

To all Gitxsan Citizens

I would like to explain the rationale behind the Gitxsan Alternative Governance model that went public in May of this year. The following statement is our perspective.

In the 1920's one of my grandfathers was sent to Oakalla Prison Farm for obstruction of justice. He and three other men from Kitwancool spent six months in the federal prison in New Westminster. My grandfather's offense was to defend the action of his mother in law who had threatened surveyors when they were putting posts around their property at Kitwancool Lake. The surveyors had come to establish a reserve so that my great grandparents would have titled land. My great grandmother stated to the government people that the land was hers and told them to leave. They left but came back with police. The police attempted to remove my great grandmother from her yard. My grandfather intervened and he was picked up and sent to Oakalla.

Following the establishment of the Kitwancool Reserves the people of Kitwancool were not allowed access to their lands and resources.

We have fought government policy that bars us from using our lands and resources. We have fought on the lands and at fishing sites. We have fought in Courts. In 1997, the Supreme Court of Canada (SCC) confirmed that Gitxsan title has not been extinguished. The SCC further stated that the title holders have the responsibility to decide to what uses the lands may be put. The caveat on exercising this responsibility is that we have to protect who we are as Gitxsan. Our title also has an inescapable economic component. Our title includes mineral rights. The title is held by the House groups. The House groups are led by the Sim gii ghet.

I fully realize that Band Councils serve a valuable purpose in the villages. They have been in existence for a short period but they look after people in need. The unfortunate part of the arrangement from Canada is that the Council administrations do not get enough financial resources. A large number of Gitxsan people move into towns because of the inequity of services on the Reserves. This inequity has to be corrected. Our staffs are also badly paid even though they are mostly first rate.

As the Chief Negotiator I have not heard from one Gitxsan Chief who has agreed to the land selection model that is offered. We will continue to hold on to the title that has been handed down from our ancestors. Expanding the reserves even ten times will not enable any of us to make a living.

In 1951, the Indian Agent from Hazelton established Band Councils on various reserves. One of my grandfathers was made Chief Councilor by the Indian Agent. My father was one of the appointed councilors. Both were hereditary chiefs. A couple of decades later our village started having elections when the Indian Agent brought seed potatoes to give out. The potatoes were supposed to replace the food that we could access from the lands.

The old folks kept on stating that they were independent – meaning that they were not dependent on the Crown. They had enough lands and resources to look after themselves. All of us can look after ourselves and our families if we use our lands and resources and protect our title.

The following is a summary of the positions that our negotiating team takes to the Reconciliation table.

Lands and Resources

The Gitxsan maintain the title that was defended in court and affirmed by the Supreme Court of Canada in the Delgamuukw decision in 1997. The title holders are the Gitxsan House groups and the representative title holders continue to be the Chiefs that govern the lands and resources as they have since time immemorial.

The Supreme Court of Canada directed the Gitxsan to reconcile their pre-existence with Crown title. These instructions do not include forfeiting title to the Crown.

The mandate from the Gitxsan title holders is firm. No title other than what has been taken for rights of ways and existing fee simple title will be further allowed.

The Sim gii ghet govern the Lax yip and continue to have the responsibility of having decision making about the resources.

Gitxsan Chiefs

The Chiefs maintain their responsibilities as they have for all their assets both material and non tangible. The material assets include the lands and resources and the House members that are attached to the lands. The non tangible assets include all the names, songs, histories, crests, dances, spirits, and other attributes that are important to being Gitxsan.

Our Gitxsan identity is tied to our history and specifically the adawaak of our Houses.

The nine Watersheds work to provide assistance to the House groups to manage their assets. The process of determining to what uses the lands may be put is defined in a sustainable planning process that is managed by the Watersheds.

House Members

Each Gitxsan House member has the responsibility to assist in defending their House's title and rights. The Supreme Court of Canada affirmed that Gitxsan title and rights continue to exist. The rights have to be exercised by Gitxsan people as nation members. House members have to defend their territories by occupying their lands and utilizing their resources.

Water

Water is defended because of its life giving qualities. Water sustains life in all forms. Water provides the habitat for the Gitxsan food supply. Clean pure water is needed to maintain the health of all life forms in Gitxsan territories. Animals do not have the wherewithal to access or buy bottled water.

Minerals

The Supreme Court of Canada affirmed that the Gitxsan Nation continues to hold mineral rights. These rights are held by the Nation. The House groups can decide to what uses the lands may be put and that responsibility includes deciding if and how to exercise the use of mineral rights.

Fish

The Gitxsan Watershed Authorities, through the Hereditary Chiefs, have maintained a working relationship with Canada, British Columbia, and other users through a fisheries agreement that was negotiated twenty two years ago. The agreement ensures guaranteed access to the Gitxsan food supply, conservation of the wild stock, access to inland commercial harvest whenever possible and joint management of the fisheries resources and habitat.

Forests

A Short Term Forestry Agreement was negotiated between the Gitxsan and British Columbia. The Agreement has economic components that bring benefits to the House groups. A cash component delivers \$2.6 million annually for use by the Nation. A forest license can potentially enable House groups, Watershed groups, or Gitxsan entrepreneurs to harvest wood from their territories. These arrangements can be negotiated as renewable licenses.

A comprehensive set of components are lined up for negotiation under a Long Term Forestry Agreement. This Agreement would ensure that title holders would be involved in intensive forest management.

Carbon Credits

The Gitxsan are committed to pursuing a strategy of using Gitxsan traditional knowledge as the basis for resource management. We have policies on air, water, forests, land and mining that we will use, together with acknowledged science as a guide to the management of carbon in our forests. We will manage targets where we can and offset where we cannot as a part of the strategy.

Gitxsan Eco Resources, a new corporation, is the first at the gate with the Government of British Columbia in terms of establishing a working agreement on a partnership that will be operated under the Western Climate Initiative. The Western Climate Initiative involves several states and provinces.

Part of our strategy is to accept all of the silviculture responsibilities that exist on Gitxsan territories and rehabilitate the lax yip according to our ayookw.

Being Gitxsan

The Supreme Court of Canada affirmed that the Gitxsan has to reconcile Crown title with their pre-existence. This means that we have the freedom to be ourselves within Canada and British Columbia. We do not have to be “Indians” nor exist under any other label.

Our predecessors went to jail to protect those freedoms. We continue to teach our grandchildren about being Gitxsan.

As free Gitxsan we will not be a burden on the Crown. We do not want the Crown to be a burden on us.

Taxation

Gitxsan Nation members pay most taxes that are levied by the Crown. Most Gitxsan Nation members also pay Gitxsan Nation taxes at feasts that they attend. The taxes that are paid to the Crown are supposed to be returned to taxpayers in terms of government common services. What is known is that services provided to people on reserves is below the standards that are available to people in municipalities. This situation needs to be corrected.

There has to a reconciliation of the taxation regime. Gitxsan Nation members cannot continue to be double taxed and services that are provided to people in the villages have to be on par with those people living in municipalities.

Our contribution to the northwest economy through the goods and services that Gitxsan people distribute and circulate at feast time cannot be taken lightly.

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