>	Q.27
	201	201
	<u>%</u>	<u>%</u>
Very good job	1	3
Quite good job		3
Just satisfactory		24
Quite poor job		25
Very poor job		30
Don't know		14



- 27. How would you rate the <u>Provincial</u> government's performance regarding Indian Land Claims? Would you say they have done a very good job, quite good, just satisfactory, quite poor or very poor job? **RECORD ABOVE**
- 28. The Federal government maintains that negotiations with Indians should be undertaken by Federal and Provincial governments since provincial interests are involved, and much of the land claimed is owned by the province.

  and

The Provincial government maintains that by statute Indian Affairs is a Federal responsibility, and as such negotiations are the Federal government's responsibility.

Which position do you most agree with?

	201 <u>%</u>
Federal gov't position	57
Provincial gov't position	20
Both	16
None	6
Don't Know	1

I am now going to read you a series of statements about Indian Land Claims. For each statement please tell if you strongly agree, somewhat agree, somewhat disagree or strongly disagree. RANDOMIZE ITEMS

BASE = 201	Strongly <u>Disagree</u>	Somewhat <u>Disagree</u>	Somewhat Agree	Strongly Agree	Don't Know
29. Indians in B.C. have been treated unfairly over the years	% 15	20	31	29	4
30. Because they cover so much land, it would be too expensive to settle all the land claims in B.C.	% 19	13	28	34	5
31. Unsettled land claims create an uncertainty in B.C. which will deter investment and development in the province in future years	% 13	17	34	34	1
32. Indians get enough special treatment already, so land claim settlement is not needed	% 35	29	20	14	2
33. Indian land claims have some validity in undeveloped areas, but not in developed areas such as cities,					
towns, farms & ranches	% 18	24	29	26	2



34. Before my explanation at the beginning of this survey, what percentage of the province did you believe was affected by Indian land claims?

201
%
0 - 10
11 - 20
21 - 30
31 - 40
41 - 50
51 - 75
76 or more
Don't know

### **Demographics**

So that we can use your responses we would like to ask you some questions that would be used for statistical purposes only.

35. Into which of the following ranges does your age fit? READ LIST	
	201
	<u>%</u>
19-24	2
25-34	16
35-44	35
45-54	33
55-64	8
65 +	4
DO NOT	
READ Refused 7	- 1

36. Which of the following best describes your total household income before taxes for 1988? READ

\$15,000-\$24,999 2 5 \$25,000-\$34,999 3 13 \$35,000-\$44,999 4 22 \$45,000-\$54,999 5 15 \$55,000 or more 6 37  DO NOT  READ Refused 7 3	Less than \$15,000	1	3
\$35,000-\$44,999 4 22 \$45,000-\$54,999 5 15 \$55,000 or more 6 37 DO NOT	\$15,000-\$24,999	2	5
\$45,000-\$54,999	\$25,000-\$34,999	3	13
\$55,000 or more	\$35,000-\$44,999	4	22
\$55,000 or more	\$45,000-\$54,999	5	15
			37
<b>READ</b> Refused	DO NOT		
	READ Refused	7	3



37.	What is your ethnic background?  IF "INDIAN" PROBE: Would that be Native Indian or East Indian?	
	I HADIMA I ROBE. Would that be Ivative Indian of Last Indian.	20
		<u>%</u>
	None/Just Canadian	19
	Scottish 2	42
	Western European	18
	Eastern European 4	8
	Scandinavian 5	4
	Asian	3
	Native Indian 7	2
	Other (specify) 8	3
	Refused 9	•
38.	For how many years have you lived in Canada?	
	years	20
		20 <u>%</u>
	1 - 5 years	. 1
	6 - 10 years	
	11 - 20 years	
	21 - 30 years	
	31 - 40 years	
	41 - 50 years	
	51 - 60 years	
	Over 60 years	
	Refused	. 5
39.	How many years have you lived in your present community?	
	years	
	T 4h 1	2
	Less than 1 year	
	1 - 5 years	
	6 - 10 years	
	11 - 20 years	
	21 - 30 years	
	31 - 40 years	
	41 - 50 years	
	51 - 60 years	1
	TOTAL CONTRACTOR OF THE PROPERTY OF THE PROPER	



40.	What proportion of the	population of	f your	community	is Native India	an?
	READ LIST					

		<u>%</u>
None	1	11
Small	2	70
Extensive	3	17

# 41. And what would you consider to be the main industry of the community in which you live? DO NOT ASK FOR LARGE CITY RESPONDENTS (VANCOUVER/VICTORIA).

By now you may have realized that this survey is being conducted on behalf of the Department of Indian Affairs and Northern Development. We want to assure you that your answers will be kept confidential in two ways: first, your name will not be given to the Department of Indian Affairs and Northern Development, and second, your answers will be combined with those of other participants in the survey for statistical purposes only.

### 42. INTERVIEWER INDICATE OPINION LEADER GROUP: (OFF CONTACT LIST)

		201	
		%	
	Small Business	16	
	Med/Large Business	14	
	Municipal Gov't/City Hall		
	Voluntary Organization		
	School/Academic Facility		
	Trade Union		
	Chamber of Commerce/		
	Board of Trade	10	
	Industry Association		
3.	INTERVIEWER INDICATE GENDER:		
		201	
		%	
	Male 1	71	
	Female	29	

43



44.	INTERVIEWER INDICATE QUOTA GROUP: (OFF CONTACT LIST)	
		201
		_70_
	Large City 1	33
	Medium City	33
	Small City	34
15	INTERVIEWER, ENTER FIRST THREE DIGITS OF TELEPHONE NUM	IRED.
43.	INTERVIEWER, ENTER FIRST THREE DIGITS OF TELEFITONE NOW	IDLK.

