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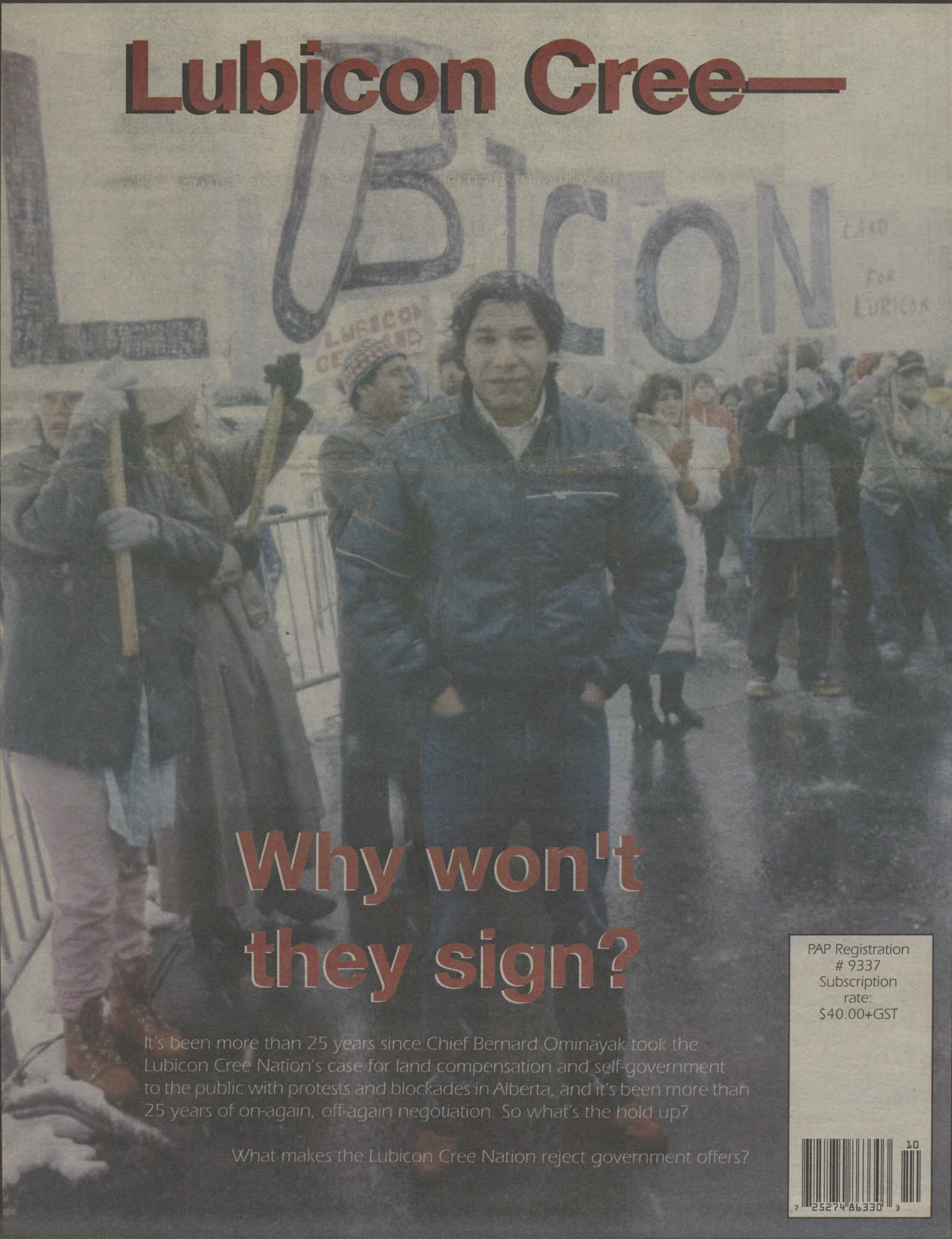
Aboriginal Multi-Media Society (AMMSA)

ISSN 0834 - 177X • Publications Mail Reg. No. 40063755

Windspeaker • Established 1983

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Lubicon Cree



Why won't they sign?

It's been more than 25 years since Chief Bernard Ominayak took the Lubicon Cree Nation's case for land compensation and self-government to the public with protests and blockades in Alberta, and it's been more than 25 years of on-again, off-again negotiation. So what's the hold up?

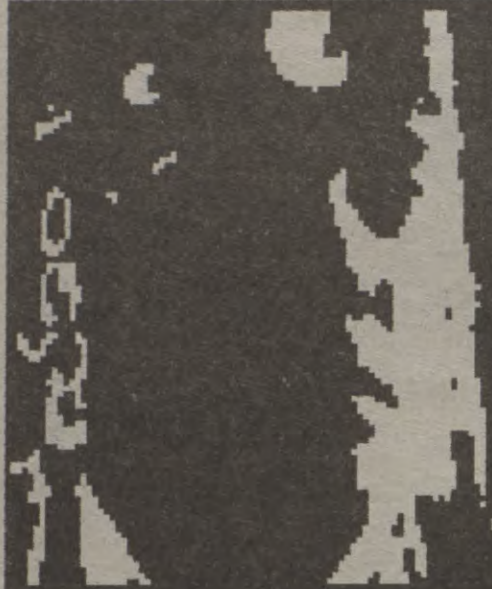
What makes the Lubicon Cree Nation reject government offers?

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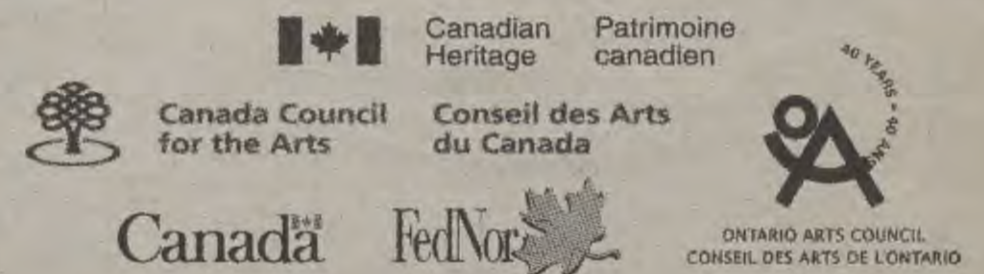
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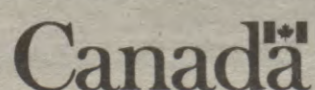
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Features

Nunavut renewal stalled 8

Thomas Berger, conciliator of the Nunavut Land Claims Agreement, has submitted his report on why renewal of the land claim is past due by two years. It seems the parties involved have faith issues. Each believes the other is not committed to work in good faith towards a common goal.

Dudley George—After 10 years 8

The inquiry in the shooting death of Native protester Dudley George will continue into 2006, delaying the inquiry commissioner's report until late next year. Recent testimony reveals there was government pressure to shut down the protest at Ipperwash Park, which led to George's killing.

Houma Tribe hammered by hurricanes 9

The Native American population of southern Louisiana is in desperate straights with their homes submerged under flood waters and their economies devastated by hurricanes Katrina on Aug. 29 and Rita on Sept. 24. Prayers and supplies are needed.

The money's there, says Finance minister 10

Federal Finance Minister Ralph Goodale met with Windspeaker to discuss the upcoming financial obligations and commitments Canada has in regards to Aboriginal peoples. He promises the money for residential school compensation will be there when needed.

FNUC task force needs more time 11

The report by a task force reviewing the difficulties suffered by First Nations University of Canada in recent months, including the firings of administration and academic staff, will be delayed until November. Observers have wondered whether there is political interference at the root of the delay.

Departments

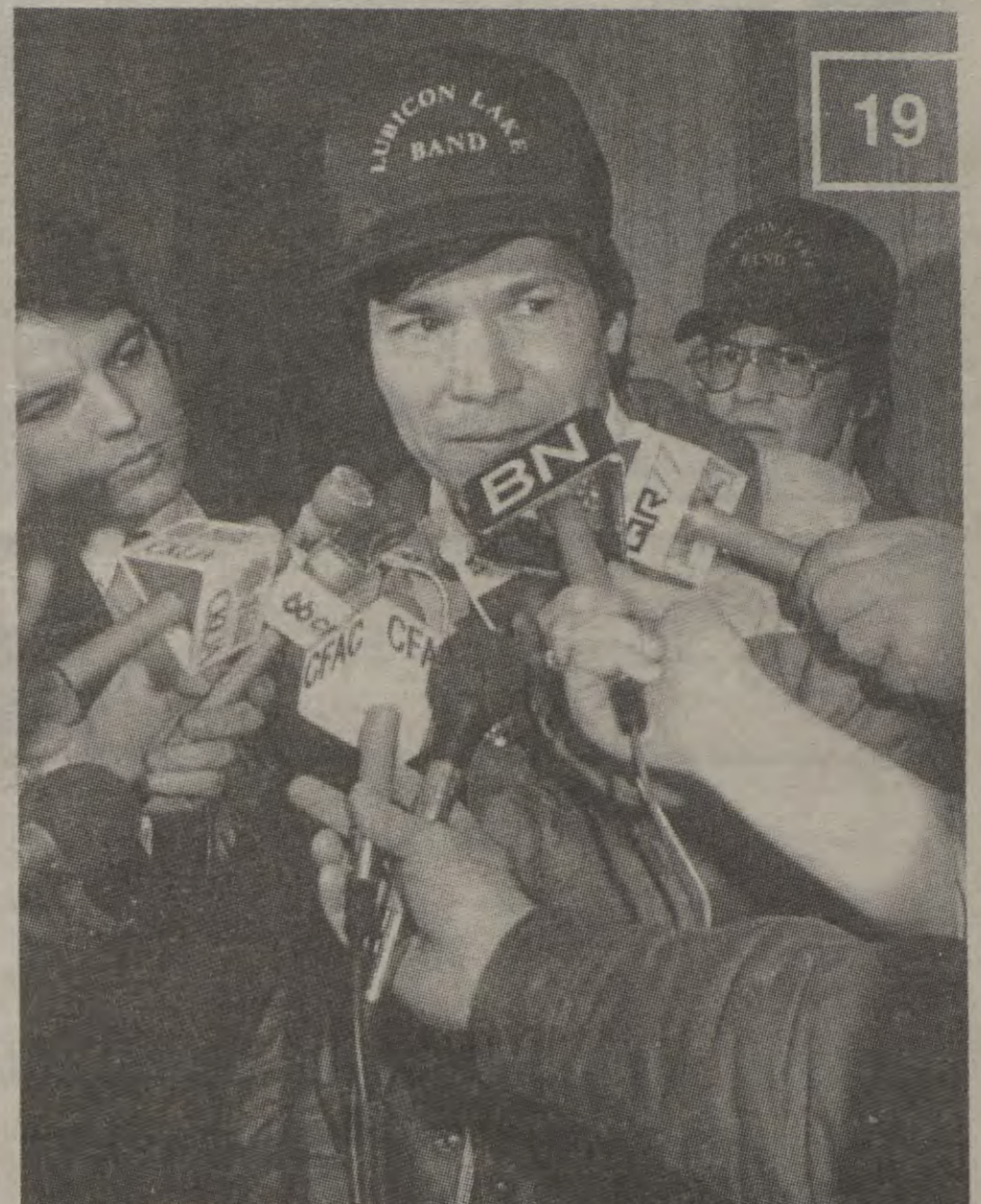
- [rants and raves] 5
- [what's happening] 7
- [radio's most active] 17
- [strictly speaking] 18
- [canadian classroom] 19

In 1988, when the Lubicon Cree Nation decided enough was enough, its land claim went public with blockades set up on the roads into their territory. In response to the Alberta nation's concerns, a premier set out to hammer out a settlement. Years later, the Lubicon are still in negotiations.

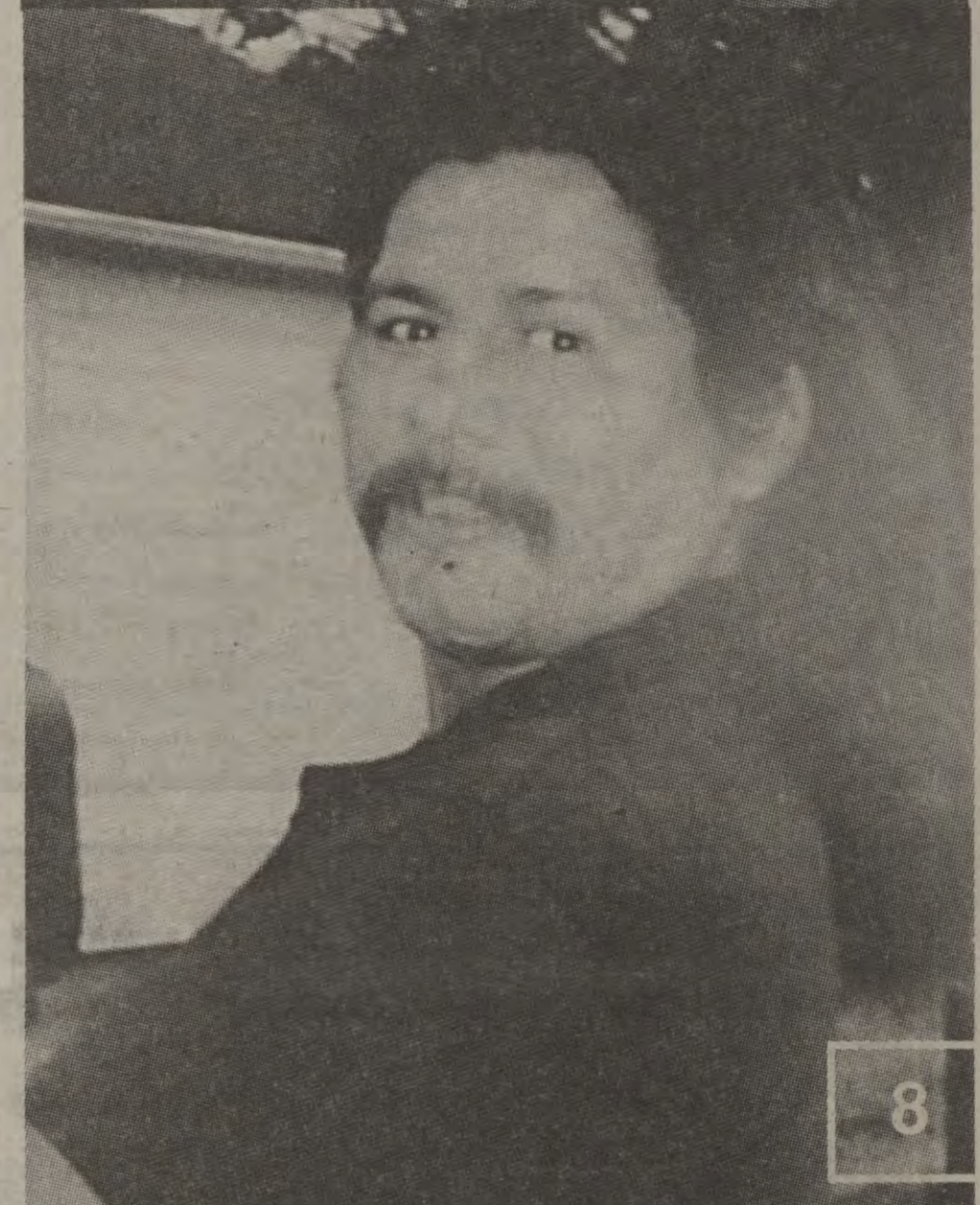
[small business focus] 22-24

[footprints] 26

Bernelda Wheeler, the First Lady of Native Broadcasting, passed away in September. She has been the inspiration of many Aboriginal journalist, and her book *Where did you get your moccasins?* is still on the list of the top 50 multi-cultural books every child should read. Bernelda Wheeler will not soon be forgotten.



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8



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Windspeaker is published by the Aboriginal Multi-Media Society (AMMSA) Canada's largest publisher of Aboriginal news and information. AMMSA's other publications include:

- Alberta Sweetgrass — The Aboriginal Newspaper of Alberta
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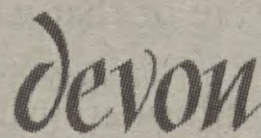
NAIT's mobile education units, 53-foot long, self-contained mobile shops equipped with welders, drill presses and a host of power and hand-held tools, are on the road delivering skilled trades training to remote areas.

Parked adjacent to the Keyano College Conklin Learning Centre, the mobile education unit allowed Conklin students to work on the hands-on portion of their trades training. Conklin is located in the heart of the oil sands region, which continues to offer an abundance of employment opportunities.

The Metis Nation of Alberta, project sponsor, collaborated with Devon Canada Corporation, Keyano College, and NAIT to customize the Introduction to Trades program to produce skilled workers for the oil patch. All graduates received full-time employment at the conclusion of the program.

For more information on NAIT's mobile education units, please contact

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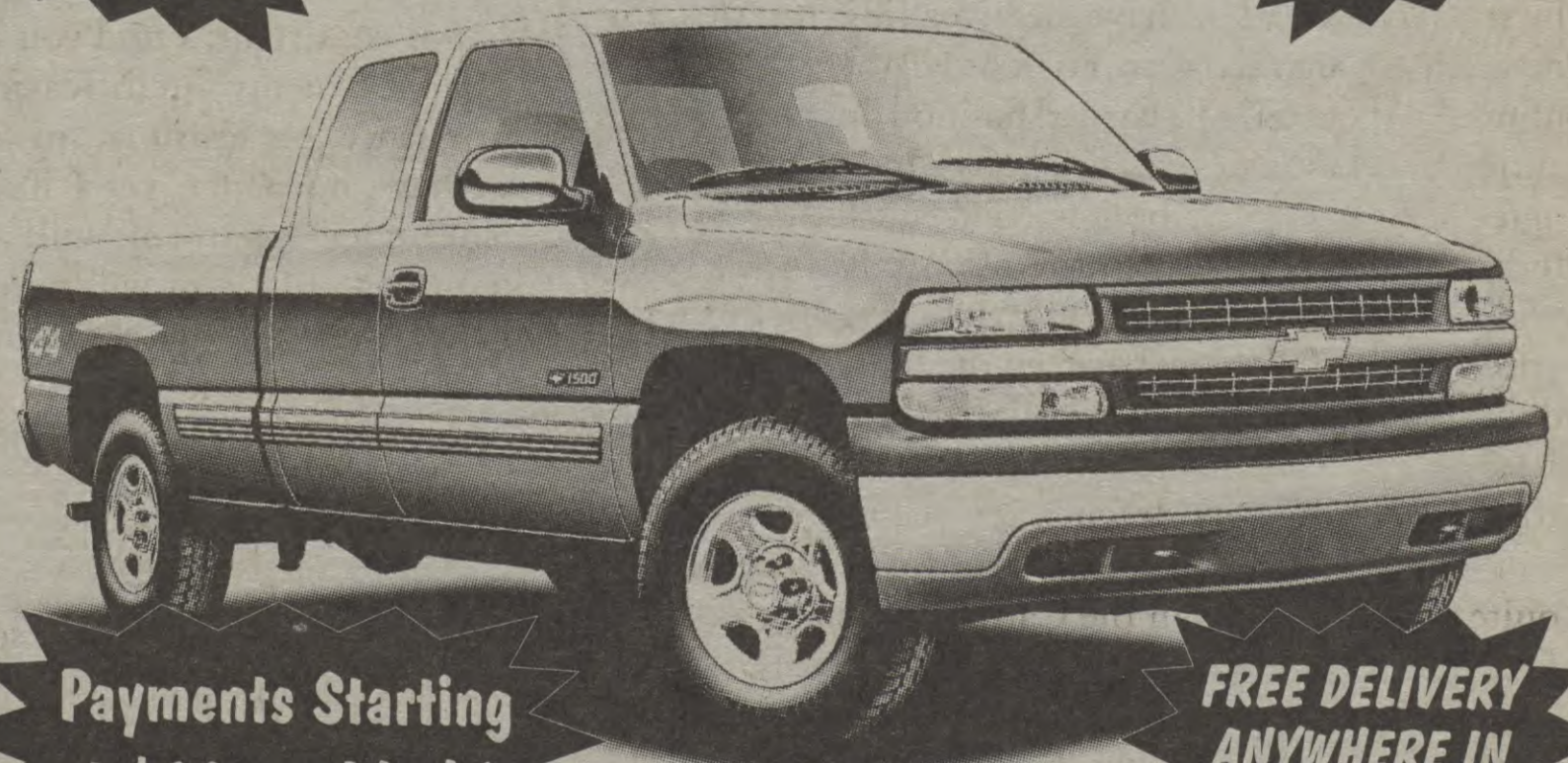
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A reasonable voice

For more than four years, the parties to the Nunavut agreement have been unable to finalize a contract that would allow Canada's historic achievement—the creation of Nunavut—to carry on for the next 10 years.

The government of Canada (represented at the table by the Department of Indian Affairs and Northern Development), the government of Nunavut and Nunavut Tunngavik Inc., the corporation that oversees the regulatory bodies created by the Nunavut agreement, knew they needed help. They looked to one of the most experienced and most widely respected thinkers on Aboriginal law, rights, policy and processes in the country to find a way to get things back on track.

Thomas R. Berger, a member of the Order of Canada and a Queen's Counsel, has delivered his report. (See story on page 8). The question now is how welcome will his recommendations be in the halls of power in Ottawa.

In his report, Berger raised some fundamental issues that lurk in the background of all discussions of Indigenous rights in Canada. He took them on with no fear or favor.

He slammed the negotiators of the Nunavut land claim who put off facing up to—and solving—the most difficult issues by including meaninglessly vague language in agreements. Though they were able to put one in the “completed” file at the time, they only postponed the debate and passed the most difficult of tasks on to others. Berger called that particular spade a spade.

He questioned the very idea of passing legislation that creates a new territory and settles the land claims of the Inuit of the Eastern Arctic while placing all the rules governing funding and authorities in a separate, non-legislated contract. The legislation has the full protection of the Canadian Constitution; the separate contract does not.

To our way of thinking, that particular device is one of those bureaucratic tricks that ensures that the aims of the legislators can be frustrated by the non-elected officials who work behind the scenes and do not have to justify their actions to the voters every few years.

Mr. Berger was off in Europe celebrating his 50th wedding anniversary and was not available to deal with our questions about his report, but we get the sense he was not impressed with the way a lot of the processes have unfolded. Merely bringing attention to these matters should spark a long overdue public debate and analysis that we're pleased to begin here.

Perhaps the most important and controversial item in the report dealt with Berger's recommendation that Canada submit disputes to neutral, third party mediators.

First Nation leaders have been calling for this for generations. Canada has so far resisted the call and has continued to hold onto its favored position on the top perch of the confederation's power structure—Indigenous parties to agreements have never been full and equal partners.

Indigenous sovereigntists have often called for a body outside of the Canadian system that is neutral and non-aligned to referee disputes between the Indigenous people and the descendants of their colonizers. Canada has always resisted (and even ridiculed) the idea as one where they are being asked to surrender their sovereignty. Funny how surrendering Indigenous sovereignty has never been seen as quite so unthinkable in the Canadian system.

This reveals that Canadian government officials will take clearly indefensible positions in disputes if they think they will not be called to account. Berger says no party should ever be able to act unreasonably, secure in the knowledge they will not be held accountable.

Berger's recommendation that bureaucrats not be allowed to invoke Parliament's prerogative during disputes over clauses in laws that Parliament has itself passed and signed off on, was an example of eminent common sense. Whether the former judge was acutely aware of exactly what he was proposing or not he has recommended that Canada quit playing games and introduce more than a little good faith bargaining to the process.

It's a well-established joke of sorts among those who study political science in Canada that in the United States the people hate the government but in Canada the government hates the people. There's a heck of a lot of truth tied up in that succinct little axiom. We never had a revolution in this country. We never took up arms against the colonial masters and asserted the sovereignty of the common man as our American neighbor did beginning in 1776. It's still somehow seen as acceptable that non-elected mandarins can maneuver to thwart the intentions of Parliament, the place where those who are elected go to ply their trade.

—Windspeaker

Statement to society

Dear Editor:

Victim. I refuse to accept this word for the circumstance that I found myself in, or the circumstances the sisters have found themselves in. In accepting this word, I forfeit my power to you and I refuse to forfeit my power or the power of my sisters to this society.

This society has fed itself on those of us who do not fit into your world. Giving us names such as a 'target group'—politically correct, but wrong.

I refuse to be locked into this cycle by your ignorance. As a woman I have been locked into this cycle. As an Indian woman I have been locked into this cycle... My ignorance helped you keep me here... no more.

My sisters and I are not victims, but we have allowed ourselves to be victimized. Look and listen to those who have been lost, through deaths, addictions and illnesses. In this sense we have become victims. Yet, while we live, we are the survivors; we are strong, whether on or off the street corners.

You are the ones who live around us, never seeing, and if you do catch a glimpse of us, you turn away, in your shame, in your powerlessness, in your fear... never acknowledging us for our heroism. Yes, heroism.

For years society has gone out of its way to find someone to blame for its dysfunction and I will not be your scapegoat. And neither will I stand by and allow you to scapegoat my sisters.

People turn loose bad information without thought or question on how it will affect my sisters and me. We become the targets for your insanity—i.e. the pig farm in Vancouver, and the Crawford killings in Saskatoon. And what about those who in their ignorance 'to help' work to break the very essence of a woman who survived hell to be told 'your life and your person is wrong. You are not qualified.'

No, you are wrong in assuming that we are without skills to learn, to be aware or that we are without an opinion.

You seek us out for information to improve your programs so that you have your numbers, to pacify those of society who don't know the truth about our existence except the information you feed them. You corrupt them with the lies that say we are to blame for the many wrongs in your society.

You feed off us economically, socially, mentally, and spiritually and I refuse to allow this offensiveness to continue without stating the truth.

I came into your society. I did all that I was told to do, yet I find you wanting more from me and my sisters than is your right. I find you ignorant.

What are my qualifications in this matter? My experience, my learning, my life.

I have no paper, yet I have all the memories and experiences that you will never have and all the knowledge that you will never have without knowing me, or someone who has been there.

Does this seem farfetched? I don't believe it is.

My voice, alone, may seem small today, but there are many other voices out there and, in the end, they will be heard and their stories will also be told. From these stories you will see the shift. 'The meek shall inherit the earth...'

Many different peoples of society have been hindered in life: Women, children, First Nations people and other groups. For some, isn't that the reason you escaped your own countries—oppression?

I will not be oppressed any more.

Donna Gamble

Online resources should benefit all

Dear Editor:

As an economist and a populist, Nova Scotia's education Minister Jamie Muir's warning "that schools may be forced to pay for any online materials used in class" is a matter of concern to me. We need intellectual property to accrue to the society that spawns it. We need knowledge to remain in the hands of the public and public institutions.

For far too long we have sought to garner excessive profits in the name of those who create great works in the name of incentives, yet Immanuel Kant did not write *Critique of Pure Reason* because he felt he would enjoy the gains it produced for society. Karl Marx did not write *Das Capital*, and Adam Smith did not write *The Wealth of Nations* because they would retain exclusive reproduction rights for a period of 50 years.

Sean Tisdall

[rants and raves]

Proposed rez-school settlement fails to address justice issues

Dear Editor:

The agreement proposed between the Assembly of First Nations and the federal government in the settlement of the long-standing issue on residential schools was released recently. For some former residential school students, the proposal may seem justified, when merely focusing on the aging, sick and those who did not experience excessive physical, mental or sexual abuse.

However, this agreement will not rectify student abuse that occurred at the schools. The agreement is more of a reimbursement of a student allowance for attendance. The recent proposal is not compensation for crimes against children.

Residential school child abuse can be perceived as a human injustice perpetrated by a superior society with the intent to decimate a culture under a colonial system. It should be dealt with on a level of equitable rectification measures rather than political accord between Liberal affiliates to rid Canada of the problem because of the intolerance of the unpopular issue.

First Nations organizations have aspired to equal justice with the dominant society, but have to strive to attain equality for their people on the same sphere as the dominant government. First Nations people will continue to be relegated to the margins of the justice system, because measures of equality with Native interests are often over-looked when bargaining commences between government and Native political leaders.

There have been alternative dispute resolutions recommended as a quick fix to solving the question of the mistreatment of Native children. Legal deliberations can be an emotional experience for both the abused and the abusers. Therefore, mediation seems to be a popular method commonly implemented to iron out disparities on many Native issues, as substitute for the regular justice system. Mediation should not be mistaken as equitable justice.

The recent residential school proposal does not focus on the question of child abuse and the criminal activity of the perpetrators; however, it seems to concentrate more on the aged with failing health. With the absence of legalities, it may even offer comfort to the religious denominations. At least this way the issue is diverted for the sanctimonious individuals who affiliate with the churches.

The settlement under the agreement will prioritize the individuals that have not endeavored to claim for abuses; however, the survivors of residential school abuses that want to find justice through such processes as class actions are again put on the bench-warming side-lines.

The residential school survivors claim for compensation is not only a financial issue. It is a form of healing, to obtain justice for abuses incurred at an institution. Reconciliation has to be a form of reparation, not just a political gesture.

Justice tops the First Nations' agenda. If the former students accept the payment under this new package, they will accept it "silently" as "obedient" servants of the dominant government.

Roderick A. Ratt
Pelican Narrows, Sask.

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Deadline for submissions: November 18, 2005

For more information please contact:

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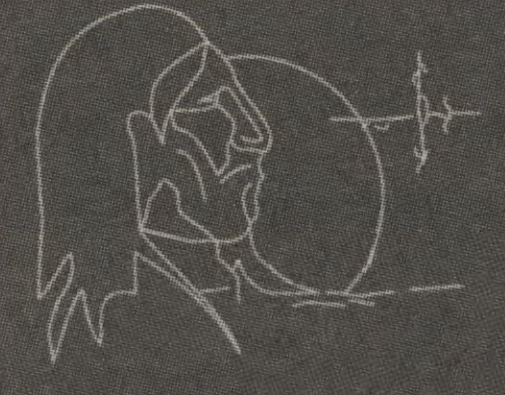

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Nunavut renewal stalled

By Paul Barnsley
Windspeaker Staff Writer

VANCOUVER

A mediation panel created by an act of Parliament has been in existence for 12 years and has never heard a single case.

The terms of Canada's largest and most internationally heralded land claim agreement are protected by Section 35 of Canada's Constitution but the separate contract that governs how the agreement will be funded is not.

These are just two of the items highlighted in a report commissioned by the federal government that was delivered on Aug. 31. Although it is not yet a public document, *Windspeaker* obtained a copy of Thomas R. Berger's report to Indian Affairs Minister Andy Scott on how best to break the stalemate in talks aimed at renewing the 1993 Nunavut Land Claims Agreement (NLCA). Now two years past July 9, 2003, the date when the 10-year initial term of the NLCA expired, the parties have been unable to agree on the terms or the process of renewal.

Berger was appointed as conciliator for the NLCA implementation contract negotiations on May 26 and got right to work, spending June and July meeting with all the parties in both Ottawa and Nunavut.

The former judge was asked to issue his final report within 90 days of being retained or to file an interim report by that time. He filed an interim report only because one sticky area will be the subject of a separate report to be issued sometime in the next few months. That report will deal with Section 23 of the NLCA, which calls for representative employment levels of Inuit people in the public service. The commitment made is far from being satisfied, with Inuit employment numbers languishing far below half the targeted number in both the federal and Nunavut civil service.

Berger was retained as a "recognized problem solver who could make a neutral assessment of the issues and provide the parties with recommendations."

All three parties to the agreement—the federal government, the territorial government of Nunavut and Nunavut Tunngavik Inc. (NTI), the corporation that oversees the NLCA—hailed Berger's appointment when it was announced in May.

Stating early that he based his analysis on three "underlying considerations"—the status of the NLCA as a constitutional document, the principle that the honor of the Crown must be observed in all dealings with the Inuit, and the contents of the actual agreement—Berger said he detected one central problem that needed to be

"It appears that the parties—Nunavut and NTI on one side, Canada [represented by Indian and Northern Affairs] on the other—lack confidence in one another's good faith. They do not have the sense that they are working together towards common goals."

—Thomas Berger

addressed.

"It appears that the parties—Nunavut and NTI on one side, Canada (represented by Indian and Northern Affairs) on the other—lack confidence in one another's good faith. They do not have the sense that they are working together towards common goals," he wrote. "They cannot agree on what issues fairly arise under the NLCA, and they cannot agree on what is properly considered 'implementation.' NTI seeks to cloak as many issues as possible in the language of contractual obligation; Canada wishes to limit the scope of its legal obligations and to discuss broader issues as questions of policy having nothing to do with the land claim."

Berger said both sides will have to modify their approaches if progress is to be made.

Later in the report, Berger quoted criticisms leveled by the auditor general in 2003 that Indian and Northern Affairs Canada seems focused on fulfilling the letter of land claim implementation plans, but not the spirit of those plans.

"Officials may believe that they have met their obligations, but in fact they have not worked to support the full intent of the land claims agreements," wrote the auditor general.

"I agree," wrote Berger.

Just because a deal has been finalized, he said, does not mean that Canada's obligation to uphold the honor of the Crown has ended even if the details are spelled out in a contract rather than a piece of legislation with the power of the Constitution behind it.

"Treaty making and treaty implementation are distinct but not strictly isolated concepts," he wrote. "I am of the view that the implementation process must be approached broadly with a view to achieving the purposes of the NLCA."

Clearly aware of his status as a neutral observer, Berger was careful to write in diplomatic and non-critical language whenever possible. But a couple of situations he discovered attracted blunter language.

He noted that certain areas of the agreement were phrased in an inexact fashion (such as the "fair and reasonable remuneration" that the NLCA stated would be paid to members of the six boards created to administer the agreement).

"So what do such words really settle? The obligation is expressed so generally as to be exceedingly

difficult to enforce. So long as some funding is provided, arguments will be premised on the interpretation of the language and it is subject to almost impossibly wide interpretation," he wrote. "Drafters employ such phrases to describe obligations precisely because the parties cannot agree on the specifics; it is a mistake to think that, come implementation, consensus among the parties as to what the text means—legally speaking—will be any more advanced."

Quibbling over the meaning of terms would not lead anywhere, he added.

"In the end, successful implementation depends far more on the goodwill of the parties and the honor of the Crown than on any formal requirements derived from the NLCA or the implementation contract," he wrote.

Berger reserved his harshest criticism for a tactic that has been employed by the Crown almost from the moment the NLCA took effect.

Article 38 of the NLCA created the Nunavut Arbitration Board (NAB) to resolve disputes "arising in the interpretation, application and implementation of the agreement."

The legislation calls for disputes between an Inuit organization and government to be decided by the NAB but, Berger wrote, "As of today, no case has come before the board owing to Canada's refusal to agree to arbitrate when such requests have been made."

Later he explained that "Canada has thus far refused in every case to agree to arbitration on the ground that it would interfere with Parliament's exclusive authority regarding appropriation of money."

Berger took aim at Canada's position, saying that Parliament passed the NLCA, including Article 38, with eyes wide open and that makes it the law of the land.

"It seems disingenuous for Canada to argue that the executive branch can take a position in defense of Parliament's prerogatives when Parliament itself has passed a measure that it is prepared to submit matters in the very broad category described by Article 38 to arbitration," he wrote. "To the extent that Canada has refused its consent on the ground that to agree to arbitrate would usurp Parliament's prerogatives, I think it has acted misguidedly."

(see Nunavut page 15.)

Tenth anniversary

OPP continues to cover up

By Paul Barnsley
Windspeaker Staff Writer

FOREST, Ont.

As Sept. 6 came and went, the beginning of the second decade since the fatal shooting of Dudley George began with a fight over release of information between the Ontario Provincial Police (OPP) and the chief commissioner of the inquiry into the Native activist's death.

The details of the dispute emerged in an order issued by

Ipperwash Inquiry Commissioner Sidney Linden. Linden issued a summons requiring OPP Commissioner Gwen Boniface to produce internal discipline files related to a couple of serious racist incidents within the police service. The OPP and the

provincial government are fighting the summons, arguing that Linden does not have the authority to demand the production of the material.

One of the two incidents in question is the now infamous tape of OPP Detective Constables James Dyke and Darryl Whitehead talking of baiting a trap for Native people with a case of beer. Also, shortly after the fatal shooting, OPP officers produced coffee mugs and T-shirts bearing a "Team Ipperwash '95" logo with an arrow through an OPP shoulder patch. The T-shirts featured a horizontal white feather, a symbol of a fallen warrior.

In both instances, informal discipline was applied to the officers and no formal hearing was held under the police act. By issuing the summons, Linden appears to be attempting to see just how seriously the incidents were taken within the OPP administration.

Despite an Aug. 22 deadline imposed by Linden for compliance, the legal fight continued unresolved into October. A similar battle between Ontario's assistant Information and Privacy Commissioner Tom Mitchenson and the OPP has been dragged out for more than a year as the OPP refuses to comply with an order from Mitchenson as well.

But the inquiry hearings into the 1995 police shooting of an unarmed land claim protester continue and new evidence is coming out.

Recent testimony has shown

that the then newly elected Progressive Conservative government of former premier Mike Harris was attempting to send a "get tough" message to First Nation protesters with the way it handled the Ipperwash occupation.

Julie Jai, former director of legal services for the Ontario Native Affairs Secretariat, testified that government officials—and the police—were in no hurry to take action to evict the Native protesters from Ipperwash Provincial Park as of the morning of Sept. 6. But after a meeting of senior bureaucrats

regarding the occupation of the park—which began about 11 a.m. that day and which saw Debbie Hutton attend as Harris' political representative—things were different. Hutton was Harris' executive assistant.

"The impression that we got from Debbie Hutton was that the premier wanted very immediate action and wanted the occupiers removed within a day or two," Jai said.

She testified it was Hutton who relayed the message that the Harris government did not want the park occupation to be seen as an Aboriginal issue.

Jai mentioned that two lawyers who were working for the Ontario attorney general at the time, Tim McCabe and Elizabeth Christie, had been preparing for a non-confrontational approach, as had been the standard reaction in the past in Ontario when a Native protest occurred.

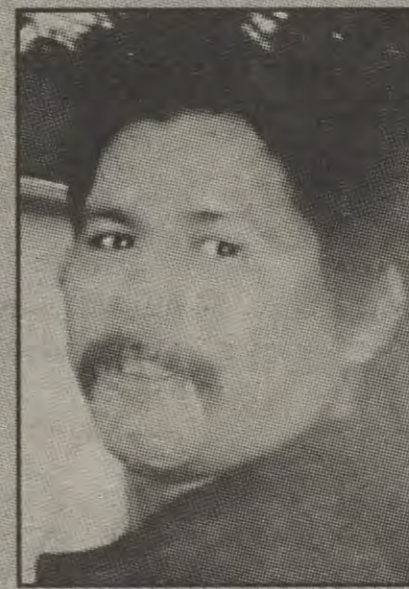
McCabe, the more senior of the two, was scheduled to testify in late September, after *Windspeaker's* press deadline. Christie, testifying at the inquiry on Sept. 26, said she recalled that Hutton's remarks at the meeting were surprising.

After leaving the government to work for the Sierra Legal Defense Fund, Christie gave up law to attend medical school at McMaster University in Hamilton and is now interning in Kingston. She said she remembers the meeting vividly.

As commission counsel Donald Worme questioned her, he asked about notes she had made at the meeting and especially about one entry which stated: "Strategic imperative equals this government treats non-Aboriginal people and Aboriginal people the same."

"Why would something like that stand out in your mind, Dr. Christie?" Worme asked.

(see Ipperwash page 16.)



Dudley George

INAC's employment numbers questioned

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

The Department of Indian and Northern Affairs Canada (INAC) committed itself in 1996 to achieving a 50 per cent Aboriginal employment rate and, as recently as this year, gave its own efforts on meeting that goal a passing grade. But a report compiled by an Aboriginal INAC employee questions the department's methods of collecting the data that produces the employment rate.

That employee is a member of the Committee for the Advancement of Native Employees (CANE). The report suggests the department is aware the methods it uses are questionable, but continues their use because they produce results the department can live with.

CANE's mandate is to work for the recruitment, retention, advancement and improved quality of employment for the

Aboriginal employees of INAC. Its report looked at INAC's Aboriginal Employment Statistics (AES) and right from the start it is aggressively critical.

"The AES do not properly reflect the true number of Aboriginal employees in the department. Furthermore, this paper will assert that the entire department of INAC, in particular, human resources, have not implemented the 50 per cent Aboriginal hiring policy issued under the authority of the assistant deputy minister of corporate services, INAC," the report reads.

Noting that the INAC human resources department collects their data using a PeopleSoft software program that has been found wanting by other federal departments, the report's author quoted from a Department of Justice review titled, "PeopleSoft use in the department."

"In general, we found that PeopleSoft is under-used. Many users treat the system as their secondary reference, and as a

result, the quality and integrity of PeopleSoft data suffers." That calls all the INAC numbers into question, the CANE member wrote.

The way INAC identifies which employees are Aboriginal, and which aren't, was also singled out for criticism.

The CANE member argues that the department allows employees to self-identify without having a system in place to ensure that those who claim to be Aboriginal actually are.

"INAC created an employee self-identification declaration form. Please note that under Section D on the form, an INAC employee may declare as an Aboriginal person without any proof. This has led to many internal problems that have not been remedied. For example, in a July, 2001 email from the deputy minister's office on self-identification, it states, 'It has been brought to management's attention that non-Aboriginal persons may be declaring themselves as Aboriginal persons

in Aboriginal-only staffing opportunities in order to advance their career. This is of great concern to the department."

In an attempt to remedy the abuse, CANE worked with INAC officials to develop an Aboriginal Declaration Form (ADF) that requires proof of Aboriginal ancestry. The form is used for positions in the Aboriginal Employment Program (AEP) which offers some positions only to Aboriginal persons in an attempt to work toward the 50 per cent employment goal.

But INAC's human resources branch has "separated the ADF from the self-identification form. CANE requested that human resources replace the ADF form with their self-identification form to ensure proof of Aboriginal ancestry. In doing so, this would eliminate the abuse. However, human resources did not comply."

All this means that the numbers produced by the department are not reliable, the CANE member concluded.

In order for a government

department to be able to generate accurate employment equity statistics, the Canadian Human Rights Commission (CHRC), the group responsible for ensuring compliance with the Employment Equity Act, requires that 80 per cent or more of the employees must respond to questionnaires.

"In an email dated April 12, the corporate employment equity advisor at INAC stated, 'All sectors are below the target of 80 per cent rate of return set by CHRC.' Therefore, based on the Employment Equity Act, the data collected by INAC is invalid," the CANE report stated.

When legislation was passed leading to the creation of a new territory of Nunavut, provisions were made to ensure that Inuit people would occupy a representative share of the government jobs, both in the federal and territorial public service. Inuit make up 85 per cent of Nunavut's population but the Inuit people working in the government is far below that level.

(see Fudging page 12.)

Houma Tribe hammered by hurricanes

By Heather Andrews Miller
Windspeaker Contributor

New Orleans, LOUISIANA

Members of southern Louisiana's Indian tribes are facing a grim future. The recent hurricanes that hit the Gulf Coast area have seen their homes destroyed by floodwaters and their livelihoods eliminated with the cancellation of the shrimp, oyster and crab fishing seasons.

Hardest hit of the southern tribes is the United Houma Nation. Principal Chief Brenda Dardar said the 3,500 members in Plaquemines and St. Bernard parishes in southeastern Louisiana are destitute.

In Plaquemines Parish, members left during the mandatory evacuation on Aug. 27 before Hurricane Katrina hit on Aug. 29. Now the homes of 400 tribal members, located on the peninsula southeast of New Orleans, are under water. The homes of another 650 Houma tribal members are flooded to the rooftops in St. Bernard Parish. Other homes of tribal members have sustained flood damage in Jefferson and Orleans parishes.

"Those homes that are still standing have been underwater for weeks," she said. "There's going to be nothing left to salvage, even after the flood waters recede. There is a good chance many of these homes will be bulldozed," said Dardar.

"Tribal members from the immediate New Orleans area parishes are directly impacted and pretty much homeless. It's really a challenge to see how we can provide them with shelter while they rebuild their lives."

People are living with relatives or in public shelters. Many tribe

members haven't been heard from in weeks, and are believed to be in hospitals, camps, or worse, dead in water-filled ditches or beneath rubble.

"Hurricane Katrina knocked out communications and we don't know where many of our members are," she said.

Flying over the area in a helicopter two weeks after Katrina, Dardar said the total devastation she saw was heartbreaking.

"It was all blown away, gone or under water. If you didn't know the area, you wouldn't know that

there was anything there before. It's going to take years to recover. Villages and settlements have disappeared," she said.

Floodwaters from Katrina were receding and the community was beginning to return home to view the damage when another hurricane, Rita, hit on Sept. 24.

The American Red Cross is helping the Houma where they can but much more is required.

"We're in bad need of everything, from everyday toiletries to clean clothes and food," said Dardar.

The Red Cross will also assist in locating lost tribal members.

"We'll post names of the missing in every Red Cross shelter in the area and hopefully get some good news," she said.

"We want to know that the immediate needs of our members are being met, so our



Hurricane Katrina, which hit the Gulf Coast area on Aug. 29, left a thousand Houma homes destroyed and the people destitute. The American Red Cross is helping, but the American government has been silent. Houma Principal Chief Brenda Dardar asks Canadians for their prayers and donations.

first concern is contacting or hearing positive news of each and every one of them."

Often in Indian communities the people reside in extended family situations and are evacuated in the same manner, said Dardar.

"If we hear news of one member of the group, we can be fairly sure the rest are nearby and safe, but at this time our information is really sketchy." Sometimes the news isn't good.

"Rumour has it that some of our members have met with death from this terrible natural disaster. But until we can confirm that, we won't know.

"It's frustrating. We've lost not only our communities, but it also appears that we've lost lives too."

The Houma people are grateful for the assistance provided by the National

Congress of American Indians, which conducted fundraising among its member nations. For example, the operators of the Cherokee Casino Resort in Oklahoma have hosted events at their facility, which raised more than \$30,000 for the hurricane victims, and the Sycuan Band of Kumeyaay Indians of California have donated \$50,000 to the American Red Cross towards the relief efforts. Other tribes are setting out collection containers in retail outlets throughout their towns or hosting powwows.

The people, however, have not heard from any government representatives.

"Our government has not had any dialogue with us. The Red Cross and the other nations in Indian country are responsible for getting us through this," Dardar said. "It does not surprise us that it's our Indian brothers and sisters

who are giving us a hand, nor does it surprise us that the federal government has not. As Indian people we are doing what we have always done, and it's real comforting to know that we can take care of one another."

The United Houma Nations, located in the oil-rich bayou lands, have battled for federal recognition for more than 20 years.

Aboriginal people in other countries can help. "Prayers are the number one need," said Dardar. "We need strength to get through this so please, our partners in Canada, pray for us." But their physical needs are monumental too, she added. "We need cleaning supplies, baby items, personal hygiene items, mattresses for people to sleep on—all the way to building materials to construct new homes."

Cash donations or Walmart gift cards can be sent directly to the Houma people at United Houma Nation, Hurricane Relief, Tribal Centre Office, 20986 Highway 1, Golden Meadow, LA 70357.

"If anyone could physically send items to us, we have a small warehouse at 4400 Louisiana Highway 1, Raceland, Louisiana, 70394." The Web site at www.unitedhoumanation.org also provides information about the devastation and relief effort and offers an opportunity to donate directly.

Out of the tragedy and heartbreak, Dardar said there was one bright spot.

"The spirit of our people never wavers. They have lost everything but they are already planning on rebuilding. They are determined to relocate and start their lives over. The hurricanes have destroyed our homes, but they haven't destroyed the spirit of our people."

[news]

Money's there for compensation, says Finance minister

By Paul Barnsley
Windspeaker Staff Writer

EDMONTON

Federal Finance Minister Ralph Goodale said preparations are being made within his department to line up the cash that will be needed to pay for residential school compensation.

During a Sept. 9 meeting with *Windspeaker*, the man responsible for formulating the federal government's budget promised there will be money available. An exact figure has not been set.



Minister Ralph Goodale

Former Supreme Court of Canada Justice Frank Iacobucci has been travelling the country in recent months preparing to make recommendations to the government about how the compensation process should unfold. He will file his report by March 2006 at the latest.

"No one knows what Judge Iacobucci will ultimately recommend, but it's prudent for the government of Canada to make sure that it's prepared for whatever the consequences will be," Goodale said. "We need to see what Judge Iacobucci recommends, but in broad terms, without being able at this stage to be precise about the arithmetic, we would anticipate that we will need to make provisions."

A finance minister must weigh many factors as the political decisions that are made before the budget speech are pondered, Goodale said.

"That's one of the reasons why, even despite the criticisms from time to time about [the government] being too cautious and too prudent, there are always issues to come along in every fiscal year that you cannot fully anticipate. And sometimes they carry big price tags," he said.

As well as trying to plan for unpredictable events that could drain the federal treasury, such as the SARS outbreak or the BSE crisis, Finance officials are also monitoring a number of issues that could require large cash outlays.

"If you recall a few years ago, there was a ruling in favor of an unequal pay advocate within the public service. That had been subject to litigation for years. At some levels one side had won. At other levels the other side had won. So it wasn't clear how this

case was going to go. But if it went in a certain direction it would ultimately be a bill that the federal treasury would have to pay instantly at something like \$3.5 billion. So out of prudence the government of Canada had made provision for that," he said. "There are environmental issues.

There are legal issues. There are a number of outstanding Aboriginal issues. There's a big court case about veterans and whether or not the federal government 50 years ago had properly invested certain funds on behalf of veterans to

protect their pension rights. Some people say that could ultimately cost \$50 million, others say \$6 billion. When you've got those sorts of numbers out there that are really big depending on how the liabilities are ascertained, you've got to make sure that you have prepared for that in advance."

Many First Nation leaders would say that sounds like another government minister preparing them to go once again to the back of the line, *Windspeaker* suggested.

"On this one, the whole point of naming former Judge Iacobucci is to make sure that this issue does not go to the back of the line," Goodale stated. "This will not be the only issue that the government of Canada has to deal with. If you assiduously read the annual reports of Atomic Energy of Canada Limited (AECL), I don't know if it's a best seller or not, but they've just had to absorb a \$2 billion environmental charge on their uranium properties in Ontario. That goes right to the bottom line of the government of Canada because they're a wholly owned subsidiary of the government of Canada. So there will be issues that we will have to deal with as the fiscal year unfolds. But it was the prime minister's determination and certainly Minister [Anne] McLellan's determination that [residential school compensation] will get dealt with once and for all and it will not fall off the edge of the table."

There has also been talk of a large infusion of new government money for a variety of Aboriginal issues. Goodale said the potential cost of those initiatives is a factor in the Finance department's planning.

(see Finance minister page 14.)

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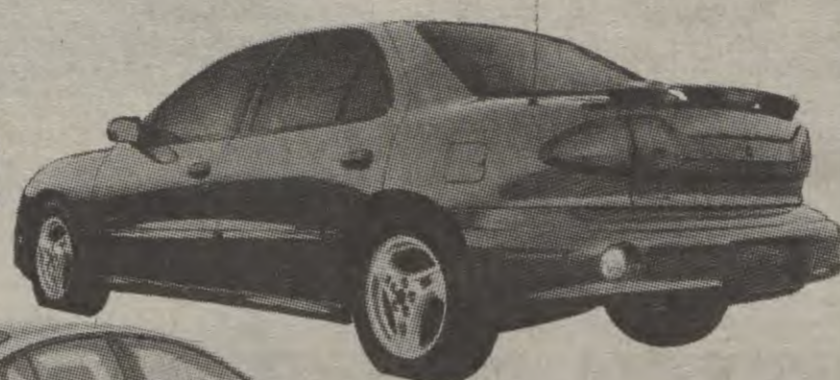


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Windspeaker

[news]

FNUC report delayed

By Paul Barnsley
Windspeaker Staff Writer

REGINA

The seven-member task force appointed to look into the controversy dogging the First Nations University of Canada (FNUC) has asked for more time to work on its report.

Creation of the task force was called for in a resolution from the floor at the FSIN chiefs' assembly on June 8. The members were selected by the FNUC board of governors on July 29 and were asked to file a report within 45 days. If they'd met that deadline, the task force would have reported at the fall chiefs' assembly scheduled for Oct. 19 and 20 in Saskatoon. Elections for the second and fourth vice-chief of the FSIN are also scheduled for that session. The report is now expected in November.

FNUC professor Del Anaquod and Muskeg Lake First Nation Chief Harry Lafond are the co-chairs of the task force. The other members are former Lac La Ronge Chief Harry Cook, Elder Tony Cote, past president of the University of Saskatchewan, George Ivany, Regina lawyer Merrilee Rasmussen and student Jessica General. At least four of the seven—Lafond, Cook, Cote and Rasmussen—have current or past ties to the FSIN.

The chiefs called for the review as students protested and media reports were suggesting the end was near for FNUC. The troubles became visible for the first time on Feb. 17—the same day that a memo signed by Federation of Saskatchewan Indian Nations (FSIN) Chief Alphonse Bird authorized Vice-chief Morley Watson to look into "alleged inappropriate conduct" at FNUC. On that day, Watson suspended three administrators—vice-president Wes Stevenson, finance director Kim Sinclair and Leonzo Barreno, director of international programs. All three were escorted from the campus and the other university staff

members were told to go home for the day.

Wes Stevenson was fired on May 12. Two weeks later, on May 26, FSIN Senator Theresa Stevenson, Wes Stevenson's mother, was relieved of her senatorial duties. She claimed it was because she spoke up in defense of her son at the FSIN winter legislative assembly.

On June 13, Eber Hampton, who had served as the university's president since 1991, announced he was stepping down. Dawn Tato, dean of FNUC's Regina campus, was fired in July for criticizing the university administration. Other firings, resignations and demotions followed.

When the task force finally does hand down its report, a lot of people will be watching. Many academics are watching to see if this bold experiment can survive. The Association of Universities and Colleges of Canada (AUCC), the organization that can take away FNUC's accreditation as a recognized institution of higher learning, has demanded an explanation. Government funders are holding back money waiting for the smoke to clear.

One Native professor from another university, who asked not to be identified, said a key question that needed to be answered is: How much "university" is there in the First Nations University of Canada?

Observers are hopeful the task force is making an honest effort to sort it out and that effort will be free of political influence. While it would be unthinkable for the premier of Saskatchewan to be on the board of governors and making management decisions at the University of Saskatchewan, that is essentially what is going on at FNUC at the moment, academic sources say.

And in a mainstream university, professors who have secured tenure can simply not be fired unless they commit an extremely serious criminal offense. But at FNUC, several academics that criticized the administration were fired or demoted for insubordination.

(see Academic freedom page 15.)

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Contest made possible by AADAC

Fudging the numbers on employment

(Continued from page 9.)

In a report issued by Nunavut Tunngavik Inc. and the government of Nunavut called *Annaumaniq*, it states that in 2002-2003 the government of Canada provided \$692 million under Territorial Funding Formula.

"Of the amount paid out to government of Nunavut employees in salaries and benefits, 85 per cent should have been paid to Inuit. In fact, only 42 per cent went into Inuit pockets. After factoring in a similar proportionate loss in federal government employment, Pricewaterhouse Coopers found that this loss amounted to \$123 million in 2002-2003," the *Annaumaniq* report added.

The CANE report author wonders aloud how much money that should be paid to Aboriginal employees of INAC is paid instead to non-Aboriginal people.

Windspeaker attempted a crude estimation. We know from AES statistics that there were 4,060 INAC employees in the department in the 2004-05 fiscal year. The official INAC numbers—which have now been

challenged as unreliable—show that 1,113 Aboriginal employees are included in that number. The best INAC can claim is 27 per cent Aboriginal employment.

It's impossible to know how many of those 1,113 people are indeed Aboriginal, but even if all of them are and they occupy a representative share of jobs at all levels of the department, then approximately 1,000 salaries that should be going to Aboriginal people are not. Even at the extremely low average of \$50,000 per year (executive level salaries in the federal civil service are often in excess of \$200,000), a minimum of \$50 million per year is not getting into Aboriginal people's pockets.

The report's author clearly believes the department is allowing unreliable numbers to be compiled so it can claim to be moving towards its 50 per cent commitment.

"It is impermissible for a federal government department to collect data that is known to be invalid and then publish statistics on Aboriginal employment in the department using the unreliable

data. Furthermore, it allows INAC to make ... statements such as, 'The department has been viewed as the leader among federal government departments in Aboriginal employment initiatives, having established itself with central agencies as an employer with special needs concerning the recruitment, advancement and retention of

Aboriginal people.' This statement is completely untrue," the CANE member wrote.

Staffing at INAC headquarters is especially low in Aboriginal content, the CANE member wrote.

"Of the total 313 positions available at INAC headquarters in that last four years, six positions were filled with Aboriginal people.

In accordance with the 50 per cent Aboriginal hiring policy, 156 positions should have been filled with Aboriginal people. There seems to be a disconnect between INAC and politicians with the upcoming First Minister Meeting and discussions around 'closing the gap' between the Aboriginal population and the rest of Canadians," the author wrote.

A group of paddlers completed a three-month trek retracing the original route taken by British Commissioners when they visited seven of the 15 signatory First Nation communities of James Bay Treaty No. 9 in 1905. They arrived at Turtle Island Native Village on Victoria Island just behind Parliament Hill on Sept. 15. The centennial commemoration will continue next summer with a journey to the remaining eight First Nations communities.



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One hand giveth: The other taketh away

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

Former Supreme Court Justice Frank Iacobucci is travelling the country, talking to lawyers, former Indian residential school students, First Nations' leaders and government officials as he gathers data and prepares to make his recommendations on residential school compensation to the federal government.

The highly respected jurist is guided by the federal mandate given to him by the Justice department, which is guided by the political accord signed by Deputy Prime Minister Anne McLellan and Assembly of First Nations National Chief Phil Fontaine on May 30.

Iacobucci is discussing how much compensation former school students will receive, who will qualify and how the money will be distributed, among other details such as a truth and reconciliation process, community-based healing, commemoration, and an appropriate alternative dispute resolution process to address serious abuse claims.

The Assembly of First Nations proposes a lump sum payment of \$10,000 per student plus \$3,000 per year an individual attended residential school. Some former students say that's a low number.

And they warn that if special conditions are not included in the agreement, the monetary compensation received by many of the former students could be clawed back by government through taxation or social programs.

It's happened before. In 1991, members of the Woodland Cree band, an entity that many contend was created by the federal government to undercut

the land compensation negotiations of the Lubicon Lake Cree, were promised \$1,000 each if the government's proposal on land compensation was ratified. The Lubicons had already rejected the offer. The vote was held, the government proposal was supported and the Woodland Cree got their \$1,000 payments.

Later they discovered that welfare payments had been reduced by exactly that amount.

Specialists in the area of needs-based social programs—things like old age security, income support and general welfare—say any spike in income will automatically bring a matching reduction in benefits. Many survivors could be affected by one or more of these clawbacks unless special dispensation is made in any eventual compensation plan.

Will compensation awards be income tax exempt? *Windspeaker*

asked Alexander Swann, spokesman for the deputy prime minister.

"Although it would be premature to speculate on the outcome of the discussions being led by Mr. Iacobucci... there is every indication that a payment to former students along the lines referred to in the AFN report would be exempt from federal income tax," he said.

(see Beware page 14.)

Raking it in on compensation issue

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

While former Supreme Court Justice Frank Iacobucci studies the residential school compensation issue and works out a plan that would resolve the long-standing grievance of former students, a lot of people are making good money as a result of previous rez-school compensation processes.

Huge amounts of money are being paid out in salaries to a small army of government officials involved in the processes to date.

There is an industry that has sprung up around the residential school compensation issue, says Millie Poplar. Originally from Old Crow in the Yukon, Poplar used to work as a researcher for

the Union of British Columbia Indian Chiefs. She now works on social justice issues for the Anglican Church in Ottawa.

She compiled a lengthy chart showing all the government, church and First Nation entities that have already consumed millions of dollars by the residential school issue. The chart was created as a guide for new members of the Anglican church's Indigenous Justice Working Group. It was forwarded to this publication by a third party who was alarmed by the number of groups and people involved.

"I'm trying to show how big they are... especially when you look at how they produce public information; it's just so costly—workshop materials, videos, brochures.

Poplar saw a draft document dealing with the Assembly of First Nations' proposed truth and

reconciliation commission and wondered if the creation of a national board is the best way to serve the former residential school students.

"When you talk about reconciliation and partnership and that kind of talk, all you see is this huge bureaucracy. Where is the real constructive healing here? I don't know if I see that. Why do they continually establish these national bodies? I always measure things by Old Crow, a very isolated little Indian village. It most certainly doesn't have updated resources at its fingertips. In Old Crow, if a handful of people realize they have this historical problem and want to deal with it, I'm sure that chief and council will just assign their local health and welfare worker who will know the people and be able to sit down and do it in their own language," she said.


She knows that a small group of people have become expert at getting appointed to board positions where high per diems, first class travel and accommodation in five star hotels is the practice.

"These darn boards, they expect so much pay. They want the best of everything," she said. "Do the communities recommend them? They get good pay when they're on the board and they're well taken care of."

Poplar, like many of the people we spoke to for this article, was shocked when shown the contract of the chief adjudicator of the government's alternative dispute resolution process, former judge Ted Hughes.


According to a posting on MERX, the Web site used to post tenders for government contracts, Hughes could be paid almost \$1 million over the next year or two.

(see Big bucks page 15.)



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Finance minister weighs government priorities

(Continued from page 10.)

"We had the initial summit meeting in the spring of last year and then the roundtable process over several months and then the retreat in May of this year and now a first ministers meeting coming in November. And that's the meeting that I think will actually identify the tangible deliverables and who will be doing the delivering. Is it a province? Is it the federal government? Is it a First Nations' organization? Is it a combination of all of those things? Provision has been made in the budget to put some money behind the decision-making when it comes out. There are lots of priorities," he said.

When asked whether the government would be looking at budgeting \$5 billion, as suggested by Assembly of First Nation National Chief Phil Fontaine, or \$2 billion as reported in the press, Goodale said it was too soon to discuss details.

"If I were to comment on sums I'm just going to get myself into trouble. I know what's on the national chief's list and it's a very good list. And in many ways it's not all that different from [Indian Affairs Minister] Andy Scott's list. There will be a lot of very fervent discussion on how to bring all this together," he said.

Goodale noted that the provincial premiers sounded "very positive" while talking about how to work with the federal government on Aboriginal issues during their meeting this summer in Banff.

"The provinces seem to be inclined to set aside a lot of the jurisdictional hassles. That's good. Progress is being made here," he said. "There's a lot of momentum that's been built up and all of us want to see this get across the finish line."

Goodale said that with Parliament's resumption on Sept. 26, the minority Liberals will be forced to stay close to Ottawa in case of a confidence vote. So he was making stops across the country before that date.

With an election call promised within 30 days of the release of the Gomery Commission report on the sponsorship scandal—which has recently been postponed—Goodale may not get a chance to hand down another budget before an election. But he will soon update the country on the state of the economy.

"The major economic event for the government in the fall is the annual fall economic statement. That is published every October or November. It's a report to Canadians halfway through the fiscal year on how we're doing from an economic point of view. And it will be a very positive report. We're still early in the fiscal year and there are lots of things that can yet change, but all the early indications for fiscal year 2005-06 are very positive," he said.

Goodale is looking ahead and sees a growing role for Aboriginal people in the economy.

"Canada has a big demographic issue coming at us just around the corner. The baby boomer generation that was born after the war is heading towards retirement. They'll start to retire in big numbers around 2010. The numbers will get bigger in 2015, bigger again in 2020. This is the first time ever that we've seen this inversion in population. We've always been able to expect that the upcoming generation would be bigger than the generation that is retiring. That is now reversing itself. The retiring generation is going to be bigger than the generation that comes along

behind them. So that raises issues of how do you keep the economy growing? Who's there in the workforce? How many taxpayers have you got? Those are the issues that I'm thinking my way through as we do our economic planning for the years ahead," he said. "One issue that I am very interested in relates to this demographic change that's coming and that is: How can we maximize the numbers of people that are available to participate in the Canadian workforce? You've got the baby boomers retiring; a smaller generation coming behind; a very low domestic birth rate. So we have to work on inclusion. And that means, I think, better dealing with the issues affecting Aboriginal people so that they feel fully involved and fully welcome in the Canadian economy and it means a better focus on immigration for the future because that is probably the principle source of growth."

Beware clawbacks

(Continued from page 13.)

Other areas will fall under provincial jurisdiction.

Diane Richard, researcher and policy advisor for the National Council of Welfare, said each province has a different way of dealing with things.

"Eligibility for welfare is based on administrative rules that vary throughout the country. Once applicants meet the administrative conditions, they go through a needs test. The welfare department compares the budgetary needs of an applicant and any dependants with the income and assets of the household," she told *Windspeaker*.

When a welfare recipient or pensioner applies for some type of social assistance, their net worth and total income is a factor in setting the level of assistance, she added.

"We know that the needs test examines applicants' fixed and liquid assets. In most provinces and territories, fixed assets such as a principal residence, furniture and clothing are considered exempt. Most provinces and territories also exempt the value of a car,

although some jurisdictions take into consideration factors such as the need for a private vehicle and the availability of public transportation," she said. "Property and equipment required for employment are generally considered exempt. Applicants are usually required to convert any non-exempt fixed assets into liquid assets and to use any non-exempt liquid assets for their ongoing needs before qualifying for welfare."

Manitoba has announced it will not claw back any residential school compensation awards. Ray Mason, chairman of Spirit Wind, an organization in the province that represents the interests of former residential school students, hopes other jurisdictions will see the wisdom of that decision.

"We made that an issue because if you're on old age income security, we told them we didn't want that to be part of their living subsidy. That's no part of what they're getting today. That's their money. They went through the legacy and they deserve to do what they want to do with their own money," he said.

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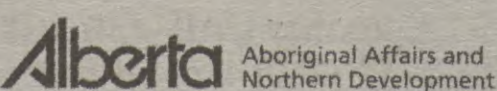
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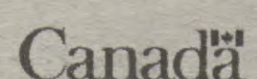
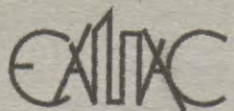
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Windspeaker's Special Section Serving the Aboriginal People of Ontario

Event brings youth together to celebrate and share

By **CHERYL PETTEN**
Birchbark Writer

BEAUSOLEIL ISLAND

For four days at the end of September, a group of Aboriginal students from Grades 7 and 8 gathered at the Midland YMCA's Camp Kitchikewana on Beausoleil Island in Georgian Bay Islands National Park.

The students, most of them coming to the camp from the Georgian Bay area, were there to take part in the sixth annual Aboriginal Youth Week. The event was organized by Parks Canada, Camp Kitchikewana and the Aboriginal organizations that sent students to the camp. This year, the planning committee membership included representatives from the Georgian Bay Metis Council, the Metis Nation of Ontario, Mnjikaning First Nation, Beausoleil First Nation, the Georgian Bay Native Friendship Centre and the Barrie Friendship Centre.

About 75 students took part in Aboriginal Youth Week this year, held from Sept. 20 to 23. Included among this year's participants were a group of 10 or so students from Labrador, who got involved in the camp through an exchange program with the Barrie Friendship Centre.

While the cultural components of the youth week dealt mainly with the First Nation and

Metis cultures of the Georgian Bay area, the youth from Labrador still fit right in, said Scott Carpenter, a community development officer with the Metis Nation of Ontario who sits on the Aboriginal Youth Week organizing committee.

"Aboriginal Youth Week is about being proud of your own traditions and culture and being open to sharing it with others and understanding other cultures. That's the whole concept of it," he said.

The idea of creating an annual camp for Aboriginal youth came from local Elders who visited the national park and the archeological dig on site and asked why Aboriginal youth weren't coming to the camp to experience the history of the island for themselves.

The students taking part in the event usually attend for both years they are eligible, so organizers have an added challenge of making each year a bit different from previous ones so returning campers don't become bored.

"Like every year there's a craft, but the craft changes from year to year," Carpenter said. "Last year we had a Metis component to it, talking about Metis and some of the Ojibway traditions, and then this year we didn't get into that so that we wouldn't repeat."



About 75 young people took part in this year's Aboriginal Youth Week, held Sept. 20 to 23 at Camp Kitchikewana in Georgian Bay Islands National Park. One of the activities during the four-day event was a low ropes course, which taught participants about teamwork.

The schedule of events and activities during the week is curriculum based so, while they are missing school to attend, participants are still learning, just in a different way, Carpenter said.

One of the goals of the pro-

gram is to teach participants a bit about their culture and traditions, in the hopes of sparking their interest so they get more involved when they return to their communities and want to learn more.

The students taking part in the youth week each come to the camp with a different level of previous exposure to and knowledge of Aboriginal culture and tradition, Carpenter said.

(See Camp page 4.)

First Nations still waiting for environmental clean-up

By **CHERYL PETTEN**
Birchbark Writer

TIMMINS

It's been four decades since the 98 radar sites that made up the Mid-Canada Line were shut down, but First Nations communities west of Hudson and James Bays are still living with the environmental fall out from the sites on a daily basis.

The Mid-Canada Line, also called the McGill Fence, was one of three lines of radar sites strung across Canada in the 1950s and 1960s, designed to give advanced warning should bombers from the Soviet Union attack North America from across the North Pole. The Mid-Canada Line was built near the mid-point of Canada. Further to the north, the Distant Early Warning (DEW) Line stretched across the country, while to the south, the 44 sites that made up the Pinetree Line dotted the landscape. As the Soviet weapons capability expanded, defence concerns shifted to detecting incoming missiles rather than bombers, and both the Mid-Canada Line and the Pinetree



Elders walk past some of the oil drums that dot the landscape west of James Bay and Hudson Bay, just part of what remains from long-abandoned radar sites that continue to pose an environmental and health risk in the area.

Line were shut down. By April 1965, none of the Mid-Canada Line sites remained operational.

But they did remain. The radar sites in Ontario had been built on provincial Crown land. When the line was decommissioned, the

Department of National Defence transferred the land—and the now inactive radar bases—back to the province.

During the intervening years, the 17 radar sites in Ontario sat untouched, rotting and rusting

away, all the while leaching toxins like polychlorinated biphenyls (PCBs) and asbestos into the surrounding environment.

Stan Louttit, grand chief of the Mushkegowuk Council, which represents seven First Nations communities in the area affected by the Mid-Canada Line contamination, called the abandoned radar sites "environmental travesties."

"Not only are they polluting the land and an environmental eyesore and a danger to the wildlife and the vegetation and humans in the area, there's concern as well from the people who live and hunt and trap near those areas that there might be a link to some very serious health matters that have occurred over the past while, including people who have had cancer and who have since passed away over the past years," he said.

"The biggest concern, I guess, is probably around the PCBs," said Job Mollins Koene, lands and resources co-

ordinator with the Mushkegowuk Council. "The ground is laced with PCBs at these sites because ... they used massive generators and transformers and so all the electrical equipment had PCB oil in there, and it's all drained out into the earth and it's been taken up by the plants and through the food chain to the animals. And many people in these communities still depend on the wildlife for a main part of their diets."

The clean-up process will involve much more than simply clearing away the infrastructure left behind at the sites—the contaminated soil surrounding the sites will need to be excavated as well, Mollins Koene said.

One of the 17 Ontario sites, in Fort Albany, was cleaned up in 2000 by the Ontario Ministry of Natural Resources. During the clean up, highly contaminated soil was removed, and soil with lower levels of contamination was put in an engineered landfill on the site. With the remaining sites, Mollins Koene expects all the contaminated soil will have to be removed.

(See Radar page 4.)

Arthritis rates high among Aboriginal people

By LAURA STEVENS
Birchbark Writer

SUDBURY

Arthritis is one of the top three most common chronic diseases among Canadian, and is even more prevalent among members of the country's Aboriginal community. Older Aboriginal women are among the groups hardest hit by the disease.

"Arthritis is a group of diseases made up of a hundred different types of arthritis," said Sheila Renton, coordinator for the Getting a Grip on Arthritis project of the Arthritis Society's Ontario region. "Technically, it means inflammation of the joints and this can cause joint pain, stiffness, swelling and redness."

Renton said it's a myth that arthritis is simply an old person's disease. Arthritis can affect anyone of any age. Even babies under the age of one can develop this lifelong disease, and it can limit their growth and development.

Aboriginal people seem to get arthritis more so than other Canadians do, Renton said. "We don't know why that is but there are a variety of studies that are ongoing."

"We are interested to know if there is some type of genetic component that makes it different," she said. "We think there could be some factors related to hormones. It could be related to the way people use their bodies depending on the type of arthritis that you're talking about."

Renton said individuals should seek help from a health care provider if they suffer from any of the warning signs of arthritis, such as pain in the joint for six weeks or more, stiffness and trouble moving when getting up in the morning, swelling in any of the joints and joint pain that interferes with daily activities.

"What is very important is that the individual learns what type of arthritis they have, if in fact they do have arthritis, because there is a lot of information out there about arthritis," said Renton. "It's important that people become educated about their diagnosis and the way they can self manage the disease. People need to learn what resources are available to them such as therapy and financial resources."

Renton said that when she looks at the regional health

survey, it indicates that Aboriginal people seem to be more prone to developing a number of chronic diseases, including diabetes, hypertension and arthritis.

"We understand that arthritis has been identified as one of the top five disease conditions and that needs some attention in Aboriginal communities," she said. "When you compare standardized information, the prevalence of arthritis in Aboriginal people is 27 per cent compared to only 16 per cent in other Canadians, so that is a big problem and we don't have that answer."

Generally, osteoarthritis is the most common type of arthritis. It affects one in 10 Canadians, and it does tend to become more prevalent with age. With this type of arthritis, the cartilage inside the joint wears down. Renton said Aboriginal people do develop this type of arthritis but in most cases, rheumatoid arthritis seems to be the most common among Aboriginal people.

"Rheumatoid arthritis is an inflammatory type of arthritis. It generally affects one in 100 Canadians, but in this case, we think that it does affect Aboriginal people to a greater degree," she said.

"Certainly, Aboriginal people develop osteoarthritis and they get inflammatory types of arthritis probably more so than (other) Canadians do and I don't know why, but we are looking at these ethnic genetic components."

To lessen the chances of developing arthritis, people can make healthy choices such as maintaining a healthy weight, Renton said. This would lower the risk of developing osteoarthritis in the weight bearing joints and reduces the stress on joints. She also suggests that people continue to exercise because it will allow them to develop muscles around the joints to help prevent any injury to the joint.

"We believe that having injuries increases the chances of having osteoarthritis," said Renton. "We ask people to warm up before exercising, have good posture and they need to learn how to do appropriate exercise to maintain the range of motion of the joints and to maintain their strength and fitness. So that may mean attending a fitness program, seeing a physiotherapist or

doing a home based program. These things that I mentioned are general health choices that we think might prevent osteoarthritis in particular."

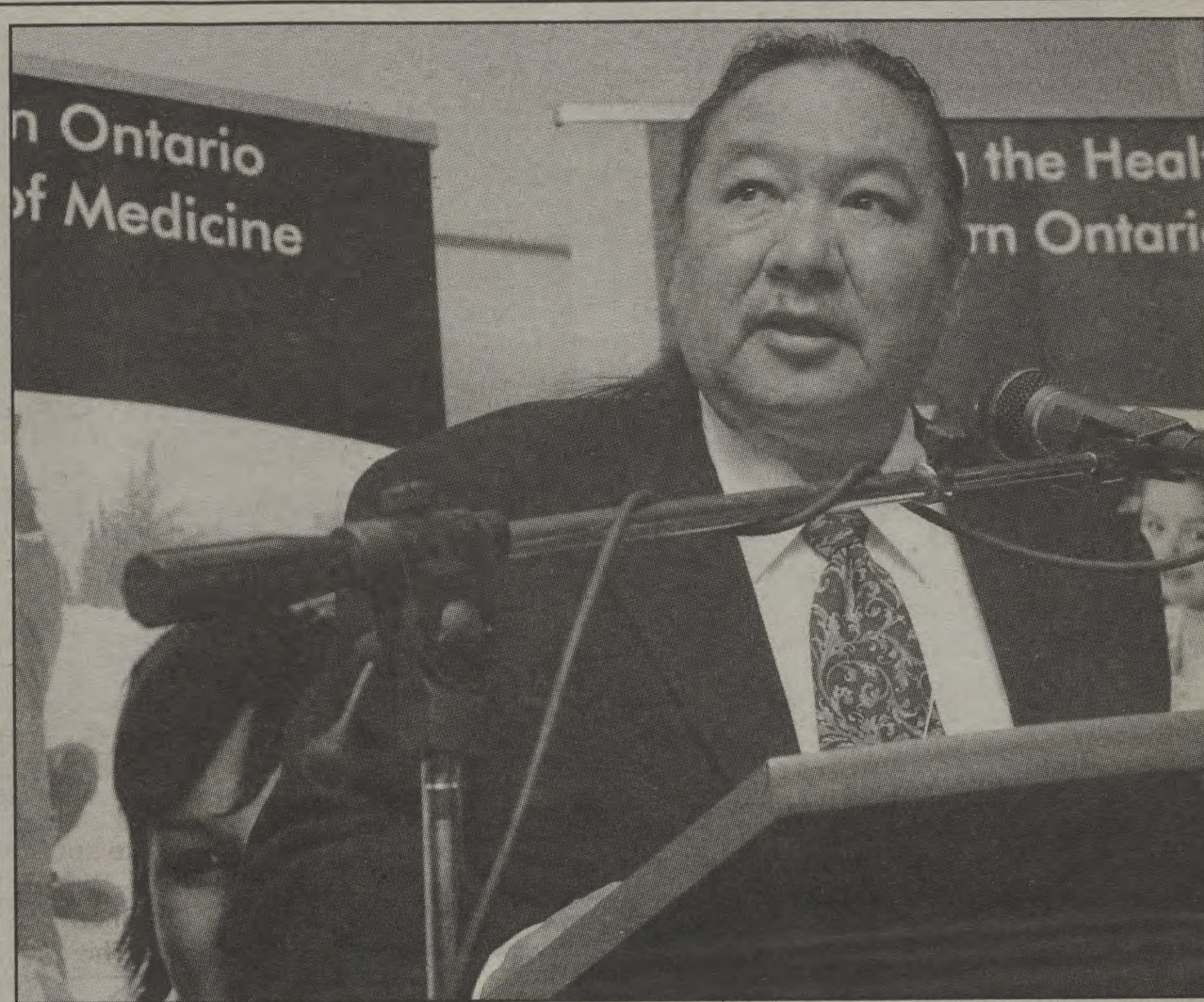
Along with maintaining a healthy lifestyle, medication is a key component to living with arthritis. There is a whole range of medications avail-

able, Renton said, but the type of arthritis should be determined first in order for the medicine to be effective.

"I believe that medication is important. I think it's a component of the management protocol. If people don't take their medication or eat right and exercise and their arthri-

tis becomes severe because of this, they can become disabled and unable to work on a daily basis and we want to avoid that," she said.

For more information about arthritis, visit the Arthritis Society's Web site at www.arthritis.ca or call the society toll free 1-800-321-1433.



COURTESY OF NORTHERN ONTARIO SCHOOL OF MEDICINE

Aboriginal leader Elijah Harper was just one of the dignitaries taking part in the ceremony held to officially open the Northern Ontario School of Medicine on Sept. 13. The new school, which has campuses in Sudbury and Thunder Bay, will help bring more trained medical professionals to the north.

URBAN ABORIGINAL STRATEGY LA STRATÉGIE POUR LES AUTOCHTONES VIVANT EN MILIEU URBAIN

Public Notice Annual Meeting & Call for Nominations Toronto UAS Management Committee

A meeting to review the Urban Aboriginal Strategy (UAS) and to select four new Aboriginal Caucus Members and three alternates to the Toronto UAS Management Committee (TUMC) will be held on November 12, 2005. The meeting is open to all Aboriginal people residing in the Greater Toronto Area, as well as any interested stakeholders. Nominees to the committee will be pre-screened by TUMC, according to previously established criteria within the TUMC Framework.

Date and Time	Deadline for Nomination Application
October 19, 2005 5:00 p.m.	Toronto UAS Management Committee c/o Urban Aboriginal Strategy Directorate 4900 Yonge Street, Suite 200 Toronto, Ontario M2N 6A8
Date and Time	Annual Meeting Location
November 12, 2005 1:00 p.m. to 6:00 p.m.	Native Canadian Centre of Toronto Auditorium 16 Spadina Road, Toronto, Ontario

We are seeking nominees who have a strong background in project proposal assessments, project management and in strategic planning/visioning. Nominees are normally of Aboriginal descent and must reside in the Greater Toronto Area. *All nominees must demonstrate in writing how they meet these criteria. Nominees will be posted by October 25, 2005.*

Nominations and selections follow the TUMC Framework, which is available upon request. All nominations should be signed by the nominators with a hard copy and electronic copy (on disk) submitted to the TUMC Co-Chairs **before October 19, 2005** at the address listed above.

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District needs to track Aboriginal student progress

By GEORGE YOUNG
Birchbark Writer

TORONTO

According to figures from Statistic Canada, Aboriginal students in Toronto are twice as likely to drop out of school as their non-Aboriginal peers.

The problem faced by the Toronto District School Board is that, in order to access more funding to address the issue, it needs more detailed information about the Aboriginal students within the school system, explained Cathy Pawis, the central principal in charge of Aboriginal education for the board.

To rectify that problem, Pawis must come up with a culturally sensitive method of gathering statistics about Aboriginal students.

"One of the issues that came out loud and clear is that we couldn't really determine which programs were needed because we couldn't really pin-point where our students are in the schools because in Toronto we are so diverse ... Aboriginal students tend to be invisible within the system," said Pawis.

The Toronto District School Board was created in January 1998 when seven separate boards of education were amalgamated into one. The largest school board in Canada, it is

responsible for providing education to more than 280,000 students living within the city of Toronto.

While the school board has taken a number of steps to reach out to and support its Aboriginal students—including offering tradition-based curriculum through the First Nations School of Toronto, and inclusion of Aboriginal history and perspectives across the curriculum—more needs to be done. But quantifying that need hasn't been so easy.

What is needed is a mechanism to identify Aboriginal students within the system, Pawis said.

"Anecdotally we know that our students (Aboriginal) are not doing very well ... we don't have hard data to back that up. It's not well documented, but we do have Stats Canada studies."

Pawis was one of the founding members of the Toronto District School Board's Native Education Committee. The committee recognized a need from the outset for programs such as mentoring, tutors, language programs and addictions counseling but without the statistics to support requests for programming, their hands were tied.

"We couldn't move any further forward with our recommendations because we hit that

systemic barrier — 'Well, how do you know we need another program?', and 'How do you know our Aboriginal students aren't doing well?' Those are the questions that kept coming back to us because we didn't have the data. We couldn't really identify a need without the statistics behind us."

The problem her committee faces is gathering the statistics it needs from an Aboriginal

community that has been studied to death and is reluctant to participate in more studies.

One place to start in the search for data might be organizations such as the Native Canadian Centre and Native Child and Family Services that may be willing to provide client lists to the school board, she said. She is also hoping the Urban Aboriginal Council in Toronto will help spread the message that

data collection is necessary.

If the board's efforts at collecting data are successful, Pawis said, its work may be used as a pilot for similar initiatives in other cities across the country.

"It's not that people are asking us to do this kind of data collection, but I think that when they encounter a problem and ask for a program, it reinforces the need for it."



CYNTHIA RICHARDSON

Artist Philip Cote speaks to the crowd gathered for the official unveiling of Niinwin Dabaadjmowin—We Are Talking, an 80-foot mural created by young people from the Tumivut Youth Shelter in Toronto under the leadership of Cote and fellow artist Rebecca Baird. The mural was unveiled at Fort York on Sept. 17.

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Camp teaches students about culture and traditions

(Continued from page 1.)

"There's definitely a mix. Some of them have never been exposed to the traditional part of First Nations culture or Metis culture ... Some have no concept of what tobacco is used for and that. So there is some cultural teachings, and there's a smudge every morning" Scott Carpenter said.

Part of the cultural teachings is stressing that, while traditions may vary from one Aboriginal group to another, no one culture is better than the next, Carpenter said. "So understanding that and not judging that is kind of where we go with that."

Through the activities they take part in, the students are

shown the relevance of Aboriginal traditions in a modern context.

"Tradition is important, but it's not stagnant at the same time. We have to adapt or else we'll be left behind," Carpenter said.

"This year we had a really neat model of ground water. And so you could put pollutants in a well or in a lagoon or on groundwater, and it was done with colored dyes. And it would filter into the drinking water so you could actually see that. And so talking about the importance of water to people, that was one of the segments. And it had both traditional, in the importance of the environment to Aboriginal people, and it was done in a con-

temporary manner."

On the first day of the camp, students went on a hike, during which they talked about health and wellness.

"So one of the stops was about drugs and alcohol. Another one was traditional use of tobacco. And then the last one was at the cemetery, and talking about respect and things like that. Honoring those people that have gone before us."

The students taking part also took part in a session about bullying facilitated by representatives from the Enaahitig Healing Lodge and Learning Centre and learned about teamwork by working through a low ropes course. They played KooKoosh

ball, did crafts, learned about the medicine wheel, and took part in a variety of recreational activities, from canoeing to ping pong. In the evenings, campers would gather together and do skits related to what they'd learned.

"There was lots of laughing and good fun with that," Carpenter said.

Each year the event has a theme of some sort and, with 2005 declared the National Year of the Veteran, this year's youth week focused on Aboriginal veterans. The campers watched a video about Aboriginal veterans and talked about Francis Pegahmagabow, the most highly decorated Canadian Aboriginal

soldier during the First World War.

The students also got a chance to find out about the long and rich history of the island by taking part in an archeological dig on the site along side archeologists from Parks Canada. Over the years, artifacts unearthed at the site have shown as many as 12 distinct Aboriginal cultures have called the island home over the past 4,500 years.

The four-day camp wrapped up with a celebration dinner and a drum social. Campers were asked to bring along their regalia, and those that did ended their stay at Camp Kitchikewana by dancing along to the beat of the drum.

Radar sites still contaminating northern communities

(Continued from page 1.)

"Some of these sites are in Polar Bear Provincial Park, a lot of them are, actually. And so I don't think Ontario Parks would allow a landfill, so they'll have to remove everything," Job Mollins Koene said.

The process won't come cheaply. Stan Louttit said initial estimates show it could cost \$60 million to clean up all the remaining sites in Ontario.

Why haven't the sites been dealt with before now? It's a question of jurisdiction, of who is ultimately responsible to clean up the sites and the resulting contamination. Over the years, the federal government has contended that, be-

cause the lands were transferred back to the province in 1965, the clean up is a provincial responsibility. The province has countered that argument, saying the federal government built the radar sites in the first place and so the feds should foot the bill—polluter pays.

"And we're saying, well, we don't care. You're both responsible," Louttit said. "We need to get the work done because of the environmental issues and the health issues that are prevalent, and we can't wait another 40 years."

When the two governments last got together to discuss clean up of the abandoned ra-

dar sites in the late 1990s, the federal government was willing to pay half the cost, but the province refused to pay the other half, Mollins Koene said. Now the situation has reversed itself, with the province committing to pitching in its share, and the federal government holding out.

There is, Louttit said, a "glimmer of hope" that this issue will finally be resolved. The Department of National Defence has appointed a negotiator to talk with the province about the clean up, with a meeting expected by the end of October.

The news that the federal and provincial governments are

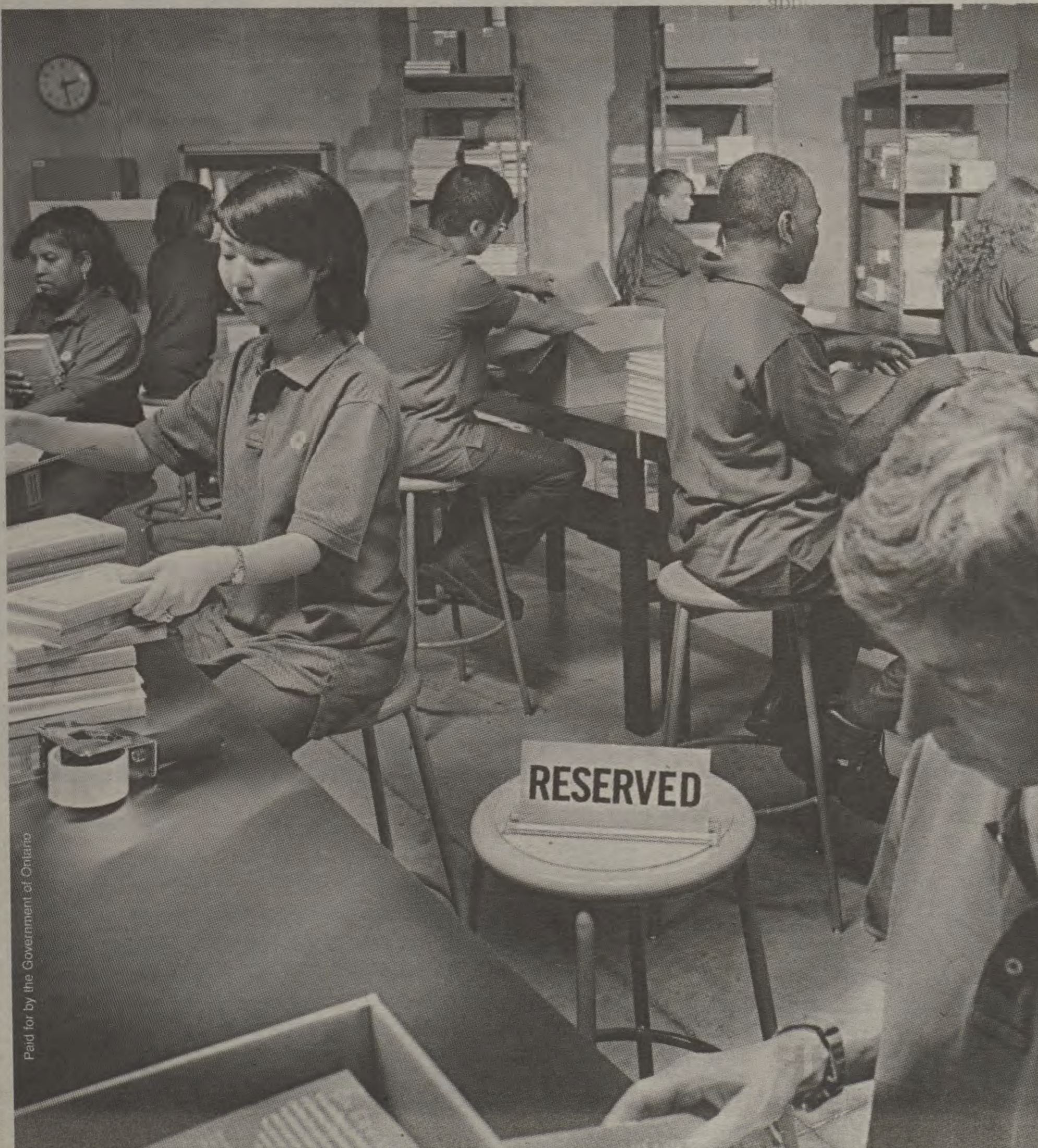
both ready to at least talk about cleaning up the Mid-Canada Line sites is good indeed, but its no guarantee of results. To better the odds, the Mushkegowuk Council plans to turn the heat up on the issue, hoping public pressure will encourage the parties to finally come to an agreement.

The council has joined forces with the environmental group Friends of the Earth, which has thrown its support behind the drive to get the clean up process on track. The two organizations are partnering on a Web site that will provide background information about the Mid-Canada Line sites and tell them how they can help bring

pressure to bear to finally get the sites cleaned up. The Web site will be available through a link on the Friends of the Earth Web site (www.foecanada.org).

While, as of yet, there has been no more to involve First Nation representation in the planned discussions between the federal and provincial governments, Louttit is hopeful that will change.

"It's critical," he said. "If they leave us out, well, that shows again that the government is not serious about us as the people who inhabit the area and live in the area and who deal with these issues day in and day out. So I'll make it a point, certainly, to be involved in these discussions."



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Big bucks being made

(Continued from page 13.)

The advanced contract award notice (ACAN) posted on MERX shows that Ted Hughes' contract as chief adjudicator for Indian Residential Schools Resolution Canada was up for renewal on July 1. The new contract was set to run until June 30, 2006, but it contained one option term from July 1, 2006 to June 30, 2007. The contract will be based on an "as needed and as required basis." The estimated value of the contract is \$712,040.

When we questioned the federal department responsible for setting that number, Alexander Swann, spokesman for Anne McLellan, the deputy prime minister, responded to our questions.

"The amount you cite is over two years and is a possible, a maximum," he said.

Swann provided the standard government rates that would apply when a person of Hughes' experience and ability is hired as a contractor. Professional fees are paid at a maximum rate of \$1,300 a day for no more than 220 days a year. Contractors are also reimbursed for GST paid per year, up to \$20,020. Travel costs per year are capped at \$50,000.

There are 13 different duties listed on Hughes' ACAN. Many of them will obviously require a lot of work and, therefore, a lot of \$1,300 days.

Windspeaker asked Swann what Iacobucci was being paid.

"Mr. [Frank] Iacobucci was appointed by the minister of Justice as a legal agent, and consequently, the basis on which he is remunerated is different. The department of Justice has

provided the following description of remuneration for legal agents," he replied. "Remuneration for domestic legal services of a civil nature is negotiated on a case-by-case basis in accordance with established guidelines and taking into consideration a number of factors, which include: nature and complexity of the work; areas of expertise required of counsel; level of experience required of counsel; urgency; and the regional market in which services are required."

In short, it could be quite a bit more than the chief adjudicator is raking in.

"Where are they getting all that money from?" Millie Poplar asked.

Ray Mason, chairman of Spirit Wind, a grassroots residential school survivors' group, was speechless for a moment when he heard how much money the government was prepared to pay Hughes.

"Whew! So what they give us doesn't even put a dent into one of their salaries. That's pathetic," he said. He also wondered what Iacobucci will be paid. He is scheduled to meet with the federal representative sometime this fall.

"If I get the chance I will ask him," he said.

Academic freedom

(Continued from page 11.)

That is seen by the academic community as a serious breach of academic freedom, the most cherished bedrock of university life and something seen as essential to the genuine pursuit of knowledge.

Observers are also wondering if the task force will look at the 32-member board of directors that has budgeted in excess of \$600,000 for expenses for this fiscal year, far more—by any means of comparison—than any other post-secondary institution in the country.

Tyrone Tootosis was relieved of his duties as artist-in-residence at FNUC. His wife, Winona Wheeler, lost her position as dean of the Saskatoon campus of FNUC after she spoke out against the FSIN incursion into the school. Tootosis, an actor as well as an artist, has also been active as a member of the First Nation Coalition for Accountability, a grassroots group that calls for more accountability and transparency for First Nation governments. He is not popular with the chiefs and there are more than a dozen current or former chiefs on the FNUC board of governors.

Tootoosis was asked if he thought the task force asked for more time to avoid having this issue raised at the fall assembly.

"It could very well be the reason. However, I think we want to give the benefit of the doubt to the task force," he said. "As such, it may well be that their need for additional time is a result of the rather unprofessional manner in which the FSIN assembled the task force."

He was referring to the fact that well-respected Native Provincial Court Judge Mary Ellen Turpel-Lafond discovered she was on the task force when informed by a reporter. She quickly had her name removed.

With so many people on the political side absorbing so much money from the FNUC budget even though money is now tight due to all the problems, the grassroots activist was asked if he knew what the task force members were being paid. He said the going rate in Saskatchewan is about \$1,000 a day but added that "how much" is not the issue.

"What is an issue is where is this money coming from? Is it coming from the already beleaguered FNUC budget? It seems, from all reports that FNUC cannot bear further incursions on their already difficult financial situation."

Nunavut stalemate

(Continued from page 8.)

Thomas Berger recommended that the parties agree in advance to refer a matter to non-binding mediation if they can't agree to arbitration.

"No party could act unreasonably, content in the knowledge that it need never submit the question to an impartial third party," he wrote.

Berger's report in many ways vindicates the complaints set out by the Land Claims Agreement Coalition in a letter sent to Prime Minister Paul Martin in March 2004. The group of seven Aboriginal organizations that have signed comprehensive claim agreements told the prime minister that little happened after the agreements were finalized.

Berger said he heard the same complaint on a number of occasions from all parties, including from federal officials.

"They believe that a malaise set in during the implementation process after the 1999 miracle of the creation of Nunavut," Berger wrote. "More than once, they summarized Canada's attitude with a gesture—dusting off their hands—and a word—'Next!'"

But Berger also said that most of the people involved, on all sides, were determined that Nunavut should succeed. "They are not fatigued, though they are certainly frustrated. They want to get on with the job," he wrote.

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Alberta Children's Services, Calgary – We require an individual who can manage unique and exciting challenges in this temporary position as the Manager of the First Nations Liaison Unit. The unit is responsible for Monitoring and Evaluation, Program Support and Training/Education of First Nation and Metis communities supported by the Calgary/Southern Alberta office in the Treaty Seven area.

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You will also ensure the monitoring and evaluating of how First Nation agencies provide service delivery, resolve issues, provide training, negotiate and execute contracts, establish accountabilities and standards for contracted services and the evaluation of results. Other monitoring and evaluation functions will review how First Nation agencies interface with other levels of government and the community.

The successful candidate will have strong negotiation, conflict resolution and mediation skills, will have a working knowledge of Metis and First Nation cultures/programs in the Treaty Seven area and an understanding of Children's Services programs and legislation as they relate to child welfare in Alberta.

Qualifications: University Degree in a related field including considerable progressively responsible related experience including supervisory and financial management experience. A BSW is preferred. Equivalencies may be considered. Previous experience working in Service Delivery is required, as is experience in research and evaluation and working with Metis and First Nation agencies. Proficiency in Windows-based computer operation is an asset.

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Ipperwash inquiry— more revelations

(Continued from page 8.)

"Because it demonstrated to me an unnerving ignorance of constitutional law and the laws of Canada because, as a lawyer, my understanding and knowledge was that—that based on the Constitution and the Charter and jurisprudence—that we don't necessarily treat Aboriginal and non-Aboriginal people the same. There are good reasons and laws that require that we do treat them differently in certain circumstances," Elizabeth Christie replied.

Donald Worme asked if there was any attempt to explain that to Debbie Hutton.

"Yes, to some extent," she answered. "My recollection is that at least one or two people made the point that there are actually circumstances in which we need to treat them differently. I have a recollection of Ron Fox (OPP liaison to the attorney general's office) saying something. And my recollection is that Ron Fox at that point said, 'Well because we have to, because they're different, because there are different rules that apply.' I was certainly startled by the comment that we treat Aboriginal and non-Aboriginal people the same. And my sense was that others in the room were also a bit taken aback at the suggestion."

Worme asked if there was

anything else about the way that those comments were advanced that struck her and that she might comment on.

"My interpretation of Deb Hutton's comments was that they were—I sort of interpreted them as being fairly, I don't know, aggressive or they were certainly assertive, very assertive statements. And the tone to me demonstrated some level of frustration. So, my sense was that she was frustrated with the way we in the group were sort of talking about these issues and were proposing to deal with them," she replied.

Christie's testimony suggests that it wasn't just the premier's assistant who thought it was reasonable to ignore the legal and constitutional reality of Aboriginal rights. That point of view seemed to come right from Mike Harris himself.

During the meeting, some members of the group asked if Chief Tom Bressette was willing to help the province obtain an injunction to get the protesters out of the park. Christie said Hutton clearly didn't want that kind of help.

"My interpretation of Deb Hutton's comment was, it doesn't matter if [the chief is] willing to assist or not. You're not going to be putting an affidavit in [from Bressette] because the premier

doesn't want to be seen to be talking, to be working, with the Indians," she told the inquiry. "So, we knew at that point that we weren't going to, even though we might have been able to get an affidavit from the chief, we weren't going to be doing that."

After the inquiry adjourned for the day on Sept. 27, Murray Klippenstein, the lawyer acting for Sam George, Dudley's brother, spoke to *Windspeaker*. He had spent most of the day cross-examining Christie.

"We are getting a lot of stuff on the table for the first time. Even today, through the testimony of Dr. Christie, we learned for the first time that right after the premier met with his mini-cabinet on Sept. 6 on Ipperwash strategy, the legal staff were instructed to try to get an injunction in Toronto that very afternoon within an hour or two. That shows, apparently, that the premier's pressure to get them out of the park was applied extremely forcefully and extremely quickly," he said.

The revelation that Hutton was arguing that Aboriginal and non-Aboriginal people must be treated the same is a very important bit of information, the lawyer said.

"Deb Hutton said, as a strategic imperative, this government treats Aboriginal and non-

Aboriginal people the same. That is a hugely important point because it flies in the face of basic constitutional law. So we have a premier who apparently had a basic policy that's contrary to the Constitution," he said.

Other evidence that Harris played a key role in the events that eventually led to the death of Dudley George is also emerging, Klippenstein added.

"There's a one-paragraph note by Larry Taman, the deputy attorney general, where his handwriting says, on Sept. 6, 'attorney general instructed by premier that he desires removal within 24 hours.' That's a very important three-line note because it shows that it was the premier's desire that was at the centre of everything and that he wasn't just wanting an injunction. He wanted removal within 24 hours. So the talk about having things done 'as soon as possible' seems to be a euphemism that keeps coming up again and again and again. But when you look at the bottom line, it's the top leader in the province putting a time limit of 24 hours down on the table," he explained.

We asked if the police would have felt the pressure of the premier's wishes as well.

"Well, he doesn't say the police and that's where the wiggle room, the escape hatch, comes in. He

just says, 'I want them out in 24 hours; you folks figure it out.'"

The federal government has no formal presence at the inquiry. Klippenstein sees that as significant.

"No, they're not a party. They've got no representative here," he said. "I think the federal government's absence shouts out loud that they are trying to minimize and box in the extent of this inquiry so that it's only about the events of a day or two. Not at all about the deep, underlying issues such as how treaty lands were finagled away from Indians in the decades past."

Testimony continues at the inquiry in Forest, Ont., a small town northwest of Sarnia. It will be another year before the final report will be complete.

Commissioner Sidney Linden issued a statement on Sept. 12 informing the parties that he anticipates it will take six months to complete his report once the witnesses have all been heard. He had set an informal goal of Dec. 1 for the completion of testimony but, in his statement, conceded the hearings may have to occur into the early part of 2006. That puts the date when the final report will be submitted to the provincial government at some time in the summer or early fall of next year. It's expected the province will release it shortly after that.

WHY BE LEFT OUT?



				
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Just The Boyz	Me And The Boys	Shotgun Rider
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Slo-Mojo	Superman	Single
Gabby Taylor	You're The One	Single
Candis Francis	Notice Me	Single
Shane Yellowbird	Beautiful Concept	Single
Living Stone	Send Down The Fire	Spirit Whisper
Billy Joe Green	Don't Ask Me	Muskrat Blues and Rock & Roll
Darren Geffre	I Am The One	Uncivilized
Donny Parenteau	The Great Unknown	Single

CONTRIBUTING STATIONS:



Artist—Cory Poitras
Album—Fiddlin' Around
"The Metis Way"
Song—Bowing the Strings
Label—
Metis Sound Studios
Producer—Cory Poitras

Young fiddler releases first solo CD

At 15, Cory Poitras of St. Paul, Alta. is already a veteran of the music business. He's been playing fiddle for five years, both on his own and along with members of his family. He joined his parents and siblings to record the CD, *24 Seven*, and now the young musician has recorded an album of his own.

Cory wore a number of hats during production of *Fiddlin' Around "The Metis Way"*, playing fiddle and drums as well as producing the CD. Twelve of the 13 tracks on the album are instrumental, a collection of traditional Metis tunes and old-time fiddle music guaranteed to get your toe tapping. The last cut on the disc, and the only one featuring vocals, is *In My Dreams*, a song written and sung by Cory's mother, Shelly, who also designed the CD cover and liner notes.

Fiddlin' Around is truly a family affair, with Cory's father, Ed, playing guitar. Also featured is Cory's uncle, Roland Poitras, on guitar and base.

With his first CD under his belt, Cory has turned his attentions to producing albums for other artists, including his father. When not in the studio, he spends a lot of time on the road as fiddler for the Kikino Northern Lites, a Metis dance group whose performances are in great demand across Western Canada.

For more information about Cory Poitras, visit his Web site at www.corypoitras.com.

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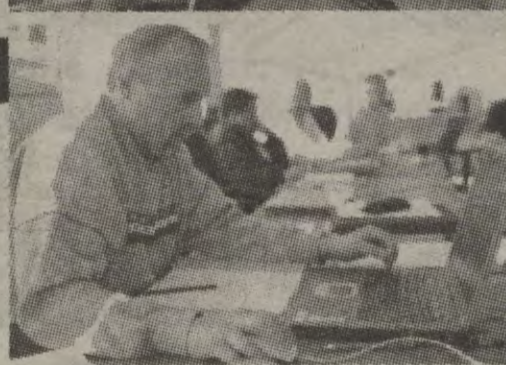
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[strictly speaking]

Reach out and put the touch on someone

For the last month or so I have been harassed by a constant series of telemarketers. It's reached the point where I'm afraid to answer my phone. I'm not talking about the innocuous calls from Bell, or some newspaper asking if I want to order the Sunday edition free of charge for three months—how could I possibly exist without it? I can handle those. I'm talking about the charities.

I have been getting an average of three to four calls a week from telemarketers giving me a 30-second run down on how their particular cause is so tragic and how it needs my humble contribution to survive. First of all, I realize such criticism may be viewed as politically incorrect. How could one possibly criticize any organization dedicated to doing good? Therefore, I would like to state on the record that I



THE URBANE INDIAN

Drew Hayden
Taylor

am definitely not anti-charity. I fully admit that on principle and in practice, I support these organizations. I give and I give frequently because I am grateful or ashamed to be healthy. But in the last two months I've supported organizations like War Amps, Canadian Foundation for AIDS Research, the Organ Donation & Transplant Association of Canada and the Shrine Circus, just to name a few.

And I'm sure, like good gossip in the high school bathroom,

when somebody makes a donation word gets around quick. Pretty soon everybody has been told that so-and-so is a soft touch. Then it becomes open season.

During May I easily donated several hundred dollars to at least four charities. But the calls kept coming and coming. And it got to the point where I had run out of beer bottles to cash in and blood to sell. Good will and reality are uncomfortable companions.

It all stopped for me when I got

a call from the Shrine Circus. I had happily made a donation to them a couple weeks before. Evidently that was not enough. They phoned once again, supposedly to thank me for my support. Then they told me that, unfortunately, they hadn't reached their anticipated level of donations. They had fallen short. And they asked me if I could find it with in my heart to donate once more—for those poor kids. That's when I started feeling uncomfortable. Nobody wants to say no to poor, sick kids. I had visions of a group of Shriners chasing me down the street in those little cars of theirs. But I had already given one donation, and I thought it was in bad taste to call back again.

Not long after I got a call from another charity investigating the possibility of a second donation

too... in a little over a month. Then came a call from somebody representing Pediatric AIDS. I had already given to one AIDS organization, but evidently that didn't count. These were sick kids this time, not adults. They deserved their own separate support. That's when, for me, it officially turned from telemarketing to teleguiling. It became charity abuse.

When I visited India last year, I was warned by some local people to beware of giving out money to the unfortunately numerous street urchins that populate the cities. Almost instantaneously, I was told, word would somehow manage to get out that there was a North American giving out money on the street and there was a serious danger that I would be swarmed. (see Charity abuse page 25.)

Searching for an Aboriginal governor general

The selection of Haitian immigrant Michaele Jean as governor general of Canada has fast-forwarded the need to do the thinking required for an eventuality that will happen in its own time: the appointment of an Aboriginal governor general. The outer fringes of the rumor mill surrounding this appointment contained the odd reference to the possibility of an Aboriginal person being considered for this job. As if we need an Aboriginal vice-regent now!

"Candidates" for the position, if they can be called that, are subjected to scrutiny greater than that applied to prospective senators, and only slightly less than those who might "run" for pope. A governor general prospect has to have a clean past, free of associations with fascist/



NASIVVIK Zebedee Nungak

anarchist organizations, and innocent of having worn a swastika on a lab coat in their youth, prank or no prank, especially if somebody has photographic evidence of such an indiscretion.

Being considered for governor general is serious stuff. It is not just old-stock immigrants appointing more recent immigrants to a ceremonial position. Nobody is picked willy-nilly off the streets. They don't

look for Ordinary Joe or Plain Jane when they look for a Gee-Gee. The government of Canada searches the country from coast to coast to coast to the 49th parallel for somebody with the "right stuff" or the "royal jelly" to be the Queen's representative in Canada.

Down the timeline, enough immigrants will have had their turn at this post. The government's governor general search committee (GGSC) will

one day turn its attention to processing possible Aboriginal candidates. Any candidate would certainly be expected to speak Canada's two official languages. There may be scores of Aboriginal people who can fit this bill. But many of the ones I know are fluently bilingual in the wrong two languages. That is, in English, and their own language. This alone would wash out whole classes of Aboriginal prospects.

More problematic than linguistic facility for the GGSC would be vetting candidates on their total devoted loyalty to Canada. This is entirely different from the issue of separatism in the Quebec context, or support for another brand of "independence" that a future candidate for the job might have been filmed drinking a toast to. Canada's search for an

Aboriginal governor general will run head-on into a series of closets piled high with the political skeletons of its settlers' history with Canada's original people.

Any Indian or First Nation candidates are likely to be members of "nations" who have suffered the negative consequences of the broken promises of any number of royal proclamations or numbered treaties that were entered into with the "Crown." It's hard to point to a showcase model of a treaty that did not serve as legal fiction allowing immigrants the run of the country. It's hard to think of success stories, which can serve as evidence of how greatly life has been enhanced for Aboriginals since immigrants from other lands arrived here. (see Divided page 25.)

CPP and old age pension considered taxable

Dear Tuma:

I used to work off reserve for many years and paid into the Canada Pension Plan (CPP). Now I am retired and living back home on the rez, but Revenue Canada tells me that I need to pay tax on my pension. I thought that this was non-taxable. Can you please tell me why they think my pension that I worked so hard for is now taxable?

Indians Pay Taxes Too

Dear Indians:

Yes, Indians do pay taxes too, contrary to popular belief, and the Canada Customs and Revenue Agency (CCRA) knows this all too well. The primary exemption that is available to status Indians is Section 87 of the Indian Act where it states that personal property of an Indian is not subject to taxation. Personal property includes income that is earned on a reserve or that is considered to be earned on a reserve, as well as goods bought on or delivered to a



PRO BONO Tuma Young

reserve.

There have been a number of court cases that have tried to clarify what exactly is included in this exemption and I am sure that there will more court cases in the future.

One of the ways that CCRA has responded is to issue guidelines called *The Indian Act Exemption for Employment Income Guidelines*. These guidelines are considered policy and provide direction for how CCRA will look at a particular taxpayer's situation.

In your case, your employment income was generated off reserve and is not eligible for the Section 87 exemption. The CPP is based on your taxable earnings and is

considered by CCRA to be taxable.

I know you did not ask but I will also address the question of the old age pension and the old age supplement. CCRA takes the position that this pension is not related or connected to any previous income earned on reserve and that the payments are considered to be off reserve. The old age pension and the supplement are considered to be taxable income.

When filing your income tax return, make sure to utilize all your credits, deductions and it might be a good idea to talk to a tax preparer or an accountant to see how you

can reduce the amount of tax payable.

Tuma

Dear Tuma:

I am renting a house and the property owner went bankrupt. Now the bank is foreclosing on the house and has asked us to pay the rent to them. I have no problem with this, but my problem is about my security deposit. The bank tells me that since I gave it to the property owner, I should try to get it from him and the property owner is nowhere to be found. Should I break the picture window and consider it even?

Caught In The Middle

Dear Caught:

Under no circumstances should you break the picture window. You might cut yourself or you may find that it may cost you more to replace the window. You may be charged with willful destruction of property or with mischief. I repeat, do not break the window.

As for the deposit, do not despair. Each province has a Residential Tenancy Act and most, if not all, have a provision to protect you in the event that the house is sold or foreclosed on. In your case, the Nova Scotia Provincial Tenancy Act states that the bank or financial institution is presumed to take over the obligations of the property owner. This means you can consider that bank to be the new owner and that it has the damage deposit.

Should you leave (I would suggest you start looking now) you can make a claim for the security deposit against the bank. If the bank does not return the money, you can file a complaint with the Residential Tenancies Board or file a claim in Small Claims Court.

Tuma

This column is not intended to provide legal advice, but highlight situations where you should consult with a lawyer. Questions can be sent to Tuma Young@eskasonibc.ns.ca

The history

The Lubicon Cree Nation was missed by treaty negotiators who travelled Western Canada in the late 1800s seeking land surrenders from the Indigenous peoples.

In 1939, government agents returned to Lubicon territory and determined the people were entitled to a reserve. The following year the government agreed to set aside land for the Lubicon, but the Second World War knocked the land survey off the agenda and the promise of reserve land was never kept.

The Lubicon territory is rich in oil and other natural resources. In the 1950s, after Ottawa failed to secure a reserve for the Lubicon, the Alberta government claimed the area as its own.

In the 1970s, the Lubicon filed suit to assert their claim to the land, and negotiations with Ottawa and the province about compensation commenced.

A decade of talks failed and the Lubicon reached their limit. In mid-October 1988, the band set up roadblocks to keep oil companies and other industry from removing the riches from Lubicon land. A few days later, however, Alberta received a court injunction to halt the peaceful protest. On Oct. 20, heavily armed RCMP officers, backed by helicopters and attack dogs, mounted an assault on the blockades, arresting 27 Lubicon supporters.

Don Getty, then-Alberta premier, and Lubicon Chief Bernard Ominayak agreed to meet, and on Oct. 22 a land claim settlement now known as the Grimshaw Accord was reached. It provided that 95 square miles of land would be transferred from the province to the federal government for the Lubicon.



FILE PHOTO

Chief Bernard Ominayak (left) and then-Alberta premier Don Getty hammered out a plan in 1988 that would see the Lubicon receive 95 square miles of land for a reserve.

With Alberta's part agreed it was up to the federal government to reach a settlement. In November 1988, then-prime minister Brian Mulroney, in the midst of an election campaign, agreed to renew negotiations with the band. Once re-elected, however, negotiations were called to a halt.

In 1989, through an obscure section of the Indian Act, the federal government created a new group called the Woodland Cree, which drew members from the main Lubicon nation. The government then offered to settle the land issue with this sub-group of Lubicon, offering each voting member a dividend of up to \$1,000 if the settlement was passed. After the vote, the federal government clawed back the dividend money by reducing welfare payments collected by Woodland Cree band members.

By 1990 the provincial government had backed out of negotiations. International attention about the Lubicon claim had garnered support from many corners and industry doing business in the Lubicon territory was facing a backlash. Pulp and paper giant Daishowa was effectively harmed by an international boycott of its products.

In 1992, an independent citizens commission was established to review the Lubicon situation and recommend ways to move forward. In March 1993 the commission determined that both the province and Canada were not negotiating in good faith.

In the spring of 1993, the province promised to honor the Grimshaw Accord, but in 1995 withdrew the offer saying the accord was based on a particular number of Lubicon band members and that number had changed significantly since the agreement was reached.

(Lubicon land page 22.)

[canadian classroom]

Lubicon Crees under siege—again

By Paul Barnsley
Windspeaker Staff Writer

EDMONTON

After years of quiet, diligent work at the negotiating table, the leaders of the Lubicon Cree Nation and their supporters are starting to make some noise—again.

The years of silence was a condition of federal negotiators who would only participate in self-government and land compensation talks if the northern Alberta nation did not “negotiate in the media.”

Negotiations came to a halt late in 2003, and after a series of unsuccessful attempts to get talks re-started the Lubicon leadership has decided to re-ignite public interest in their long struggle. There's a lot to talk about.

At the provincial level, the Lubicon have objected to an application by Surge Global Energy to drill for oil on their territory and are preparing for a fight before the Alberta Energy and Utilities Board, the body that grants licenses for oil and gas exploration in the province.

Federally, Chief Bernard Ominayak has authorized the release of internal documents that show the federal negotiating tactics the Lubicon have been faced with over many years. Ominayak's not talking to the press. He has, however, given his blessing to Fred Lennarson, the chief's long-time and trusted advisor, to discuss the latest developments.

A series of letters released by Ominayak show that the chief has been engaged in an increasingly rancorous exchange with Indian Affairs Minister Andy Scott.

After receiving a letter from Scott dated June 23 this year in response to a letter he wrote to former Indian Affairs Minister Andy Mitchell on March 22, 2004, Ominayak was in no mood to play nice.

He had asked Mitchell to appoint a new federal negotiator with a mandate to deal with financial compensation and self-government issues after former federal negotiator Brad Morse had stated his mandate limited him to only discussing a federal position the Lubicon had repeatedly rejected.

Scott responded by suggesting the Lubicon should wait for the outcome of a negotiations roundtable established by Prime Minister Paul Martin after the April 19, 2004 meeting of Aboriginal leaders and federal ministers in Ottawa. Scott said the negotiations roundtable “may result in recommendations for changes to the inherent right policy that could possibly address the concerns you have expressed regarding self-government.”

In his June 23 letter, Scott said the Lubicon could either continue talks under the current federal mandate or “jointly agree to close this round of negotiations” until after the roundtable work was completed. The minister warned that recommendations that arose from the negotiations roundtable would have to go to cabinet for approval and that could take “at least a year.”

The Lubicon chief was not impressed with that response. He chastised Scott for taking 15 months to respond to his letter and reminded him that the prime minister had stated publicly the settlement of Lubicon land rights “has been a priority of the government of Canada.”

He then attacked the minister's letter. Saying that it will take “at least a year” to explore “the possibility” that the negotiations roundtable “may result in recommendations” to the inherent rights policy that “could possibly address the concerns” of the Lubicon people was a highly qualified and highly suspect response.

“Given past history and numerous failed past attempts to re-structure the relationship between the government of Canada and Aboriginal people in Canada, [your response] is obviously optimistic in terms of both timetable and likelihood of success,” Ominayak wrote. “Current talks with the [Assembly of First Nations] cannot be used as a tactic for the federal government to duck responsibility for a federal government position on Lubicon land negotiations based on flagrant misrepresentation of outstanding Lubicon settlement

issues ...],” Ominayak wrote.

Of the two major outstanding issues for the Lubicon—compensation and self-government—Lennarson said the self-government issue is the most problematic for the federal government.

“What they said is they were only prepared to talk about talking about self-government post-settlement. They were not prepared to talk about self-government as a part of settlement,” he said.

“They are not prepared to agree that the Lubicons have the right to self-government as part of the settlement. They're not prepared to agree to anything other than they will talk about it after settlement. After the Lubicons have ceded their land rights, only then will they talk about self-government. The Lubicons at that point will have lost all their leverage.”

The Lubicon Cree Nation was missed by treaty negotiators who travelled Western Canada in the late 1800s seeking land surrenders from the Indigenous peoples. The Lubicon negotiators believe they are in a unique position and have the leverage under Canadian law to push the government to go where it has not gone before when it comes to self-determination. Since the Lubicon never surrendered their lands, they have a strong claim for Aboriginal title, if not outright sovereignty. Lennarson said the government is trying to force them into the cookie cutter of its inherent rights policy, a policy that has not been updated since 1986 and has not been adjusted to come into agreement with a number of court decisions that have strengthened Aboriginal title claims.

“There's a big long complicated process. We were told, ‘If you want to negotiate self-government this is the way you do it.’ It was presented to the Lubicons a number of times. Brad Morse said the way Aboriginal groups who aspire to be self-governing do this is that they apply to the inherent rights program and then this letter of intent, letter of understanding, letter of agreement and all of these various stages to go through,” Lennarson said.

“The Lubicon said, ‘Whoa. We're not here applying for some government program. We're negotiating a settlement of Lubicon land rights, and

recognition of our right to manage our own affairs has got to be part of it. So we're not talking about normal government programs and services.’”

The last three Indian Affairs ministers have heard the same message from Chief Ominayak: Appoint a negotiator with the mandate to work on the outstanding issues. But Lennarson said the request was modified once the Lubicon obtained a copy of the federal negotiator guidelines.

The guidelines appear to show negotiators are schooled by the Justice department in how to negotiate non-binding agreements by using inexact and misleading language and other legal trickery, Lennarson told *Windspeaker*.

The guidelines go into great detail as to how to word clauses in agreements, warning away from words that a court would see as a sign the government is recognizing the inherent right of a specific First Nation. The idea put forward is that the government recognized there is a general inherent right to self-government that all First Nations possess in theory, but few, if any, possess in practice.

General recognition of the inherent right is preferred by the Justice lawyers because it means no specific right is recognized.

“Under this approach, recognition of the inherent right is explicit, but we remain agnostic as to which groups actually have such a right,” the document states.

“It got complicated when we got the guidelines because not only did they not have a mandate to negotiate but they had express, explicit instructions to negotiate in bad faith,” said Lennarson. “So [Ominayak's] position became please appoint a negotiator with a mandate to negotiate outstanding issues—in good faith. That's been on the table since January of 2004. And there's been a lot of hemming and hawing and the minister saying, ‘What a terrible thing to say, that the government might negotiate in bad faith. The government never negotiates in bad faith and I'm studying it and I'm reviewing and I'll get back to you.’”

(see Lubicon struggle page 24.)



FILE PHOTO

Unique approach to literacy

By Cheryl Petten
Windspeaker Staff Writer

WINNIPEG

If you think taking part in a literacy program just means sitting in a classroom, practicing your reading and writing, think again.

Right across Manitoba there are Aboriginal communities and organizations offering literacy programs that not only help students improve their reading and writing abilities, but teach them how to use computers, help them learn their traditional languages, or give them the tools to instill a love of learning in their children.

On Sept. 8, International Literacy Day, the federal government announced \$541,540 in funding for 10 literacy projects in Manitoba, half of them specifically targeted to help Aboriginal learners increase their literacy skills. The funding comes from Human Resources

and Skills Development Canada's National Literacy Secretariat.

The Dauphin Friendship Centre will receive \$45,523 in funding to develop a teaching package that uses video production to help students improve their literacy skills.

The centre ran a pilot of its literacy program last year, with adult literacy learners creating informational videos about literacy and learning.

During the pilot, participants worked on their writing skills by creating scripts for their productions. Then they took their script and turned it into a finished product—a video that could be aired on public access television.

The project allowed the students to use their literacy skills creatively, and also provided participants with a big boost to their confidence, said Giselle Routhier, executive director of the friendship centre.

"I guess one of the things we found when we worked with the pilot, when we gave the students

the exercises, one: They develop confidence, because they're working with cameras. They're on camera, they're creating the scripts ... working through the script and then performing the script, doing it on camera, developing self confidence, developing public presentation abilities. That in itself is invaluable," she said.

"Two: they're actually creating a product that actually educated the community on literacy or educates literacy persons who are not in a program while they're in their homes with certain topics, whether it be beginning math or phonics."

Over the next two years, staff at the centre will be working to create a training package that will help other organizations offer a similar program to their students.

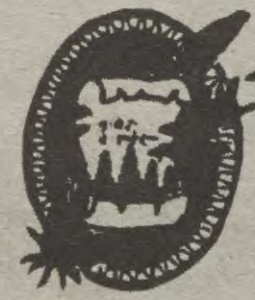
The Indian and Metis Friendship Centre of Winnipeg will receive \$40,481 in federal funding to pilot the Aboriginal Literacy and Parenting Skills (A-LAPS) program in Winnipeg and St. Theresa Point.

(see Literacy page 24.)

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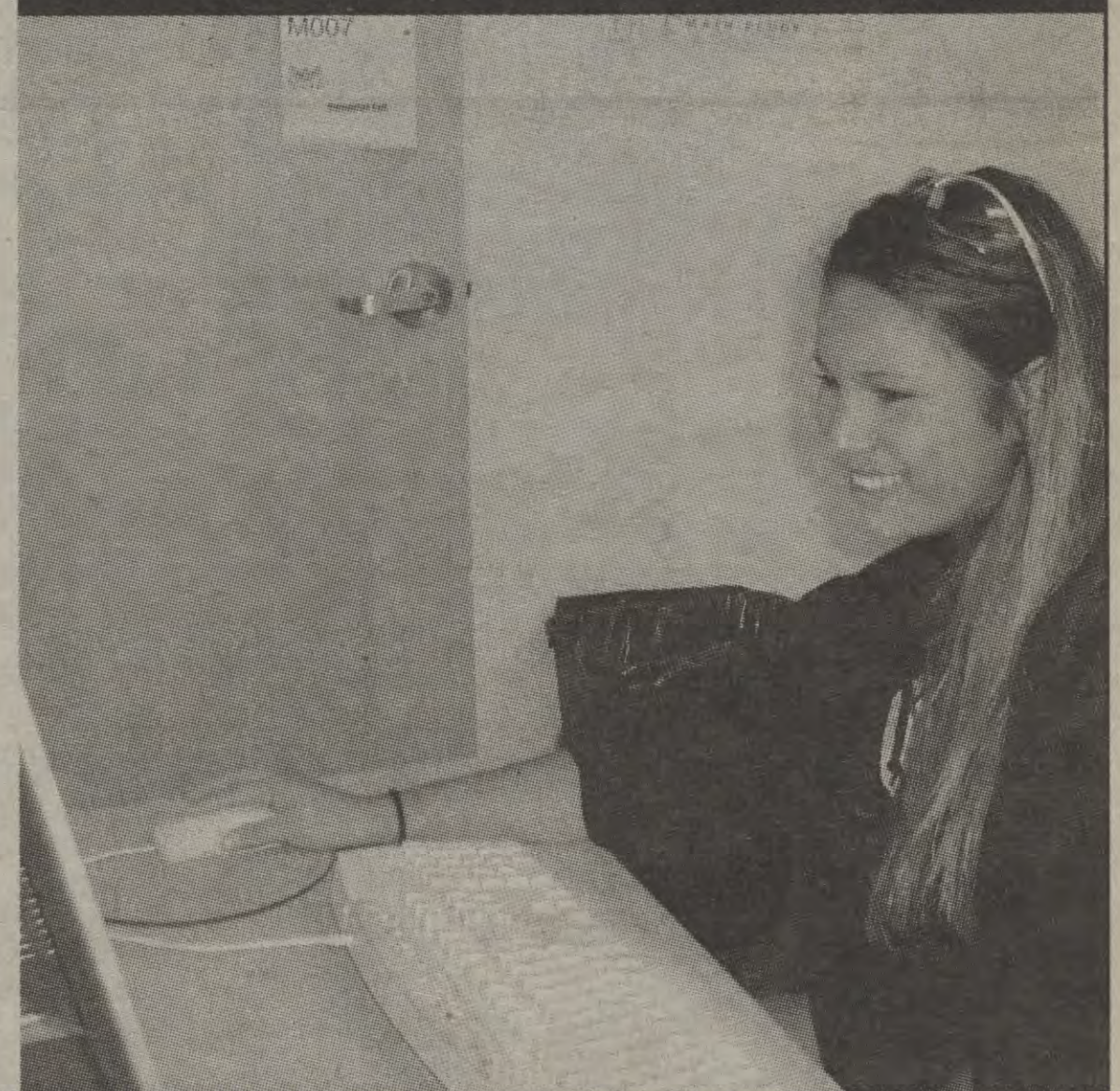
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[education]

Alberta helps out

By Cheryl Petten
Windspeaker Staff Writer

CALGARY

Cheryl Sorell is happy to receive a little help to pay her tuition this year.

Sorell, who is in her third year of studies towards a bachelor's degree in child and youth care, is just one of 78 Aboriginal students from across Alberta who will be receiving money from the provincial government to help cover their education expenses.

The province is providing a total of \$338,000 in bursaries to the students, all of whom are enrolled in health care related programs.

Since it was introduced by the province in 1996, the Aboriginal Health Careers Bursary has provided financial support to 483 Aboriginal students, to a tune of more than \$2 million. The bursary amount differs from student to student, ranging from \$1,000 to \$13,000 per year to help cover the costs of post-secondary studies in a health care related field.

This year's recipients are studying in a variety of fields, including community health sciences, social work and kinesiology.

With the financial assistance she's receiving through the bursary, Sorell will find it easier to continue her studies. She's already earned a child and youth care diploma at Mount Royal College, and is using distance education to complete her degree through the University of Victoria.

A mother of four, Sorell said that, while studying through distance education takes some getting used to, it provides her with more flexibility, making it easier to balance family and studies. While earning her BA is her current focus, Sorell's long-

term goals include pursuing a master's degree in psychology.

As for her career goals, Sorell plans to work with families.

"Basically, I feel that the family has always been a very important structure in society, and when the family unit is supported, I think it make for a strong society," she said.

"But collectively speaking, too, the family affects healthy development of children, and also healthy development of society in a general context as well."

Sorell believes it's important to support and encourage more Aboriginal people to enter health-related fields.

"You know, I really believe that, in the traditional sense of where the Aboriginal community's values are... I think we could lead the way in terms of what we have to offer the rest of society, in terms of the values of respect and equality. That whole community sense, that we need each other," she said.

"I think we all find, especially maybe the older we get, that if we try and walk this journey by ourselves, we're not very successful. We do need each other."

Sorell encourages others Aboriginal students to put in the time and effort it takes to apply for financial assistance like the Aboriginal Health Careers Bursary in order to take advantage of all the supports available to them.

"I think you need to believe in your dreams and your vision. And just do what it takes. It's worth the effort to put into receiving all the support that you can to accomplish your dreams. And I think, even from an Aboriginal perspective, I think that the whole community concept, realizing that in order to succeed we really do need each other. And I think when somebody is willing to offer that kind of support, it's worth the effort to avail ourselves of that."

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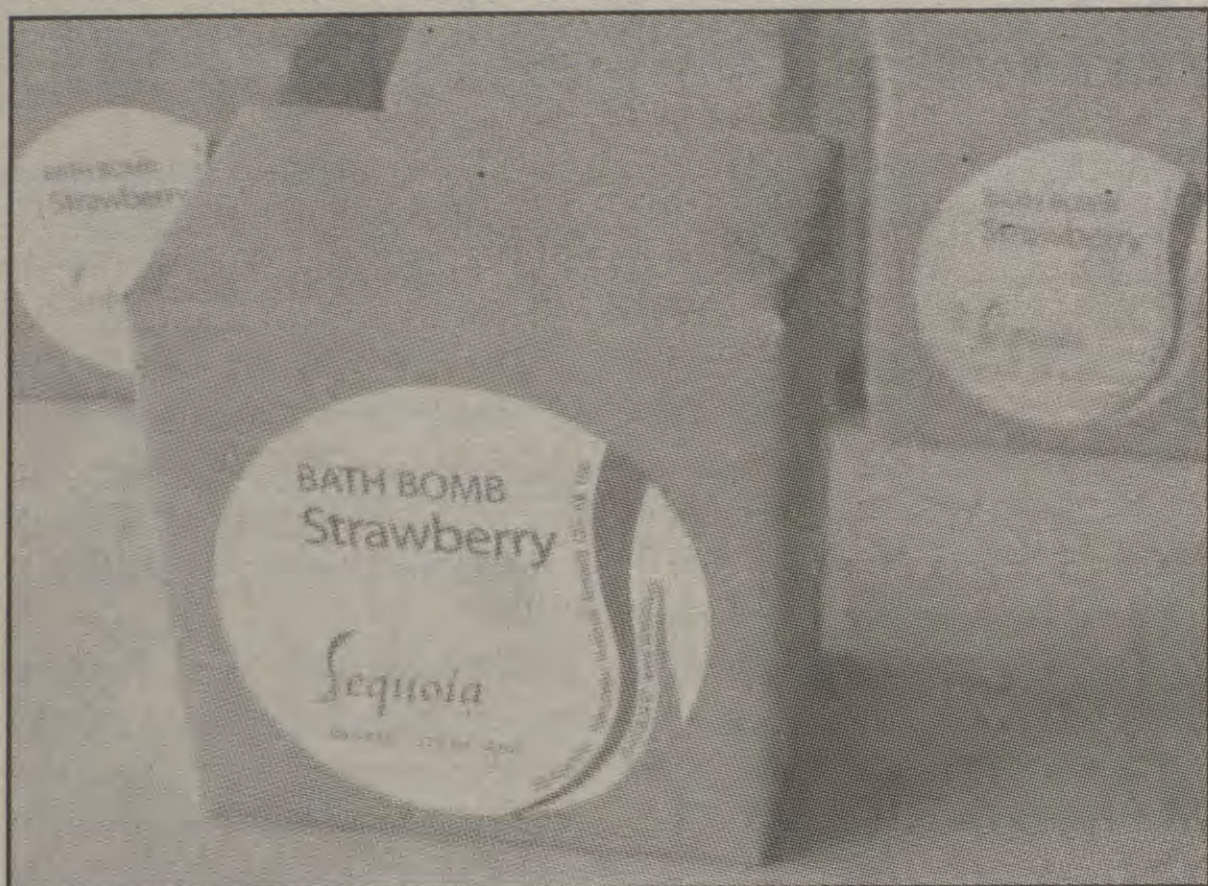
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Sequoia products are the invention of Michaelee Lazore. Her store is located near Montreal, but you can order online.

Keeping it small is the key to success

By Laura Stevens
Windspeaker Staff Writer

KAHNAWAKE, Que.

Something that started out as a hobby has turned into a "viable" business for Michaelee Lazore, a Mohawk from the Akwesasne reserve near Montreal. Sequoia is the name of her bath and body boutique that opened in March 2004 at the Tewatohni'saktha business complex in Kahnawake.

The name Sequoia comes from the giant sequoia trees that live to be 2,000 to 3,000 years old. Lazore said she wanted to pick a name that was related to nature, just like her products, because like the Natives, these trees were here before Columbus.

She began making soaps, bath bombs, candles and lotions on the side while working full-time at Joe Deom Associates, a civil engineering company in Kahnawake. She worked there for five years and after a while couldn't juggle both her nine to five job and her hobby anymore. She eventually quit her job with the company so she could work full-time producing her handmade products and have fun at the same time.

Lazore attended Queen's University in Kingston, Ont. and then graduated from Concordia with a Bachelor in Mechanical Engineering. She said having an

engineering background has been beneficial in making her products.

"I need to know the percentages of ingredients and how they react with each other, so having a technical background really helps."

Lazore said her boutique is quite different from other shops, such as the Body Shop.

"I have the luxury of doing small batches of different products because that way I can see how people like it and if they don't really respond to it then I can stop making it," said Lazore, the 32-year-old single mother.

Most of the ideas for the products come from feedback from Lazore's employees, which in turn comes from Sequoia's customers.

"I am always consulting with my employees and asking them what they think," said Lazore.

Lazore has as many as nine employees depending on the season. Off season is January to September.

She said she tries to tie in the Mohawk culture to her products. For example, the blackberry sage candle has sage on the top of it. The sweetgrass candle has sweetgrass on top. She also has the red clover line of products. Red clover was used as a cleansing tea.

Although Sequoia is only a year-and-a-half old, Lazore is looking to expand a little. She is looking for a spot in downtown Montreal to open up another Sequoia shop.

(see Bath and body page 23.)

Lubicon land

(Continued from page 19.)

Over the years the federal government continued to offer the same settlement package and because it did not recognize Lubicon self-determination the Lubicon continued to reject it.

In December 1996, negotiators tried three times to get the Lubicon to sign agreements-in-principle (AIP), which included an undertaking that the feds would settle items like economic development and self-government later in a second round of negotiations. The AIP proposals were rejected by the

Lubicon.

Negotiations resumed in July 1998 and continued until late in 2003 despite an announcement in August 1999 that the Alberta government was accepting tenders for logging within a portion of the Lubicon traditional territory. The portion put up for tender surrounded the proposed 95 square mile Lubicon reserve area promised by Don Getty in the Grimshaw Accord, meaning logging companies could clear-cut up to the boundaries on the east, north and south sides of the agreed upon reserve.



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Only one word to describe new centre—wow

By Laura Stevens
Windspeaker Staff Writer

SIKSIKA, Alta.

Southern Alberta's newest tourism attraction, the Blackfoot Crossing Historical Park, hosted its official launch on the 128th anniversary of the signing of Treaty 7, Sept. 22.

The facility, located south of Cluny, Alta. on the Siksika Nation, is built on 2,000 acres of prairie grassland overlooking the Bow River. The site is where Treaty 7 was signed in 1877.

The celebration marked the completion of the vast majority of the construction elements. The facility will be open to the public in early spring 2006.

"This is a gift to our past, to all of the people that have gone on before us and what they left us, so this facility is one way of preserving that," said Strater Crowfoot, chief of the Siksika Nation.

Crowfoot described the celebration as a "jaw dropping and button-busting" event.

"I know a lot of people that were there didn't expect to see that type of building," said Crowfoot. "I think a lot of

people were wowed."

When asked what she thought of the events to introduce the historical park, Alberta's Aboriginal Affairs Minister Pearl Calahasen said "It took the dreams of everyone to make this happen."

Crowfoot said the centre will enable the youth to learn about the Blackfoot culture and language, while sharing traditions with tourists from all over the world.

"This will definitely bring tourism and economic prosperity and, of course, we are looking at preserving our culture and having it passed on to our upcoming rising generations. It will help us to preserve our culture and instill pride in who we were and are and what we can be."

The centre will be the setting for storytelling and oral tradition that will be used to communicate the culture of the Northern Plains Indian to Siksika members and visitors.

"This building does represent the future of Siksika Nation," said Rick Pike, resort manager of the Hidden Valley Golf Resort, located in Cluny.

Pike attended the celebration to support and witness Siksika's

dream become reality.

"I hope it lends itself to very interesting exposure to Native culture. It is just a magnificent building."

Cecil Crowfoot, an Elder of the Siksika Nation, knows all too well said there is no better place to talk about the nation's culture and history than on "this traditional and sacred land."

"All around here is a historical place," said the senior Crowfoot. "I think it's something that is really powerful."

Some people, like Senator Joyce Fairbairn, traveled a great distance to celebrate and congratulate the people of Siksika Nation on the long-awaited unveiling.

Bath and body products

(Continued from page 22.)

Michaelee Lazore is also considering the possibility of opening up in the United States. Owing a chain of stores is an avenue that Lazore won't explore because it would then become too much like the other boutique shops and she wants to remain authentic.

As for products and projects on

"I'm so glad I did come because I've known the chief for a few years and this is what breaks down barriers and builds a solid foundation for our children," said Fairbairn. "Meeting places like these is a place to come see and learn about this tremendous culture."

Although the planning of the historical park took nearly 20 years to unfold, Jason Doore, Siksika councillor, said the launch celebration was the first step to creating awareness about how important the Blackfoot history and culture are.

"The artifacts now have a home and the Elders have a place to gather more strength," said Doore. "The centre is a lasting component for the young generation to understand

who they and we are. It's here for the world to see and learn."

The construction of the facility was made possible through the federal and provincial governments and the people of the Siksika Nation.

Their contribution of \$6 million, \$4.5 million and \$8 million respectively enabled Goodfella Architecture Ltd. to complete the majority of the centre.

Ron Goodfella, a principal architect for the firm, said all the hard work definitely paid off.

"After 20 years of hard work and having many times when we thought it was dead in the water, we thought this is never going to happen, it's very gratifying and satisfying to see it completed."

the horizon, Lazore will be working with Kahriwanoron, a Mohawk immersion school in Kahnawake. Sequoia and the school will be hosting a fundraiser to help with the school's programs.

"We will produce a soap named after the school and it should be out at the end of October," said Lazore. "A dollar from each sale

will go to the school and help with their programs."

For those who don't live in the area of the boutique, they can easily order online at www.sequoia.ca.

Lazore said enter "Windspeaker" in the message area of the email and Sequoia will tuck in a free face scrub into the order.



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Treaty 7 commemorated

(Continued from page 23.)

Ron Goodfella recalled a comment from Chief Crowfoot's wife. She said "This is a very powerful building and it exudes power, power of the people and the culture."

"I think that's a very strong compliment," said Goodfella. "She understood what we got here is not trivial, but very significant."

When asked about what will always be remembered about this project, Goodfella said, it will be the Elders' contributions and the people who were involved. The Elders first began the project with Goodfella in 1986.

"I think as much as anything, I will always look back at the people that I started the project



Chief Strater Crowfoot presides over launch celebrations of the Blackfoot Crossing Historical Park on Sept. 22.

with," he said. "They are very down to earth and it was such an unpretentious culture that I was dealing with at the time."

Lubicon struggle continues

(Continued from page 19.)

But Fred Lennarson said when Andy Scott did review the file and respond 15 months after the March 2004 letter to Andy Mitchell, the answer was basically take what you've already got or wait a year or more and see what the future brings. Lennarson said the Lubicon can't allow the government to drag things out any longer.

"We've got big problems here. We cannot sit here for an indeterminate period of time waiting for [the government] to maybe solve the problem. Bernard's

saying the government has taken a highly qualified position; there's no assurance of anything. What we need is for the government to come to the table and negotiate outstanding issues in good faith," he said.

It's not just the Lubicons who are questioning the government's tactics in negotiation. The United Nations Human Rights Committee in its *List of Issues to be Taken Up in Connection with the Consideration of the Fifth Periodic Report of Canada*, released July 25, asked a question relating to the

Lubicon situation.

"According to various sources of information, the land of the Lubicon Lake Band continues to be compromised by logging and large-scale oil and gas extraction, while no comprehensive agreement on this issue has been reached with the federal government," the committee states before asking Canada for an explanation.

A Lubicon delegation will be in Geneva in October when the report on Canada is discussed and Canada responds to the committee.

Literacy improved

(Continued from page 20.)

The A-LAPS program, developed by Bow Valley College in Calgary, combines literacy and parenting skills training with Aboriginal history, stories and legends.

"With the A-LAPS, there's a lot of flexibility in it. The parents who are participating have a lot of chance to say what it is that they want to talk about, whether it's discipline or school issues or whatever it is. And there's a lot of chance for feedback and sharing. We found it seems like a really great program," said Michelle Houle, family literacy facilitator with the centre.

The friendship centre already runs a number of literacy programs aimed at preschool children, including a home visiting program called At Home in the Community, and parent/child programs like Mother Goose and Rock and Read that introduce young children to literacy through songs and rhymes. The A-LAPS program will complement those programs by strengthening the literacy skills of parents.

Yellowquill College will receive \$14,465 to develop literacy learning materials based on the stories of Elders.

An Elder will be videotaped telling a story in Ojibway, then the literacy students will work with the Ojibway teacher to write the story, then translate it into English, explained Jocelyn Starr, the Mature Grade 12 program co-ordinator at the college.

The plan is have the stories

available on a project Web site that will be linked to the main Yellowquill College site, with audio or video of the Elder telling the story in Ojibway and of a student telling the story in English. The site will also include written versions of the story in both languages.

Little Black River First Nation will receive \$61,661 for its latest literacy project, a bilingual workbook that will feature stories written by members of the community.

"Basically what we wanted to do was to create a workbook based on the day to day life of people in the community," said Theresa Fox, graphic specialist for the community and project manager for the First Nation's literacy project.

People in the community will be invited to submit short stories about moments from their lives, "whether it be fishing or hunting and trapping or waiting for the school bus, or other activities that take place in the community."

Community members whose stories are selected for inclusion in the workbook will be asked to illustrate their stories. The finished product will include both stories and illustrations, each accompanied by exercises dealing with comprehension, word recognition and word meaning.

The National Literacy Secretariat is also providing \$36,021 to Lake Manitoba First Nation to develop interactive education products designed to promote safety in the region's three main industries—agriculture, fishing and the building trades.




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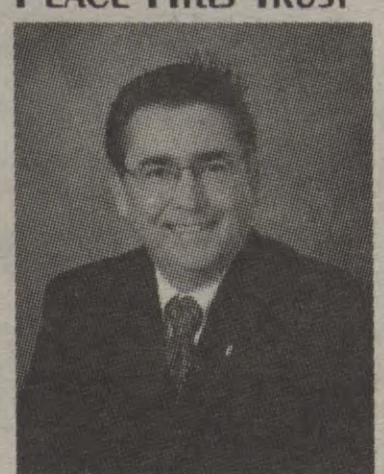
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Windspeaker

October 2005

Divided loyalties at issue

[careers & training]

(Continued from page 18.)

A Métis governor general might want to fully rehabilitate Louis Riel, who was hanged for treason in 1885. Where would Sir John A. Macdonald's statue, and place in history, be readjusted and relocated to? An Inuk governor general might want to square away many Inuit forced-relocation issues. One of these is the relocation of Inuit to the High Arctic in 1953 and 1955, which uniquely enhanced Canada's sovereignty over that area, at great sacrifice to those Inuit.

"Are you now, and have you always been, totally devotedly loyal to Canada?" would be one of the questions a prospective Aboriginal governor general would be asked. "Absolutely!" would be the

expected answer. But the catalogue of historic wrongs inflicted upon the Aboriginal people by the Crown in right of Canada would have to be fundamentally corrected before that answer could be true. Each of the Indian, Métis, and Inuit peoples continue to have a variety of unresolved grievances with Canada.

Occasionally, real power is exercised through the office. Some governors general have refused prime ministers' resignations in a minority government situation, and ordered certain said prime ministers to forge a coalition with another party to continue governing. Prime ministers never issue a dictatorial order for an election. They seek the

permission and approval of the governor general to go to the ballot box. Imagine an Aboriginal wielding these powers!

The power relationship between Canada and its Aboriginal peoples has first to be fundamentally renovated before any Aboriginal person can assume this position in any comfort. The purpose of the post is to represent the Crown in Canada, and the Crown has not always been just to, or done right by, Aboriginals.

Suppose an Aboriginal governor general took steps to give the country back to its rightful owners, and force immigrants into tiny reserves? Unlikely, maybe, but it would be a royal wrench thrown into Canada's political civility.

Charity abuse

(Continued from page 18.)

I guess telemarketing is the 21st century version. Instead I was urged to donate to legitimate charitable organizations that work with street youth.

I wanted to tell these anonymous phone people that I'm just a Native playwright/journalist for goodness sakes. My financial resources are like this: take the number of Native plays you've seen in the last year, times it by the number of Native books you've purchased in that same time period, and divide by the number of registered charities listed. The telemarketers probably make more money than I do. My mother thinks my career choice is the biggest tragedy in the last half century. So where's my charity?

And as I write this, on my desk

there's an official tax receipt from the Canadian Liver Foundation. Attached to it is a letter from the Volunteer Chairman stating "We have achieved so much, thanks to you, but there is still so much to learn about liver disease and the affects it can have on your overall health. That is why I am asking you to consider making an additional gift today..." Right beside it is a donation pledge from the Allergy Asthma Information Association waiting to be filled out. Part of me wants to, but another part of me is screaming out "enough already." It's been said that charity begins at home... this month I think it's moved.

It may be time for a new charity. One specifically set up to deal with the unique needs of those abused by charities. We could sure use one.



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Canada

NOTICE OF CANCELLATION OF PUBLIC HEARING

In the matter of

Environmental Assessment Screening of Cameco Corporation's proposal to produce commercial quantities of blended slightly enriched uranium dioxide (SEU), to process scrap in a scrap recovery circuit, and to produce blended dysprosium oxide and natural uranium dioxide (BDU) at its facility located in Port Hope, Ontario.

As a result of Cameco Corporation having withdrawn its application for the above-noted project, the public hearing on the Environmental Assessment Screening scheduled for October 20, 2005 in Port Hope is cancelled.

Contact:

P. Bourassa, Secretariat
Canadian Nuclear Safety Commission
280 Slater St., P.O. Box 1046
Ottawa, Ontario K1P 5S9

Tel.: (613) 947-0247 or 1-800-668-5284
Fax: (613) 995-5086
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Joe Hester, Executive Director
Anishnawbe Health Toronto
225 Queen Street East
Toronto, Ontario M5A 1S4

Email: jhester@ah.t.ca • Fax: 416-365-1083

People with disabilities are encouraged to apply.

(If you are invited for an interview and require accommodation, please let us know.)

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HOME TO CANADIANS
Canada

FAITES CARRIÈRE SOUS NOTRE TOIT

La Société canadienne d'hypothèques et de logement (SCHL) est l'organisme national de l'habitation au Canada. Nous avons présentement un poste à combler.

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La SCHL est un employeur qui accorde une grande importance à la diversité et qui favorise l'apprentissage et l'usage des deux langues officielles du Canada.

Nous remercions tous les candidats de leur intérêt; toutefois, nous ne communiquerons qu'avec les personnes sélectionnées pour une entrevue.



AU COEUR DE L'HABITATION
Canada

[footprints] Bernelda Wheeler

First Lady of Native Broadcasting a trailblazer throughout life

By Cheryl Petten

The world has lost one of its great storytellers. On Sept. 10, Bernelda Wheeler passed away after a lengthy battle with cancer.

She began her life on April 8, 1937 on Muskopetung First Nation in southeastern Saskatchewan, one of six children of Cree, Assiniboine and Saulteaux heritage born to Colin and Clara Pratt of George Gordon First Nation.

Bernelda spent her early years on the family farm on the Gordon reserve then, in 1946, the family left Saskatchewan to settle in northern Manitoba. Bernelda attended the Birtle and Brandon residential schools in that province, where she suffered both physical and emotional abuse. But she survived those experiences and went on to attend high school in Churchill. In 1955 she became the first member of her family to graduate.

Bernelda hoped for a career in medicine, and enrolled in pre-med at the University of Manitoba, but was forced to leave the university because of lack of funding.

In 1954, at the age of 17, she started work as a radio announcer for CFHC in Churchill, part of the CBC northern service. She followed that with positions as a print journalist, but by the late 1960s she found herself in radio again, this time with a much larger listening audience.

From 1972 until 1982 she worked as host, producer and journalist on CBC's national program *Our Native Land*, created as a national media forum for the opinions of Aboriginal people from across Canada. For many she was the first Aboriginal person they'd ever heard on the radio.

While she is most known for her time in the media as a voice on the radio, Bernelda got a chance to put a face to

that voice when she added actor to her long list of accomplishments. She appeared on stage for the first time in 1983, and never looked back. As a stage actor she is probably best known for her work in Tomson Highway's *The Rez Sisters*.

Bernelda also worked in movies and television. She appeared in the 1998 mini-series *Big Bear*, written by Gil Cardinal and Rudy Wiebe, and the 1999 movie *The Strange Case of Bunny Weequod*, written by Drew Hayden Taylor. In 2001, she was in *Christmas at Wapos Bay*, written by Dennis Jackson and Bernelda's son, Jordan, and was in *Now and Forever* in 2002.

Bernelda made a name for herself as a children's author. In 1984, she attended a Native writers' workshop sponsored by the Native education branch of Manitoba Education. During the workshop she wrote three books—*A Friend Called 'Chum'*, *I Can't Have Bannock But the Beaver has a Dam*, and *Where Did You Get Your Moccasins?*, which earned her a Toronto Children's Book Award and a Children's Choice Award. The books can still be found on the required reading lists of school districts across the country and beyond. The book *Where Did You Get Your Moccasins?* is listed on the American-based National Education Association's list of 50 multicultural books every child should read.

Bernelda was also known for her social activism, for always working hard to improve things for her people. She was one of the founding members of the National Association of Friendship Centres, and was involved in Grandmothers for Justice, a grassroots organization that works to draw public attention to injustice. She also worked with Aboriginal Consulting Services in Saskatoon,

taking part in Aboriginal awareness training seminars. Bernelda used her personal experiences and storytelling abilities to educate participants in those seminars about residential schools. Her stories, told with both skill and compassion, never failed to elicit strong emotional responses from those hearing her speak.

For the past seven years, Bernelda was on staff at *Eagle Feather News* in Saskatoon. For a time she was contributing three columns to the monthly Aboriginal paper—*Introspection*, *Tapway* and *Ekitwecik*—drawing on the vast amount of information and experiences she'd amassed throughout her personal and professional life and sharing it with her readers. But as her health began to deteriorate, she was forced to cut her workload, though she continued to contribute as long as she could.

Her efforts and accomplishments over the years didn't go unnoticed. Her work on *Our Native Land* earned her two ACTRA nominations. In 1982, she received a special award for Native broadcasting, and named the First Lady of Native Broadcasting.

In 2002, she was named Citizen of the Year at the Federation of Saskatchewan Indian Nations annual Circle of Honour awards gala, and earlier this year, the Elizabeth Fry Society of Saskatchewan named her one of its Rebels with a Cause in recognition of her lifelong commitment to activism and her role as a communicator and role model for First Nations women across the country.

Just days before her passing Bernelda was told she had been chosen to be one of the first recipients of a Lifetime Achievement Award as part of the second annual Anshok Aboriginal Literacy Festival held



Bernelda Wheeler was a broadcaster, writer and Native activist who carved a path through life so that others might follow. She received many honors, including the Rebels With A Cause award, bestowed on her by the Elizabeth Fry Society in recognition of her life's accomplishments.

in Saskatoon. The letter to Bernelda said she had been chosen for the honor to recognize her contribution to Aboriginal literature, her professionalism and leadership as a writer, and her dedication to her craft and to her community.

Throughout her lifetime, Bernelda served as a role model and inspiration. More than a few of today's Aboriginal journalists chose that career because of her. Many have been entertained and educated by her written words and her performances on stage and screen. Many have been touched by her stories.

She has also left a living legacy—her children. Dr. Winona Wheeler and Jordan Wheeler who, like their mother, have taken on the roles of educator and storyteller.

Bernelda may be gone, but what she accomplished in the time she was here will continue to educate, entertain and inspire those that remain.

She will be remembered as a woman who cared deeply for her people, and who worked hard on their behalf. She will be remembered as a trailblazer that paved the way for other Aboriginal journalists.

She will be remembered as an activist who made a difference, not with a loud defiant voice but with her words, her actions and her life. And she will be remembered as a storyteller who could reach out to her audiences, regardless of age, race or standing, and could touch both their minds and their souls.



For further information please contact:

Indian Resource Council
235, 9911 Chula Blvd.
Tsuu T'ina Nation, AB
T2W 6H6
Phone: 403-281-8308
Fax: 403-281-8351

INDIAN RESOURCE COUNCIL OF CANADA

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Traditional Lands and Resource Development

November 8 and 9, 2005

Wingate Inn, Edmonton, Alberta

AGM CHANGE

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Day Two, November 9th, will be the AGM with reports from IRC, IOGC, IOGC Board and industry.

Native Child and Family Services of Toronto (NCFST) strives to provide a life of quality, well being, caring and healing for children and families in the Toronto Native community through a service model that respects culture, values and the right to self-determination. We are Canada's first off-reserve child welfare authority and since opening our doors in 1988 have grown into an internationally recognized, award-winning multi-service agency with over 150 staff offering a full range of programs. Under the direct control and management of the Native community, we proudly support a relationship-based working environment that is flexible, inclusive and respectful of the needs and culture of the communities served.



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Individuals interested in pursuing a unique and challenging opportunity are encouraged to apply quoting File #WBE-3, no later than **October 28, 2005**, to



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Contact Michelle:
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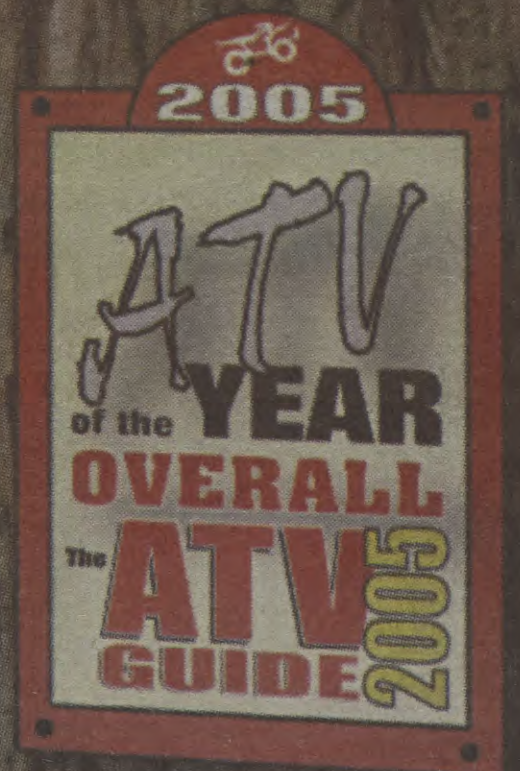
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- Treaty Seven Economic Development Corporation
- Treaty Seven Disability Services Society
- Alberta ACADRE Network
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Contact: Lyle Frank, Disability Research Coordinator or April Applegarth, Assistant Conference Coordinator

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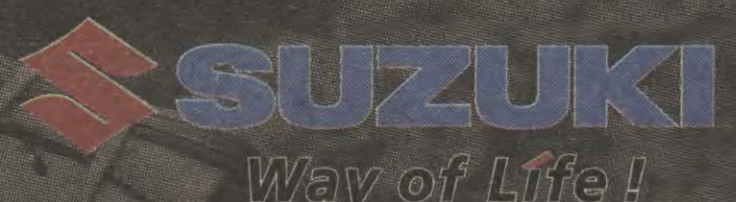
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