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[Going out on their own](#)

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Photograph by Bill Keay/Vancouver Sun

When you pull into the Tsawwassen First Nation in suburban Vancouver, the first thing you notice is a brand-new TransLink bus stop serving Metro Vancouver. It's the first, tangible benefit of a treaty that came into effect last spring, says Chief Kim Baird, a 38-year-old mother of three. Even a year ago, you'd never have seen Vancouver's blue and white city buses plowing through here; there was no public transit at all. Another change: Tsawwassen was the only First Nation to receive federal stimulus funds last fall. The \$6-million cheque went to kick-start a new industrial park. It's another opportunity the band would have missed were it still under the Indian Act, says Baird, who has a quick laugh and a shock of curly brown hair. But with the treaty, the Tsawwassen acquired the legal standing of a municipality, making them eligible for funding.

Soon, the reserve itself will effectively disappear. Members will begin paying income tax and GST. And from here on, Tsawwassen—not Indian and Northern Affairs—will control its development. Sure, Baird admits to beginner's jitters. "If anything goes wrong, there's nobody to bail them out like before—a huge risk," explains treaty expert Doug McArthur, who teaches public policy at Simon Fraser University. But fear can be a good motivator. Tsawwassen had a draft budget finalized by fall—months ahead of the February deadline. An arm's-length economic development corporation is already up and running (the former head of the Vancouver Port Authority was hired as chair). It's exploring opportunities ranging from a waste-to-energy

trash incinerator, a retirement community, and a massive warehousing facility for shipping containers, linked to the expansion of the nearby Roberts Bank Superport.

In a matter of months, the Tsawwassen have managed to deep-six the Indian Act, which made natives wards of the state, and has frozen Aboriginal institutional development in time at 1876. They're not alone. B.C.'s Gitksan, going a step further, are petitioning Ottawa to drop their "Indian" status altogether. They're willing, they say, to hand over reserves, tax exemptions, free housing and, yes, the ambition of a separate order of government in return for a bigger prize: a share of resources on ancestral land. "We seek no special status or parallel society," the coastal tribe announced in half-page ads that ran last summer in the *Vancouver Sun* and *Globe and Mail*. "We wish to live as ordinary Canadians in our own way in a multicultural society. Further, we wish to pay our own way." This they'll do through joint ventures in oil and gas, logging, eco-tourism and run-of-river power projects, they say. Simply, the status quo is not working, says chief negotiator Elmer Derrick; his people have been brought to their hands and knees.

B.C., blessed with exceptional native leaders and business-savvy bands like Osoyoos and the Westbank First Nation, has in fact become a kind of laboratory for bleeding-edge, wholly new Aboriginal policy design. True, what's working for Tsawwassen, an urban First Nation bordering a superport and the bustling BC Ferries terminal, probably won't do for an isolated, treeline Cree community like the Sayisi Dene in Manitoba. There is no one-size-fits-all solution to unwinding the past—but that's not to say that lessons can't be drawn from successful outside models. In B.C. some look across the Pacific, all the way to New Zealand, and the experience of the Maori, its indigenous population.

An acute financial crisis in 1984 caused Wellington to dramatically rethink its relationship with the Maori who, until then, had been welfare- and transfer-dependent, says Tsimshian lawyer Calvin Helin, who studied their experiences in his book, *Dances with Dependency*. Maori tribes were given one-time, lump-sum payments of cash and assets, held by arm's-length corporations and then poured into real estate, tourism and export ventures, he explains. The results speak for themselves: between 1989 and 2000, the Maoris' economy grew at a faster rate than New Zealand's, and by 2001, they were pumping an annual \$1 billion into the national economy, according to a report by the New Zealand Institute of Economic Research. (A recent British study showed rapid improvements by the Maori in both education and median income between 1990 and 2000, suggesting a correlation between prosperity and human development.)

To spur this kind of development at home, Canadian experts say, private property rights first need to be extended to First Nations territory. In B.C. the Nisga'a, who already have some of the controls sought by the Gitksan, are proposing just that. The band, which controls 2,000 sq. km of land in the Nass Valley, recently passed a Landholding Transition Act. Starting in spring, the legislation will give anyone the right to own, buy, sell and rent land on what used to be collectively owned native land—a Canadian first. As it stands, no one living on a reserve can own a home, effectively barring access to credit, the Western world's most fundamental economic tool. B.C. native leader Manny Jules, head of the First Nations Tax Commission, is trying to make property rights a national priority: he's proposing the creation of a federal First Nations Property Ownership Act (which he says was given the constitutional green light in December by the federal Department of Justice). "People think we have no tradition of

individualism—like some sort of socialist utopia,” says Jules. Historically, he adds, even fishing rocks were privately owned.

None of this, of course, is coming to pass without controversy. The Gitksan’s own membership is deeply divided. SFU’s McArthur, meanwhile, argues that the Gitksan initiative should properly be seen for what it advocates: “assimilation.” And Tsawwassen’s non-Aboriginal neighbours fear its planned build-up will trigger an industrial boom, bringing more traffic, pollution, people and concrete to the bucolic Delta region. The day Baird signed the Tsawwassen treaty at the B.C. legislature, she first had to pass hundreds of Aboriginal protesters, including Stewart Phillip, grand chief of the B.C. Union of Indian Chiefs, who labelled the treaty a fraud and a sell-out; in the wider Aboriginal community, tax exemptions and claims to Aboriginal title are widely seen as non-negotiable mandates.

But change is the non-negotiable for Baird, who first arrived in Tsawwassen in the ’80s with her mom and four brothers: a shy, goth-punk 15-year-old who’d spent her childhood in the Lower Mainland. No sidewalks, jarring dysfunction: this was like nothing she’d seen. Then came racist remarks from city kids who’d figured out where she was now living. Baird became the first kid on the reserve to graduate high school in 20 years. At 22, while an arts student at Kwantlen University College, she was elected to band council, and became chief at 28. “Integration allows First Nations to see how other governments and corporations work,” she says, noting new seats on the boards of BC Hydro, Metro Vancouver and TransLink. That train, of course, runs in both directions; those boards, in some cases for the first time, are welcoming a First Nations partner as an equal, and getting first-hand insight into—and perhaps some good ideas from—the Aboriginal communities they now serve.

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