

# **Rights Of First Nation People In British Columbia**

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### Rights of First Nation people in British Columbia

#### Introduction

The cultural issue that I have selected for this paper is “Rights of first nation people in British Columbia”. In British Columbia, most of the First Nation people have never signed any treaties with the government which simply means that much of the British Columbia is still under claim by the First Nation people. First Nation people are in the process of negotiating with the government from the past many years but only a few of them have actually signed the agreements. I chose to write over this topic because First Nation people in British Columbia represented some of the most critical stages in the history of Canada. They are the originals of this country and it is only due to their heritage that Canada has a vast diversity of cultures and languages. The increasing recognition of First Nation rights and title claims has raised the social issues of their rights and the need of addressing the concerns of their rights.

In Canada, First nation people are the people of indigenous groups in Canada who are neither Métis nor Inuit. Collectively all of these three groups i.e. First Nations, Métis, and Inuit constitute an indigenous group in Canada. First Nation term was used back in the 1970s to replace the term “Indian band” which some of the Indians find offensive. However, there is no legal definition of the term first nation and it is just a respectful alternative of the term “Indian” living in Canada. First Nation people have lived in Canada from thousand years ago even before the Europeans (“First Nations In Canada”) had arrived there. They carry a different heritage which includes their experiences, ideas, knowledge, worship, and spirituality that are valued by the people of their groups. Their heritage is inherent to their wellbeing. There are hundreds of First Nation bands all across the country and maximum of which resides in Ontario and British

Columbia. Around one third ("About British Columbia First Nations") of the population of First Nations in Canada resides in British Columbia. In British Columbia, First Nation people have a rich culture, tradition, and history. This paper will discuss the issues regarding the rights of First Nation people in British Columbia which includes land and property rights, water rights, education and employment rights, cultural rights, and healthcare rights. Furthermore, the paper will also consider my views about the measures that should be considered for improving the rights of First Nation people.

### **Discussion**

First Nation people are categorized into Status Indians and Non-Status Indians. Status Indians are the ones who are registered in the Indian Register and carry identification cards issued by the Government. Non-Status Indians are the one who are not registered in the Indian register with the federal Government. Although history tells that Canada is the land of origin for First Nation people (Rees), Canadian authorities postulated control over First Nations in the later years after the independence. The Indian Act was also imposed on First Nation people without their prior consent. It's an act that limits the control of First Nation people over their lands and the services they use.

### *Land Rights*

The aboriginal title is an issue in British Columbia which creates conflicts with settling association over land and natural resources. The land is a physical representation of the spirituality of the First Nation people. Their essence is continuously threatened by the multinational industries. First Nation people are continuously trying to negotiate (Low, and Shaw) with the Federal Government but no treaty has been passed till date. According to First Nation people at British Columbia, policies economically marginalize Indian people and violate

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their indigenous rights. In British Columbia, most of the land is abandoned and non-treaty. Canadian law does not recognize treaty rights as the human and collective rights which are the main reason for conflicts between the First Nation people and the Government. Moreover, First Nation people are not allowed to actively participate in the process of land determination and occupational rights.

The devastating degradation of the natural environment in British Columbia had always gone along with the extradition of the aboriginal inhabitants from their homelands. This colonial greed has pushed the First Nation people towards neediness and beggary. The form of exploitation created by the European colonist takes place in the form of Invasion, Fisheries, mining, development and Forestry. There is no such First Nation person who has not been affected by this counterassault.

### *Right to water*

First nation people in British Columbia receive discriminatory treatment for water rights also. Many people do not have access to clean water and proper sanitation in their households. The rivers which they rely on are continuously getting polluted ("The Right To Water") by the industrial activities. It's a long term problem which has not been completely addressed by the Government till date. First Nation people's water systems fall under an altogether separate regulatory authority and the measures provided by them to people are not progressive. There is no timely solution to their longstanding water problem. The response to these problems would have been provided in a different manner if it was related to non-indigenous Canadians.

### *Education and employment rights*

There are no minimum constitutionalized standard for laws of education for the First Nation people in Canada. Moreover, there are no provisions to award a recognizable diploma to

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First Nation schools. Funding by the government over the education of First Nation people is quite debatable as compared to general Canadian schools.

Aboriginals in Canada face a higher level of unemployment problem as compared to the non-indigenous population. The rate is almost double in aboriginals as compared to the non-aboriginal people. They face a tough time finding jobs for themselves due to their race and wherever they somehow find, they are paid quite lower rate in comparison to general Canadians. The number of cases of unemployment is quite higher in British Columbia (*EMPLOYMENT AS A SOCIAL DETERMINANT OF FIRST NATIONS, INUIT AND METIS HEALTH*) and Atlantic provinces. This condition was even worse during the 2008 financial crisis. They were excessively burdened (Lamb) by the recession war as compared to the general Canadian population. It was just due to their racial status that they had to suffer more during those times even if they were more capable and fit for the job than their non-aboriginal counterparts.

### *Cultural rights*

Each one of the individuals whether aboriginal or not aboriginal has the right to participate freely in the cultural activities of their community. First Nation people are the ones who bear a compromising situation in British Columbia and other Canadian provinces as far as their cultural rights are concerned. Canadian authorities have regulated strict policies on them if they have tried to live as per their cultures. There are enough gaps in norms of the institutions and everyday attitude of the people that do not accept the cultures of First Nation people in Canada.

### *Healthcare rights*

The deteriorating health of First Nation people in Canada is related to different problems of poverty, discrimination, low levels of education, poor sanitation, water crisis, and

unemployment, etc. Indigenous people in Canada comprises of the youngest people of the nation. Still, their health conditions are poor (Wilmot) compared to other Canadians. They possess higher incidences of mental health problems. They have poor access to healthcare in Canada due to social inequalities. Most of these health problems in First Nation people are irreversibly tied to the historical patterns of mistreatment and exploitation of First Nation population. Sources also reveal the Federal Government of Canada do discrimination (Barrera) in providing funding to the services of healthcare for First Nation people.

### **Improving the rights of First nation people in British Columbia**

Racial discrimination is actually considered discrimination in a state or a country when the Government of the state thinks that the particular individual is not worth the money. Government is responsible for the poor rights of First Nation in British Columbia. The Government may not directly make their conditions miserable but it indirectly put them in a situation with its policies and procedures where their conditions get worse. This discrimination of rights is a lifelong and biologically revised consequence. There would not be a huge protest by then nonaboriginal Canadians if the Government is ready to support the rights of aboriginals. So the Government needs to put special emphasis on the human rights abuses that happen with the First Nation people in British Columbia.

### **Conclusion**

Hence, the paper has discussed briefly the introduction to First Nation people of Canada. Further, the issues related to the rights of First Nation people in British Columbia have been discussed in this paper. First Nation people face discrimination in their rights related to land, water, education, employment, culture and healthcare etc. All these problems are deeply rooted in the history of First Nation in Canada where they had continuously been exploited. Moreover,

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Government policies for the First Nation in British Columbia are non negotiating and strict. First Nation people comprise of a large population of British Columbia and they contribute to the maximum young population of the province. The Government should take measurable steps and make equally inclined policies for the First Nation people as well. They need to put special emphasis on the improvement of their human rights. Well-being of a nation is linked to its natives. If First nation people will grow and they will be provided equal rights as that of general Canadians, the nation will prosper.

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