The Creation of the Nisga'a Lisims Government

Since they first resisted the imposition of reserves in the 1880s, the members of the Nisga'a Nation never gave up their struggle to have sovereignty over their traditional territories. It took over 115 years to achieve, but to the year 2000 Nisga’a citizens finally saw the dream of self-government in their own territories become a reality. As Joseph Gosnell, president of the Nisga’a Tribal council, said when the treaty received royal assent, "Our canoe has landed."

What a long journey the Nisga’a canoe of self-government took before arriving. At every attempt to make their case, the chiefs were ignored or had obstacles put in their way. Then, in 1949 a young man named Frank Calder took advantage of the new laws permitting First Nations people not only to vote in provincial elections, but to run as candidates. Calder ran for the CCF party (forerunner to the NDP) and won the large northern riding of Atlin, becoming the first Aboriginal person elected to the British Columbia legislature. As well, he was president of the Nisga’a Land Committee (changed to Nisga’a Tribal Council) and it was in his name that the Nisga’a took the question of Aboriginal title to land to court.

Finally, in 1976, the Nisga’a seized the first opportunity to present their land claims case under the federal government’s comprehensive claims policy. The lengthy negotiations would take nearly twenty-five years, but the Nisga’a weren’t going to give up after close to 100 years of struggle. When the B.C. Treaty Commission began in the 1990s, the Nisga’a decided to stay outside that process, as they were already progressing on their own. As their negotiations drew closer to completion, the treaty became a very public topic. There were those who opposed the treaty, believing it would give too much money, land, and power to the Nisga’a and create a "foreign territory" where Canadian laws do not apply. Some members of the Nisga’a Nation itself did not support it. They felt it did not give enough and that certain benefits under the Indian Act, such as an exemption from paying taxes, would be lost. However, the treaty was widely supported by most Nisga’a citizens and passed through both provincial and federal parliaments, including the final body, the Canadian Senate. It received royal assent in 2000. The Nisga’a Treaty is the first modern-day treaty entered into in B.C. --the first since Treaty 8 was signed in 1899.

What did the Nisga’a gain through their long journey? Primarily they gained self-government, full control of a portion of their traditional territories, and financial compensation for the rest of their lands. The cash settlement was $196.1 million, to be paid over fifteen years, and the land amounted to 2,019 square kilometres. Other features included a sum of $37.5 million paid for lost revenues from the forest resources on Nisga’a land. Also, there was support for initiatives in managing and seeing economic benefit from Nisga’a fisheries and forestry resources, such as .10.3 million towards the Lisims Fisheries Conservation Trust to support fisheries science.
Timeline to Nisga’a Lisims Government

1885: Three Nisga’a chiefs meet Prime Minister Macdonald in Ottawa.
1886: Chief Sgat’iin refuses entry to reserve surveyors.
1887: Nisga’a and Tsimshian chiefs meet with Premier Smithe in Victoria, demanding a treaty.
1890: First Nisga’a Land Committee is formed.
1913: Nisga’a petition the British government for treaties as set out in Royal Proclamation.
1949: Nisga’a chief Frank Calder is elected to the B.C. legislature.
1955: Nisga’a Land Committee is re-established as the Nisga’a Tribal Council.
1968: The Calder case first goes to court.
1973: Supreme Court decision in Calder case split on continued existence of Aboriginal title.
1976: Nisga’a begin Comprehensive Land Claims process.
1990: B.C. joins land claims negotiations.
2000: Nisga’a treaty signed and Nisga’a Lisims Government comes into effect.

GLOSSARY NOTE
Royal assent: In Canada, the U.K., and other Commonwealth countries, royal assent is the formal consent of the sovereign, or his or her representative, to a bill passed by Parliament.