

Fishery changes just Canada catching up

Editor:

Regarding the letter by Gaye Smith (May 4) and the general confusion surrounding what treaty rights are.

The Saugeen First Nation has fishing rights in the area facing this “fiasco”. This means, as a distinct nation from the Canadian Crown, the fish in those waters are under their jurisdiction. They have the right to negotiate these fishing rights with whomever they wish; recently, they negotiated with the Ministry of Natural Resources. They did so of their own accord as a sovereign nation.

It is understandable how this might seem unfair to non-native local anglers. The town hall meeting, as represented by Smith’s letter, presented many relatable grievances. His sarcastic representation of the contrarian in the room as a “pseudo-intellectual” was a bit unfair, but that’s beside the point.

Ultimately, local non-native anglers simply don’t have the rights to fish in the water. This may seem contradictory in a supposedly democratic Canada, but it’s not quite that simple. Again, the Saugeen Ojibway Nation is that: a nation, and a nation who’s jurisdiction extends over these fish. No amount of Canadian MPs or MPPs voting can change this unless everyone chooses to work together and negotiate a new deal. However, everyone must recognize that it is the First Nations who are being asked for rights to their fish.

On the surface, it might feel unfair that some people can fish but others can’t. However, Canadians wouldn’t be happy if the United States of America legislated that we no longer had fishing rights in our rivers. Demo-

cratic nations can only fairly impact one another through negotiation. If we were to legislate away the Saugeen Ojibway Nation’s fishing rights, we would be stripping that nation of their independence, their sovereignty, their mutually agreed-upon right to self-governance. Is that really worth it? For some fish?

It seems that much of this debacle arises from a lack of understanding around what treaty rights are. First Nations are distinct nations that have been around for much longer than the government of Canada has. Perhaps it is difficult to view First Nations as independent nations because they’re small or because they have relatively less power than the government of Canada. However, we must remember historical circumstances. We must remember the violent and unfair past in the Government of Canada’s treatment of First Nations. We must remember what a treaty is: an agreement between sovereign nations.

I shouldn’t have to reiterate the true underlying unfairness here: that First Nations had all the rights to everything in Canada until the Government of Canada took some for its own. This discussion seems to be framed as “the government of Canada giving away our land to them.” This is not what’s happening. It’s the government of Canada trying to give back a small piece of what it took away.

But please, do speak to whomever you feel you need to. If you’d like to fish, talk to the people who have the rights to those fish.

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