

COMMUNITY VOICES

The Trappings of Power

ROBIN TINNEY*

As an independent artist, Robin created a large contemporary sculpture entitled The Trappings of Power for the 2013 Scotiabank Nuit Blanche in Toronto. His work was very well received by the massive crowds and was featured in many of the “Best of Show” lists, articles and videos.

In January 2013, I did a careful second reading through the draft Agreement in Principle (AIP) between the Algonquins of Ontario and the Governments of Canada and Ontario. I had the horrible feeling that the Algonquins of Ontario had been duped. We had spent over twenty years in negotiations, and until the AIP was released most of its key contents had been kept confidential, even from the people it directly affected.

I had a sick feeling in the pit of my stomach: The financial compensation for the land was at least thirty times less than the land was worth. We had been

* Originally from Bancroft, Ontario, Robin Tinney lives and works in Toronto. A self-taught Algonquin artist, Robin carves stone, bone and wood, as well as working on contemporary sculptural, community, interpretive and interactive projects.

“There is often a ‘merging’ theme in my artwork, blending the real and the spiritual worlds. This theme of change or metamorphosis, common in Aboriginal art, is representative of the changes in me, my people, and society at large. I try to create designs that show pride in our past and hope for our future. My goal is to produce artwork that will feel both familiar and wondrous at the same time.

It is difficult to find references to our tribe, especially any physical references such as artifacts. Much of the evidence of Algonquin history in Ontario has been stolen or purposefully erased; the little that remains has been carefully hidden and is just now coming to light.

Creating artwork has allowed me to explore what it means to be ‘Algonquin’. My stone carvings are an attempt to recapture the roots of our past, the very bedrock of our history. The time required, and the intimacy of hand tools, helps me achieve a very personal context in my work. I want people to wonder about where a particular vision came from, and to consider the effort and commitment required to create it.”

Robin has shown his carvings in several exhibitions at the Art Gallery of Bancroft, and he taught soapstone carving through the AGB during the summer of 2015.

For his next major project, *Finding Critical Mass*, Robin will curate an exhibition of works created exclusively by Ontario Algonquin artists. His goal is to begin to mend the fractures and isolation of Algonquin culture that was caused by colonization and continues to be reinforced by modern governments.

Photos of the exhibit *The Trappings of Power* and other artwork by Robin Tinney can be viewed at AlgonquinArtists.ca.

carefully and craftily trapped, by a process that has been honed over centuries, into arriving at an agreement that was terribly skewed in favour of Canada and Ontario. I was afraid that after committing over twenty years of their lives to the negotiation process, the Algonquin people would be desperate enough to accept the paltry offer that equated to \$33.33 per acre of land.

Algonquins needed to look clearly at this meager offer; they needed to see the manipulation. Surely Canadians would not wish to be so represented by their governments. This simply could not stand. Something had to be done.

I am an Algonquin whose ancestors refused to go on reservation. As such, we are currently deemed to be “non-status”. My family has been actively involved in the land claim since the 1980s, hoping it would provide a better future. I have attended close to sixty meetings about all aspects of the claim and its benefits. “Negotiating” has been agonizingly slow, fractious, patronising, demeaning and demoralising, for what is claimed to be a negotiation between sovereign nations. The reality is, this process is heavily skewed, stacked against the Native negotiators. Canada holds and maintains control of all the cards except one: We were here first. This is our land and we never gave it up. All efforts on behalf of the government focus on separating Aboriginal people from our natural claim to the land and ensuring that the government cannot ever be held responsible for their actions.¹

The Trappings of Power

At seven p.m. on the night of October 6, 2013, I was rushing around frantically, putting the finishing touches on my first large public art exhibition. I wish that I could claim I was too busy to be nervous, but I was terrified! I was an unknown artist taking part in Scotiabank’s Nuit Blanche in downtown Toronto, the largest juried art exhibition in North America. My exhibit was not fun, it was not light-hearted, and it did not feature blinking lights or streaming video. It was not professional, either; it was put together on a shoestring budget with my own money, supplemented by components borrowed and begged from friends and neighbours.

But my real fear came from the subject matter. My premise was that Natives have effectively been, and continue to be, trapped off their own land by way of treaties and land claims; removed with a powerful, calculated and deadly intent, like vermin. My artwork was a large kinetic sculpture that visually expressed my objections to and concerns about the entire history of treaties, as well as the process of negotiating modern land claims in Canada. This was not light fare. I was asking people out for a night of fun at Nuit Blanche to give serious consideration to a subject that most attendees would be ignorant of, or would rather not admit was within their realm of responsibility. I steeled myself for a lot of negative responses.

My exhibit, *The Trappings of Power*, was displayed on a raised stage next to Metro Hall in the downtown Toronto financial and arts district. It consisted of a lightweight, hexagonal wooden frame from which over one hundred rusty animal traps hung on wires, to sway in the strong winds. Each trap gripped a white scroll of paper, inscribed with a specific treaty benefit and tied with a blood-red ribbon. Assorted land maps and treaty documents hung from the frames as well. They billowed in the wind until they tied themselves in knots or were shredded on the structure’s supports. Also hanging from the supports were

1 See: Certainty, Release and Indemnity in any AIP.



Figure 1: *The Trappings of Power*. Photo by Darren Sustar, used with permission.

large heron feathers, chosen because of the heron's reputation as a patient and precise hunter. Mournful Native music played in the background, overdubbed by the occasional, sudden sound of many traps snapping shut. Looming large in the near background was a huge Canadian flag. The entire exhibit was lit from below by a few work lights, creating a spartan, haunting mood.

The overall effect of the exhibit was captivating, entrancing beyond even my wildest hopes. Noisy, chatting groups of revellers would arrive and become still and respectful. To my amazement, people stayed and contemplated my work, quietly discussing the imagery and the terrible truths of Canada's treatment of Aboriginal people. The crowd's response to my work was honest and reverent contemplation of the deaths of millions of Indigenous peoples over hundreds of years, simply to accommodate the greed and territorial ambitions of monarchies, colonists and immigrants.

During the twelve hours of the event, an estimated twelve to fifteen thousand people pondered my sculpture. I roamed among the audience, un-identifiable as the artist, and listened to conversations and opinions (of which only three were negative). Occasionally I identified myself, to correct facts, answer questions or to ensure that people understood the work. Many, many people wanted to meet me and talk about the exhibit or thank me for my work. A couple of older Scottish ladies were in tears contemplating the price that Natives have paid for Canada to exist over the centuries. Even the massive wave of people leaving a Leafs hockey game were willing to stop and think about the actions of past governments and discuss how little has really changed in Canada's current approach and attitude towards Native people. I was humbled by the response.

Canadians were very supportive of Native claims to the lands taken, and appalled, ashamed and disgusted by the country's history of legal wrangling, duplicitous behaviour, abuse and genocide. The average Canadian attending Nuit Blanche did not approve of the status quo; they wanted things to change! The ability of art to reach an audience on an instinctive level makes it a powerful tool that Aboriginal people should use more often in our struggle for equality.

I believe that treaties, past and present, are fundamentally unfair for Natives. I also question the legitimacy of treaties, especially the early ones, made when Natives had no idea what they were agreeing to and had no credible representation. Modern agreements and their negotiation processes are only slight improvements. Modern governments promote the “negotiation” aspect of treaties to lend legitimacy to a process that historically had little meaningful negotiation in it. But the major provisions in modern treaties (cash flow, water rights, ongoing accountability, land retention, or payment schedules) are still primarily dictated by the governments, and are considered non-negotiable. Less significant but often more popular issues, such as hunting rights, taxation, heritage, or education rights, are more actively “negotiated” to propagate the fraud of consultation. Indigenous groups are given the impression that they have had some input, while providing the window dressing the government needs for improved public perception, an important part of the baiting process.

My concerns have only grown stronger after participating in the land claim process. Algonquins still hold title to nine million acres of prime real estate in eastern Ontario, including Algonquin Park and all of Ottawa, the Nation’s Capital. This land was illegally taken and distributed to colonists. The Federal and Provincial governments have been aware of this problem for over one hundred and fifty years and have refused to address it, hoping that time would take care of it. Now that they have been forced to deal with this land claim, the governments are reverting to the tried and true strong-arm tactics built into treaty negotiations to once again take advantage of First Nations people. The governments need clear title to the lands they have taken, but they are also painfully aware that paying fair value would decimate their budgets, and may leave them vulnerable to organized special interest groups during the next elections.

As mentioned, in the current Algonquins of Ontario preliminary draft agreement, the Government has offered \$300 million for this land claim; an offer that works out to \$33.34 per acre. Yet according to their own statutes, the Government is obliged to pay at least the current, un-improved value for lands taken without a treaty, and may also be held to pay for loss of use if it can be established.² In this particular part of Ontario, scrub land currently sells for at least \$1000 per acre, and vastly more at a waterfront. At the prescribed rate, the settlement should be at least \$9 billion. When I asked about this huge discrepancy, I was told that the difference in these values has been ascribed to Algonquins being nomadic. At the time of first contact, the Algonquins weren’t inhabiting their entire tribal hunting grounds, so only a tiny fraction of the land claim area is considered eligible for payment. The Supreme Court’s recent unanimous *Tsilhqot’in* decision³ takes direct aim at such unfair tactics and assumptions; however, it is still a small first step in addressing the faulty precedents and the imbalance of power that permeate treaty negotiations — and it took over twenty years of appeals to get this far! I have twenty-five acres of land that I haven’t set foot on for over thirty years; should I ask the Federal Government if I still own it?

Many, many years have passed with much talking, innumerable meetings, and multiple disagreements between and within the three involved parties. During this time, the lawyers involved have become rich, the multitude of govern-

2 AAND Specific Claim Negotiation Cost Guidelines, Appendix I, item 3. <https://www.aadnc-aandc.gc.ca/eng/1409247628791/1409247680426#chp5>

3 *Tsilhqot’in Nation v British Columbia*, [2014] 2 SCR 257, 2014 SCC 44 (CanLII).

ment bureaucrats have been well paid, and yet the Algonquins have amassed a huge debt negotiating for their own land! This debt is to be taken out of any potential settlement. Time can crush hope, drain resolve, and deplete financial resources. These delaying tactics are effectively used by the government to gain and maintain tight control of negotiations.

As they exist, Treaties and Land Claim Agreements are traps. The bait is a little larger and more diversified than before, and the traps have been refined to appear friendlier and less threatening, but they are still powerful, calculated and effective traps.

Art is a catalyst for social change and growth. It reaches to the heart of matters and clarifies issues. I feel proud of *The Trappings of Power* and the overwhelming response to it. I hope that I have some small part in instigating major changes to the unfair laws and processes that bury Native claims in bureaucracy and destine them to be lopsided agreements that heavily favour the governments that are trying to wrest control of the land from its original inhabitants. Canada's treatment of Aboriginal people has been globally recognised as terrible by the UN and many of our allies. At some point, Canada will have to acknowledge its wrongdoings and deal with the consequences in an honest and forthright manner. As this change does not seem imminent, I need to continue to show my artwork, both nationally and internationally, to bring more attention to the ongoing assault on Native people in Canada. Perhaps additional pressure from global citizens and governments can convince Canada that it is time to change. Something must be done, and we must all choose our part.