

Treaties reassuring for other first nations

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There was a great deal of joy within the Tsawwassen First Nation that night late in July when members voted overwhelmingly to approve a comprehensive treaty with federal and provincial governments.

Four days later the Huu-ay-aht -- a small first nation on the remote western coast of Vancouver Island -- also voted overwhelmingly to approve a treaty negotiated by its treaty team.

In both cases the local enthusiasm was understandable -- after more than a century being marginalized in every imaginable way, these two communities had rid themselves of the paternalistic Indian Act, regained access to land and resources, negotiated a share of the wealth being produced on their traditional lands, stabilized cultural and community institutions and, most importantly, had once again become the masters of their own destiny.

Most of the public discussion following these votes focused on what it all meant for the people directly involved. The larger story -- mostly overlooked -- is the enormous, positive impact these treaties will have on other first nations in British Columbia, and on the province as a whole.

The Tsawwassen and Huu-ay-aht treaties were the first completed under a modern-day treaty process set up in 1992 by governments and first nations. While this process has its passionate supporters in B.C.'s first nations, many leaders and many ordinary band members had remained skeptical.

Who could blame them? Fifteen years after being launched, the process had not yet proven itself. However, with the approval of these two treaties earlier this summer, all that changed. We now have "proof of concept" for the treaty process. Believing in it no longer requires a leap of faith.

It also puts to rest several specific concerns shared by many aboriginal people.

Although the process may seem endless, Tsawwassen and Huu-ay-aht illustrate that the talking eventually stops and the treaty gets finished. There is an end-point.

Not only does the process reach an end-point, but -- as demonstrated in Tsawwassen and Huu-ay-aht -- it produces an end-point acceptable to a majority of aboriginal people.

First nations people take treaty votes very seriously. They ask tough questions about their survival as a distinct culture on their land, their ability to catch up economically and participate in the prosperity of this province, their requirement for community services and their right to manage their own affairs. They ask if they are doing the right thing for future generations.

The high-majority support for the recent treaties indicates that these concerns were met.

Each of two recent treaties was quite different from the other, a reflection of vastly different circumstances and histories. Most of Tsawwassen's traditional territory is already developed and in the hands of private owners. (Privately owned land is not available for the land component of treaty settlements -- only Crown land.) On the other hand, most of the Huu-ay-aht traditional territory is undeveloped Crown land with intact natural resources.

The terms of each of these two treaties reflects these differences. The Tsawwassen settlement was "made in Tsawwassen;" the Huu-ay-aht settlement "made in Huu-ay-aht."

This is profoundly reassuring to other first nations. It shows that government is willing to be flexible and adapt individual treaties to the needs of individual first nations. Every aboriginal group can now aim for its own version of a "made at home" treaty settlement.

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