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Windspeaker

QUOTABLE QUOTE

"It is clear that every promise made by Canada to Great Britain has been shattered."

- Grand Chief Phil Fontaine

See Page 3

May 10, 1993

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Leah Pagett

Signs of spring

Trees are budding, birds are chirping and kids are outside loving every minute of it. Missy Derocher (left) and Danielle Pagett are strapping on their roller blades to take advantage of snow-free pavement and warm spring weather in Edmonton.

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NWT bill puts rights at risk

By D.B. Smith
Windspeaker Staff Writer

YELLOWKNIFE

The absence of a protective clause in a new land titles bill could affect treaty rights and the future of land claims, northern Natives claim.

The Dene Nation, the Tungavik Federation of Nunavut, the Council of Yukon Indians and the Metis Nation of the Northwest Territories petitioned the federal government to include a "non-derogation" clause in the text of Bill C-103, the Land Titles Repeal Act.

"We wanted a non-derogation clause to recognize treaty and aboriginal rights, to make it clear that this act won't reduce our ability to get working treaties," said Dene Nation chief Bill Erasmus.

A non-derogation clause

would help safe-guard Native rights in the act by ensuring that nothing permitted under the new legislation affected existing or future land claim rights, Erasmus said.

But such protection was abandoned when a seven-member legislative committee charged with amending the bill failed to agree on the exact wording.

If passed, C-103 would rescind federal legislation governing the registration of land titles and hand such authority over to the Yukon and the Northwest Territories.

It would allow the territorial governments' own land titles legislation to come into force, giving them the right to register land titles, an authority they are currently exercising in the name of the federal government.

NWT liberal MP for Nunatsiak, Jack Anawak, submitted a non-derogation clause originally proposed by the

Tungavik Federation of Nunavut to the panel three weeks ago, Erasmus said.

"Nothing in the bill or any land titles ordinance enacted by the Commissioner in Council of a Territory to replace the Land Titles Act abrogates or derogates from any aboriginal or treaty right of the Aboriginal peoples of Canada, including rights that may be acquired by way of land claim agreements," the TFN's version read.

But the wording was voted down 4-3 by a conservative majority of committee members, said New Democrat MP for Comox-Alberni and Aboriginal Affairs critic Bob Skelly.

The following week, the Conservatives proposed that "nothing in this Act abrogates or derogates from any rights that now exist, or that may be acquired, by way of a land claims agreement with any Aboriginal people of Canada or preclude the negotiation of

any such agreement."

But representatives from the northern Native groups asked that the Conservative wording be withdrawn, Skelly said.

"They felt that the wording would be more restrictive. And the federal government didn't want a non-derogation clause, so they withdrew it."

As a result of the deadlock, there will be no "substantial" differences in the bill when it goes back to the House for the last reading, Skelly said.

The Dene and other northern Natives are concerned that the absence of a protective clause will jeopardize land claim negotiations by giving the territories too much control over disputed lands.

"We believe we own the land," Erasmus said. "But this will prevent us from making any interim steps. It will solidify the government's right to control the land."

See Rights, Page 3.

Lonefighter's trial judge rebuked

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The Canadian Judicial Council has reproached the judge who presided over the 1991 trial of Native activist Milton Born With A Tooth.

Three members of the council's judicial conduct committee concluded that Justice Laurie MacLean did not conduct himself appropriately in the trial that saw Born With A Tooth sentenced to 18 months in jail on six weapons charges.

Born With A Tooth, leader of a group of Peigan Indians known as the Lonefighter's Society, was charged after shots were fired at RCMP officers at a protest at the Oldman River dam project in September 1990.

The Alberta Court of Appeal



Milton Born With A Tooth

later overturned MacLean's ruling, however, and ordered a new trial. The new date has yet to be set.

The council's review came in the wake of complaints filed by the

Canadian Alliance in Solidarity with the Native Peoples over MacLean's behavior during the trial.

A letter to the Lethbridge-based organization dated April 6 confirmed the panel's findings that "Mr. Justice MacLean had displayed an insensitivity to cultural and religious differences."

The panel also concluded that MacLean "displayed discourtesy to defense council, characterized evidence with unnecessarily colorful and meaningless epithets and, generally, did not conduct himself in an appropriate manner for a trial involving sensitive and cultural issues."

The Ottawa-based council de-

cidated that the incident was not serious enough to warrant a formal investigation, which would have involved all 35 council members, executive director Jeannie Thomas said.

The three justices who discussed MacLean's case met by means of a telephone conference call in late March, she said. Their decision was released a few days later.

MacLean was not available for comment, but he has admitted, in response to the alliance's complaint, that he made mistakes during the trial.

MacLean also told the council that he has since attended a seminar and workshops on cultural differences.

DOING BUSINESS

The Royal Commission on Aboriginal Peoples held three days of sessions with businessmen, economic development officers and representatives from business organizations. The end goal of the National Round Table on Economic Development and Resources is developing recommendations on improving the economic conditions of Native people.

See Pages 10,11.

FISH SALES

Despite a provincial court decision declaring it unconstitutional, fish sellers in southern Ontario continue to follow a ban on selling fish caught by Chippewas of Nawash and Saugeen bands. The vendors fear the Ministry of Natural Resources, which issued the ban last year, will fine them. Saugeen Chief Richard Kahgee responds.

See Page R2.

AD DEADLINES

The Advertising deadline for the May 24th issue is Thursday, May 14, 1993.

New Brunswick chiefs consider tax reforms

By D.B. Smith
Windspeaker Staff Writer

FREDERICTON

The conflict over a sales tax exemption between on-reserve, status Natives and the province of New Brunswick has momentarily subsided.

The chiefs of the Union of New Brunswick Indians will not make any moves until they have thoroughly considered the provincial government's latest tax reform offer, a union spokesman said.

"They've had a meeting with the Minister of Finance," said Darrell Paul. "They put the proposal to the chiefs and the chiefs will consider it."

The union is currently hag-

gling with the province over the issue of delivering goods to reserves as a way of avoiding the tax. Under the new tax law, on-reserve status Natives will be exempt from the tax if the goods are purchased on the reserve or have goods for use on the reserve delivered there by the vendor or the vendor's agent.

The province offered two delivery options, said deputy Minister of Intergovernmental Affairs Donald Dennison.

"The first involves some kind of proof of residency and status," he said. "Proof of residency would be given at the point of sale. The second is a kind of refund system for off-reserve goods consumed on reserves."

But the head of the Union of New Brunswick Indians, Roger Augustine, and union chiefs Len

Tomah, Stewart Paul, Albert Levy and Everett Martin said they want time to examine both of the province's latest offers before making their decision.

Natives across New Brunswick reacted violently last month to the province's March 31 budget, in which Frank McKenna's Liberal government proposed to revoke the provincial sales tax exemption from status Indians living on reserves. By April 3, Natives across New Brunswick had begun mounting road blocks on provincial highways and later on the Trans-Canada Highway.

The blockades were disassembled, however, after emergency meetings over the Easter weekend between New Brunswick officials and the union apparently clarified the govern-

ment's position.

Intergovernmental Affairs Minister Edmond Blanchard said status Indians would not have to pay the 11-per-cent tax as long as goods were bought, delivered to, used or consumed on reserves. The province hopes to generate an additional \$1 million per year from the new tax law.

The road blocks did not, however, come without a price tag. Provincial officials estimated repairs to provincial highways, damaged by blockade bonfires and redirecting heavy traffic onto secondary and service roads, would cost \$170,000. Solicitor General Bruce Smith also said the bill for policing services at the blockades, which included overtime for RCMP officers and repair costs to damaged police vehicles, would run \$350,000.

Bill C-31 Aboriginals find a political voice

By Dina O'Meara
Windspeaker Staff Writer

EDMONTON

Aboriginals reinstated under Bill C-31 will have a political voice to negotiate their rights in the near future.

The Bill C-31 Association of Alberta is an ambitious project created to represent the interests of Aboriginals falling through the cracks of the three major political

organizations in Alberta, says founder Russel White.

The Indian Association of Alberta represents people on reserves, the Metis Nations serve the Metis, and the Native Council of Canada represents non-status Natives. Because of their mandates, Bill C-31 status Indians are often excluded.

"We're asking to be part of the system, but with our own people doing the work," White said.

A former politician with the

Calgary Metis Association, White, whose mother married a non-Indian, was reinstated in 1985 to the Alexander Band. He's not interested in moving back to the reserve and he believes many reinstated Aboriginals feel the same.

"Why should I be forced to live on a reserve? I'm 52 years old and I've lived in an urban setting all my life," said White.

White would like to see the establishment of urban reserves and new land bases to accommo-

date the younger generation. To accomplish this, he proposes creating new bands, such as family, community or urban bands, regional or ancestral bands.

White's first priority is to establish a membership of Bill C-31 Aboriginals. The association needs 1,500 members to be recognized as a representative voice.

For more information on the Bill C-31 Association of Alberta, contact Russel White at (403) 476-7959. Or write to him at 12713-88 St., Edmonton, AB T5E 3G9.

NATION IN BRIEF

Native woman barred from debate

A Native woman who says she was barred from entering a Tory leadership debate in Calgary plans to file a complaint with the Canadian Human Rights Commission. Vickie Crowchild-Aberdeen said she was thrown up against a wall by a Progressive Conservative party security guard when she tried to enter a meeting at the Roundup Centre on April 30. The guard told her no Natives were allowed in, Crowchild-Aberdeen said. Tony Hall, a professor of Native American studies at the University of Lethbridge and a witness to the incident, said he saw a woman being pushed and someone from the Tory party telling her Natives weren't allowed. Tory party official Diane Colley-Urquhart described the incident as "unfortunate." Other party officials suggested, however, that the woman had made up the whole story. Crowchild-Aberdeen said she was not the only Native at the meeting. There were other Natives there who had tickets to get in but were also ushered out, she said. "How can one of the guards at this debate tell us that no Natives are allowed?" Crowchild-Aberdeen said. "It was a public forum." Police were called to investigate, but later decided not to lay charges. Crowchild-Aberdeen said she

will still lodge the complaint with the commission.

Minister meets with Lubicons

Alberta's social services minister said he would discuss the position of the Lubicon Indians with the provincial cabinet following a meeting with the band's chief April 27. Mike Cardinal met with Lubicon band Chief Bernard Ominayak and council members in Little Buffalo, Alberta at his own request. The face-to-face discussion came over a month after an independent report initiated by the provincial New Democrats suggested the long-standing land claim dispute be referred to a third party arbitrator like the United Nations Human Rights Commission. The NDP were pleased with news of the meeting, said Alberta NDP MLA Barry Chivers. "The provincial and federal governments owe the Lubicon fair compensation," he said. "I hope the recommendations of the settlement commission will provide the basis for furthering a speedy and negotiated settlement." Ominayak, who was in Brussels, Belgium speaking before the European Parliament, could not be reached for comment.

Band blames feds for financial straits

The Pheasant Rump First Nation in southeastern Sas-

katchewan holds Ottawa responsible for its dire financial situation, the band's chief said. The band refused to accept its annual ceremonial treaty payment, a symbol of the financial relationship between the band and the federal government. Chief Calvin McArthur cited unhonored treaties, paltry funding from Indian Affairs and a general sense of distrust as his reasons for rejecting the payment. McArthur hopes the move will draw attention to the band's situation. Unemployment on the reserve is high and people are starting to look for someone to blame, he said.

Saskatchewan land claim accepted

Members of the Thunderchild Indian band, 100 kilometres southeast of Lloydminster, have overwhelmingly endorsed a land claim settlement. Band members will gain access to the mineral rights under 38,000 acres of mineral-rich land, band spokesman Harrison Thunderchild said. The deal will also bring in a cash settlement of \$33 million. It's the largest land entitlement settlement in Saskatchewan to date, Thunderchild said.

News

Land Act protested on Earth Day

By Amanda Heyman
Windspeaker Contributor

CALGARY

More than 100 angry people attended a rally at the Harry Hayes Building in Calgary to protest the proposed Chartered Land Act, to be introduced in Parliament in June.

Natives from four southern Alberta reserves rallied outside the Indian Affairs Office on April 22, Earth Day, to denounce the proposed law which they fear will leave reserves looking like a patchwork quilt.

Sarah Potts, representing the Coalition Against First Nations Genocide, told the crowd that an alarm went off when she first heard about the proposed legislation.

"Our land, our rights - everything is at stake," she said.

The coalition organized rallies across the country, choosing Earth Day to launch

their protest and express concern that the leaders of the First Nations were not acting with the best interests of all Natives at heart.

The group wants Aboriginals to realize that if the legislation passes, it will not only result in taxation on Native land, but also a loss of treaty rights.

Roy Littlechief of the Blackfoot Nation condemned those First Nations leaders who supported the legislation, the first to be drafted by Indian leaders.

"We are going to lose our reserves if we don't come together," he said. "Something has to be done."

Members of the Tsuu T'ina, Peigan, Stoney and Siksika reserves attended the protest. All of the speakers called for Native unity to stop the proposed federal land law, and asked protesters to sign the petition that was circulated.

"Our land is being taken away from us," said Vicki

Crowchild, rally organizer and member of the Tsuu T'ina Nation. "Today we stand together, otherwise we are going to be faced with termination."

Supporters of the proposed legislation, drafted by a B.C. group called the West Bank First Nations, say the act will expand treaty rights because it gives Natives authority over their land. They argue that the act would allow Natives to manage land themselves, without having to go through the Department of Indian Affairs.

Potts, who comes from Hobbema, north of Calgary, said, "I really feel we will lose our land if this legislation passes, just like in the United States." She was referring to similar land charter legislation in the U.S., which led to homelessness for many Aboriginal groups because they mismanaged funds. When the time came to repay loans taken out on mortgaged reservations, their lands were simply taken away.



Amanda Heyman

Members of four bands came together in Calgary on Earth Day to protest the government's proposed Chartered Land Act.

Government's view overly optimistic

WINNIPEG

The Assembly of Manitoba Chiefs has denounced an information package released by the Department of Indian and Northern Affairs.

The department's Demographic Improvements in Reserve Life is full of incorrect information, said assembly Grand Chief Phil Fontaine.

"The package presents a disfigured view of life on reserves and urban ghettos in Canada and Manitoba," he said. "This is a classic case of statistical manipulation by a federal cabinet minister trying to justify the existence of a redundant bureaucracy."

"This is a classic case of statistical manipulation by a federal cabinet minister trying to justify the existence of a redundant bureaucracy."

- Phil Fontaine, Grand Chief, Assembly of Manitoba Chiefs

The document, which was released last February, outlines several ways in which "substantial progress has been achieved in living conditions on Canadian Indian reserves over the past several years."

The most glaring example of Indian Affairs deception, Fontaine said, were the figures on suicide rates.

The release reports suicide rates for status Indians fell from 43 to 34.6 per 100,000 between 1982 and 1986.

"Suicide by First Nations people are consistently six times the Canadian average and Tom Siddon is telling Canadians the rate has dropped," Fontaine said.

"In Manitoba alone, there were 160 First Nations suicides between 1988 and 1992 and the majority of those were young men and women between the ages of 15 and 24. In a country like Canada, such morbidity is unacceptable."

The purpose of the document, however, was to give Native youth a more positive outlook, said Jane Hagey, Director General of Management, Information and Analysis for Indian Affairs.

"It was to balance the picture," she said. "In part for the public, but in part for Native youth."

If Natives only hear negative reports about reserve life, they are more inclined to adopt a negative view of themselves, Hagey said. And while the numbers are out of date, the report itself must be viewed in a historical context.

"Things are getting better," she said. "They're not as good as anyone around here wants it to be, but it's getting better."

The assembly was also concerned that housing figures reported by Indian Affairs were overly optimistic. AMC figures show a 2,000 housing backlog in Manitoba alone.

The chiefs also quoted a 1992 report by MP Larry Schneider, head of Parliament's Standing Committee on Aboriginal Affairs, which show housing funds remain at 1983 levels. The report also said that of the 70,000 houses on reserves, only half are adequate and suitable for living in and almost one-third of them are without clean water or sewage disposal.

Indian Affairs reported, however, that more than 3,000 new homes were being built every year and that 4,000 existing homes were being renovated "as quickly as possible."

"I feel confident with the numbers," said Hagey. "Certainly there is a gap between Indians on reserves and the general population. But we're trying to look at the big picture."

NWT

Continued from Page 1.

That control could include the sale of land and management of renewable resources like timber without consultation from Native groups, Erasmus said.

"This is a colonial situation and we are opposed to it," he said. "This is another step in the move to provide power to the territories without consent of our people. We will not surrender our lands or rights."

But the act is only a system of registration, said Ross Reid, MP for St. John's East and Parliamentary Secretary to the Minister of Indian Affairs and Northern De-

velopment. It does not grant any power to administer land.

"This transfer will have no effect on land claims," he said. "What we are merely doing is ensuring there is a system in place for the registration of title and other interests, such as easements."

The new act would prohibit the registration of caveats against unpatented Crown land, he said.

Northern Natives are concerned, however, that the caveat restriction would prevent them from halting land registrations that infringe on Indian territory, Erasmus said.

They are fuming over what Erasmus called a lack of consultation.

"Our rights are recognized and affirmed in court cases like Sparrow," he said.

"We were not involved in negotiations, we were not involved as witnesses when it was passed in the north."

The NWT government had consulted with the Inuit, Dene and Metis twice by letter, said Reid.

Miles Pepper, assistant to the deputy minister of Justice in the NWT, also said that northern Natives were consulted about the bill "a number of years ago."

Canada not fulfilling constitutional promises

By D.B. Smith
Windspeaker Staff Writer

GARDEN HILL, Man.

Canada is not fulfilling its part of the 1982 constitutional patriation bargain with the Crown where Natives are concerned, a British lord said.

Ottawa has reneged on issues such as self-government and treaty rights, said Lord Michael Morris of the British House of Lords.

"I'm very concerned that our understanding in 1982, in regards to changes in the Canada Bill, is not being implemented with a will that we were assured of at the time," he said.

Morris was in Manitoba for four days last month at the request of the Assembly of Manitoba Chiefs, assembly spokesperson Bruce Spence said. The chiefs brought the 17-year veteran of the British House of Parliament to Manitoba to examine child welfare, social conditions, self-government, justice and land entitlements in the First Nations.

Canada's patriation was contingent upon the protection of inherent Native rights, said assembly Grand Chief Phil Fontaine. He hopes Morris will present an

"Eleven years have gone by," said Fontaine. "It is clear that every promise made by Canada to Great Britain has been shattered."

During negotiations in the early 1980s, Morris was one of two members of Britain's House of Lords who visited Native communities in Manitoba. He later recommended to the British government that Canada honor 19th century treaties between Queen Victoria and the First Nations as a condition of constitutional patriation.

Aboriginal rights were embodied in the 1982 Constitution in Sections 25, 35 and 37. Section 25 was designed to protect Aboriginal rights from any adverse effects resulting from the Canadian Charter.

Section 35 constitutionally guaranteed Aboriginal and treaty rights of Indians.

Morris' visit to the community of Garden Hill April 30 to hear presentations by Elders, chiefs and band members about Native life in Canada was only one of a series of face-to-face meetings with First Nations people.

Peguis Chief Louis Stevenson issued a warning to Morris during meetings in Winnipeg. Stevenson said Aboriginal peoples would "rise up" unless their situations changed soon. Gull Bay Chief Oliver Poile told Morris at an earlier meeting in Thunder Bay the British government has an obligation to take some responsibility for the agreements outlined in the Constitution.

Morris expects his final report to have little impact on either the Canadian or British governments.

Any positive changes to the Third World living conditions faced by many Canadian Natives will be the result of pressure from the "jury of public opinion," he said.

Although he would not comment on his conclusions from the tour, Morris did say he was pleased with the growth in awareness of Native issues in Canada.

"I've seen considerable changes since 1981, prior to the Canada Bill," Morris said. "The First Nations have become more organized since 1981. For so many people, if you don't know about the problem, it doesn't exist. There has been an immense increase in the coverage of Native issues."

Our Opinion

Tory push of C-103 may be a threat to Northern Natives

It may be spring time in Ottawa but it's definitely fall for the Natives in the north.

As flowers push their way up through the soil in Parliament Hill gardens, the federal Tories are busy pushing a piece of questionable legislation through the House of Commons and Aboriginals are losing out in a big way.

Bill C-103, the Land Titles Repeal Bill, is currently on the list for third and final reading in the House. This bill basically proposes to undo the existing federal Land Titles Act, which the territories are currently administering on Ottawa's behalf. The act provides a legal and administrative framework under which all land owners in the NWT and Yukon may register their interests in land. Applications are examined and scrutinized for outstanding interests and accuracy, and then recorded. Very simple.

Bill C-103 proposes to repeal the federal act, thus allowing the territories to bring in their own legislation. Any territorial act would do much the same as the federal act did, but it's not that simple; C-103 has some other unnerving aspects.

For one, the bill proposes to give the territories power that should only be reserved for the provinces. As many northern Native leaders have pointed out, that sets a dangerous precedent for further "devolution" of federal powers.

Secondly, there is a clause in the bill that prohibits caveats from being registered against unpatented Crown land. That means bands would not be able to put a stop order on court proceedings should they disagree with a land claim dispute.

But the most disturbing aspect of C-103 has been the bill's stealthy passage through the House of Commons. Both the federal and territorial governments have said that Natives in the North were alerted to the bill and had plenty of time to be consulted. Ross Reid, Parliamentary Secretary to Indian Affairs Minister Tom Siddon, said Native groups were consulted by letter on two occasions. An NWT government spokesman wasn't sure exactly when those letters were sent, but he thought it might have been sometime in 1988.

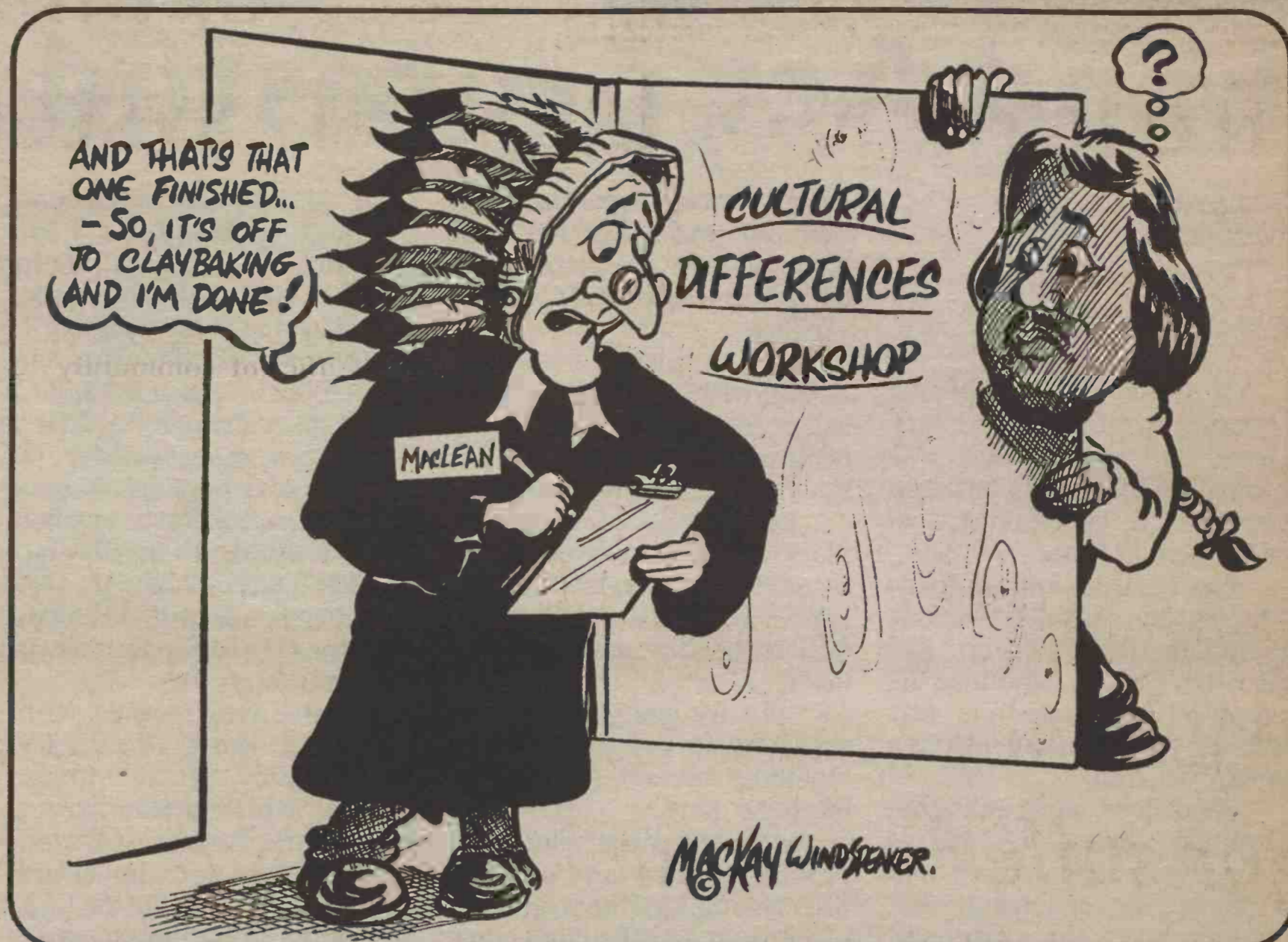
Dene Nations Chief Bill Erasmus said the first time he heard about the bill was through an Indian Affairs press release in December 1992. Needless to say, that didn't leave much time for consultation.

And when Native and federal officials finally got together to talk about protecting Aboriginal and treaty rights in the new act, no agreement could be reached. A non-derogation clause submitted by the Tungavik Federation of Nunavut was voted down by a standing committee whose members were mostly Tory MPs.

The Conservatives later submitted their own non-derogation clause, but northern Natives turned it down because it was not comprehensive enough. In actual fact, there was not that much difference between the two, certainly not enough to require the Tory veto. As a result, many northern Natives have taken the position that the government didn't want the protective clause in the bill. There's little evidence to suggest otherwise.

But protective clauses, standing committee votes and constant, aggressive lobbying by Native leaders cannot address the real problem. The Canadian government has no understanding of nor concern for Native issues. And while some hope lies in the Canadian population's newly-found awareness of Native issues, Ottawa still consistently sets the limits of public pressure by limiting what the public knows.

And the relatively silent passage of Bill C-103 indicates that Natives will continue to be at a disadvantage as long as Ottawa has no interest in dealing honestly with our people beyond the realm of the jury of public opinion.



Cultural evolution a must for survival

Social evolution is inevitable in any group of people. We adapt to the changes around us without being consciously aware of the adaptations. The social evolution that has occurred in the last 500 years was not necessarily by choice for our Native people. We have been forced to adapt to foreign standards that have been detrimental to the cultural base that was in existence. That doesn't mean that as individuals we must adopt the "white" mind style.

In response to Michael Kanenta's letter to the editor, I say, it is my opinion that as Native individuals we maintain freedom of choice, lifestyle, mind style and the right to choose our mates from any cultural denomination. Perhaps we should encourage Natives to marry Natives, but marriage is a matter of chemistry, not color.

Much has changed over the generations and many of these changes were beyond our control. In terms of "culture", there have been modifications that were necessary to survive in the new environment created by the newcomers. Although modified, much of that culture is reborn in this seventh generation.

In general, the revolutions that Canada has faced mani-



**MARLENA
DOLAN**

festated alternate lifestyles that affected the entire population, whether they be Native or otherwise. The agricultural revolution brought advancement to feeding the people, the industrial revolution produced machinery and manufactured items that eased everyday life, the technological revolution gave us technology. I suspect there aren't too many farmers that are willing to sell the tractor and use the horse-drawn plough, or too many manufacturers that will go back to assembling with manual, time-consuming labor. And sorry, I'm not about to give up my computer for a typewriter.

Michael, times have changed and the population has adapted to the changes. We cannot physically go back in time to change the wrongs done to us, so we endure and better plan our futures. The alterations that the Native people are making in their lives to compensate for the past will take us through

this generation for a more compatible relationship with the other people of Canada.

We can survive as Native people, as our Nativeness is inside and we can retain our culture as individuals and still live within Canadian society. It's a little unrealistic to think you could maintain a culture that existed hundreds of years ago; all cultures are subject to evolution. Idealistic situations and reality are rarely one.

The Elder's predicted that there would be a resurgence of culture with the seventh generation. We are that generation and we are making changes. The strength to make those changes has survived from the original inhabitants of Canada hundreds of years ago. We have been robbed, killed, raped and exploited but we have maintained an integrity that strengthens our resolve to preserve our culture and our right to live as we feel as individuals and as a nation.

Wind speaker

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Your Opinion

Treatment of Lubicon "systematic exploitation"

Dear Editor,

The Canadian Oblate Justice and Peace Commission, having reviewed the final report of the Lubicon Settlement Commission of Review, is appalled by the findings but applauds the recommendations.

We are compelled to speak out against the systematic exploitation of the Lubicon people by both the federal government and the Alberta government. We cannot stand

by and witness the abuse of human rights currently taking place in this country and remain silent. To destroy a people's way of life for corporate gain is a heinous crime. To then refuse to provide them with the means to rebuild a suitable economy to replace the one that was destroyed is unforgivable. To use the greater power and virtually unlimited resources of government to thwart any attempts to reach a just

settlement, while pretending that honest negotiations are taking place, is an abuse of power and thoroughly dishonest. To reduce a once self-sufficient community to welfare dependence, and to condemn the people to self-destruction through suicide, drug and alcohol abuse and family violence, while at the same time subverting their options by retroactive legislation, and the fast-track creation of new bands around

them (presumably to teach them a lesson) is a betrayal of trust. This has to stop!

The recommendations contained in the Lubicon Settlement Commission's report offer, we believe, the means to a solution with dignity. To this end, we fully endorse all of the commission's recommendations. It would be appropriate at this time for the federal and provincial governments to announce to the public their intentions to immediately implement the

commission's recommendations, and to enter into honest, fair, and public negotiations on a nation-to-nation basis with the Lubicon people.

Only then will Canada be able to raise its head in the international community as a nation committed to upholding human rights and social justice for all people.

*Laurent Desaulniers
President, Canadian Oblate Justice and Peace Commission, Quebec*

Mulroney government responsible for suffering of Lubicon people

An open letter to Prime Minister Brian Mulroney.

Dear Mr. Mulroney,

I am a British citizen, currently visiting Canada for a period of some weeks. I have just received, from friends back home in Britain and from others in Germany, copies of a Canadian government document concerning the Lubicon Lake Indian Nation's land claim. This document was sent out by the Canadian High Commission in London and the Consulate in Dusseldorf.

The document weaves together distortion, omission and outright falsehood into a tangled web of outrageous mendacity.

Among the lies that the document contains is the allegation that the Lubicons are now seeking 10,000 square kilometres of land in addition to a 243-square-kilometre reserve. The figure of 10,000 square kilometres refers, as your government knows, to the area of the Lubicons' ancestral territory. (The Lubicons do not claim Aboriginal title, as the docu-

ment implies, to 65,000 square kilometres). The Lubicons agreed years ago to proposals for a 243-square-kilometre reserve; they simply wish to ensure that their concerns about wildlife management in the remaining 9,757 square kilometres of ancestral territory will be taken into account by the government.

Another of the document's lies is the statement that the United Nations Human Rights Committee took the view that the federal government's January 1989 offer to the Lubicons was fair and reasonable. The committee took the view that the process of negotiation with the government (not the content of the government's derisory offer) was the only hope for the Lubicons because they would never get justice through the Canadian court system.

These outrageous allegations are rendered even more toxic by the omission of substantial matters of fact - for instance, that oil companies operating on unceded Lubicon land, in contravention of international law, have been extract-

ing around \$1 million worth of oil from Lubicon territory every day since 1979; and that not a penny of compensation has been paid to the Lubicon people, whose subsistence economy has been wrecked in the process and who now exhibit the distressing gamut of social pathologies which have become all too familiar in Indian country.

You and your ministers share moral responsibility both for the sufferings of the Lubicon people and for the deliberate lies told to the British and German public by your representatives in Europe.

You should be aware that, although your consciences may have become dulled by the constant exercise of injustice, the interests of your country are being hurt by the reputation which your government is building abroad, a reputation for contempt for Canada's First Peoples and for the pristine wilderness of which they were such exemplary guardians.

Yours sincerely,
Richard Solly

Intact environment essential to culture

Dear Editor,

As all eyes are riveted on Clayquot Sound, the holocaust of unceded Qwa-Ba-Diwa territory in the Carmanah-Walbran continues unabated. Fletcher-Challenge will soon build roads into the Cullite and Logan valleys - the last untouched watersheds on southern Vancouver Island.

The traditional tribal leadership of Qwa-Ba-Diwa has formidable enemies arrayed against it. The Tory and NDP settler governments, multinational logging companies Mac-Blo and Fletcher-Challenge, and the co-opted puppet Native "leadership" have all joined together to destroy the Qwa-Ba-Diwa's bid for sovereignty and freedom.

The undamaged continuity of the environment is essential to the continuity of their culture and identity. Since Native, constitutional and international law recognize that Qwa-Ba-Diwa is beyond their treaty frontier and the jurisdiction of non-Native government and courts, the clear-cutting is ecocidal and genocidal.

It is regrettable that mainstream environmental

organizations have decided to collaborate in the racist fraud of white jurisdiction over unceded territory. Western Canada Wilderness Committee is currently soliciting \$500 donations to adopt and name a Carmanah tree, without the consultation or consent of their guardians since time immemorial. While richly cashing in on the name "Carmanah", nothing is done to support the struggle to obtain justice under existing law. Instead the committee seeks further alienation of Qwa-Ba-Diwa lands into parks under white jurisdiction.

The recent decision by several environmental groups to accept \$700,000 in funding from the U.S./Pew family of Sun Oil, with its well known links to the militant right - including membership in the white-supremacist John Birch Society - does nothing to alleviate the growing disillusionment with an elitist, racist and neo-colonialist environmental establishment.

*Peter Knighton
Speaker, Office of the Qwa-Ba-Diwa
Hereditary Chief*

Baseball's a metaphor for Aboriginal life

Tansi, ahnee and hello. There's a certain amount of difficulty that arises from playing a game of baseball with the enthusiasm of a 20 year old but using a 37-year-old body. You discover it on the field when the flyball you would normally have chased down with grace and dignity skims over your head. Then you notice it the next morning as soon as you try to move.

That's where I'm at this morning as I write this. The various aches, pains, cramps and stiffness keeping me company today are vociferous reminders of yesterday's fun.

I've had an almost 30-year love affair with baseball. There's still the passionate affinity for the game I held at nine but it's tempered these days by a more adult rationalism. I've gone beyond the field of dreams and come to recognize baseball as an almost perfect metaphor for life - Aboriginal life in particular.

It came back to me yesterday while gazing in from my position in centre field. You can think the most glorious thoughts while waiting for the pitch to be thrown

and the swing of the bat. Anyway, it was then that the idea of baseball as a metaphor came back to me.

The Royal Commission on Aboriginal Peoples is wending its way towards Alberta. Soon it will be our turn as Native organizations, agencies and communities to express our sentiments regarding our realities to this vaunted body. They, in turn, will record our presentations and prepare a voluminous report to government sometime within the next three years.

With the death of the national referendum last October and the subsequent turn by certain key national Native organizations away from Aboriginal self-government and towards the nebulous arena of healing, the Royal Commission is the only game in town worth the price of a ticket.

In terms of the metaphor, we're throwing the pitches and they're catching.

Still, there are those out there who bemoan the commission process. There are disparaging voices in our communities who



**Richard
Wagamese**

say that the Royal Commission is a hoax and that we've been through this all before. There are those who claim that the process is too selective and that those who really have a valid reason to express their concerns are being denied that opportunity because the commission is operating under the "by invitation only" method.

More voices say that three years is too long to wait. That what our communities need is action and action now rather than the going-through-the-motions routine of the Royal Commission. A cacophony of voices with the echoes of their futile referendum "yes" vote ringing in their heads.

These are the hecklers in the stands. The ones who miss the

fine points in the game because they're too busy making a mockery of the players.

Perhaps there is a certain truth to what they say. Certainly, Canada's aboriginal peoples have been the object of a wealth of high-priced scrutiny in the past and the present state of action from our national representatives is more comatose than frenetic. After the whirl of activity of the last decade this lull might seem deafening.

In terms of the metaphor however, I choose to believe that this is just the seventh inning stretch.

Maybe baseball is the perfect metaphor for Aboriginal life. Because in terms of current political motions we need to

remember a very basic game-winning premise. If you're always swinging for the fences you sometimes miss the opportunity to just get on base. In baseball and in life it's singles that win ball games more than grand slam home runs.

Right now, the Royal Commission is the only game in town. Sometimes you have to give up heckling when you're perturbed about the action, pick up a mitt and get in the game.

I won't be part of the presentations to this commission but I will be talking to those who are and expressing my concerns about certain aggressive realities. I will choose to believe that these representatives will include my disenchantment in their reports and that they will be acted upon. And I will attend hearings when they arrive.

The aches and pains I feel this morning aren't the greatest things to endure. It's unpleasant to groan with each and every motion. But underneath all that is a glimmering of satisfaction despite the agony. Because at least, I was in the game

Until next time, Meegwetch.

Indian Country

Community Events

IF YOU WOULD LIKE TO INCLUDE YOUR EVENTS IN THIS CALENDAR FOR THE MAY 24TH ISSUE, PLEASE CALL ETHEL BEFORE NOON WEDNESDAY, MAY 12TH AT 1-800-661-5469, FAX (403) 455-7639 OR WRITE TO: 15001-112 AVENUE, EDMONTON, AB., T5M 2V6

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STEW & BANNOCK (Thursday)

Noon to 1 pm

CNFC, Edmonton, Alberta

FIRST NATIONS LAND CLAIMS OPEN HOUSES

Pembroke, Ontario — May 13, 1993

Huntsville, Ontario — May 19, 1993

Bancroft, Ontario — June 2, 1993

Ottawa, Ontario — June 3, 1993

3RD ANNUAL NATIVE ADULT EDUCATION CONFERENCE

May 12 - 14, 1993

Lethbridge, Alberta

NATIONAL NATIVE LITERACY CONFERENCE

May 12 - 15, 1993

Thunder Bay, Ontario

VISION 2020: SELF-DETERMINATION IN NATIVE EDUCATION

May 13 - 15, 1993

North Bay, Ontario

"IN HONOUR OF OUR ELDERS" GATHERING

May 13 - 16, 1993

Wiggins Bay Camp, Canoe Narrows, Sask.

ANNUAL OPEN HOUSE DAY

May 16, 1993

Prince of Wales N. Heritage Centre, Yellowknife, NT

NATIONAL YOUTH CONFERENCE

May 19 - 21, 1993

Winnipeg, Manitoba

SENIOR MENS & LADIES N.A.I.G. ALTA VOLLEYBALL CHAMPIONSHIPS

May 21 - 23, 1993

Saddle Lake, Alberta

AUDREY BAKEWELL POWER SKATING SCHOOL

May 21 - 24, 1993

Edmonton, Alberta

YEAR OF INDIGENOUS PEOPLES POWWOW CELEBRATION

May 29 & 30, 1993

Saskatoon, Saskatchewan

AB TREATY WAR VETERANS SOCIETY MEETING

May 29 - 31, 1993

Forum Inn, Edmonton, Alberta

3RD ANNUAL ABORIGINAL GOLF TOURNAMENT

June 12 & 13, 1993

Pelican Golf & Country Club, Ft. Smith, NT

ALEXANDER FIRST NATIONS TRADITIONAL POWWOW

June 18 - 20, 1993

Alexander, Alberta

JUSTICE & NORTHERN FAMILIES: 6TH ANNUAL NORTHERN CONFERENCE OF N. JUSTICE SOCIETY

June 19 - 23, 1993

Kenora, Ontario

THE VOICE OF THE LAND IS IN OUR LANGUAGE, NAT'L STNTNS ELDERS/LANGUAGE GATHERING

June 21 - 25, 1993

West Bay First Nations, Manitoulin Island, Ontario

2ND ANNUAL GRAND CELEBRATION POWWOW

June 24 - 27, 1993

Hinckley, Minnesota

POUNDMAKER/NECHI ANNUAL POWWOW

July 2 - 4, 1993

St. Albert, Alberta

Oki! Tansi! Ah Neen! Kwe Kwe! Are you one of those kind of Natives who live only in the present? Sometimes when you are in a crowd of people and a major issue comes up about Native people, everybody stops and looks at you. Then, people start to ask you questions that you've never really thought of before. I find Aboriginal people like myself live only for the present, the future is looked upon as when the powwow season is on. You know, which powwow are we going to next... The past is used to teach the youth the experiences and knowledge that we learned through the trials of life. I find that when I start to look into the future, I start to worry for no reason. Headaches and wrinkles and gray hair start to appear. Next time, when you start to worry about next week or next month, stop thinking, let it come when it may!

Heroes of our time

Ottawa, Ontario - The Assembly of First Nations is honoring some of the prominent Natives of yesterday for post-secondary students. There are seven of them. I will introduce to you to three of them this time. Tom Longboat, an Ononadaga from the Six Nations reserve, was the greatest long distance runner in Canada and the world. In 1906, he was discovered by a veteran runner and from that time on, he ran until he retired in 1931. This award is for any First Nations student who excels in the field of athletics. Tommy Prince from the Brokenhead Band in Manitoba received the highest military decorations for bravery, the Silver Star and the Military Medal. Tommy was an army spotter in the Second World War and brought down heavy artillery fire on the enemy at the risk of his life. He wore the mantle of his grandfather, Peguis, the famous Saulteaux chief. This award is for any First Nations student who has excelled in Native studies. James Gosnell, "the father of Aboriginal title," was a hereditary chief of the Eagle Clan of the Nisga'a in British Columbia. He was a commercial fisherman before he decided to get into the political field. He brought the Nisga'a land claim up to the Supreme Court. He helped make legal history important to all First Nations. He has been an advocate of Aboriginal title and rights. This award is for any First Nations student in the field of law. These three Aboriginal men have made an impact on First Nations everywhere. It would be an honor and an incentive for any student going to college or university to win these awards.

Pride in poetic form

This poem is called *Pride* from Troy Pernell Adams.

The sun paints the eastern sky a bright crimson, as we are rudely woken from our sleep.

It is then and only then that we realize we are trapped within these four cold walls.

Red brothers and sisters oppressed by technology and misunderstanding from the race of Anglo.

Gone is our language, knowledge, our hope and most of all so is our freedom.

It is sad to see brave warriors and beautiful maidens, trapped.

Technology has given us drink to cloud our thought, a snake with one fang to poison our blood and smoke to confuse our minds.

We are exposed to a cruel world where nothing is sacred, nothing is pure, the ways of our ancestors fading.

Technology has taught us to take everything for granted, worship the



PEOPLE & PLACES

by Ethel Winnipeg

almighty dollar and be a slave to time.

Long before, we roamed these lands in harmony with nature and the Great Spirit.

We now live in a land that is ours but yet we are a foreign forgotten race.

We have retained the most important aspect, one that will never be taken.

We look at our heritage, our ancestors and each of us prays in our own way because we are proud.

Pride was given to us by our forefathers because of the blood they shed and the tears they cried.

We exist on pride, our heads held high, undaunted by neither technology nor the Anglo race.

Shine on Radio

Edmonton - An old friend of *Windspeaker* 'dropped in' not too long ago. He told me of this year-long program from CBC Radio. This program is geared for three students only! Or if you have a knack for radio and you have finished high school at least. The deadline for applications is May 15, 1993.

This program will expose students to all aspects of radio: research, writing, reporting, program building and tape editing. One thing I do have to tell you is that two will be stationed in Edmonton and the other in Cowtown (Calgary). This program goes through four metamorphical stages or phases,

something like a caterpillar going through its stages, then in the end turning into a beautiful butterfly. First phase is getting to know the basics of radio, introductions and getting the feel of the workplace. Second phase, you will go into your cocoon and start to change. You will be given more work to do on your own, learning everything from production to assignments. Maybe once in a while you will be able to do your own broadcasting. Ho! Third phase, you will be working mostly on your own, given assignments, doing your own original assignments. During this phase you will be given an evaluation from the Director of Radio; it's more or less like a probation period when you first get a job. The last phase is doing the job that most radio personnel do, but you have the training for every aspect of radio by now. You will be a butterfly just coming out of the cocoon. With all this training, I hope this doesn't turn you into a moth!

Good Luck Cowboy!

This cowboy was 'just wondering' if he could put in this good luck wish for his dad (I hope). Here goes... To Mr. Henry Brereton of Saddle Lake, Alberta: Good luck on your Horsepulls at the Calgary Stampede, Red Deer Western Days, and Klondike Days in Edmonton. From the little buck, Henry Brereton Jr. of Saddle Lake.



Introducing you to three new Constables: Alma Schram (c), Darren Giroux (l) and Adam Morrison (r) all graduated into full service March 23 after nine rigorous months of police training. Born in Fort Smith in the Northwest Territories, Schram graduated from grade 12 before taking special constable basic training with the RCMP. Giroux, a Cree from Edmonton. Also a grade 12 graduate, Giroux obtained a Law Enforcement Diploma from Grant MacEwan Community College. Morrison, who hails from Dawson Creek, B.C., obtained his grade 12 diploma before coming to Edmonton. He studied Education at the University of Alberta for three years, where he was also played for the Golden Bears.

News

Aboriginal languages in peril - commissioner

By D.B. Smith
Windspeaker Staff Writer

EDMONTON

Victor Goldbloom knows that guarding Native languages is beyond his mandate. Or even his control.

But Canada's Commissioner of Official Languages believes he must at least make an attempt to recognize the importance of such rich cultural treasures or risk losing them forever.

"I don't have a mandate to do it," said Goldbloom during a visit to Edmonton. "My mandate refers only to English and French. I am, strictly speaking, stepping beyond the bounds of my mandate in talking about Aboriginal languages. But if I limit myself to the strict definition, I would be making less of a contribution and missing an opportunity."

As language commissioner, Goldbloom has worked for the past 21 months promoting the country's two official languages

by ensuring that all Canadians can access government services in either English or French.

But he's also concerned that Native languages in Canada are in peril because not enough is being done to preserve them. Of the 53 Aboriginal dialects currently identified as living languages, as many as 50 are in danger of disappearing within one or two decades, Goldbloom said.

Part of the problem lies in the fact that only the older members in some Native communities speak their respective languages.

"If only the older members of a community retain fluency, and they die out before measures are taken to teach the language, the language will disappear."

It is therefore urgent, he said, to begin recognizing the importance of Native languages now, while the speakers are still alive to pass on their heritage.

"Recognizing and preserving Aboriginal languages is an urgent necessity. Inuit is strong enough to survive. Cree is widely

spoken and does not appear to be in danger. Ojibway is wide-spread also. But we should still make some effort, as a society, to show respect to our Aboriginal brothers and sisters. I'd like to see these languages get heritage status."

Attaining heritage status won't, however, be an easy thing. Goldbloom knows that achieving "official" status is out of the question because there is no possibility that the federal government will serve Canadians in an additional 53 languages.

"We have to make a distinction when using "official" - it is a pitfall," he said. "French and English are official, and by using them, we can reach 96 per cent of the population. All Aboriginal languages put together cannot reach a high proportion of Canadians. So we need to recognize Aboriginal languages as part of our heritage for much longer than French and English. They need to be special heritage languages of Canada."

Shortly after his election to the commissioner's seat by Par-

liament and the Senate, Goldbloom wrote to Prime Minister Brian Mulroney, urging the PM to take immediate action in preserving Native languages.

"But realistically, we won't get 20.5 million Canadians to speak an Aboriginal language. The term 'heritage languages' is used in another context. Aboriginal languages are not of identical status with Ukrainian or Chinese. They deserve special heritage status."

Goldbloom said his motivation in all of this lies in his respect and a sense of responsibility for Native culture.

"It seems to me that we do not do a good job of teaching the history of this country. When Jacques Cartier set foot in Gaspé in 1534, the only languages being spoken were Aboriginal languages. And that gives them a different status from any other language. It seems to me to be time, urgently time, to show our support to these people who came before."

The bottom line in preserv-

ing Native languages, however, is money. The federal government currently funds Native language education through the Department of Indian Affairs and Northern Development. In 1992/93, DIAND reported spending a total of more than \$636 million dollars on Native elementary, secondary, and post-secondary education. Projected forecasts for 1993/94 put that figure up over \$676 million.

But money is not enough, said Goldbloom.

"People will die and languages may disappear. The time factor must be taken into account. Preservation won't happen because of good will or pride. Preservation is not sufficient in itself. The creation of an institution would be no more than a repository where languages would be preserved. We need a broadly based resource for teaching languages. Human and financial resources are needed. That's asking for a fair amount but if we don't make a start, we'll be too late."

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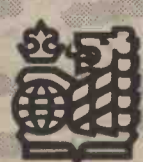
Through university and college educational awards and summer employment programs, we continue to reach out to young Native Canadians who are interested in a banking career. We will provide the training and skills development programs that will enable them to move into management positions.

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Band angling to reopen casino

REGINA

Conflict between Aboriginals and Saskatchewan government officials over on-reserve gambling appears to be on the decline.

White Bear band officials have suggested a joint casino venture with the Carlyle Exhibition Association while the matter of gambling jurisdiction is decided in the courts. Carlyle is the closest community to the White Bear Reserve, located 200 kilometres southeast of Regina.

The band ran its own casino on the reserve for nearly three weeks in March before RCMP raided the facility, confiscating 115 video lottery terminals, slot machines, blackjack tables and \$100,000 in profits. Three band members, including Chief Bernard Shepherd, were charged with keeping a common gaming house.

The band's proposal to run a casino in conjunction with the local exhibition association is designed to allow the Bear Claw Casino to reopen while still operating within existing provincial legislation.

The province will consider the deal as long as it follows government gaming policies, said Provincial Gaming Commission Minister Eldon Lautermilch.

The latest agreement between the band and the province comes after weeks of talks between provincial officials and Saskatchewan Federation of Indian Nation's representatives.

Provincial officials had earlier refused to talk with any White Bear Band representatives. But federation head Roland Crowe insisted any talks would have to include band members.

Just call me Indian, baffled writer pleads

OPINION

By Drew Hayden Taylor
Windspeaker Contributor

SIX NATIONS RESERVE, Ont.

The other day, I, a reasonably well-educated man of the ever-more-complex nineties, made a tremendous political and social faux pas: I referred to myself and other people of my ethnic background as "Indians."

Oh, the shame of it. You could hear the gaspecho across the room.

It was done, I assure you, with the most innocent intention, but nevertheless, I was soon castigated by both my brethren and, in my humble opinion, the overly politically sensitive members of other cultural groups. And the white people.

Needless to say, in these politically correct times, I was inundated by these same people with criticisms about the use of such an outdated term. "We're/You're no longer called Indians!" I was told over and over again.

Well, I'm evidently severely mistaken in having responded to that term for the past 29 years. No doubt an oversight on my part, and that of my entire family and reserve, not to mention the vast majority of the country.

While we were growing up we were all proud to be "Indians." The word had a certain power to it that set us aside from the white kids. (Or should I say children of accidental descent?)

Somehow the cry of "Proud to be Indigenous Population" just doesn't have the same ring.

Or picture this: You arrive thirsty in some new town, and you ask the first 'skin you see, "Yo, neeches, where's the nearest First Nations Bar?" Sorry - just doesn't work for me.

I guess at 29 I'm out of date. Oh, I understand the reasoning behind the hubbub. Columbus, as a member of the European Caucasian nation, thought he found India and so on.

That's cool, but there's also another school of thought that says Columbus was so impressed by the generosity and genuine nature of the Native population of the

... there's also another school of thought that says Columbus was so impressed by the generosity and genuine nature of the Native population of the Caribbean that he wrote back to Spain saying these people were "of the body of God" - or, in Spanish, "corpus in deo." In deo equals Indian. A pretty thin link, but who knows? I know some Indians with God-given bodies.

But a person in my position doesn't have time to defend himself with theoretical history. Since my faux pas, I've been too busy handling the deluge of politically correct terms I am permitted and urged to use.

It must be obvious to most people that in the past few years, Native people in Canada have gone through an enormous political metamorphosis, similar to that of people of African descent. Years ago they used to be called nigger, then Negro, then colored, then black and finally, today I believe the correct term is African-American or African-Canadian.

That's nothing compared to the selection of names and categories available to the original inhabitants of this country. And these names or classifications have nothing to do with any tribal affiliations - they're just generic names used to describe us "Indians."

Grab some aspirin and let me give you some examples.

We'll start with the basics: status, nonstatus, Metis. So far, painless. I guess next would come the already mentioned Indian, followed by Native, Aboriginal, Indigenous and First Nations. Pay attention, there's going to be a test afterward. From there we can go to "on-reserve" "off-reserve," urban, treaty.

Got a headache yet? How about the enfranchised Indians, the Bill C-31 or reinstated people, the traditional Indians, the assimilated Indian? I'm not finished yet.

There are the wannabes (the white variety), the apples (the red variety), the half-breeds, mixed bloods and, of course, the ever-popular full bloods.


My personal favorites are what I call the Descartes Indians: "I think Indian, therefore I am Indian."

Get the picture? Right - there are a couple of dozen separate names for our people. Where does it all stop? I want to know just who keeps changing the rules.

Even I get confused sometimes. That's why I usually use the term Indian. I'm just too busy or too lazy to find out which way the political wind is blowing, or to delve deeply into the cultural/governmental background of whomever I'm talking or writing about. By the time I go through all the categories, I've missed my deadline. Then I become an unemployed Indian.

But I know what you're thinking. Why should I listen to this guy? What the hell does he know? He's probably just some status, off-reserve, urban, Native, Aboriginal, treaty, half-breed Indian. Well, this week, anyway.

Supports For Independence




A message from Mike Cardinal

I recently announced my three year plan for welfare reform in Alberta. These reforms will help Supports for Independence (SFI) clients to get work or to be better prepared for the job market.

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If you want more information about these changes, please call 427-4801. For toll-free access outside the Edmonton dialing area, consult your local telephone directory under Government of Alberta for the listing of the RITE operator and ask for 427-4801.

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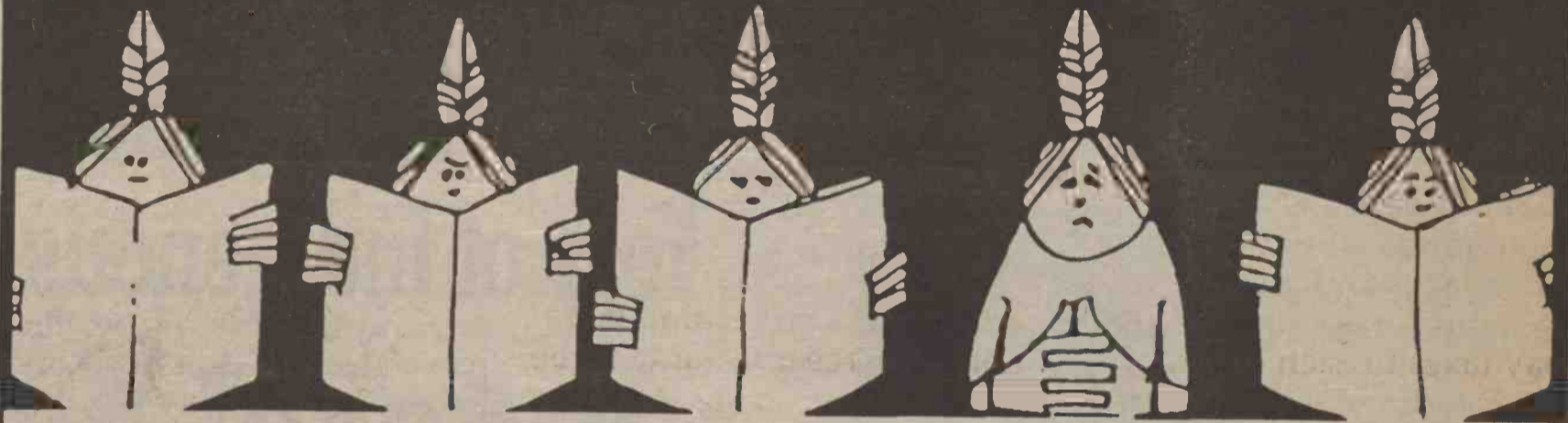
Honorable Mike Cardinal
Minister of Family and Social Services

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FORWARD ENTRY TO: WINDSPEAKER CONTEST 15001-112 AVENUE, EDMONTON, ALBERTA, T5M 2V6

Contest is open to all readers of Windspeaker (except staff and their families of AMMSA and Windspeaker). You may enter as often as you wish, you may photocopy or draw multiple entries, but no facsimiles will be accepted. Winners will be selected from completed and correct entries received at Windspeaker's offices by the contest closing date June 14, 1993. Prizes must be accepted as awarded. The decision of the contest committee will be final.

Windspeaker

May 10, 1993

Regional Section

Volume 11 No. 4

Have an interesting story that affects your community? Send us a letter c/o Dina O'Meara, regional editor.

Taxation, Land Act protested at Earth Day rally

By Janice Duncan
Windspeaker Contributor

TORONTO

More than 250 people gathered at the offices of the Ontario provincial government on Earth Day to fight for treaty and aboriginal rights.

The protest, organized by Toronto's Native Canadian Centre and attended by different Native organizations focussed on First Nations right not to be taxed by the Canadian Government, on or off reserves.

"Our relationship with the government is defined," said Richard Kahgee, chief of the Chippewas of Saugeen, who attended the rally. "We are two sovereign nations that don't pay taxes to each other."

Shouting "no Tax" demonstrators rallied outside Queen's Park for hours, with groups drumming, singing and carrying placards. Later in the day speeches were made from the steps of the government building.

"Mother Earth Day for us is everyday," Cliff Summers, executive director of Toronto's Aboriginal Legal Services told the crowd. "This is how we define who we are as a people - through our connection to the earth."

People attending the dem-

onstration were concerned with three basic issues: taxation on and off the reserve, privatisation of reserve land, and the transfer of First Nations issues from federal to provincial jurisdiction.

Status Indians in Ontario are not required to pay PST or GST now but that depends on the willingness of retailers to honor status cards, said Trish Roman, spokeswoman for the Native Canadian Centre.

"People have always resented the fact we don't pay taxes. But they don't realize it was agreed upon a long time ago that it would be that way," Roman said.

Alan Redway, vice-chair of the House Committee on Aboriginal Affairs in Ottawa, said there is no recommendations for reserve land to be privatized.

"There was a study with respect to housing," said Redway in an interview. "There are difficulties on reserves in financing construction of homes and we recommended the whole system of financing be studied but there was no recommendation about privatisation. We want to make it possible for people on reserves to obtain mortgages to fund the construction."

And the concern about transfer of power to the pro-



Crowds rallied during Earth Day celebrations in Toronto to protest issues infringing on Aboriginal treaty rights.

vincial government stems from the recent confrontations in New Brunswick when that government tried to tax status Indians off reserve, a decision which was later revoked.

"They want to make the Native people the responsibility of the province instead of the federal government," said Roman. "As long as the

federal government is in control, it's universal, but if it's provincial...that's the direction they're moving in and they're going ahead on this without feedback from the Native people."

Redway said there has been government efforts to talk to Native organizations on the subject of taxation, but he is not aware of any bill, act

or proposal in front of the government right now concerning the taxation issue.

Maureen Bulbrook of Hamilton attended the afternoon demonstration to protect her rights.

"In our treaties they've stated the Native people are not to pay taxes," she said. "Why should we give up something that is our right?"

Court upholds treaty rights to fish commercially

By Dina O'Meara
Windspeaker Staff Writer

SOUTHAMPTON, Ont.

A landmark ruling in the Ontario provincial courts has ratified Native rights to fish for trade and commerce.

On April 26 in Toronto, Judge David Fairgrieve exonerated two Nawash Chippewa fishermen from charges laid in 1989 of selling fish over their licensed quota. In his decision, Fairgrieve upheld Aboriginal treaty rights to fish commercially, acknowledging Native history of trade and barter.

Fairgrieve also ruled unconstitutional a ban imposed by the Ontario Ministry of Natural Resources on the sale of fish caught by Nawash and Saugeen fishermen. The 1992 ban is in breach of Native treaty rights, Fairgrieve declared.

"This is recognition by the province of a long-standing

agreement that has been ignored too long. The decision also sets a precedent for other First Nations," said a jubilant Saugeen Chief Richard Kahgee.

With the recent judgment upholding Aboriginal treaty rights to fish for commerce, Saugeen First Nations negotiators anticipate the ministry will lift the ban and negotiations can continue between the two camps.

"This represents an opportunity to get involved in a community action that has been denied to our people for centuries," said Kahgee. "We will interpret (the judgment) and work through the process with existing users, that is, Native fishers, commercial fisheries and sports fisheries."

The first step in the process is to assess community needs and priority allocation of fishing rights, Kahgee said. This will be achieved by working with marine biologists and other environmental scien-

tists, as well as working with neighboring communities.

Opposition groups

But the bands face stiff opposition from powerful lobby groups in the province. The Ontario Federation of Anglers and Hunters has followed a strong campaign against recognition of Native hunting and fishing rights, both through their federation newsletter and in media releases. Other opposition groups include tourism operations and commercial fisheries lobbies. As these groups generate large revenues and spin-off service industries in Ontario, they wield an economic clout the Native community lacks, said Kahgee.

"It causes me concern as chief where third party intentions have much influence on provincial policies," said Kahgee.

Fairgrieve agreed. In his decision, the judge wrote "Scrutiny of the government's conservation plan discloses

that anglers and non-Native commercial fishermen have in fact been favored, and that the allocation of quotas to the Chippewas of Nawash, much less the Saugeen Ojibway as a whole, did not reflect any recognition of their constitutional entitlement to priority over other competing user groups."

The judgment reiterating Native rights puts bands one step closer to self government and co-management agreements with provincial governments, said a Nawash fisher.

"The ball is in our court now," said an optimistic Chief Ralph Akiwenzie. "A lot of our rights are being eroded. Through this legal experience, we have learned a lot and it has empowered us," he said.

Restrictive fishing with "totally inadequate" quotas imposed by the government were attacking the band's identity and culture, Akiwenzie said.

Quota arbitrary

The ban was just one

more act in the government's relentless incursion of Ojibway rights since the 1800's, said band lawyer Peggy Blair. In 1960 fishing quotas were imposed, restricting Native harvest while encouraging sport fishing. By 1984, the Nawash band was limited to harvesting 4,500 kilograms of fish, a total approximate income of approximately \$20,000 for 15 fishing families. The quota represented a severe cut from the 18,000 to 27,000 kg previously harvested. The Saugeen band had never been granted a commercial fishing licence.

Fairgrieve commented that the 1984 quota was arbitrarily and politically motivated, being made without any biological basis. The establishment of sports fisheries in the area, breeding and releasing hybrid trout, appeared to influence the ministry's decision to limit Native fishing, the judge added.

See related story, Page R2.

Central Canada

Judgement on fishing not affecting ban

By Dina O'Meara
Windspeaker Staff Writer

TOBERMORY, Ont.

Fish merchants in the Cape Croker area aren't convinced a court decision upholding Native fishing rights is enough to ignore a ban on selling Aboriginal catch.

The April 26 decision ruled a provincial government ban on selling fish caught by Saugeen and Nawash Fishers unconstitutional.

But the Ontario Ministry of Natural Resources has yet to respond to the lower court ruling and fish sellers are uncertain how to proceed.

"(The ministry) has our hands tied," said fish monger Wayne Raney. The Tobermory shopkeeper is waiting for word from the Ministry of Natural Resources lifting the ban before resuming business with Saugeen and Nawash fishermen.

Raney was among area fish merchants obeying a government ban on selling trout caught by the Ojibway bands.

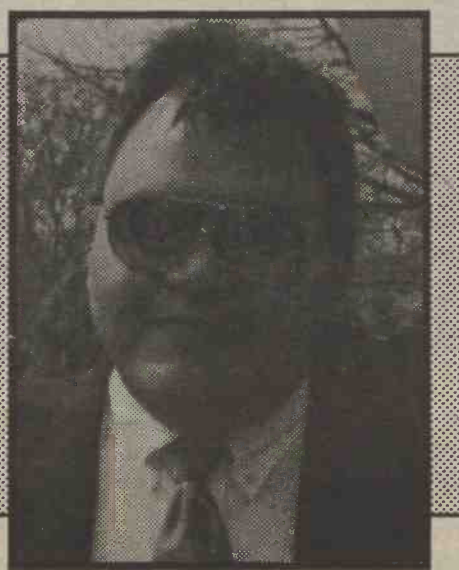
Official word

Each merchant received a personal letter last year from the ministry informing them of the ban.

And until he gets official word lifting the ban, Raney

"We have recognized rights. We're prepared to advise (fish sellers) they're quite within the law to purchase our fish and sell it."

- Saugeen Chief Richard Kahgee



won't buy fish from Aboriginal fishers, although he has a good working relationship with many.

"I don't want to go to court. It costs time and money," said Raney. He already had to close shop for a day to appear as a witness in the Toronto court case.

A government representative said in order to sell fish commercially, fishermen must have a commercial licence. And, because of conservation concerns, there are no licences to be had.

Review needed

Rosemary Hnatiuk, spokesperson for Minister Howard Hampton, added the department will be reviewing the decision before taking any steps to lift the ban.

"The government has 30 days to appeal the decision. If it stands, interpreting the decision would determine how this issue will be resolved," said Hnatiuk.

"We will have to sit down with all the parties involved, the government, commercial fishermen, and the bands, to work this out."

However, she does not anticipate a speedy resolution of the selling ban.

"Although the issue of commercial licences is a big part of this, there are many other things involved. You can't work this out overnight."

Chief Richard Kahgee of the Saugeen Nation disagrees with Hnatiuk's assessment of the situation.

The Saugeen chief repeated that the courts have declared the ban unconstitutional, and the provincial department must follow up on the judgment.

"Irrespective of the interpretation of Mr. Hampton's office, the law is the law. We have recognized rights. We're prepared to advise (fish sellers) they're quite within the law to purchase our fish and sell it," said Kahgee.

Central Briefs

Oka shooting not planned

The shooting death of Const. Marcel Lemay at the start of the Oka crisis was not part of a planned assault, said a Mohawk spokesperson. Ellen Gabriel said any Mohawk who fired on police during the Oka standoff acted individually. She gave testimony at the inquest into the death of Lemay being held in Montreal. The Quebec provincial police officer died of a bullet wound on July 11, 1990 during a police raid on a Mohawk barricade set up to protest a planned condo development and golf club expansion on reserve land. Gabriel testified the consensus was to allow police to tear down the barricade rather than fight back. Violent confrontation against the police would have been insane in view of their superior arsenal, she said.

Mohawk byelection denied

The Mohawk Council at Akwasasne will remain unchanged following a federal injunction halting a byelection in April. The election was called by the council itself to break a feud stalemating reserve business. The Federal Court of Canada granted the injunction until a full hearing can be held on the legality of the byelection. The 12-member council is split between supporters and opponents of Grand Chief Mike Mitchell. Three years ago council became divided in over the issue of casino gambling in the territory, which Mitchell opposes. Akwasasne straddles Ontario, Quebec and New York State.

Indian liaison unit formed

Toronto now has an Aboriginal peacekeeping Unit, designed to improve relations with the city's 60,000 Indigenous people. Sgt. Bob Crawford, an Algonquin from the Ottawa area, heads the unit. Crawford served as the Metro police Native liaison officer during the past three years. Local groups are supportive of the new unit, which they say should help bring the police force closer to a community wary of people in uniform.

Chief wants referendum

The Grand Chief of the Kanesatake Mohawk reserve in the Oka area wants to submit his leadership to a referendum this spring. Chief Jerry Pelletier called on his community to pass judgement on his leadership in the proposed vote after allegations of band funds being misappropriated surfaced in April. Pelletier has been accused of running up a deficit by using money earmarked for educational programs into community patrols monitoring provincial police activity on the reserve. But Pelletier claims the \$388 million accumulated deficit is due to mismanagement by previous band councils which governed Kanesatake before the 1990 Oka crisis. He said a private firm would be hired to conduct such a referendum.

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Central Canada

Post-Oka crisis package on the road

By Stephanie O'Hanley
Windspeaker Contributor

KANASATAKE

After a three year delay, a program to heal the wounds left by the 1990 Oka Crisis is finally getting off the ground at Kanesatake.

Breaking all Barriers, a \$1.5-million project funded jointly by the federal government departments of Indian Affairs and Health and Welfare, is slated to begin this month and run three years.

The program's goals are to restore a sense of community, rebuild bonds between families and clans, and establish better relations between natives and non-natives.

Kanesatake council Chief Michelle Lamouche shares responsibility for the program with council Chief Sheila Jacobsen. Lamouche said they will look for an Aboriginal person to head the program.

"Our first goal is to get natives (healers), then we look around for non-natives that have worked in positions giving help to native people," he said.

A coordinating committee with representatives from Indian Affairs, Health and Welfare, the Kanesatake band council and Joint Services Council will oversee the program's finances to ensure original goals are met.

Similar programs arrived at other Mohawk communities soon after the Oka Crisis. At Kahnawake, Reopening the Bridges, a \$552,417 federally-funded outreach program, ran from March 1990 to September

1992. Put on by Kahnawake Shakotia' Takehnhas Community Services, the program involved psychologists, social workers and other professionals working to help community members overcome problems with stress.

At Akwesasne, \$1.2-million in federal funds led to the implementation of Sken Nen Kowa, a conflict resolution centre, from October 1990 to the spring of 1992. Established to address divisions over casino gambling, the centre studied conflict resolution techniques and offered programs and activities to members from different factions to find ways of resolving problems together.

But while sister reserves got funding, community divisions delayed the setup of a program at Kanesatake. The Kanesatake Emergency Measures Committee, a non-political entity, originally conceived the project for the Joint Services Council and the Mohawk Council in fall 1990.

According to Lamouche, an interim council appointed after the Oka crisis voted the healing project down. But a new band council, led by current Grand Chief Jerry Peltier and elected in June 1991, supported the project. By this time, says Lamouche, Kanestake band councilors and other representatives had to convince Health and Welfare officials the project was still necessary so long after the crisis.

Many at Kanesatake would agree with council Chief J. Robert Cree that "every person has psychological problems on account of the crisis", but reaction to the program is mixed. Some followers of the tradi-

tional Longhouse are wary of the elected band council, which they view as an arm of Indian Affairs, and are skeptical about the project because the council is involved.

"It's a foreign political system, not a Six Nations Confederate system. If you're a traditionalist, a true Mohawk, you'll stick to your traditionalist system" said a man who wished to remain anonymous. The man questioned whether hiring an aboriginal person to run the program would make a difference. "The money is going to the Mohawk council. They don't understand traditional beliefs. The fact that the person is native is not enough; it has to be more than plugging a hole."

Wanda Gabriel, a traditionalist who was part of Kanestake's military liaison team during the Oka Crisis, thinks Mohawks have every right to federal money. "Any monies made to native government, monies for education, monies for healing - it's our right to receive these monies because of use of our land. We have to forget it (money) comes from the federal government and turn it around to our benefit."

Gabriel called the program long overdue. But opposition to the program does not surprise her. "I don't know if it will heal everybody. There will be people from all camps. If there's one person from each group who can benefit from the program, it will have done something," Gabriel said.

Lamouche is equally optimistic. "If you reach one person, that's one person. They may pass what they know to others. That's where the healing starts. We're confident that healing will happen."



A federal and provincial aid package to deal with the emotional aftermath of Oka will kick in on Kanesatake this summer.

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Sports

Bish back on winning track

By Jim Goodstriker
Windspeaker Contributor

STANDOFF, Alta.

Tsuu Tina Nation bronco rider and pro-rodeo bullfighter Richard Bish is appreciating life more than ever after a near brush with death last November.

The popular 25-year-old Sarcee started having severe headaches after the IRCA Finals Rodeo in Calgary last October. Bish was eventually diagnosed with viral meningitis.

But hospital treatment and therapy didn't stop the headaches. Bish lost his balance, and his right eye slowly swelled shut. Extensive tests revealed a shocking diagnosis - Bish was suffering from a brain aneurysm.

A weakness developed in a blood vessel wall behind his right eye. Surgeons cut into his skull

and stapled off the vessel that was ready to burst open.

"The doctors said I could have died, and that I was a very lucky person. It was a very lucky touchy situation, I appreciate life to the fullest now. I didn't know something like that could happen. I used to take life for granted, now I understand the meaning of life," he said.

Bish got tapped off with a shade bronco by the name of "Billy Bayou" for 74 points to win the bronco riding at the Spring Rodeo April 24-25 at the Standoff Agriplex. He also took first place money of \$268.

Local veteran Dallas Young Pine was the best of the bareback riders as he raked "Southern Comfort" for a 72 point effort and a return of \$151 at the pay window.

Two young Peigan Nation toro twisters were the best of 22 bull riders. Lorne Many Guns and Stanford Little Plume each scored 74 points to split first and second

place money of \$468.

Spike Guardipee of Browning Montana, former world Indian all-round, calf roping, and team roping champion, had a strangle hold in the timed events. He took home total winnings of \$656.

Guardipee and Ted Hoyt split first and second place money of \$412 each, with Sam Bird and Ken Whyte in the team roping event, stopping the clocks in a speedy 5.5 seconds.

Ray Augere won first place and \$326 in the calf roping event, at 9.9 seconds, unseating Guardipee, who took second place.

The steer wrestling event went to another newcomer from Peigan Reserve. Shane McDougall slam dunked a steer down in 4.1 seconds to win \$430.

Lisa Creighton of Standoff won the senior barrel racing with a run of 14.22 seconds and \$314, she improved her lead atop the standings in the IRCA circuit to 90 points.



Jim Goodstriker

Oregon wins championship

Pendleton, Oregon men's basketball team captured the National Indian Athletic Association (NIAA) championships at Billings, Montana April 20-24, for the second year in a row. In this move, Buck Jones, tourney MVP, takes a flying leap at an Itausha California player. The Pendleton women's team also took top billing at the games, again for the second year.

Athlete takes a shot at Games

By Gail Seymour
Windspeaker Contributor

PRINCE ALBERT, Sask.

At age 18, Horace Ratt is already an experienced athlete. The young man from the Peter Ballantyne Band in Pelican Narrows, 275 kilometres northeast of this city, has been competing in shot put, discus and javelin since he was in Grade 4. He has competed annually in citywide track meets as well as at the Prince Albert Indian Student Education Centre, where he resides during the school term.

Ratt has chosen to concentrate on shot and discus for the North American Indigenous Games which will be held here July 18-25.

"I guess you could call the Saskatchewan Summer Games (in August of 1992) and the Saskatchewan Indian Summer Games (in June of the same year) as warm ups," says Ratt. "I came first in both shot and discus and second in javelin at the Indian Games but I strained my back during practice at the Summer Games so I didn't do as well. It was lots of fun though and I still came sixth out of 18."

Ratt has maintained a 75 per cent average in Grade 12 at St. Mary High School as well as playing Triple A hockey and training since December for the upcoming Games.

"I am competing in the Men's Division and most of my competitors will be more experienced and older. I'm just a

rookie," he laughs.

The rookie is not guaranteed a spot on the Saskatchewan team quite yet. The province has been divided into three zones: Northern, Central and Southern. In mid-June athletes in the three zones will converge on Prince Albert for a mini-meet and the winners will go on to represent Saskatchewan in July. However, Ratt is pretty confident he will take part in the Games.

And he should be. Sports are his life. The defenceman has been listed by the North Battleford North Stars of the Saskatchewan Junior Hockey League and he plans to go on to post-secondary school and take recreational technology after which he hopes to go to university and take a two-year physical education course.

Also, Ratt is one of 10 co-runners chosen to take part in the symbolic run. Just prior to the Games, the runners will begin their trek from Edmonton to the North Saskatchewan River by Blaine Lake and then on to Prince Albert by canoe. The runners will carry a sacred bundle and will rest at reserves along the route.

Elwin Cameron, Games public relations assistant, says although he can't estimate the number of athletes who will compete against Ratt, he knows athletes will be representing all the provinces and the two territories, plus athletes from the following states: North and South Dakota, northern and southern California, Minnesota, new York, Washington and Oregon.

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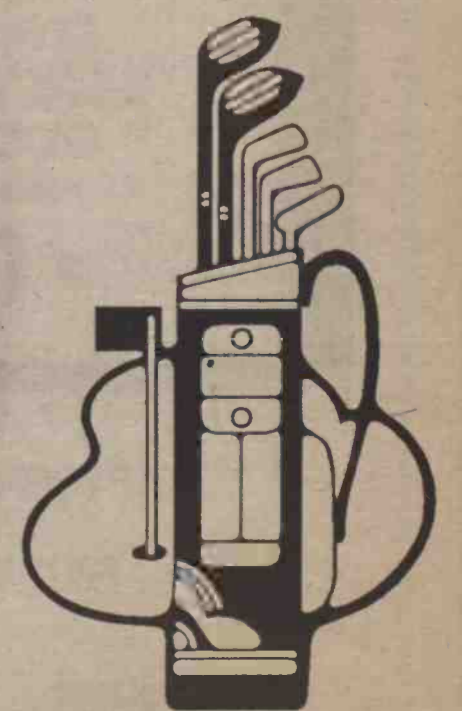
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Sports

Pacific rep in Centennial Cup finals

Chute Chatter

The rodeo was the fourth for the IRCA circuit for the young 1993 season... Duke Helegerson and Floyd Smith were the judges... Mary Ann Smith and Lorraine Standing Alone handled the stop watches... Shade and Sons Rodeo supplied the stock... Announcer was Floyd Big Head... Scotty Many Grey Horses was the bullfighter, his brother Darrell was working the pro rodeo in Lethbridge - a feather in his hat (Darrell) for a step up the ladder in the rodeo arena... Rodeo really has its ups and downs, just ask current all round leader Byron Bruised Head. After dominating all three riding events at the last IRCA rodeo (April 4) he managed only a tie for second in the bares, drew three re-ride broncos, then got dumped and stepped in the bull riding event... Saree's Sidney Starlight now living in Mesa, Arizona, is recovering from a roping injury. He lost part of his right thumb and small finger two months ago in Arizona... Next IRCA rodeo is at Standoff May 8-9.

By John Hayes
Windspeaker Contributor

KELOWNA, B.C.

There were no miracles for the Olds Grizzlys this time. The team that got to the Doyle Cup final by coming back from a 3-0 deficit in a best-of-seven series fell behind Kelowna and stayed there.

The first two games were played in the Okanagan, the Spartans winning 4-3 and 5-2, largely on the strength of their goaltending. Dieter Kochen, who came to Kelowna from Wisconsin of the United States Junior Hockey League, virtually stole the games from the visiting Grizzlys. After two victories, the balance of the series moved to Alberta.

Kochen was the story there, too. In game three, he faced down two point-blank Olds scoring opportunities in the first few seconds. Olds kept coming in that game, even after falling behind 3-1 in the second period. In overtime, the Grizzlys' Aaron Zimmell popped the winner after 5 1/2 minutes.

Olds captain Darcy Dallas, the best player in the series, felt that the series had turned around after the game. He said they had

to stop the Kelowna power plays.

Grizzlys' forward Eric Fulton agreed: "What hurt us in each game so far," he said after game three, "is the break-out on the power play. By the time we recover, they're set up in our zone. It's incredibly fast."

Game three was the highlight of the series for the Grizzlys. The B.C. champions turned their game around after that and won the next two games to win the best-of-seven Pacific Region championship 4-1 in decisive style.

Spartans are a big team, but quick forward Curtis Fry is not. He played for two years in the Alberta Junior Hockey League with St. Albert Saints before going to B.C. this season.

Fry, who skates like lightning, described the third game as a difficult one for the Spartans. "We came out flat and were getting used to the arena, trying to get our legs back. For a lot of the game, we were going through a feeling out process with Olds."

Jim Hammett, Spartans' coach saw game three differently, however. "In Kelowna we played 60 minutes of hockey. We didn't do that in the first game in Olds. I've never known this team to give up four goals in one period."



John Hayes

The Olds Grizzlys and Kelowna Spartans gave the crowd a good show at the Doyle Cup final. The Spartans won the cup in the best-of-seven tournament. They go on to the Centennial Cup in Nova Scotia this month.

The Spartans were not pressed by Olds in the Doyle Cup final. Kelowna goes into the Centennial Cup rested and healthy.

They will travel to Amherst, Nova Scotia, for the finals, where they will run into the storied

Flin Flon Bombers, the Prairie champions.

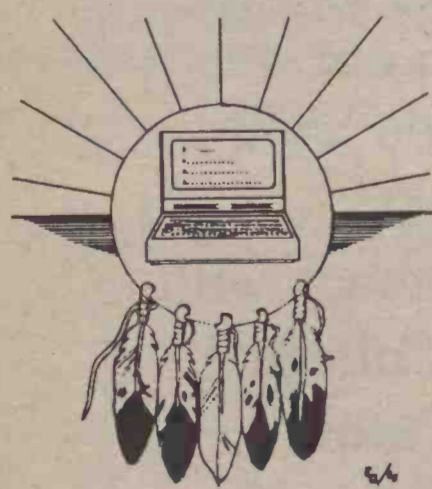
The tournament kicks off with a round robin beginning on May 7

The final game will be played on May 15 at 2:00 p.m., Atlantic time.

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British Columbia

Clayoquot bands Mountain development nixed protest logging

VANCOUVER

First Nations on western Vancouver Island are demanding to have a voice in any land use development on Clayoquot Sound.

Bands erupted in protest following a government announcement to allow logging in the pristine rain forest around Clayoquot Sound. The five tribes in the central region of the Nuu-Chah-nulth Tribal Council were not consulted and had no input in the decision, said Chief Francis Frank of the Tla-o-qui-aht band.

And he warned the bands will take any action necessary to stop logging in the area if they continue to be ignored. First Nations must be part of the decision-making process and partake of the benefits reaped from their traditional lands, Frank said.

He added the bands would prefer negotiating, however legal action and blockades were also very real alternatives.

The root of the problem between the bands and the proposed logging lies in unfolding land claims and compensation for any resource extraction.

The Tla-o-qui-aht, Hesquiat, Ahousahat, Toquaht and Ucluelet bands have never ceded title to the land. And they believe logging activities would compromise land-claim negotiations initiated in 1982. In addition to their concerns on how the logging will proceed, the

bands are opposed to designating areas as parks or preserves where logging would be prohibited.

Such a move would take away their jurisdiction and limit local economic development. The region is faced with a staggering 70-per-cent unemployment, and logging represents a viable source of jobs for the approximately 3,000 people in the central region of the Nuu-Chah-nulth council.

British Columbia PM Mike Harcourt announced in March that intensive logging will be allowed on approximately 45 per cent of land around Clayoquot Sound. Some 87,000 of the 262,000 hectares will be protected from logging.

But the government rejected the possibility of delaying logging in the area until land claims are settled.

"We are not going to shut down all industrial activity because we have not yet resolved the important (land-claims issues)," Andrew Peters, B.C. Aboriginal Affairs minister said in an interview.

Conflict of interest issue also surfaced with the decision to log Clayoquot. The provincial government owns shares in MacMillan Bloedel Ltd., the company allocated logging rights in the area.

The Finance Ministry purchased 2.1 million shares of the company in February as a short-term investment.

By Dina O'Meara
Windspeaker Staff Writer

PENTICTON, B.C.

Negotiations between a British Columbia band and a ski resort over proposed development of Apex, Brent and Isintok mountains region are at a stalemate.

The Penticton Indian Band is opposed to the April \$20 million plan to expand the facilities of the Apex Alpine Ski Resort. Band administrator Greg Gabriel says the expansion will

have detrimental effects on the band's water supply and safety of community members.

"Our environmental concerns are first and foremost. The watershed drains into our, and nearby bands, water supply," he said. "Apex also wants to develop the road going through our community. Only one route goes to the ski hill, going through the centre of the community. Development would represent a huge influx of traffic, increasing danger to community members."

The band issued a moratorium on any form of further de-

velopment in the area. A meeting with Apex representatives and the Penticton Chamber of Commerce resulted in a heated discussion.

Chamber of Commerce president Jane Howard is urging the provincial minister of Indian Affairs to pick up the pace on negotiations. Howard is concerned the stalemate may result in a blockade, which will adversely affect tourism in the city.

"Apex is a very solid draw. If there is a blockade, skier traffic would be rerouted out of Penticton. "But we're trying to deal with the issue equitably."

B.C. reserve site of casino-resort plan

VICTORIA, B.C.

Beecher Bay reserve may become the new gambling centre of the West Coast.

The small, 120-member band located near Victoria is the target of a Hawaiian consortium called American Gateway. The Washington-based investment company has proposed building a \$250 million casino and resort development on the reserve. The resort would include a hotel, casino, marina expansion and a renovated housing subdivision for

band members on the reserve.

Nearby Metchosin residents aren't too pleased with the proposal. Mayor John Ranns told media the community is concerned about the casino-resort complex being built on its border with the Beecher Bay band. The development would conflict with efforts to maintain a quiet community in the rural surroundings, Ranns said.

Beecher Bay Chief Patty Chipps answered his concerns by denying the band has arrived at a decision yet. However, she did admit they are serious about

negotiating the proposal.

Meanwhile, the Nanaimo Indian Band is also considering a \$40 million casino development on its land.

If approved, the development would result in the largest Native-owned gambling casino in Canada.

The growing interest in establishing casinos has prompted the formation of the B.C. First Nations Gaming Committee. Native leaders say provincial commissions has no jurisdiction over reserves, which are on Crown property.

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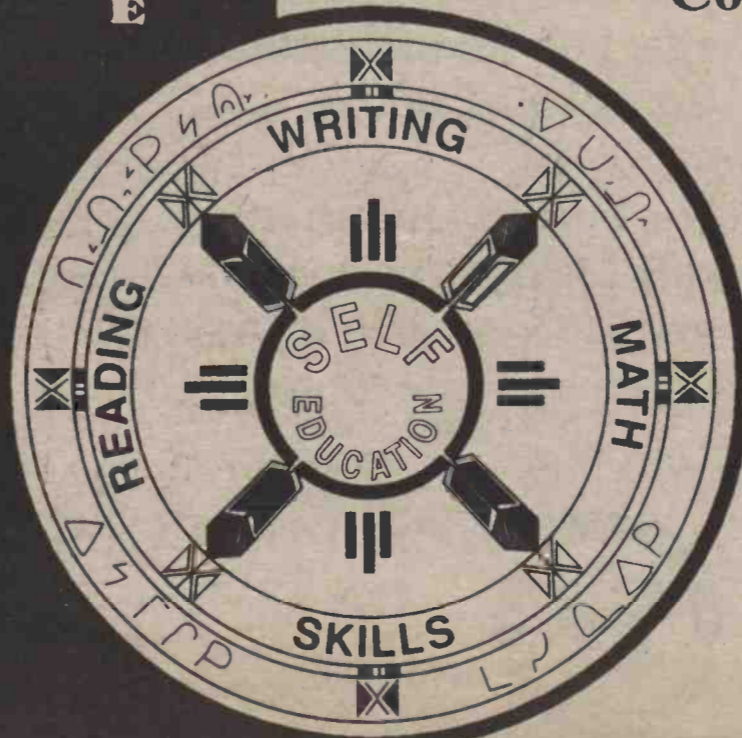
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Prairies

Samson Cree Nation elects new chief

HOBBEWA, Alta.

A heated campaign for leadership of the Samson Cree Nation has resulted in a winner.

Terry Buffalo narrowly defeated former chief and councillor Frank Buffalo with 182 votes to 175 at the May 3 election. Incumbent chief Victor Buffalo

received 159 votes in the election that saw eight candidates vie for the position of chief.

Arrol Crier and Jim Omeasoo took 90 votes each, George Saddleback, 74 votes, Lester Nepoose, 67 votes, and John Nepoose, 60 votes.

Incoming chief Terry Buffalo, 38, promised an open gov-

ernment, including an open-book policy on band finances. Large issues will warrant referendums before being passed by chief and council, he said.

The small voter turnout on the 4,000 member band was a surprise, considering band protests over the outgoing chief's decision to approve building a

federal prison on Samson land.

Discord over the planned construction formed a major part of the campaign. Buffalo approved the \$8 million government project but the issue never came before the band and council.

Band members circulated a petition against the prison,

signed by 535 people, or roughly a third of Samson's eligible voters. They expressed anger over the lack of guaranteed inmates and staff at the proposed penitentiary will be Native.

Council voted 10 to zero against the project on April 16.

New band councillors will be elected on May 19.

Byelection outlawed on reserve

By Barb Grinder
Windspeaker Correspondent

STANDOFF, Alta.

A by-election called by the Blood Council for April 29 has been cancelled after being declared illegal by the federal courts.

The election is the latest move by Council to oust Chief Harley Frank, after a series of disputes came to a head last month. Both Frank and the Council were elected last fall and have been at loggerheads ever since.

Although many members of the tribe have asked for the Department of Indian and Northern Affairs to step in, new regional director Ken Kirby says his hands are tied. In a meeting held in Lethbridge April 21, Kirby said his department can only step in when the tribe's elections are held under the Indian act, which the Blood do not.

Kirby said he understood both Chief and Council were abiding by the court

injunctions which specifies they work together to conduct affairs of the tribe. However, when challenged by a reporter Kirby admitted band business could be suffering. The RCMP, who's mandate includes enforcing the federal injunction, are more concerned with maintaining the peace during this tense period, he said.

Representing the prestigious Buffalo Women's Society, Dorothy Day Chief handed Kirby a package of documents at the meeting. The papers purportedly show that council is criminally mismanaging band funds and deliberately ignoring the injunction.

Day Chief, a supporter of Frank, said many members of the tribe are prepared to resort to violence to oust all Council members. She said they asked Council to step down for the good of the reserve, but had received no response. Kirby said the only solution the band has is to wait for the next scheduled election in November of 1994 or to use the judicial system to solve their problems.

Committee tackles child welfare

By Dina O'Meara
Windspeaker Staff Writer

WINNIPEG, Man.

In the fall of 1992, an inquest into the suicide of a 14-year-old on a Manitoba reserve led to a scathing report on inadequacies of child welfare agencies, both Native and provincial.

The Manitoba Task Force on Aboriginal Child Welfare wants to remedy the situation.

"We want to establish an action plan, not be just another study," said Dr. Wally Fox-Decent. The task force chairperson has travelled with five other committee members to six of the 13 reserves slated for public hearings. They have also visited institutions such as youth detention centres and homes for single mothers.

The committee will also hold pub-

lic hearings in Winnipeg and Brandon to enable urban Aboriginals to speak with the task force.

"Our mandate is to look at First Nations concerns, whether they are on or off reserve," said Fox-Decent.

Fox-Decent agrees with Native counsellors that more attention should be given to preventative programs.

"There's always money for foster homes and counselling post-fact," he said. "But money for dealing with situations where the abuse is discovered seems to be lacking. All too often the process becomes yanking the child from the home. How much more useful would it be to start at the other end and think in terms of prevention."

The task force will be releasing an interim report this month on its findings and recommendations. Their mandate ends in September and a second, final report will be issued this

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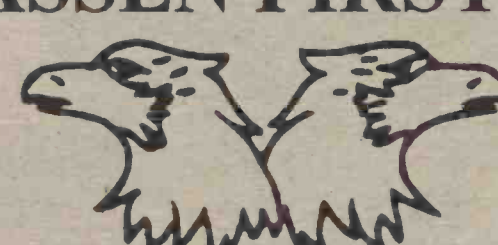
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Northern Canada

Women, children suffer shortage the most

Part two of two

By John Holman
Windspeaker Correspondent

YELLOWKNIFE

The short story is, affordable housing and the growing Territorial population are fast coming to a head. And solutions must be found.

The human costs will be staggering if housing is only available to the people who can afford it, predicts Lynne Brooks, executive director of the Northwest Territories Status of Women Council.

Liberal MP Ethel Blondin-Andrew says the same thing: the lack of social housing contributes to stress, increasing al-

coholism, spousal assault, sexual abuse, and other social problems.

By investing in housing now, the government will be saving itself millions on the court system, jails and social services, she says. It has another benefit. The money "could be diverted into the economy rather than into the social safety network," explains Blondin-Andrew.

"What you have is families, three or four generations, crammed into one dwelling," she says. "You have people who are working in one home who have to get up early at 7:30 in the morning, and people who are not working who can stay up all night. It leads to clashes."

Single mothers and their children suffer the most in the current housing crunch because

many are forced out of their homes by an abusive situation, says Brooks. The safe houses are full of single mothers and children who often have no homes to return to, she claims.

Laws should be changed so that abusive spouses are forced to leave the house, instead of women and children seeking escape, Brooks says. A single man has better opportunities at getting jobs and training, than a woman and her children.

"The big issue for women is that they usually are the ones looking after the children, and are the primary care givers. They often end up having to stay in situation that are less than ideal for themselves and their children, where there's violence, where there's drinking," Brooks says.

"If a man is not responsible

for the children he can get a job and ultimately make his situation better. A woman is not in that position."

Second-stage housing for women and children who come out of a safe house, is also lacking, Brooks said.

But how can housing problems be solved?

Brooks says community co-operatives could be formed, with journeymen and young men who volunteer to build the homes.

This way, the money the Territorial government would usually pump into labor could pay for more materials.

Blondin-Andrew says social housing must be included when it comes to a Territorial economic strategy. Building houses means business and jobs, and with the

many projects that are coming down, such as mining in the North Slave geological province, the mineral rich region between Yellowknife and the Coronation Gulf, more people will probably come north.

And they will need housing. But the federal government must pay more attention to the problem, she recommends. And it is sure to be an election issue as Canada heads into a probable federal election this fall.

"One thing, for sure, we need houses more than we need helicopters. Let's divert one of those billion dollars worth of helicopters don't "reduce the national debt," Blondin-Andrew adds.

For the north, through, if housing is not grappled with yet, the crisis will reach a flash point very soon.

Northern Briefs

Stamp celebrates Indigenous art

On May 17, Canada Post Corporation will issue an 86 cent stamp by Inuit artist Kenojuak Ashevak, in commemoration of the International Year of the World's Indigenous People. The drawing, entitled Drawing for "The Owl", c.1969, is a colorful masterpiece rendered in felt-tip pen, and is currently in the collection of the National Gallery of Canada, in Ottawa. The yellow and brown bird is highlighted by red, deep blue and Ashevak was born in 1927 in south Baffin Island, NWT. She has produced hun-

dreds of drawings, mostly in graphite, colored pencils and felt-tip pens. Her life and work have been the subject of a National Film Board documentary and two books.

Realistic alimony payments

Food instead of cash could be the newest form of family maintenance programs in the Northwest Territories. Acknowledging regional wide-spread unemployment, the NWT government will introduce an amendment to the Maintenance Act this fall allowing court-ordered

support payments to be made in food stuffs. This could include firewood, animals or fish, traditional currency for barter in the cash-strapped north. The new legislation allows unemployed people the means to provide estranged spouses and families with essential support. Often in divorces or separations, women and children lose their main source of food when the hunter of the family leaves.

Under the proposed amendment, the couple would negotiate fair terms of support, which would be ratified by a local justice of the peace or judge.

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Economic Development

Taking Care of Business

Developing a plan

By Heather Halpenny
Windspeaker Contributor

You have a great business idea! You have the right experience and you know there is a market for your product or service. But you just don't have enough money to get started. This is where a bank or a lending institution comes in. And, although they may agree with your ideas, first they want to see your business plan. What is that?

A business plan is like a road map which outlines the steps that have to be covered to reach your business goal. There are many reasons to prepare a business plan. But those entrepreneurs who take the time and effort to prepare a business plan are much more successful than those who don't bother.

As pointed out above, one use of the business plan is to sell the business idea to funding agencies, banks and/or investors. These people will want to know the financial needs and goals of the business idea. They will also want to know your background and skills relating to the business. This will help them to be more knowledgeable about the particular business idea you are proposing.

Another use of the business plan is to provide you with an opportunity to study the business idea in more detail. By taking the time to prepare a business plan, you will make decisions based on information that you have learned during the process of preparing the business plan. You will research and determine the size of the market, check out suppliers, competition, prices, expenses and locations. In other words you will have tested the business idea on paper before you have to invest your money.

A third use for the business

plan is to serve as a blueprint for you to follow once you have made the important decision to start the business. The business plan will have outlined policies and budgets for you to follow. Later on, the business plan will serve as a measure to compare the performance of the business and to check the success of the business against a yardstick.

There are many different models for a business. Many books have been written on how to prepare a business plan and these books can be picked up for free or for a small amount at business libraries and government agencies.

No matter how the business plan is laid out, certain information needs to be covered. A financial section is the most important. Costs must be accurate and backed up in writing. Financial projections should cover a three year period and include a balance sheet, income statement and cash flow statements.

A market section is also very important. The competition, pricing, products or service to be sold, advertising strategies, location, legal requirements, and the market conditions must be investigated. You need to know what you are up against in the market place.

Finally, you need to prepare an operation overview including resume, experience, job descriptions, credit and pricing policies and a description of how the business is going to operate (hours of operation, shifts, suppliers, management support etc.)

(Taking Care of Business is a new column written for Windspeaker by Heather Halpenny of Crocker Consulting Inc., a company that specializes in business plans, feasibility studies and market assessments for both large and small businesses. The Edmonton phone number is 432-1009.)

Next column: Where to go for help to get started.

Strong Native government

By Doug Johnson
Windspeaker Contributor

OTTAWA

Less interference from the federal government and a streamlined process for establishing Native businesses are keys to setting up and maintaining Native ventures.

This was one of the many messages coming out of the National Round Table on Economic Development and Resources, put on by the Royal Commission on Aboriginal Peoples last month.

The round table was part of a series the commission is holding to examine the vital aspects of Aboriginal life in depth. The discussions brought together close to 100 people from across the country for three days of talks. Delegates included representatives from the Aboriginal and non-Aboriginal business communities, experts in economic and employment development and senior officials from the federal, provincial and territorial governments.

Economic issues will be one of the main pillars of their final report to Parliament, said commission chair Rene Dussault.

Society closed

In addition to the barriers everyone else must face when starting a business, Aboriginal people also have to deal with racism and trying to break into a closed society, co-chair George Erasmus said.

But not all those attending the conference agreed.

"There are no color barriers in the marketplace," said Lester Lafond, a businessman from Saskatoon.

The main thing holding Native business development back is lack of jurisdictional control and access to capital, he said. Aboriginals find a niche product and then have to wait for approval from the bureaucrats and politicians. By that time the

deal has fallen flat.

Indian Act major hurdle

The Indian Act is a major hurdle to be overcome, said Peter George, president of the Council of Ontario Universities. The act is a barrier to raising venture capital because reserve lands cannot be seized so banks will not accept them as loan collateral.

Jurisdictional control relates directly to self-government, Lafond said. He would like to see less outside control of Native projects.

But the greatest obstacle Native entrepreneurs have to overcome is putting together funding to expand or get business ventures off the ground.

"Our funding looked like a house of cards," said Harry Jones, an executive with the Blue Heron Industrial Park of the Batchewana Band near Sault Ste Marie, Ont. The band had to go to several federal and provincial agencies and banks to fund a major project in the industrial park.

Jones' band operates an 87-lot industrial park two kilometres from Sault Ste Marie. Just over a year ago, they decided to try and attract Advanced Thermodynamics, a manufacturer of vehicle heaters, to the industrial park.

Red tape hampers funding

Just dealing with the red tape over funding put the plan six months behind schedule, Jones said. Most of the government funding programs were linked with, and dependent on, other types of funding. For example, to get funding from Canadian Aboriginal Economic Development, they had to also get money from the bank.

"The bank was not sure of the implications of dealing with Native people on reserves, as the Indian Act says you can't seize the property of Natives on reserves," Jones said.

So to get the funding, they had to find a way around the rules.

"If the government wants economic development, don't

make it (funding) so hard to access. In a lot of cases a loan guarantee would be a lot more beneficial than a \$100,000 grant," Jones said.

U.S., Canada share problems

American and Canadian Aboriginals face the same economic development problems, said Tom Acevado, Chief Executive Officer of the Salish Kootanay development corporation of the Flathead Tribe in Montana. His reserve operates businesses with an annual budget of \$90 million, the majority of which comes from transfers from the U.S. government.

Their holding company operates a hydroelectric generating plant, a logging company, an electronics manufacturing plant, a tourist hotel, a construction company and agricultural leasing. The Salish Kootanay people are also looking at getting into the gaming industry, which he calls "a huge capital wealth generator."

Their success is having a strong stable tribal government, encouragement of education and separation of business from politics, Acevado said. The reserve government consists of a 10-member council elected for a four-year term. Members can stay as long as they get re-elected. The longest term served has been 35 years.

"A strong stable government attracts business," he said.

Bank impressed

When they approached the bank about financing for the tourist hotel, it took a year to arrange. In the end, what impressed the bank the most was that they were still dealing with the same people a year later, he said.

The reserve runs its own community college with 700 students and helps pay for university education for its members. Post secondary education is encouraged.

Tribal businesses are run as profit-making enterprises rather than job creation projects. In the past, tribal businesses were seen



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"You can't expect a people that doesn't think or doesn't believe that it can control their own destiny to expect them to go out and challenge the world."

- Jean Yves Assiniwi, adviser on self-government to the Native Council of Canada.

solely as job creation projects. This reduced efficiency as managers knew they could always go back to the council to get more money.

Self-determination key

Self-determination is a key ingredient in long-term economic development for Native people, said Harvard University economist Joseph Kalt.

In the United States, tribes with strong self-government, for the most part, have strong economies, he said. Strong sovereignty turns U.S. Bureau of Indian Affairs representatives into advisers rather than decision-makers.

"The fate of the bureau rises and falls with the fate of Indians. The worse the Indians are, the better the Bureau of Indian Affairs is," he said.

But having sovereignty is not enough to provide for successful economic development, he said. Tribal sovereignty is sufficient to screw things up. For example, the Apache and the Montana Crow in the U.S. both have aggressively pursued self-government, but the Apache are in good economic shape and the Crow are very poor.

There, he said, the tribal government is a form of town hall meeting where every voting-age member is a councillor. In a meeting, the various factions in the tribe vie to see who can stay awake the longest to become the government of the tribe for that quarter of the year. Meetings drag on for days with those still on their feet the victors.

There is, as a result, no clear continuation of tribal policy. A decision can be made and re-

versed four months later. In contrast, a strong government means a stable environment, which draws business people to the reserve.

Culture, government must match

In addition to strong self-government, Natives need a government which matches their culture, Kalt said. The Cochiti Pueblo of New Mexico have no written constitution and once a year, in December, the religious leader of the tribe appoints the government.

They have had good economic development in the real estate market, leasing parts of the reserve for seniors' retirement homes much like those in Sun City, Arizona he said.

In contrast, the Sioux have the same government as the Apache but live in what is considered the poorest place in the United States. The difference, Kalt said, is that Sioux culture does not match the government imposed on it by the federal government.

The Sioux traditionally had a parliamentary style of government, as opposed to the American style they have now.

"Outsiders cannot design these governments for the tribes," he said.

Better than free trade

Scott Smith, vice-president of Economic and Corporate Development of the Canadian Council for Native Business, said raising the standard of living of Canada's Native people would be more beneficial than the North American Free Trade Agreement.

"It would raise the gross

national product by two to three per cent."

Funding sources needed

Smith suggested that Native business needs to find other sources of funding other than the government.

Economic development will flow from self-government, said Jean Yves Assiniwi, an adviser on self-government to the Native Council of Canada.

"There is more than one tie-in," he said. People with a poor health system and no social infrastructure can't comprise an able workforce.

"You can't expect a people that doesn't think or doesn't believe that it can control their own destiny to expect them to go out and challenge the world," Assiniwi said.

One of the things holding Native people back is themselves, he added. Native people should not be waiting for the federal government to give them Aboriginal rights.

"The constitutional process was there to recognize that we exist and have a right to self-determination," he said.

The fastest way to achieve self-government is to just declare it.

Discard Indian Act

"Discard the damn piece of legislation," he said, referring to the Indian Act.

Michael Rice, manager of the Caisse Populaire Kahnawake, also thinks Native people need to take control of their own destiny. In the case of his credit union, the Mohawks found a way of working around the provisions of the Indian Act on the seizure of property on reserve.

They set up a series of trust agreements that allow the credit union to confiscate property if a loan is defaulted on, Rice said. By doing this, they have eliminated the Department of Indian Affairs, except to register the trust agreements.

The credit union also works because the system under which it is controlled, a board of directors drawn from the community, matches Mohawk culture.

Business Briefs

Professional development a priority

Economic development officers from Native communities across Canada named professional development as a high priority at a recent strategic planning session in Ottawa. Board members of the Council for the Advancement of Native Development Officers met to review the organization's goals and objectives, said CANDO president Charles Sampson. CANDO, a membership-driven professional development and networking organization, was established by Native economic developers who wanted to discuss current issues and opportunities. Members have told CANDO they want to become better skilled at developing business plans, assessing project proposals, accessing investment capital, managing cash flows, developing community development plans and conducting viability and market studies, said Sampson, who is also Director of Economic Development for Walpole Island First Nation in Ontario. Developing links with organizations in Canada that share CANDO's objectives is also part of the mandate. For more information, call Robin Wortman, Executive Director, CANDO, (403)453-6001.

Aboriginal advice sought

Recommending ways to reduce the annual multi-million dollar travel costs of the Government of the Northwest Territories is one of the goals of the Inuvialuit Development Corporation and its partners, who have just been awarded a contract for the project. IDC's president and Chief Executive Officer David Connelly calls the contract a "milestone" because it is the first management contract they are aware of in which an Aboriginal corporation provides management and consulting services to government. A review of government travel practices and technological alternatives to travel will result in a comprehensive report outlining options, which will focus on cost savings, effective travel management practices, information systems and innovative long-term reduction strategies. IDC, with headquarters in Inuvik, is owned 100-per-cent by the Inuvialuit of the Western Arctic.

Suncor cleaning house

Suncor's Fort McMurray plant is undergoing a 29-day maintenance shutdown aimed at improving the operation's reliability, production capability and environmental performance. The work began April 26 when Suncor brought all its fixed plants off-line. Some 1,200 people are working with Suncor's existing work force of approximately 2,100 to ensure all repairs and construction are completed by May 25.

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Association determined to give women a voice

Canada established the Royal Commission on Aboriginal Peoples with the mandate to investigate the relationship between Aboriginal Peoples (Indian, Inuit, Metis) the Canadian government, and Canadian society as a whole.

The Native Women's Association of Canada received a grant from the Intervenor Participation Program - established as an entity separate from the Royal Commission - to have a Social Animation Project. Under this project, the Native Women's Association has hired animators in every province and territory, including Labrador. The animators are responsible for encouraging Aboriginal women to make presentations - orally or in writing - to the commission to express their concerns on issues of importance to their lives. Aboriginal women are asked to define their own issues and to bring them forward to the commission in person or in writing.

Please complete this questionnaire and mail it to: Teresa Nahanee, National Coordinator, N.W.A.C., 9 Melrose Ave., Ottawa, ON K1Y 1T8. Telephone (613) 722-3033; fax (613) 722-7687.

If more room is required, please attach additional sheets and include any pertinent evidence and documents such as photographs, videos, references, court cases, research or news articles.

1. I have heard of the Royal Commission on Aboriginal Peoples.
2. I am: Indian Inuit Metis Non-status Indian
3. I am: male female
4. My age is: 0-8 9-15 16-25 26-35 36-45 46-60 61-70 over 70
5. I live on Indian land. yes no
6. The 5 main issues of concern to Aboriginal women in Canada today are: (number them, in order of importance to you, from 1 to 5; add concerns which have not been listed, and number them 1 to 5.) Describe your concerns on a separate sheet of paper.
 - self government
 - child abuse
 - justice issues
 - sexual harassment
 - education
 - literacy
 - substance abuse
 - health
 - housing
 - youth
 - social issues
 - Metis issues
 - violence against women
 - economic development
 - employment of women
 - child care
 - Aboriginal languages
 - life skills development
 - suicide of young people
 - human rights
 - right to live in my community
 - Elders
 - Indian Act
 - Northern issues
7. The top 3 issues which concern me in my home community are: (Choosing from the list above, number them from 1 to 3; if not on the list, add the 3 and number them 1 to 3.)
8. I live in an urban centre or somewhere where Aboriginal people are not in the majority. yes no
9. The top 3 issues facing urban Aboriginal people are: (Choosing from the list above, list from 1 to 3; if not on the list, add the 3 and number them 1 to 3):
10. The top 5 issues facing Aboriginal women today are: (Choosing from the list above, list from 1 to 5; if not on the list, add the 5 and number them 1 to 5):
11. As a matter of government policy, Aboriginal women have not had the opportunity to participate in policy discussions on issues of importance to all aboriginal peoples. I believe Aboriginal women should be involved in discussions.
 - yes no
12. Solutions to problems faced by Aboriginal peoples should be developed by:
 - Why? (Explain)
13. Aboriginal youth should be involved in all discussions on the following issues: write Y for yes; and N for no. [add new issues we have missed]
14. Indian women on Indian reserves have no federal or provincial legislation to protect their property rights upon dissolution of a marriage. There is no Indian marriage and divorce act. We need an Aboriginal Marriage Act federally to protect the interests of Aboriginal Women, particularly those governed by the federal Indian Act.
 - yes no
15. Indian children taken from their homes have no legislative protection federally or provincially. We need federal Indian child care legislation to protect the rights of Indian children either within their own homes, or when they are put up for adoption, or taken from their home of birth.
 - yes no
16. Aboriginal women must be involved in establishing child care legislation and facilities for caring for children outside the home.
 - yes no
17. I believe Aboriginal women must be involved in reforms to criminal justice administration. (Explain on separate sheet of paper.)
 - yes no
18. What is the leading cause of suicide among Aboriginal youth today?
19. I believe off-reserve First Nations citizens have the same rights as on-reserve First Nations citizens. Explain on separate sheet.
 - yes no
20. Aboriginal languages should be preserved and our right to language should be explicit in the Constitution.
 - yes no

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Aboriginals often interpreted using white standards

By Dina O'Meara
Windspeaker Staff Writer

EDMONTON

A panel involving Native participants was almost overlooked at a recent Edmonton conference on racism.

The one-day Intercultural Education and Race Relations Resource fair held sessions on stereotypes, dealing with racism in the school yard, black oppression, and refugee experiences. Only at the last moment did an organizer realize a panel of First

Nations representatives was absent.

"We are the forgotten people," panelist Edna Coffin told the audience with a grimace.

The importance of Native culture is often ignored by society, said Coffin, project manager at the University of Alberta Native Student Services.

"We are interdependent cultures and have to stand together. We need each other to survive," Coffin said.

And misinterpreting cultural differences is a common obstacle to breaking down Native stereotypes, added panelist

Doug Dowaniuk.

Both speakers tackled the issue of racism, focusing on the senses. Can you see me with your ears, eyes, heart and spirit? challenged the audience to look beyond established attitudes by dealing with Native oral traditions, history and spirituality.

Too often perception of Aboriginals is based on non-Native values, said Dowaniuk, a student at the faculty of Native Studies.

"The Athabaskan speaker speaks slowly with long pauses. This gives non-Natives the impression that Aboriginals are

dumb. But to the Athabaskan, the fast way of talking, leaving short spaces, is rude. It doesn't give time for people to answer back," he said.

Changing that perception is another challenge facing both Native and non-Native commu-

nities. And education is the answer, said the two panelists. Not only by changing curriculum to accurately reflect Native society but encouraging Native youths to continue their educations and maintain ties with their culture and spirituality.

YOU AND THE LAW

Owners responsible for pet's actions

By Ward Mallabone

A great number of Albertans keep pets in and around their homes. Occasionally these pets, for whatever reason, will become involved in attacks on neighbors or strangers which cause injuries. Are pet owners liable to pay damages for such attack-related injuries?

At law, if you have possession or control of a pet, even if you do not own it, you will be liable to pay damages to a person injured by your pet, if the injured person can prove the following three things:

1. That it was your pet that actually caused the injury;
2. That the pet had a history of attacking people;
3. That you were aware that the pet had committed such acts in the past.

Liability to pay damages is not restricted to attacks made off the property of a pet owner. If the pet owner is aware that they have a vicious pet but failed to warn visitors coming to the premises, the owner may also be liable for the injuries caused to invited visitors

and, in some cases, even trespassers.

Most insurance policies cover such losses and a pet owner should check his policy in this regard.

A pet owner may also be held liable for losses caused by the acts of their pets which resulted from the negligence of the owner. Courts have ruled that pet owners who knew that their animals could cause damage to a third party's property are under a duty not to allow their pets to interfere with such a third party. For example, the owner of a dog that frightened a mink farm operation, which caused loss to the farmer, was found liable for the farmer's loss.

This legal column is for information purposes only and should not be constructed as legal advice. If you require advice on a similar matter you should contact your legal advisor.

(Ward Mallabone is an associate with Walsh Wilkins, a full service law firm which has carried on an extensive Native practice for more than 25 years. The Calgary telephone number is 267-8400.)

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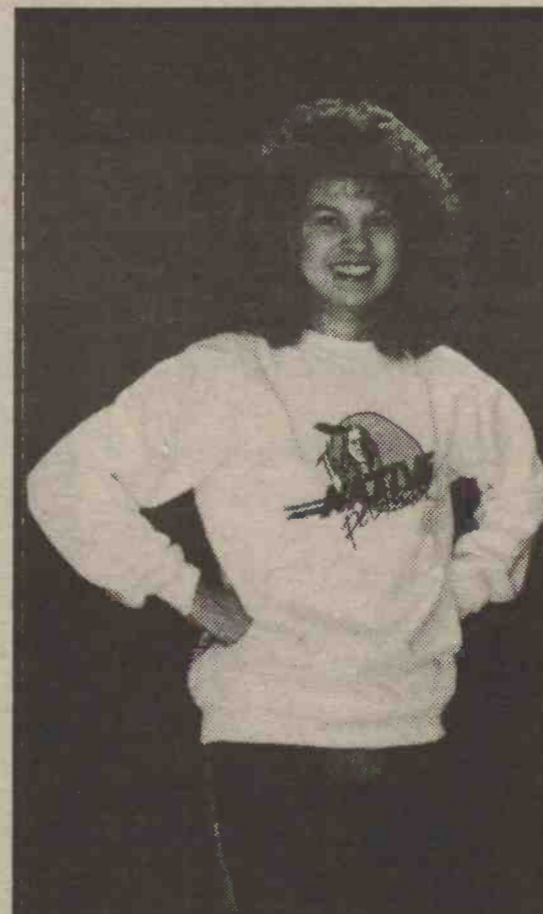
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- Provide information concerning enrollment and class offerings as requested
- Other related duties as assigned by the Registrar

The candidate we are looking for will have an understanding of university registration policies and procedures; superior communication and interpersonal skills; some supervisory experience; must be bondable; an understanding of the unique context under which SIFC operates and a sensitivity to Indian culture and issues facing Indian people.

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- Minimum of two years office experience
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- Skill in the use of word processors
- Knowledge of issues facing Indian people and knowledge of SIFC would be an asset
- Must be bondable

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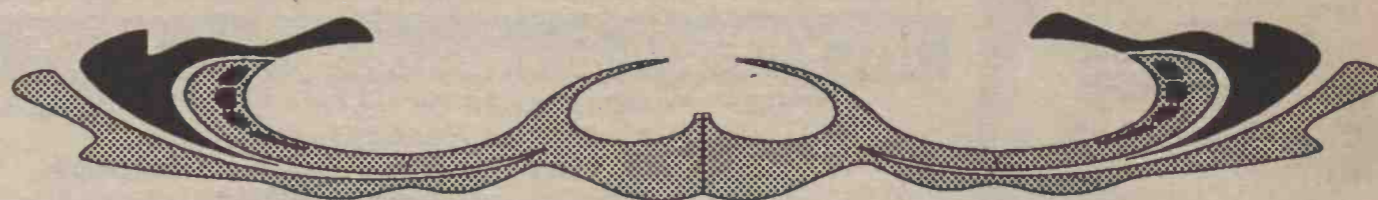
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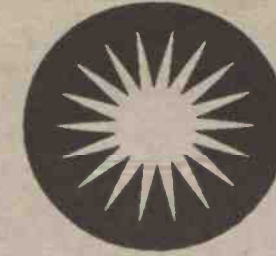
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- experience in counselling adults in a First Nations setting required, preferably in post-secondary education.

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- to manage programs in BSW, Sexual Abuse Worker and SAW Trainer of Trainers programs
- BSW and masters degree required
- administrative, supervisory and relevant teaching experience required.

COORDINATOR, COMMUNITY ECONOMIC DEVELOPMENT EXTENSION PROGRAM

- to coordinate a national program
- completion of a relevant diploma required; bachelors degree preferred
- administrative, supervisory & relevant teaching experience required
- demonstrated facilitation skills required.

COORDINATOR/INSTRUCTOR, NATIVE ADULT BASIC EDUCATION

- to coordinate and teach in a community-based program
- bachelors degree (or equivalent) required
- administrative, supervisory and relevant teaching experience

INSTRUCTOR, ANTHROPOLOGY & NATIVE STUDIES

- to teach first and second year university level anthropology
- may teach in other areas if qualified
- masters degree required.

INSTRUCTOR, BUSINESS ADMINISTRATION

- to teach accounting, financial management, marketing, small business development and microeconomics
- relevant bachelors degree required; masters preferred.

INSTRUCTOR, FINE ART

- to teach in the Diploma program
- MFA (or equivalent) required
- teaching experience required, preferably in design, painting and printmaking or sculpture.

INSTRUCTOR, NATIVE ADULT BASIC EDUCATION

- to teach in a community-based program
- bachelors degree (or equivalent) required
- relevant teaching experience required.

INSTRUCTOR, TRANSITION PROGRAM

- to teach in a 10-week, community-based pre-college lifeskills program
- bachelors degree (or equivalent) preferred
- relevant teaching experience (including lifeskills) required
- group facilitation skills required

INSTRUCTOR, SOCIAL WORK

- to teach in the Bachelor of First Nations Social Work program
- BSW and masters degree required

All applicants should be familiar with First Nations cultures and organizations. High priority is given to qualified candidates of First Nations ancestry.

Salaries are based on qualifications and experience, and a comprehensive benefits package is offered. Please enclose a resume with your letter of application, which must be received no later than **May 21, 1993**.

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Advertising Feature

Quality, service the goal at Tire Warehouse

It's more than a decade since the little Mountie hopped onto his wheel to become the advertising logo for The Tire Warehouse.

And ever since, top-notch service and products have become the trademark of The Tire Warehouse.

"We concentrate on service - and good value for your dollar," said co-owner Nettie Harris. "Consistently good service is difficult to find today, but you'll find it at The Tire Warehouse. Our staff is committed to service."

This commitment to service has paid off, bringing back customers again and again over the years. As a result, The Tire Warehouse was pleased to acknowledge its dedication to clients with Customer Appreciation Week, which ran May 1-8.

"Our customers are very important to us," said Wayne Harris, founder of The Tire Warehouse. "They keep us going. Customer satisfaction is number one."

Back in 1979, Wayne Harris founded the business after serving 12 years with the RCMP. Since then, Wayne and Nettie have built a bustling business run by a committed and qualified staff.

Our company's strongest assets are our qualified and



Service and value are the chief concern of Tire Warehouse founder Wayne Harris. Customer Deb Crowfoot (above, left) checks out work in progress on his vehicle while Harris makes sure he's getting the attention and quality work his customer wants.

highly experienced people, Nettie said.

"Our company has three new locations with a total of 40 service bays and modern and totally up-to-date equipment."

The Tire Warehouse offers a complete line of tires, prices

beginning at \$37.95 and up, as well as custom wheels, wheel balancing and computerized four wheel aligning. Here the most technologically advanced alignment system is utilized.

Tune-ups using the Allen Smart Engine Analyzer are

offered. This unique diagnostic micro-processor computer enables the mechanic to test the automobile's engine system rapidly and accurately. The result is better all-round engine performance, improved gas mileage and greater reliability. Brake service is also

offered at The Tire Warehouse. The highest quality products are used, many with lifetime warranties. Suspension repairs including struts, shock absorbers, oil changes using Quaker State products as well as air conditioning/cooling systems services.

The Tire Warehouse is a government-approved motor vehicle inspection station and taxi inspection station as well.

Wayne remains active in the daily operation (from 7 a.m. to 9 p.m., six days a week), overseeing the entire operation and managing the south side location at 4717 - 99 street. Rick Engel is Operations Manager (and Wayne's right-hand man).

Guy White is manager at the central location 10550 - 116 Street. Jerry Milczarek is manager at the west end location 17704 - 102 Avenue.

No matter which location you choose you're assured top quality service and competitive prices at The Tire Warehouse, home of the Mountie on the wheel.

And at any location you wheel into, you are assured top quality services and products at the Tire Warehouse - the home of the Mountie on the wheel.

You be the judge!



The TIRE Warehouse

"Home of the Mountie on the Wheel"

SIZE	LOAD RANGE SYMBOL	SPEED RATING SYMBOL	CROSS SECTION	OVERALL DIAMETER	REV. PER MILE	STATIC LOADED RADIUS	SUGGESTED RIM	MAXIMUM LOAD PER TIRE
LT 235/75-R-15 (30 x 9.50 R15LT)	105	Q*	9.44	29.44	710	13.46	6,6 1/2, 7, 7 1/2	2039 LBS
LT255/75-R-15 (31 x 10.50 R15LT)	109	Q*	10.59	30.55	684	13.93	7, 7 1/2, 8, 8 1/2, 9	2270 LBS

* - Q = 160 Km/H - OR - 99.4 MPH

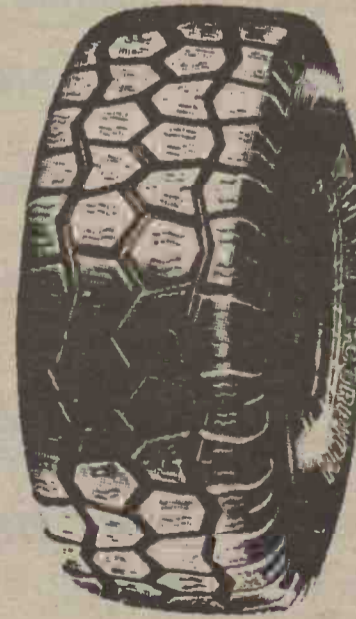


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SCORPION



LT-20

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The two sizes are steel-belted with ZERO degree nylon cap. The carcass is characterized with a high degree of flexibility which contribute to give certain appreciable benefits such as:

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- Improved resistance to impact.

- Fast response to sudden manoeuvres.

The tread pattern is wide and aggressive, designed also for loose surfaces (grass and mud).

The tires are M + S (Mud and Snow) indicating their special advantages in terms of traction even when used on snow covered surfaces.

SCORPION LT - 20

The growing world-wide popularity of recreational four wheel drive vehicles and the clear indications of the increasing enthusiasm for this kind of vehicle on the part of the affluent users are there for all to see. A casual observer will notice the various Blazers, Broncos, Jeep CJ-7 and Cherokees, Dodge Ram Chargers, etc., now on Canadian roads in quantities unthinkable few years ago. This has prompted Pirelli Tire Inc. interest in supplying the market with two of the most popular original equipment tire size fitted on the above mentioned vehicles.

The Tire Warehouse "Home of the Mountie on the Wheel"

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9 P.M. SATURDAYS OPEN TILL 6

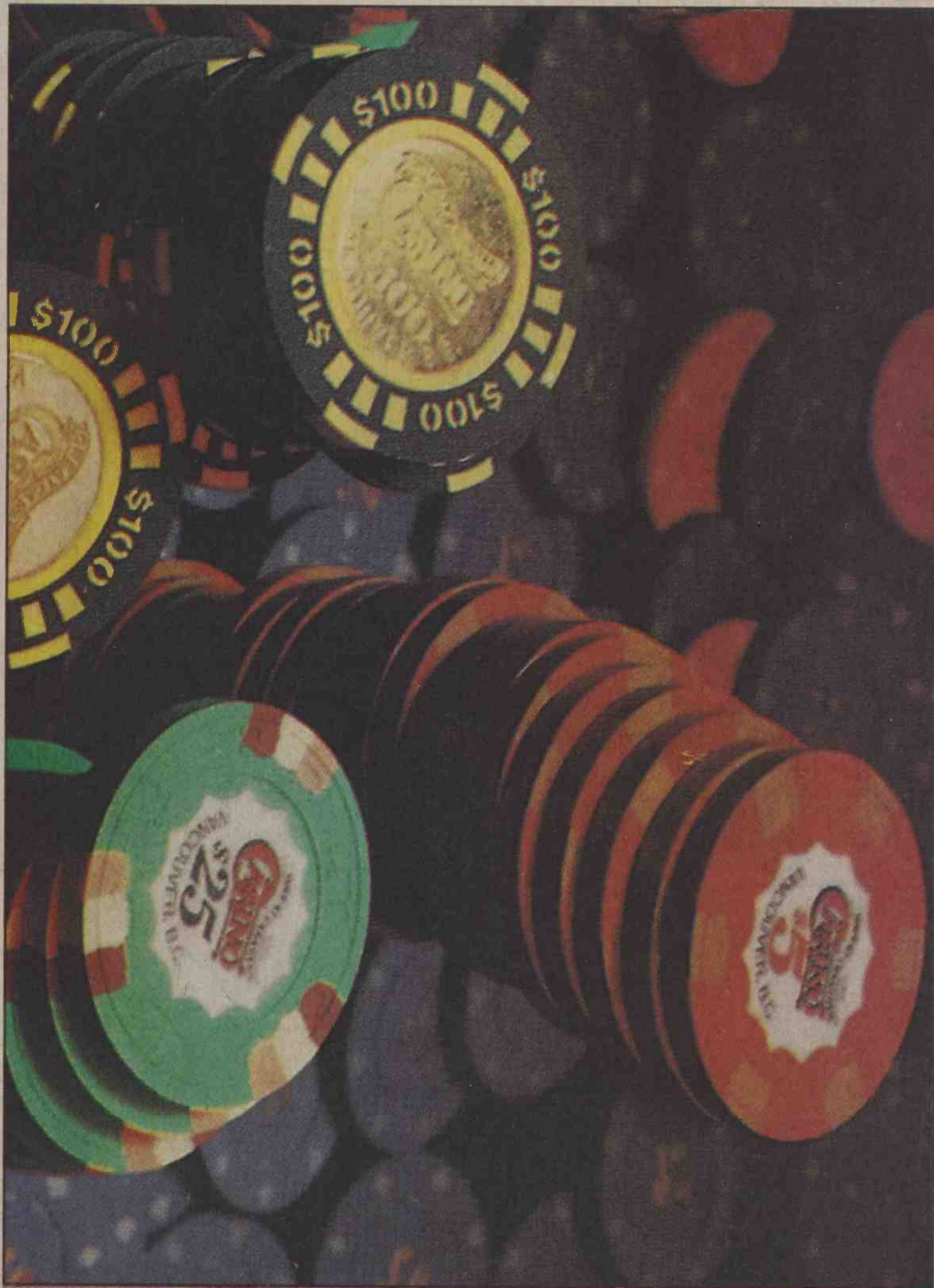
Aboriginals
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Table to
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First Nations
Gaming
Conference
and Trade
Show starts
May 10
For Schedule
of Events and
Exhibitors
See Inside

\$3 Million
Housing
Development
Project a
Boon to
Westbank
Indian Band
and Okanagan
Real Estate
Market

FIRST NATIONS Business

THE VOICE OF SELF-RELIANCE



Issue One: May 1993

\$2.50



Titled, "The Rising Generation", the above picture, photographed in northern Ontario around 1904, was taken from the historical Ontario picture book by Roger Hall and Gordon Dodds (Dundurn Press). Below, 1991

Statistics Canada figures show that growing numbers of Canadians are acknowledging their aboriginal roots. A million Canadians said they had aboriginal ancestry, a 41 per cent increase from the 1986 census.

FIRST NATIONS BUSINESS

THE VOICE OF SELF-RELIANCE

PUBLISHER
PATRICK J. GREEN

EDITOR
TRISH IRVIN

DESIGN AND PRODUCTION
CASSANDRA SHELDON

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	1991	1986	% Change
Newfoundland	13,110	9,555	37
Prince Edward Island	1,880	1,290	46
Nova Scotia	21,885	14,225	46
New Brunswick	12,815	9,375	37
Quebec	137,615	80,945	70
Ontario	243,550	167,375	46
Manitoba	116,200	85,235	36
Saskatchewan	96,580	77,650	24
Alberta	148,220	103,925	43
British Columbia	169,035	126,625	33
Yukon	6,390	4,995	28
Northwest Territories	35,390	30,530	16
Canada	1,002,675	711,720	41

Source: 1991 Census

Aboriginal Ancestry

The 1991 census question on ethnic or cultural origins provided information on the number of people who reported North American Indian, Métis, or Inuit origins, either as a single response or in combination with other origins.

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On the Cover

Stakes are piling up as First Nations battle for gaming rights in Canada. Photograph showing gambling chips is courtesy of Great Canadian Casinos, Vancouver, B.C.
Proceeds from provincially-licensed Great Canadian Casinos help support local charities.

First Nations Leaders Battle the Odds

by Trish Irvin

The high stakes issue of First Nations Gaming in Canada has natives across the country betting on a sure thing - themselves.

"We have an inherent right to run our own affairs," says Ed Pasap of Saskatchewan's Bear Claw Casino which was shut down by RCMP in March. "We have the jurisdictional right to manage our own affairs and we will do what we see fit for our people. We are going to win this battle."

The jurisdictional war over gaming began in 1985 when the federal government turned over responsibility for gambling to the provinces. In doing so, native leaders say, Ottawa illegally ceded potential sources of revenue to provincial governments.

Natives argue that Ottawa has a fiduciary obligation to care for aboriginal people and their right to self-government and that it cannot relinquish this obligation to the provinces.

Pasap says the Saskatchewan government's decision to shut down the first native-run casino in that province has slowed things down, "but we're not dead in the water yet."

"We're open for business as of April 30," says Pasap, "and as far as we're concerned, the province has no jurisdictional right to interfere." With the support of over a quarter million natives, Pasap believes the courts will find that the band has the authority to run its own gambling operations.

The Saskatchewan government has said it is prepared to allow more Indian gaming, but only under the authority of the provincial gaming commission.

"We have a long term goal to assert our jurisdiction over gambling and we will do it," added Pasap. In the interim, Bear Claw Casino operators may be able to acquire a licence from the feds for gaming tables, and says Pasap, will re-open regardless.

In Manitoba, the government steadfastly refuses to allow native-run casinos. Talks

between native leaders and government have been at a standstill since January when RCMP raided five Winnipeg-area reserves and shut down their gambling operations.

E.J. Fontaine, economic advisor to the Assembly of Manitoba Chiefs, says negotiations with the province are at a stalemate. "But as far as we're concerned, we have the right to just go

relinquish. Manitoba has been a leader among the provinces in developing gaming to raise cash for its beleaguered treasury. It set up the first government-run casino in 1990. Profit is expected to hit \$16 million during fiscal 1993, up from \$8.5 million in 1991.

B.C.'s 18 registered casinos raked in \$193.9 million in fiscal 1991. Under B.C. regulations, 50 per cent of gaming proceeds go to the charities that are licensed to run events, 10 per cent to the provincial government, and the remaining 40 per cent to the private casino-management companies.

As Globe & Mail columnist Jeffrey Simpson pointed out in a his January 8 column, it is the provincial governments that insist they should be the ones to license gambling and reap the revenue harvest.

Says Simpson, "If they are objecting to the morality of gambling, their concern seems oddly misplaced. The last time anyone looked,

governments were into gambling to satisfy their own revenue needs.

"Provincial lotteries are now a fixture, and provincial lottery corporations keep inventing new games of chance to lure gullible citizens into gambling."

Simpson feels governments are being hypocritical is they look askance at native gambling for reasons of morality. "Running or working in a gambling casino might not be the most edifying of occupations, but it beats welfare and unemployment. And if this kind of work is deemed fit for non-aboriginals in government-sanctioned casinos, why not in those run by the natives themselves?"

This indeed, is the million dollar question that native groups across the nation are asking. The morality of self-government is not without its financial implications.

The question of natives investing in themselves is easily answered.

It is the question of when will governments listen, that remains unanswered.



An artist's rendition of native gambling shows Crow Indians playing a sleight-of-hand game. To win a player had to guess which of his opponents hid a object.

ahead."

The Assembly of Manitoba Chiefs has proposed that the province's 62 bands set up a gaming commission to run a small number of casinos on reserves near Winnipeg, sharing

"We have a long term goal to assert our jurisdiction over gambling and we will do it."

Ed Pasap

profits with all bands. Grand Chief Phil Fontaine has spoken out in favor of civil disobedience over this high stakes issue. "This is an issue of economic emancipation for First Nations," he said.

Natives' assertions that gaming jurisdiction should fall to individual bands, have been rebuffed by provincial governments across the country, from B.C. to New Brunswick.

The enormity of the gambling profit potential is perhaps too vast for the provinces to

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Westbank Band Sets Precedent with Housing Project

KELOWNA - The \$3 million dollar Bayview housing development project on the Westbank Indian band reserve overlooking Okanagan Lake, is the first of its kind in Canada.

Project developers have pioneered a precedent setting Crown lease that allows for a reduced land component in the pricing formula, thereby keeping selling prices down.

Randy Rhode of Artisan Management has successfully negotiated a unique arrangement with Canada Mortgage and Housing Corporation to guarantee leases for the development of native lands.

"This is the first time non-natives will be living within reserve boundaries," says Rhode. "Already 47 houses have been sold and 18 are on deposit."

Of the 90-acre 630 unit development, this project represents ten per cent of Okanagan real estate sales.

"In the past, you couldn't develop native lands because there was no way of securing a loan," says Rhode. "Now all the banks will give mortgages on these properties because of the certificate of insurance from CMHC".

Financial cooperation between provincial, federal and local governments and the local Westbank Indian Band has produced fruitful results for all participants.

In order to keep the homes affordable says Rhode, "we sought out land that would be less expensive to build on, and we consciously charged less money for the homes we built, without sacrificing quality.

"Natives do have options and alternatives," added Rhode.

The road to Aboriginal self-government is paved not with good intentions, but with good investments.

New Lease on Indian Lands

The following is an excerpt of an article written by Geord Holland, B. Comm., LLB, for the Okanagan Mainline Real Estate Board Newsletter

KELOWNA - The Bayview development project appears to be the first private project in Canada developed on Indian Lands where mortgage security is being insured by Canada Mortgage and Housing Corporation (CMHC).

The leases at Bayview are unique in that the Westbank Indian Band and the locatee (the individual member of the band entitled to possession of the property) have both consented to and signed over their rights in the land for the full term of the 99-year lease.

This allows the Federal Crown to lease directly to the developer the entire property and in turn the developer is able to sublease each individual lot as subdivided.

Add to this the fact that the leases will be prepaid for the full term of 99 years by way of rent which corresponds to the land portion of the land and building.

The purchaser of the leadhold interest ends up with a home on a prepaid leasehold lot with the right of quiet enjoyment for the full term of the lease, subject to its terms.

The effect of this is that neither the local member of the Indian Band nor the Indian Band itself has any participation in the rights under the leases.

The sub-lease does provide for the payment of common costs in a fashion parallel to the payment of common costs under the Condominium Act

of British Columbia. However, it must be appreciated that Indian lands are not subject to provincial jurisdiction. None of the provincial acts, including the Land Title Act, Condominium Act or Builders Lien Act apply to these lands.

The lands are registered in the Indian Lands Registry in Ottawa and there is no parallel or corresponding registration in the Kamloops Land Title Registry, as is the case with other Indian leasehold development in this area.

There are currently at least three financial institutions accepting mortgage applications from parties interested in the purchase of these leasehold lots. CMHC has provided necessary assurances to the lending institutions as to the security of their mortgage lending.

Another unique feature of this particular lease arrangement is the concept of the creation of a British Columbia company (called Lessee Corp.), the shareholders of which will be the purchasers of leasehold units in Bayview.

The lease document permits Lessee Corp. to take over the head lease in the event that the developer does not comply with its terms. This

is an added feature of protection such that the residents of the projects would be entitled to assume the position of the developer under the head lease.

Some potential buyers remain concerned as to what will happen at the end of 99 years. Clearly the terms of the head lease and sublease indicate the rights of the occupants will come to an end and that the occupant must deliver up vacant possession of the property.

It is obviously impossible to predict the likelihood of events that may occur as the end of the 99 year term approaches. However, it is generally thought that market forces will prompt

the lessors to consider renewal of the leases in order to encourage the required repair and rebuilding of the premises near the end of the term, and to sustain the flow of common costs and management fees.

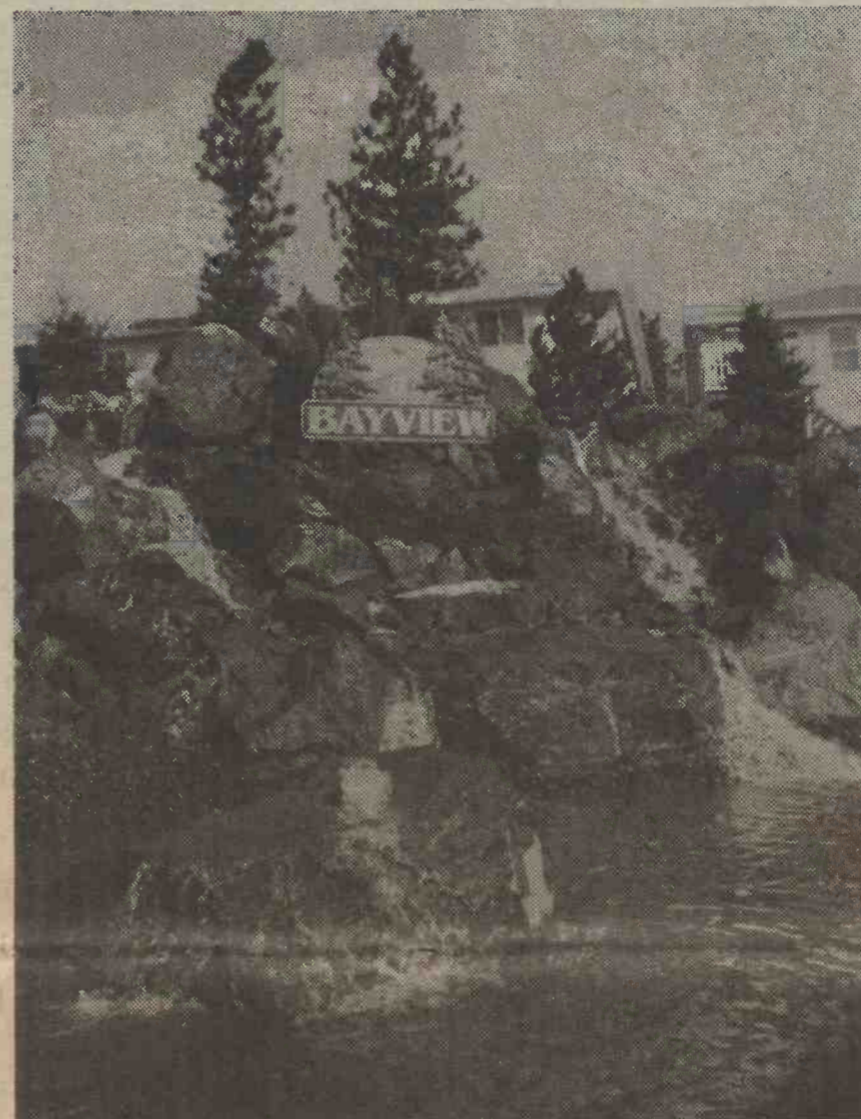
With respect to the matter of land taxes, the Westbank Indian Band has now reached an agreement with the B.C. Assessment Authority such that the lots and building will be assessed by the B.C. Assessment Authority itself, and that a mill rate will be determined by the Westbank Indian Band which is consistent with the rates of governing bodies in the area.

As evidence of the competitiveness of the Westbank Indian Band in seeking the development of a tax

base on properties, the Band has put in place a policy which will set its tax rate competitively with that of the Regional District and the City of Kelowna but has also undertaken to reduce those taxes by the equivalent of the B.C. Home Owners' Grant.

This is in spite of the fact that the band will not receive from the provincial government the grant itself. An appeal process for assessments has been set up with a board to review the concerns of an appellant in the same fashion as the B.C. Assessment Authority.

It seems clear that the Westbank Indian Band and other bands across Canada are becoming increasingly interested in attracting business and development to Indian lands in a fashion which will be directly competitive with properties outside those lands.

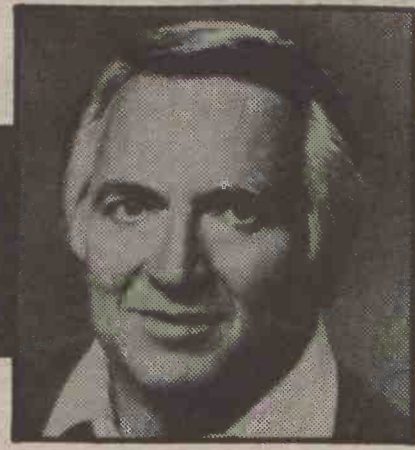


To coincide with the abundance of natural beauty adjacent to the Bayview housing development overlooking Lake Okanagan, a stunning waterfall has been constructed at the main entrance to the subdivision. The waterfall pumps 450 gallons or recycled water over the rock facade and at night, the entire waterfall will be illuminated by over 100 spotlights.

**Ad Deadline is
20th of every month**

It's Payback Time!

Guest opinion



Mickey Charles

Governments above and below the border have experienced a seizure of conscience and more than a twinge of greed as the nation's growing gambling gusto sweeps across the country.

Indian reservations were originally permitted to provide bingo to this get-rich-quick portion of our populace. It seemed like a reasonably safe plan of action.

But those seemingly innocuous bingo halls are growing out of hand into full fledged casinos, hotels, resorts, golf clubs, fancy bingo halls, and gambling establishments.

I wonder what Cochise of Sitting Bull might have done with a gambling option. Instead of surrounding Custer, the old Chief could have asked Yellow Hair if he wanted to let the whole thing ride on the next roll of the dice. Instead of all those bodies, a simple bet would have decided the outcome.

Interestingly enough, conferences such as Gamexpo '93 provide an opportunity for enlightenment and education. Gaming is here to stay. I endorse and encourage it.

It is essential that gaming be undertaken in the most professional manner possible — from the architecture to the interior, marketing to merchandising, promotion to entertainment.

The white man is getting his comeuppance. The difference this time around is that those on the receiving end have a winning chance. The real winners are the folks on the reservations.

To tell the truth, haven't you wished the reservation was yours? And, if you are living on a reservation, benefiting from these new laws, aren't you smiling from ear to ear and thanking your ancestors on a regular basis?

The absolute fact of the matter is that we are a race of gamblers, we love to try our luck and catch the brass ring, to speculate, venture and go out on a limb. It is our nature to tempt Providence and seek the shortcut. Wagering and risk-taking are part and parcel of the human mentality.

Whether it's the contest itself, the thrill of winning or the agony of defeat, the excitement of the chase of the moment, the risktaker in all of us is being preyed upon . . . and we love it!

No more so, however, than those who feel at risk by native groups' growing incomes and independence.

Suddenly, everyone is tracing their heritage back to the Sioux, Apache, Seminole, Blackfoot, Dakota, Cherokee and the seven tribes of Israel. You'd better be able to do a rain dance or don't ask for the compact. And it had better rain!

But, and it is a big 'but', there is room for many. Expertise and experience is needed to maintain control: from legal counsel to marketing support; training of personnel to security measures; accounting to architecture; casino administration to executive abilities. Unlike what the white man did when he stormed across the plains, the Indians have opened the door and invited them back in. They're just not accepting beads and mirrors anymore.

Whether he comes out with his scalp is another matter but he'll be given a fair shot. After all, it's payback time!

The last question is who will be the next group seeking permission to jump on the gambling bandwagon. Can you really fit slots into those little igloo openings?!?!?

B.C. Natives Gambling on the Future

Gambling is big business in B.C. and natives are upping the ante as they become important players in the world of gaming.

Jose Villa-Arce, a policy analyst with the provincial Attorney General's office told *Business in Vancouver Magazine* that with the province of B.C. committed at least in principle to native self-government, it was clear that jurisdiction over gambling might be up for discussion.

Gambling in B.C. is currently under the umbrella of the attorney general, but natives across Canada are arguing that gaming jurisdiction should fall to individual bands.

Victoria has been studying the issue for more than a year says Villa-Arce. At the same time, the B.C. First Nations Gaming Commission formed last year and chaired by Wes Modeste of Vancouver Island's Cowichan Band is working on its own study, which it hopes to release within the next month.

In the U.S., native gaming is booming, bringing welcome jobs and revenues in its wake. Calvin Helin, a lawyer with Ferguson Gifford and president of the Native Investment and Trade Association (NITA), has taken clients on tours of Minnesota gambling operations, including Mystic Lake Casino. The native-run operation is the biggest outside Las Vegas.

Helin is also heading the First Nations National Gaming Council, a body formed in February to represent would-be native operators' concerns.

On May 10 and 11, Cascadia Pacific Communications Inc., in a joint effort with NITA, is holding Gamexpo '93, a trade show and conference on First Nations Gaming in Canada.

What's Your Opinion ?

We want to hear about your First Nations business.

If you have a comment, question or criticism send your query to the editor

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150-1111 Melville St.
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We reserve the right to edit any material submitted to the editor.



FIRST NATIONS GAMEXPO CONFERENCE AND WORKSHOPS

Hotel Vancouver, 900 West Georgia

Monday, May 10, 1993

Conference Chair

Leonard Prescott, CEO, Mystic Lake Casino

Former Chair of National Indian Gaming Association

Opening Plenary Session

9:00 Opening Remarks from the Chair

9:15 **Marion Meadmore**, Director,
National First Nations Gaming Council
Winnipeg, Man.
Future of First Nations Gaming and
Economic Development in Canada

9:45 **Eddie Tullis**, Chairman
Porch Band Chairman of United South & Easter Tribes of U.S.
Atmore, AL
The Economic Impact of Gaming On
Tribal Self-Determination

Workshops

One-hour workshop sessions run concurrently with background papers prepared by each speaker. Sessions will be repeated.

10:30 Session I-Development Primers

- How We Did It: Tribal Gaming Success Stories in the U.S.

Richard (Skip) Haywood, Chairman
Pequot Tribal Council
Foxwoods Casino Pequot Tribe, Leyard, CT
Don Crofut, Vice President
Bingo Operations
Mystic Lake Casino, Minneapolis, MN

- Gaming Law Review, Interprovincial Update
Bill Ferguson, Lawyer
Ferguson Gifford, Native Law Group, Vancouver, B.C.
Len Tomah, National AFN Gaming
Commissioner
Woodstock Indian Band, N.B.

Chief Delbert Riley, Director
First Nations National Gaming Council
Chippewas of the Thames First Nations

1:30 Session II-Deciding To Develop

- Casino or Bingo Hall? Large or Small? Feasibility Studies and Market Analysis
Jim Klas, Marquette Partners, Minneapolis, MN
Candace Evart Fox, Fox Consulting, Reno, NV

- The Social Impact of Gaming Operations on Tribes and Surrounding Communities
Steve Sherf, Marquette Partners, Minneapolis, MN
Melanie Benjamin, MilleLacs Band of Ojibway Indians, MN

- The Economics of First Nations Gaming
Hugh Gallagher, Casino Consultant
Reno, NV
Steven W. Laible, Partner
KPMG (Peat Marwick), Minneapolis, MN

- Control Issue: A Workable Regulatory Framework
Wes Modeste, Self Government Coordinator, Cowichan Tribes
Cowichan, B.C.
TBA Representatives from B.C. Government and
Alberta Attorney General's office

Tuesday, May 11, 1993

9:30 Session III-So You Have Decided To Develop

- Financing: How To Get It
Saul F Leonard, CEO
Saul F. Leonard Co. Inc.
Los Angeles, CA

- Choosing Your Partner: Management Contracts or Go It Alone?
John Tipton, Chief Financial Officer
Seven Circle Resorts, Denver, CO
Zurich, Switzerland
Charles E. Peone, Jr.
Business Consultant
Miwok Tribal Enterprises Corp.
Albuquerque, NM
Allene Ross, Vice President, Planning
Little Six Inc., MN

- Structuring The Deal
Ross Tunnicliffe, Lawyer
Ferguson Gifford, Native Law Group
Vancouver, B.C.
R. Cary Corbeil, CMB
Business Consultant
Victoria, B.C.

- Cash Handling: Accountability At The Till
Ron Gallaway, Vice President
Lodging Systems, Reno, NV
Mary Ellen Muir, Technical Marketing
Lodging Systems
Reno, NV

- Design for Gaming Facilities in the Nineties
Terry Cristal, Partner
Number Ten Architectural Group
Winnipeg, Man.

- Marketing The Tribal Gaming Operation
Daniel W. Duley, President, Xovox Management Inc.
Indian Gaming Magazine, Las Vegas, NV
Dr. Robert Hathaway, CEO
Economic Development Commission
Sault Ste. Marie Tribe of Chippewa Indians, MI

- 1:30 Training for Employees and Management
Lou Crowder, Casino Manager, Lummi, WA
- Casino Hotel Supervision
Peter G. Demos Jr. President
Demos and Associates
San Diego, CA

- New Concepts in Casino Development, The Destination Resort
Andrew Tottenham, President
Tottenham & Co., Gaming Consultants,
New York, NY and London, UK

- Putting P.R. To Work for You
David Baker, Vice president
Wilson Public Relations Inc.
Vancouver, B.C.

Closing Plenary Session

- 5:30 Summary
Calvin Helin, President
Native Investment and Trade Association
Co-Chair, Ferguson Gifford, Native Law Group
Vancouver, B.C.

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The Key to Success for Tribal Casinos: Integrity

The following is an excerpt of an article by Saul Leonard that appeared last January in the U.S. publication Gaming & Wagering Business. Mr. Leonard of Saul F. Leonard Co. Inc., a firm specializing in providing consulting services to the gaming industry.

In the United States, Native American reservations are "sovereign" self-ruling nations, as established in treaties between individual tribes and the U.S federal government in the late 1800's. In other words, natives are free from control by the state governments in which they are located. However, native peoples must still live on neighborly terms with the states in which they reside.

By terms of a 1988 Congressional Act, the rights of individual tribes to operate legalized games of chance on their reservations was broadened. The goal of this federal law was to promote tribal economic development, self-sufficiency, and to further protect native rights. In essence, the 1988 law said that once a state has legalized any form of gaming, Native American reservations in that state, have the right to offer the public the same games without governmental restrictions.

At present, of the 278 reservations within the continental U.S., more than 150 are offering games of chance ranging from bingo games, to table card games, to slot machines. In the U.S., total annual native gaming revenues are estimated at more than \$1 billion dollars U.S. The records show that income from these operations has produced measurable social and economic benefits for a number of these tribes.

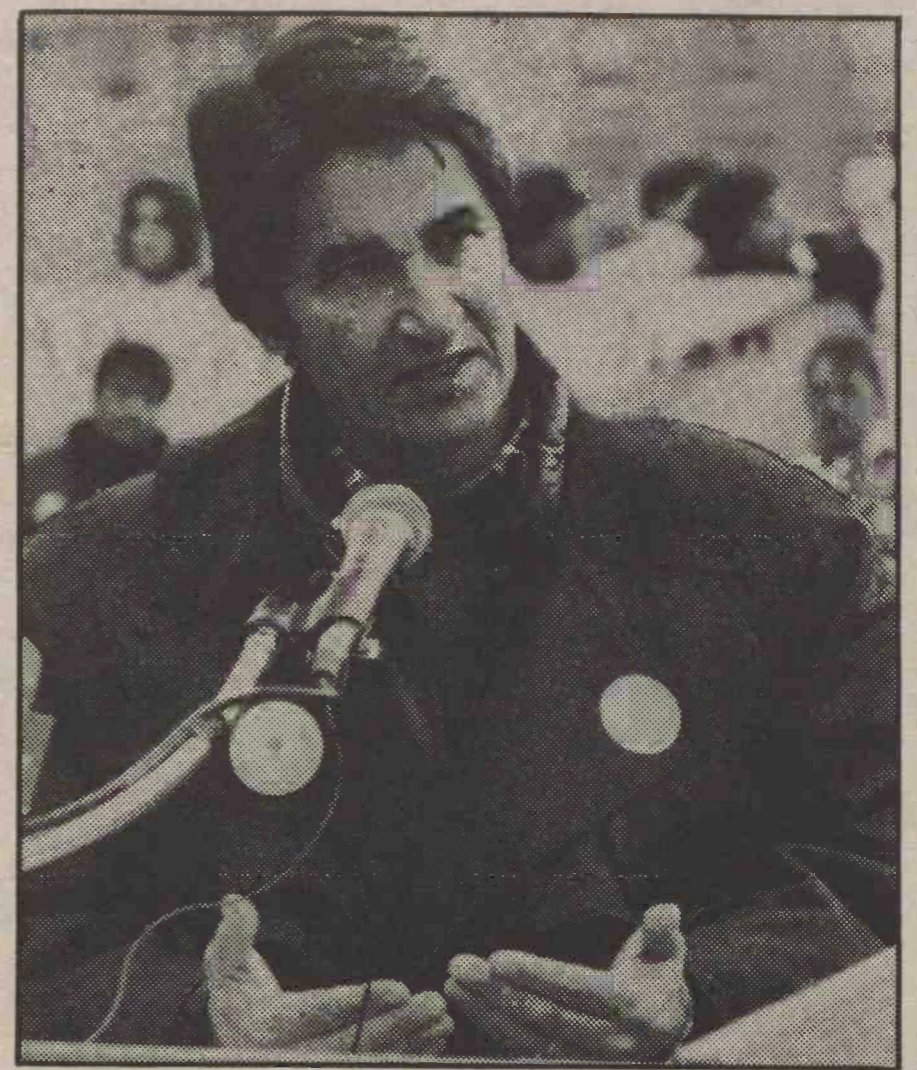
Astute Native American leaders have come to realize that anti-native gaming articles hurt the entire industry if a segment of the public loses faith in the integrity of all participants.

Leaders appreciate that the continued success and existence of every gaming center in this chain is no stronger than its weakest link. Any loss of integrity or taint of scandal by one, invariably stains public attitudes toward all Indian casinos.

The following are simple rules for the initial and continued success of gaming enterprises:

- Don't oversell the concept. The worst approach promoters or leaders can take is to create grandiose expectations that can never be met.
- Work toward a consensus in the region where you plan to operate. Bring the community into the decision-making process before launching a project. Build goodwill. It's one of a casino's greatest assets.
- Head off old wives tales. Publicize the facts instead. Casino operations can be kept within their legal limits through close supervision. In this way the influence of shady persons can be avoided.
- Bring in the experts. Don't leave the start-up and operation processes to educated guesses. Engage experienced outside counsel who can provide initial and on going strategies and procedures with objectivity.

Ovide Mercredi - Man for First Nations



The man who speaks for Canada's 600,000 status Indians, Ovide Mercredi, will address the issue of aboriginal gaming at the Gamexpo '93 Conference being held May 10 and 11 at the Hotel Vancouver Convention Centre.

The Grand Chief of the Assembly of First Nations and son of a Cree fisherman and trapper, Mercredi will be the keynote speaker at the conference's gala dinner May 11. While conference delegates dine on such Native delicacies as buffalo, venison and smoked salmon, Mercredi will undoubtedly offer an added pungency to the evening's meal with his speech titled "Boom, Doom or Gloom? Aboriginal Gaming in Canada."

A soft-spoken man who takes the hard line on long-standing native grievances, Mercredi, 47, has led the Assembly of First Nations with a combination of toughness and compassion.

He told Maclean's magazine last year that "When you deal with the Canadian government, you have to be hard," but added that he would always approach non-native Canadians "in the way in which our ancestors approached them - with generosity."

From a young age, Mercredi has found strength, bordering on obstinance, in the traditional teachings of his culture. At age 7, he refused to speak for a full year after enrolling in the Manitoba community's only school where teachers insisted that he speak only English.

Mercredi dropped out of school at age 16 to work as a laborer for Manitoba Hydro. He later returned to school, graduating with a law degree in 1977 from the University of Manitoba.

Mercredi's ambitious professional and personal goals focus on repairing two centuries of increasingly debilitating native dependence on white government.

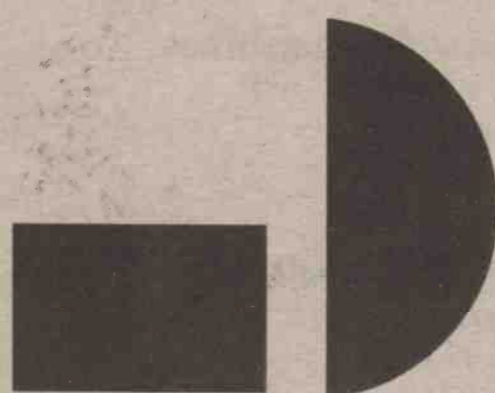
Said Mercredi: "My challenge is to turn grievances into solutions. The onus is as much on us as it is on the federal and provincial governments."

The issue of First Nations gaming, fraught with conflict and controversy between natives and governments, is not an irreconcilable issue. As First Nations leaders such as Mercredi realize, no problem is unsolvable that can be balanced with traditional values and political savvy.



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Aboriginal Group Stakes a Claim in Mining Industry Development

ONTARIO - The creation of the Canadian Aboriginal Minerals Association (CAMA) in January gives aboriginal people a role in mineral resource management.

"Increasing Aboriginal participation in the mining industry will be one of the many avenues open to communities in advancing our goal of self sufficiency as we progress into self-governing First Nations," said Ovide Mercredi, National Chief of the Assembly of First Nations in a letter to CAMA Director Hans L. Matthews.

Canada's producing metal mines have a known metal value of more than \$110 billion dollars. Approximately 30 per cent of Aboriginal communities are within 50 kilometers of a producing mines. Aboriginal participation in exploration and mine development can have a significant positive impact on community economic development.

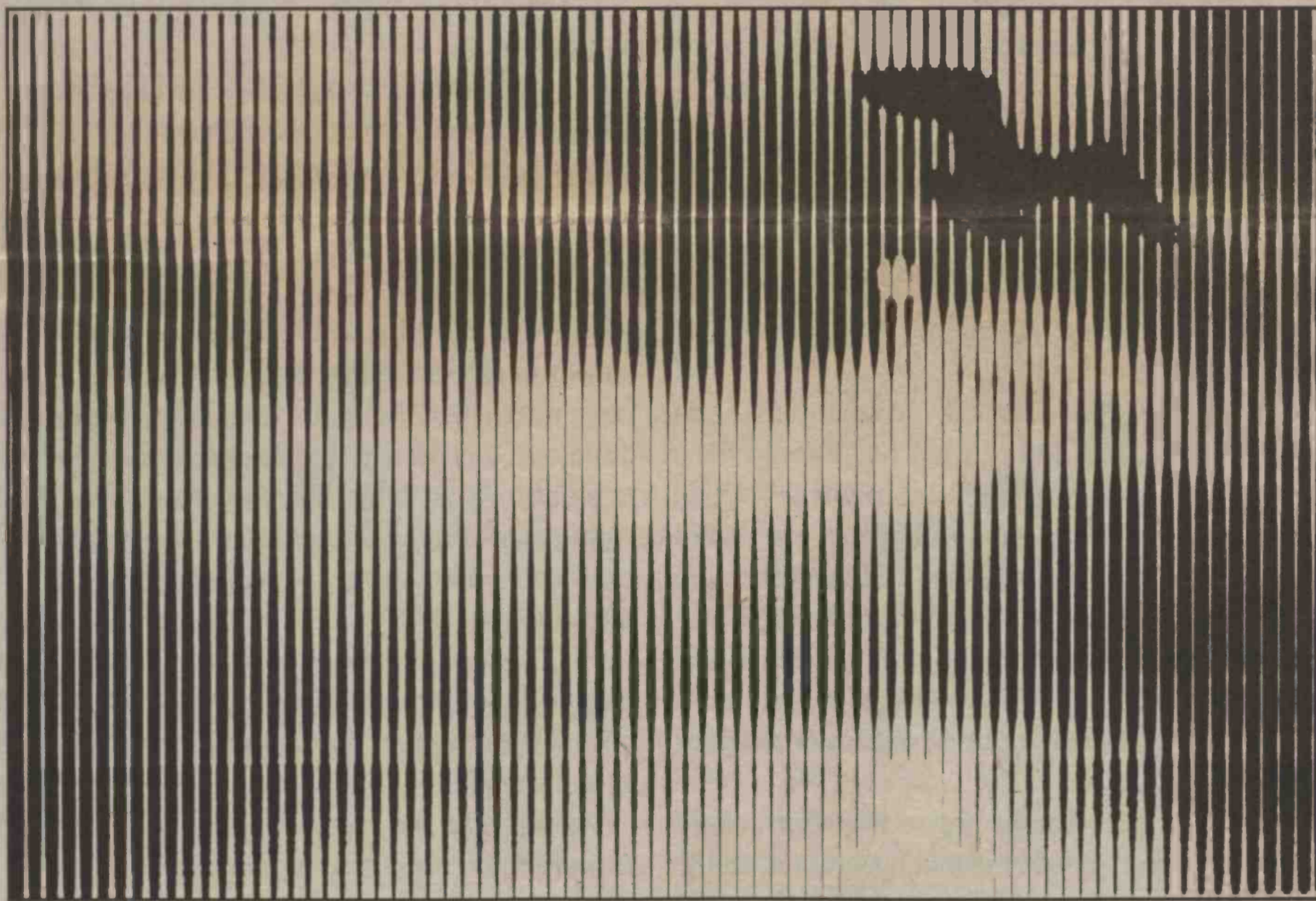
CAMC was created to inform Aboriginal communities and individuals of the benefits and opportunities available to them in the mineral industry. It also serves to advance economic development, mineral resource management and

environment protection at the community level. It will help mining companies establish working relationships with Aboriginal communities.

George Miller, president of the Mining Association of Canada, views the formation of CAMA as a step in the right direction.

"There are significant possibilities for the involvement of Aboriginal people in future mineral development and spin-off activities. CAMA can be a vehicle for better communications between the mining industry and Aboriginal people, and a means to improve mutual cooperation and understanding," said Miller.

CAMA Aboriginal principals have backgrounds in the mineral industry. They include an executive from one of the largest Aboriginal-owned heavy equipment operators in Western Canada, an Aboriginal mine employment coordinator, community economic development officers, a resource lawyer, a prospector, geologists and a geological technologist.



Protection of Mother Earth
is a guiding light for Aboriginals on the path toward self-reliance.

B.C. Creates First Nations Forestry Council

Twelve First Nations representatives and seven from the forestry industry will make up the newly formed First Nations Forestry Council.

First Nations representatives include: George Watts, Nuu-chahnulth Tribal Council; Collier Azak, Nisga'a Tribal Council; Gary Merkel, Ktunaxa/Kinbasket Tribal Council; Gary Page, Carrier-Sekani Tribal Council; Geraldine Shirley, South Island Tribal Council; Chief John Smith, Musgamagw Tsawataineuk; Garry Russ, Council of the Haida Nation; Tom Wycotte, Williams Lake Indian Band; David Walkem, Cook's Ferry Band; Harold Derickson, Inter-Tribal Forestry Association

of B.C.; Yvonne Moon, Tahltan Tribal Council; and Jean Gleason, Kaska Dena Council.

The forestry industry is represented by Rickey Jeffrey, Truck Logger's Association; Warren Ulley, IWA; Fred Lowenberger, Council of Forest Industries; Jim Gosline, Northern Interior Lumber Sector; Marlie Beets, Cariboo Lumber Manufacturers' Association; Gord Sluggett, Interior Lumber Manufacturers' Association; Dirk Brinkman, Western Silvicultural Contractors' Association; and Linda Coady, MacMillan Bloedel.

Inter-American Indigenous Congress Set for September

The third Inter-American Indigenous Congress on the environment and economic development will be held in Vancouver, B.C. Sept. 15 to 19, 1993.

This congress will be attended by over 1,200 delegates from North, Central and South America and will offer discussions of great benefit and value to First Nations, business and industry as well as provincial, national and international agencies.

Hosted by the InterTribal Forestry Association of British Columbia, the National Aboriginal Forestry Association and the International Indigenous Development Organization, the Congress will examine issues surrounding environmental protection and economic development for indigenous people, by indigenous people.

The Congress is jointly sponsored by the Inuvialuit Group of Companies and the Bank of Montreal. For further information contact:

InterTribal Forestry Association of B.C.
Suite 201-515 Highway 97 South
Kelowna, B.C., Canada V1Z 3J2
Phone: 604-769-4433



SHARPENING THE SWORD FOR GAMING WARS

The following is an excerpt of an article written by Calvin Helin, a member of the Lax Kw'alaams Band of the Tsimshian and co-chair of the Ferguson Gifford Native Law Group. He is also founding President of the Native Investment and Trade Association.

Headlines are abuzz with "Indian Gaming Wars". Many reserve gaming operations have been raided. Rhetoric and threats have come forth from provinces and First Nations. Aboriginal groups have reacted strongly to provincial interference in what are viewed as internal matters of self-government.

Provinces have reacted equally strongly maintaining that gaming is a legitimate area of provincial jurisdiction (though delegated) that extends to reserves. Where confrontation has occurred positions have become entrenched. The result has been that the opportunity for constructive solutions has accordingly diminished.

This is too bad because, in the short-term, mutually acceptable agreements are probably the best way to ensure the orderly devolution of gaming powers to aboriginal groups and the integrity of gaming operations.

One point that all sides seem to agree on is that gaming operations have to be run to a high business standard and be developed free of criminal and other undesirable elements. Tribes (cognizant of vigorous provincial opposition to attempts in the 1970's to establish federal lotteries) feel the real reason for provincial opposition to aboriginal gaming is that some provinces simply don't want competition for this revenue source.

Provinces that do not negotiate in good faith with First Nations face the prospect of ultimately painting themselves into a jurisdictional corner. In the U.S. this happened through litigation. The decision that led to the Indian Gaming Regulatory Act (IGRA) in the U.S. was *California v. Cabazon Band of Mission Indians*.

The state sought to regulate bingo games and prohibit the conduct of card games run by two separate bands. The U.S. Supreme Court essentially affirmed the decision of the U.S. Federal District Court's ruling that "neither the state nor the county had any authority to enforce its gambling laws within the reservations."

In response to *Cabazon*, the IGRA became effective in 1988. This was enacted largely in response to requests from state government to be involved in establishing a regulatory framework for tribes within their respective states.

Certainly the position of Canada's First

Nations cannot be compared to the U.S. tribes given differences between the legal systems. What can be compared to the U.S. situation is the general process of evolution that has occurred. Canadian First Nations can bring some compelling legal arguments to bear on the matter in Canada.

The first argument might be that the federal government has a fiduciary responsibility to aboriginal people (as was recognized by the Supreme Court of Canada in the *Guerin* and *Sparrow* cases). In *Sparrow*, the court held that "...the government has the responsibility to act in a fiduciary capacity with respect to aboriginal peoples. The relationship between the government and aboriginals is trust-like, rather than adversarial..."

Defining what fiduciary obligations the

The right to gamble and control gaming might be argued to be a logical part of the self-government right to control economic development.

Calvin Helin

federal government owes First Nations is a complicated matter of law. However, an easy way to explain what it means is simply that the government must act in the best interest of aboriginal peoples.

Since the federal government has jurisdiction for gaming (that has merely been delegated to the provinces), it might be argued that this fiduciary responsibility includes reoccupying this area of jurisdiction and enacting more comprehensive legislation. It might be argued that the current situation is causing undue hardship for those First Nations in provinces that have not take liberal approaches to aboriginal gaming.

Provinces might argue that they could regulate gaming directly under section 92 of the Constitution Act, 1982 or that provincial regulations extend to gaming on reserve lands.

First, these issues are unsettled at law. Second, even if they could do this in the face of clear federal jurisdiction in the area, the doctrine

of 'federal paramountcy' would apply (i.e. where there are inconsistencies of conflicting federal and provincial laws, the federal law prevails).

First Nations might further argue that various forms of gaming have long been a part of aboriginal culture and are therefore protected as an aboriginal right under section 35(1) of the Constitution Act, 1982 as an "...existing aboriginal right".

It could be maintained that the right to gamble, even though it has been extensively regulated, is akin to the the right to fish in *Sparrow*. The Supreme Court found in *Sparrow* that the fishing right, which was regulated in great detail, had never been extinguished. This right, like the aboriginal fishing right, arguably still exists.

Also, using the language of *Sparrow*, this right "should be interpreted flexibly so as to permit its evolution over time...and is 'affirmed' in a contemporary form rather than primeval simplicity and vigour".

The right to gamble and control gaming might be argued to be a logical part of the self-governmental right to control economic development.

Has there been any legislation to extinguish the right to self-government? I cannot think of any where the intention of the sovereign is "clear and plain" (as the court required for extinguishment of aboriginal fishing rights in *Sparrow*).

If the right to self-government was successfully established, it could be further contended that the right to control economic development (hence gaming) is an incident to this right. However, if this were established, the right could only be limited if a court is satisfied that the infringing legislation "justifies" interference.

These are some of the weapons that First Nations may take to the "gaming wars" battlefield with the provinces. The stakes are high enough to warrant picking the cases with the right facts, ensuring that they are funded properly and assembling a top notch legal team.

The most intelligent approach, however, is for provinces and First Nations to sit down together and intelligently hammer out constructive arrangements - fair arrangements with which everyone can live.

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A Framework for Gaming Development

The following is an excerpt of a speech given by Lou Crowder, General Manager, Lummi Casino, WA., at the First Nations Gaming Conference in Vancouver last year. A graduate of the University of Arizona College of Law, Crowder has served as General Counsel to the Navajo Nation and has represented more than a dozen Native American tribes. He will be speaking at the Gamexpo '93 Conference May 11 at 1:30 p.m. to discuss casino training for employees and management.

"...We manage one Casino in San Diego, the tribe has 32 enrolled members, the Casino has 820 employees and there are five band members employed by the Casino. That is not Indian gaming. It is gaming that happens to take place on a very small reservation. At Lummi, I think we are involved in what I will characterize as true Indian gaming.

The training begins with the structuring within the band. When the tribal leaders agree, they then have to make a commitment to be involved in all the negotiations because they are the first people trained.

The management company is responsible for training the tribal political leaders about what the "management contract" really means. What is the "gaming enterprise?" What impact is it going to have on the community? How is that impact going to be controlled? How are you going to deal with thousands of non-Natives driving across the reserve? What is the tribal self-image with regards to morality of gaming? Is the tribe comfortable with that? Are the tribe members comfortable with that?

As training stages take place, you get to a point where you begin to hire employees. The first employees you have to hire will be non-Natives. You have to train these non-Natives as to what this business is all about; a historical perspective of what sovereignty means, what trust planning is, and about what is the nature of natives' relationship to the government, the province, the city and the country.

If those employees do not understand what you have done as you brought in the gaming mentality, and they don't know what they are supposed to do, and don't know the history of the band and they don't share the values, then when it comes time to begin training tribal employees, I find it is very helpful to talk to them about the same issues: sovereignty, trust, trust lands, trade and relations.

The employment that one provides to the band members must involve initial training. There must be room for advancement and promotion because you cannot train people without offering them promotions. Training has to involve the more difficult element: instilling confidence and self-esteem.

In nine months at Lummi, we have hired and trained 238 band members. At the present time, 80 per cent of our management staff are tribal members. Their performances are outstanding. We will match the efficiency of our willingness with the efficiency of the games with any Nevada operation. The band members are doing a superb job.

The atmosphere that I think is created, is a community facility. Before we opened the casino doors, the elders were invited in. We had the appropriate ceremonies. We also reminded them that this was their Casino.

We have accelerated the training, sent them to Las Vegas where they have been attending classes at the University of Las Vegas and graduate schools.

Upon their return, they have installed a

sense of self-confidence and also a sense of responsibility and a sense of leadership. They train the rest of the band members on the floor and impose new kinds of discipline which have not traditionally taken place on the reserve.

Most band members on the reserve have not had the heritage of watching both parents go to work at seven o'clock every morning and coming back at five after a days work. Not with 80 per cent unemployment. We have 59 employees who are tribal members and have never had a Social Security Card which suggests they have never worked.

There is an absence of traditional discipline, or what they refer to as corporate discipline. We all joke about it because we are not a corporation, we are a tribal enterprise. This corporate discipline and mentality have to be instilled and the best way to do that is to have

There is an absence of traditional discipline, or what they refer to as corporate discipline. We all joke about it because we are not a corporation, we are a tribal enterprise.

Lou Crowder

members of the community work together with other members of the community.

Soon you find that if someone comes in and has had a drink, management doesn't have to deal with it. If he or she has alcohol on his breath his own peers will deal with it.

I would note that substance abuse and the crime rate on the reservation have plummeted since the Casino opened. Meaningful employment has a marvelous impact on the community and I would like to mention something that has happened in the last two weeks.

We gave a turkey to every employee. About 100 tribal members came back and said that this was the first time in years that they could afford to buy their own turkey. They asked me if I could put the turkey back in the refrigerator and give it to one of the poorer families on the reservation.

These are the kind of actions that make the community more meaningful.

Everything that management does should be designed to train and teach the budgeting process. All but two departments are managed by tribal community members. They have to prepare their own budgets, defend them, work it out with the people under their supervision then come back in and use it as a training device so that next year it will be easier for them to defend the budget.

It would have been easy to develop a budget with the controller behind closed doors. This is why we spent two weeks so that we have

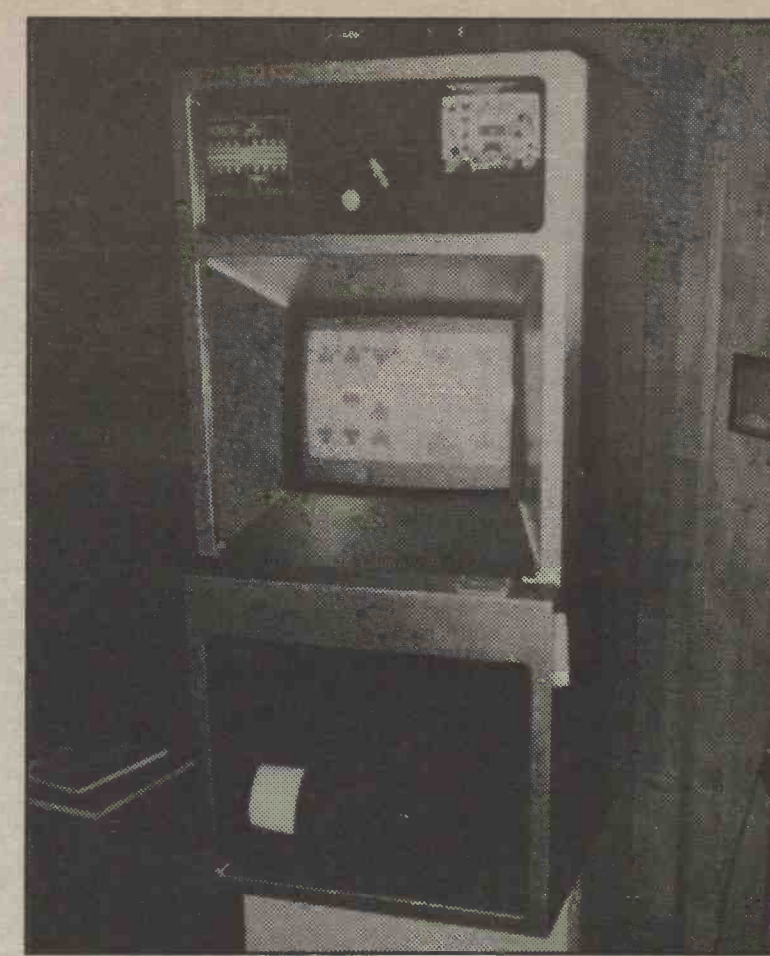
a budget that the community understands and that the Lummi managers have developed and prepared and they will also be able to defend, manage, apply and use the budget as a tool because now they understand.

Part of the training is to provide people with the opportunity to advance their education. Every community member who works in a Casino gets the opportunity to further their education. We pay them to go to school and pay all the related costs. They do not have to study anything that relates to the Casino because as they are able to further their education and move to another job.

The true First Nations or Indian gaming and training involves more than just the concept of teaching a small community how to manage effective gaming.

The mandate from the tribe with regard to meaningful employment is much more important than the income dream. If you question that statement, ask anyone you come into contact with, is the money more important or would you rather have meaningful employment opportunities for community members and less profits?

I think the answer is obvious. If you come to visit us and listen to the everyday conversation up there, you will find that Indian gaming in the United States has very little to do with gaming and everything to do with economic development and social projects.



Bill Tobin's wireless wizardry as a satellite communications person has created a Video Lotto Terminal to beat all VLT's. Called KATS, this customer activated terminal system (above) will not only let you buy your Lotto tickers, play bingo, card games and pulltabs, it can be used as an educational tool as well, able to access the wealth of information and programming available through satellite technology. Operating the terminal requires only the touch of a finger. Tobin's machine will be on display at the First Nations gaming tradeshow at the Vancouver Game Expo '93 Conference May 10 - 11.



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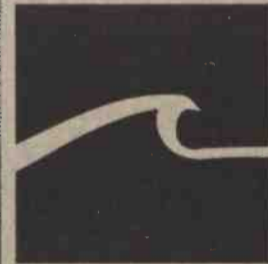
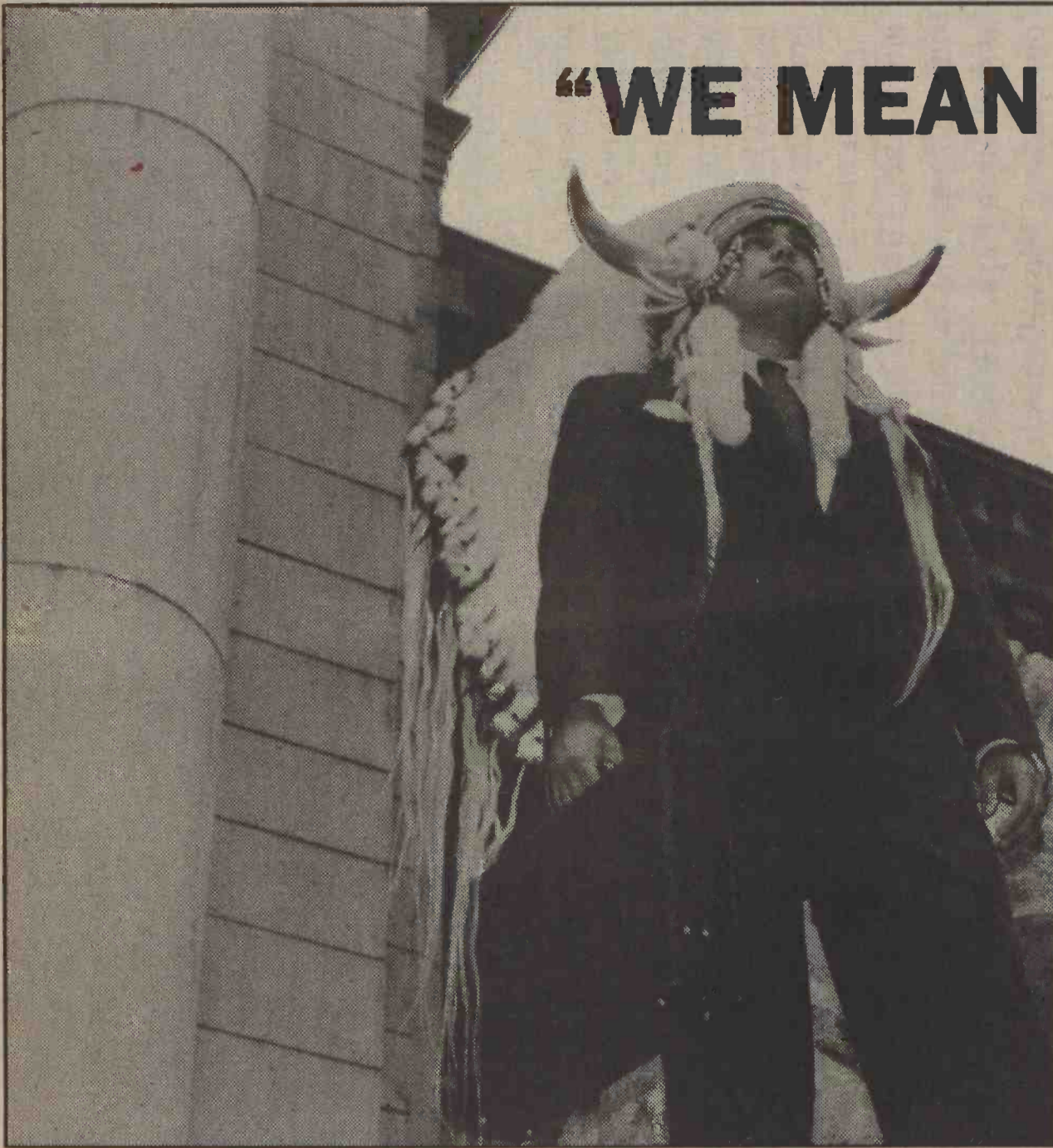
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