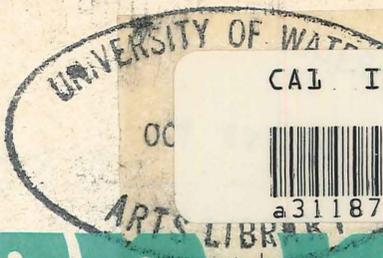


CA 1 IA 59
I 54

STORAGE

Vol. 16, #5

561/6/97



CA 1 IA 59 I 54 V. >

the Indian news

Vol. Sixteen, No. Five/Vol. Seize, No. Cinq

Circulation 58,000

Ottawa, Canada

Sept/Sept. 1973

Indian Act-status should be made clear to all



This group listens to the speech given by Kahntineta Horn.

National Indian Brotherhood report Economic Development policy

Ottawa, Ontario — After diligent research and numerous meetings with Indian people at various levels, the National Indian Brotherhood has come up with an Economic Development policy.

As stated in their proposal, "While we may differ in our aims and goals in other areas, and about our methods in respect to Indian economic development, both federal and provincial governments and the Indian peoples stand to profit by an approach to economic development that is successful materially, socially and culturally as determined by the Indian community."

"Indian people share a vision of working together — within our own framework and values — to rebuild within our reserve communities an economy that is, on net balance, self-sustaining and representative of a positive contribution to the total fabric of the Canadian economy."

"We know from our own history that we are capable of sustaining such an economy by our diligence, labour, skill and wit." In our traditional Indian societies, "both production and consumption were shared in a way that allowed the most outstanding to be rewarded while ensuring a basic minimum standard for all."

The lack of economic development in Indian communities have left many of Canada's 260,000 registered Indians stranded at the poverty-level of this Society. However, according to the Brotherhood report, "Indian people have been the root of big business employing civil servants, consultants, outside merchants who have been the chief beneficiaries of large appropriations voted for the purpose of aiding the development of Indian communities." It is the non-Indian civil servant, merchant and consultants who have benefited from monies set aside by the federal government for Indian economic development according to the National Indian Brotherhood.

"The failure of the federal government to clearly establish as public that the economic emancipation of Indian communities is the goal of Indian economic development has retarded immeasurably to the opportunity for public servants to substitute their own interests for our objectives of economic independence."

their own interests for our objectives of economic independence."

"The federal government must make a firm commitment to the economic emancipation of the Indian people. It must identify its own goals in such terms that both public servants and Indian people clearly recognize whether specific programs and projects will move us toward the fulfillment of those goals."

"The goals must be those indicated by the Indian people for the same reason that any responsible government must identify with the needs of the people in each different corner of a vast country. Paternalism has long been condemned, even by those accused of it."

In the case of economic development, the Brotherhood states simply, "it just has not worked."

"We are more than aware of our present economic situation. The decades of neglect and abuse permeate every aspect of our lives. The only thing more important than that awareness is our belief that we rise above our present situation given the resources and co-operation which the government is capable of lending."

A verbatim report by the National Indian Brotherhood is reported elsewhere in this edition. (See page 6, 12)

Native land claim Negotiations begun

OTTAWA (August 8, 1973) — Negotiations with respect to native claims in the Yukon have begun. Representatives of the Federal negotiating team have met with the representatives of the Yukon Indians on two occasions. The Yukon Native Brotherhood have put forward their views in a submission they entitled "Together Today for Our Children Tomorrow". The Yukon Association of non-status Indians have also submitted a paper outlining their position.

The outcome of the negotiations in various areas will be felt not only at the Federal but also regional level, whether provincial or territorial. The

(See YUKON page 7)

Ottawa, Ont. — "It was a time of desperate importance to Indians when the ignorant politicians passed a death sentence on Indians by passing the *Canadian Bill of Rights* without protecting the *Indian Act*. It became only a matter of time before all Indians would be destroyed to the profit of the killers . . . who are not necessarily those who designed and imposed this vicious law upon Indians . . . but their successors." states Kahntineta Horn, a summer student with the Department of Indian Affairs in Ottawa who has just completed her first year as a law student at McGill University in Montreal, Qué.



Miss Kahntineta Horn

has only been stunned silence."

"That is why I am providing you with my viewpoint, and ask you to discuss this situation and to have the proper authority prepare a consideration of the aspects which would lead to the immediate and proper legislation required to protect Indians."

"Indians, the almost-Indians, (See STATUS page 11)

Ontario Supreme Court judge Declares Indian Act inoperative

Brantford, Ontario. — The Indian Act has been declared inoperative and racist by Ontario Supreme Court judge Osler in a court action brought by the elected Six Nations council against the hereditary chiefs.

The elected council requested of the court a permanent injunction to restrain the hereditary chiefs or any of their followers "from watching or besetting at or adjacent to the Council House in the Village of Ohsweken on the Six Nations reserve, from obstructing or interfering with the plaintiffs or any other persons seeking entrance or exit from the Council House by the plaintiffs (elected chiefs), their servants, agents, employees or any other person."

The hereditary chiefs, on the other hand, claim that the power of leadership and control of the band, its lands and its assets were wrested from them illegally since the council's power stems from the Indian Act, the provisions of which are rendered inoperative by the Canadian Bill of Rights according to both the hereditary chiefs and Justice Osler.

The doors of the Council House had twice been padlocked under orders from the hereditary chiefs, and it was this action which was brought before the court.

Although the hereditary chiefs had governed the Six Nations reserve since the thirteenth century, a new system of elected chiefs came into effect in October, 1924. In his written judgement, however, Osler J. claims, "A large proportion of the inhabitants of the Six Nations lands have resisted that system from its beginning and take the position that the only persons

entitled to govern the Six Nations people have been and continue to be those who become members of the council of traditional chiefs, the body which had governed the Six Nations confederacy since the thirteenth century."

Osler J. is careful to point out that the lands granted to the Indians by Governor Sir Frederick Haldimand on October 25th, 1784 and safeguarded by the Simcoe patent on January 4th, 1793 "together differentiate the lands

(See BRANTFORD page 11)

Negotiations best Way to solve issue

OTTAWA (August 8, 1973) — Many Indian groups in Canada have a relationship with the Federal Government which is symbolized in Treaties entered into by those people with the Crown in historic times. As the Government pledged some years ago, lawful obligations must be recognized. This remains the basis of Government policy.

The Federal Government's commitment to honour the Treaties was most recently restated by Her Majesty the Queen, when speaking to representatives of the Indian people of Alberta in Calgary on July 5. She said: "You may be assured that my Government of Canada recognizes the importance of full compliance with the spirit and terms of your Treaties".

This assurance and the present policy statement signify the Government's recognition and acceptance of its continuing responsibility under the

(See LAND page 7)

FOR CIRCULATION



Debut des negociations relatives aux reclamations des autochtones du Yukon

OTTAWA (le 8 août 1973) — De nombreux groupes indiens du Canada ont, avec le gouvernement fédéral, des relations dont on trouve un symbole dans les traités qu'ils ont conclus avec la Couronne, au cours de l'histoire. Comme le gouvernement s'y est engagé, il y a quelques années, dans le cas des revendications et des traités des Indiens, "il faut reconnaître les droits légitimes des Indiens". Tel est encore le fondement de la politique du gouvernement.

L'engagement du gouvernement fédéral quant au respect des traités a été réaffirmé très récemment par Sa Majesté la Reine, qui s'adressait aux représentants des Indiens de l'Alberta, à Calgary, le 5 juillet. Elle a déclaré notamment: "Soyez assurés que le gouvernement du Canada reconnaît l'importance d'une entière observance des traités, tant dans l'esprit que dans les termes de ces ententes."

Cette affirmation et la présente déclaration de principe démontrent bien que le gouvernement reconnaît et accepte sa responsabilité permanente, aux termes de l'Acte de l'Amérique du Nord britannique, en ce qui a trait aux Indiens et aux territoires réservés à leur intention. Le gouvernement considère sa position à cet égard comme le résultat d'une évolution historique remontant à la Proclamation royale de 1763, laquelle demeure comme une déclaration fondamentale des intérêts fonciers des Indiens du pays, quelles que soient les différences intervenues quant à son interprétation légale.

De plus, par suite d'une décision juridique, la compétence du gouvernement fédéral à l'égard des Indiens a été étendue de manière à englober les Inuit ou les Esquimaux.

Si nous posons de nouveau ces prémisses à l'heure actuelle, c'est pour souligner que l'énoncé de politique qui va suivre n'a nullement pour but d'y apporter des modifications. Le gouvernement tient à réaffirmer aux autochtones intéressés, ainsi qu'à la population du Canada en général, que sa politique à cet égard ne veut être qu'une attestation de sa responsabilité.

Cette politique se préoccupe des revendications et des propositions de règlement de griefs déjà anciens. Ces revendications émanent de groupes d'Indiens qui n'ont pas conclu de traités avec la Couronne. Elles sont justifiées selon eux, à divers titres: titre indien de possession, titre de propriété autochtone, titre aborigène de propriété, droit indigène de possession ou droits d'usufruit. Essentiellement, les autochtones cherchent à obtenir une indemnisation en présentant des revendications basées sur la perte de jouissance et d'occupation traditionnelles des terres dans certaines parties du Canada où le titre de propriété des Indiens n'a jamais été aboli par traité ou remplacé par la loi.

Depuis son entrée en fonction en 1968, le gouvernement a accueilli ces revendications et fourni des fonds, ainsi que d'autres formes d'aide, aux

Indiens et aux Inuit, afin qu'ils puissent faire les recherches nécessaires pour établir leurs intérêts fonciers traditionnels.

Le gouvernement a maintenant reçu les demandes officielles de certains groupes autochtones et il sait que d'autres se préparent à en faire autant. Les terres en question se trouvent en Colombie-Britannique, au Nouveau-Québec, au Yukon et dans les Territoires du Nord-Ouest.

En révisant son attitude face aux réclamations des Indiens et des Inuit, le gouvernement a pu profiter, et il en a tenu compte, de mémoires présentés par diverses associations, ainsi que des opinions exprimées tant par ces groupes que par des membres du comité permanent des Affaires indiennes et du Nord, de même que des causes entendues récemment par les tribunaux sur les revendications des Indiens.

Le gouvernement est conscient que les revendications ne touchent pas seulement à des questions de terre et d'argent mais concernent aussi un mode de vie. Tout règlement, par conséquent, doit contribuer d'une façon positive et durable à résoudre des problèmes culturels, sociaux et économiques qui maintiennent depuis trop longtemps les Indiens et les Inuit dans un état d'infériorité au sein de la société canadienne.

Fondamentalement, suivant la position du gouvernement, il faut donner suite à ces revendications, et la voie de règlement la plus prometteuse est la négociation. Celle-ci devrait permettre d'arriver à des accords avec les groupes d'Indiens et d'Inuit en cause, et d'insérer ces accords dans des textes de lois adoptés par le Parlement, de façon qu'ils aient le caractère exécutoire des lois.

Le gouvernement est maintenant prêt à négocier avec les représentants mandatés par ces groupes, en partant du principe que, dans les cas où leurs droits traditionnels aux terres revendiquées peuvent être établis, les autochtones recevront, en retour de ces intérêts, une indemnité ou un avantage convenus.

Les terres contestées ne tombent pas toutes sous la compétence du gouvernement fédéral. Au Yukon et dans les Territoires du Nord-Ouest, le gouvernement a le pouvoir de disposer des terres de la Couronne, après consultation avec les gouvernements territoriaux. Mais pour ce qui est des revendications au sujet des terres situées dans les provinces, les pouvoirs de celles-ci et les droits des Canadiens qui les habitent entrent en ligne de compte. Pour que des accords puissent être conclus de façon satisfaisante avec les Indiens et les Inuit de ces provinces, il faut donc que ces dernières participent avec le gouvernement du Canada aux négociations et aux règlements. Il est dans l'intérêt de ces provinces et de leurs habitants que ces revendications au sujet des terres provinciales aboutissent à un règlement et il est raisonnable d'imaginer que les

gouvernements provinciaux sont disposés à accorder des indemnités. Le gouvernement a informé de sa position les gouvernements provinciaux en cause et les a fortement encouragés à participer aux négociations projetées.

Certaines des revendications exprimées par les autochtones varient entre elles. D'autres différences pourraient surgir à l'avenir. Ces variations découlent surtout des propositions de règlement qui ont été énoncées, mais elles appellent une souplesse d'attitude que le gouvernement est prêt à adopter.

Il y a environ un an, l'Union des chefs de la Colombie-Britannique a revendiqué une indemnisation fondée sur la perte de la jouissance et de l'occupation traditionnelles des terres de cette province. Depuis lors, les tribunaux ont répondu aux revendications des Indiens nishgas, lesquelles concernaient surtout des terres relevant de la province. Le gouvernement est maintenant prêt à négocier au sujet des revendications des Indiens de la Colombie-Britannique, et considère la participation du gouvernement provincial comme un élément nécessaire à un règlement satisfaisant.

Quant au Nouveau-Québec, les tribunaux provinciaux sont actuellement saisis de questions juridiques très importantes, liées aux revendications des indigènes de cette région. Là encore, le gouvernement fédéral croit que la négociation est le meilleur moyen d'obtenir les résultats souhaités par toutes les parties en cause et il poursuivra ses efforts pour en arriver à une solution. Cependant, parce que ces questions sont présentement devant les tribunaux, il serait inapproprié pour le gouvernement, à ce moment-ci, de se prononcer davantage à leur sujet.

Le gouvernement s'est déjà entendu avec les représentants des autochtones du Yukon afin d'entamer des négociations au sujet de leurs revendications. Celles relatives aux projets de règlement sont déjà commencées.

Le gouvernement est également prêt à négocier avec les associations d'Indiens et d'Inuit des Territoires du Nord-Ouest dont les droits ne

découlent pas des traités. Il a depuis longtemps insisté sur son désir de se conformer à ses engagements, et manifesté son intention d'adopter une certaine souplesse et de consulter les intéressés. Tout comme les groupes d'Indiens du Canada, les Esquimaux des Territoires du Nord-Ouest ont reçu des fonds du gouvernement dans le but précis d'effectuer des recherches sur les revendications de terres.

Dans tous les cas où il est admis que les intérêts traditionnels liés aux terres ont été négligés, le gouvernement exprime son intention de se pencher sur ces cas et reconnaît, en principe, la nécessité de compenser les pertes causées par cette négligence. Il admet que la meilleure façon d'atteindre les objectifs visés est de parvenir à un règlement librement négocié par toutes les parties intéressées.

Il y a d'autres régions du pays où des traités relativement à la cession de terres n'existent pas, comme dans le sud du Québec et dans les provinces Atlantiques. À ce sujet, le gouvernement est d'avis que les revendications territoriales dans ces régions sont d'une nature différente de celles dont il est question plus haut. Les Indiens ont présenté des réclamations concernant leurs intérêts dans ces terres et le gouvernement les étudie présentement. Il fournit également des fonds pour leur permettre de faire les recherches nécessaires.

Le Commissaire aux revendications des Indiens, M. Lloyd Barber, a été nommé en 1969. Grâce à son aide, les Indiens et le gouvernement ont pu dans certains cas parvenir à une entente satisfaisante. Le gouvernement espère pouvoir compter encore sur les bons offices du commissaire pour faciliter les règlements de toutes sortes.

Cette politique du gouvernement, face aux revendications des autochtones, s'inscrit dans le contexte des autres politiques destinées à atténuer le sentiment d'amertume et d'injustice qui empêche les bonnes relations entre, d'une part, les Indiens et les Esquimaux et, d'autre part, les gouvernements intéressés et les autres Canadiens.

Ottawa prêt à négocier les droits des Indiens et Inuit

OTTAWA (le 8 août 1973) — Les négociations relatives aux revendications des autochtones du Yukon viennent d'être entamées. Les représentants de l'équipe fédérale ont déjà rencontré à deux reprises les représentants des Indiens du Yukon. L'Association des autochtones du Yukon a présenté un mémoire intitulé "Together Today for our Children Tomorrow" et l'Association des Indiens non inscrits du Yukon a fait de même.

Les résultats des négociations auront un effet non seulement au niveau fédéral, mais aussi au niveau régional (provincial ou territorial). Nous sommes d'avis que la participation des gouvernements provinciaux et territoriaux au cours des négociations est essentielle pour en arriver à des résultats satisfaisants et durables.

La nomination du commissaire James Smith au sein de l'équipe de négociateurs du gouvernement, qui est

remplacé à l'occasion par l'un des deux conseillers territoriaux membres du comité exécutif, assure la protection de tous les intéressés. Les particuliers et les organismes du Yukon désireux de se tenir au courant du déroulement des négociations sont invités à s'adresser au commissaire ou à son suppléant, à qui ils pourront exposer leurs opinions.

Les délibérations devront naturellement se poursuivre à huis clos, mais les deux parties pourront convenir de publier des rapports provisoires en vue d'informer le public des progrès accomplis. Le gouvernement fédéral est convaincu que les habitants du Yukon appuieront pleinement les négociations dont ils attendent de fructueux résultats. Ces négociations sont d'ailleurs essentielles au développement culturel et social ainsi qu'à l'expansion économique de toute la population du Yukon.

Conditions can improve for inmates Better communications will help

There is a need for better communication between the people on the reserves and their people in jails. For some time, I have wondered about this lack of communication. Is it just the Indian way or is it the result of people being ashamed of those who got into jail? Whatever the cause may be, it is evident that there is a need to tell the Indians on reserves that they must support their people in jail if they want the guys upon release to stay in their community. It must be pointed out that the guy in jail had a little help from the reserve community to get to jail. The way to do this is to start better communication, now . . . not "maybe" next week.

When an Indian comes to jail there is nearly a complete break in communication, whereas the white inmate's communication with his family remains the same. This really is weird as the Indian family is more closely knitted than the White family. Even more puzzling is that when the Indian guy is released, he is accepted as if he is God himself.

The guys don't expect "award-winning" writing, but just a few scribbled words from home with the news and perhaps a word of encouragement. I mean, if you were not so busy in the first place, your children might not be in jail.

Sometimes it is the Chiefs and councillors who condemn people to longer terms in jail. This is exactly

what you are doing as everytime someone asks you if you want the guys (in jail) back on the reserves and you say NO, you are condemning them to longer periods in jail. If you had the education, you would offer all the help you could. The Council and the people must support the people in jail — your people!

How would you do it? The first step would be to realize that the guys in jail from your reserve are your people, and if you don't help them, there is no one else that will. You will stop believing that just because they are in jail the crime problem is solved. You see, we get out and come home. We come home knowing that while we were in jail you all forgot us and that there is no real help for us. Your indifference is only insuring that this big cycle will continue.

Let me tell you people on reserves what happens to an Indian in jail. In the training schools the White guys get visits every week, and receive big parcels of goodies. The Indian guys don't get visits nor receive parcels. So while all the white guys are sitting around eating chocolate bars and drinking pop, the Indian guy has nothing . . . maybe he has a very old letter to read over. In the reformatories this is the same and also later in prison. In prison . . . oh yes . . . you have a good excuse . . . I tried everything to help him. (Remember those sips of beer?) I can't help it if he goes and gets himself

into trouble. See how nicely you put all the blame on us?

At present, if an Indian guy gets two years the government keeps him for two-thirds of that time. A White guy can and usually gets out in one-third of a two year sentence, for no other reason than his family, friends and minister helped him. When a guy gets say two years for example, the day he comes in he gets one-third knocked off of his sentence which he will do later after he completes the other two-thirds . . . but besides this one-third knocked off, a guy can make a National Parole as soon as he has one-third of his sentence in. (one-third equals eight months). Very few Indians make this National Parole whereas the White guys do, at least more of them do.

Why don't Indians make these early paroles? The Parole Board knows what conditions on the reserves are like (crime-infested) so they don't want to send the guys back to the reserve. They are willing to parole them to a place off of the reserve, but besides not knowing people off the reserve who will take them, the guys want to go home just like anyone else. To make things harder for the guys, the Chiefs and Councilmen when asked by the Parole Board representative if they will accept the guys back,

these righteous, God-fearing ones say "NO. We don't want them back as they only cause trouble and give the reserve a bad name. So the guy has to stay in jail knowing that his own people didn't want him.

The head of the Parole Board, Mr. George Street, said in an article called "Most Criminals Should Not Be in Jail" that "we are very careful in screening a man for parole. We spend five months investigating him, we talk to the police, to the man's family and friends, to prospective employers and we want to know if his family relations are good. We want to know who in the community is going to help him. We talk to the man to see if his attitude has changed. We find out what insights he has of the problems that put him in jail." This is called a Community Assessment. The Parole Board sends a representative to get this report. How many are willing to help a guy from your reserve in jail? How many of you know how to help a person in jail? Come on now . . . support them . . . one day your son or daughter might be in jail and will need help.

Take time out to write them a letter, give them a few words of encouragement. They are your sons and daughters.

Provincial laws on Reserves To what extent can they go?

Ottawa, Ontario — The Supreme Court of Canada has been handing down judgements in Indian cases to a greater degree in recent times which have ramifications for all Indians across the country. One of the latest cases involves Indians in Alberta and their right to hunt on crown lands with or without the restrictions placed on game-hunting by the provincial government. The question in this case is whether or not Indian people can hunt and traffic in big game contrary to provincial laws, in this case THE WILDLIFE ACT, c.391, Revised Statutes of Alberta, 1970 which provides: "37. No person shall traffic in any big game or any game bird except as is expressly permitted by this Act or by the regulations."

In a majority decision handed down by Martland J., it was held that Indians are subject to provincial laws whether or not they reside on reserves, provided it is not contrary to the British North America Act or The Indian Act.

According to this judgement, Indians may hunt or fish on unoccupied crown land, but they cannot traffic in game or fish contrary to provincial statutes.

The reasons handed down by Martland J. were based on the fact that the British North America Act did not create enclaves within a province in

which provincial legislation did not or could not apply. There is no appeal from their decision.

What significance does this case have for Indians in all provinces?

Until this judgement was handed down in the Supreme Court of Canada — the highest court in the land. — Provincial governments as well as municipal governments were unable to place controls on Indian reserves and developments on reserves. All legislation affecting Indian reserves had to be made by the Federal government. This is no longer the case. Given a good constitutional lawyer, municipalities surrounding Indian reserves could find a legal loop-hole to exercise control in some form over developments on reserves if they so desired, especially regarding taxation and zoning by-laws.

Dissenting reasons were handed down by Laskin J. concurred in by Justice Hall and Justice Spence. According to Laskin J.: quoting from the *Union Colliery Co. v Bryden* (1899) A.C. 580, at p. 588, "The abstinence of the Dominion Parliament from legislating to the full limits of its powers could not have the effect of transferring to any provincial legislature the legislative power which has been assigned to the Dominion by section 91 of the Act of 1867." In other words, provincial governments are not

(See PROVINCE, page 7)

Donna Potts awarded Medal of Bravery



Miss Donna Potts meeting the Queen.

In the early morning of December 12th, 1971, twelve-year-old Donna Potts of Prince George, B.C., single-handedly, saved the lives of her five younger sisters and brother when fire destroyed their home in Glenevis, Alberta.

In the early hours of the morning, Donna Potts, whose parents were away at the time, discovered fire in the kitchen of the house. She went at once

from room to room carrying and leading the younger children out of the house to safety. Unable to return she made her way around the outside to her brother's bedroom window, broke the glass with her fist and climbed in. She pushed the boy out through the window and followed him as the fire spread. Major loss of life was averted through the prompt, cool and efficient action of this young girl.

Dear Editor...

INDIAN EDUCATION

Dear Editor,

On numerous occasions I have perused issues of your fine paper for timely items pertaining to the unsettled state of Indian Education policy. I have also read with interest articles of a more general nature.

Next term I will be engaged in an inner city education project here in Winnipeg at Aberdeen School. Students in our program will be largely of native background. Much discussion of the current state of cross-cultural interaction will characterize the program. Your magazine would fill a vital need. Please place my name on your mailing list as I would like to display (and use) your publication in my class magazine rack.

J. Louis Brown,
Winnipeg, Manitoba.

EDUCATIONAL

Dear Editor,

Recently I met a good friend of mine who lives on a reserve four hundred miles away. During my meeting with him I had a chance to read some of your wonderful paper, THE INDIAN NEWS. Being the son of an Indian chief, I am always interested in my brother Indians at home and abroad. I would like to receive 40 copies of the paper. I know it is educational and can serve great purposes on our reserve. On most of our reserves we are blind to education.

Yours in Indian unity,
Eugene La Rose
Republic of Guyana

INDIAN COLLEGE

Dear Editor,

Congratulations on the work you are doing as Editor of THE INDIAN NEWS. I have enjoyed reading every issue of the publication. I find it a useful supplement in my course on Canadian Ethnic groups.

I would like to propose an Indian College at our University. This would develop around the idea of accepting about an equal number of Indians and non-Indian students, and giving a

degree course in sociology and/or anthropology with equal emphasis on Indian and on white Canadian cultures.

In other words there would be courses in Canadian geography as the Indian has seen it, and in Canadian history as the history of an Indian Canada; and in literature, art, music and language, etc. balancing the program towards a goal of retaining the Indian cultural heritage in a country dominated by a white European culture. The graduates would be expected to know, understand appreciate both cultures; thus the Indian culture would not be lost, and those who went through the course would also be able to fit in with our dominant culture as it is.

If you would publish this letter, or this message in your News, perhaps those who may be interested would contact me and tell me what thoughts they have which could be included in such a program.

W.A. Forsyth,
Professor,
Dept. of Social Sciences,
Notre Dame University,
Nelson, B.C.

INDIAN NEWS HELPFUL

Dear Editor,

I am living in an Indian community in the north of Labrador and teaching in a five classroom school. It would be helpful to receive THE INDIAN NEWS. There are no other newspapers coming in.

M. Groffen,
Davis Inlet, Labrador

FOSTER CHILD

Dear Editor,

I would like to thank you for sending the papers for my Lone Eagle Indian Club. They have been enjoyed so much, also I have enjoyed the new COOKING POT.

I would like to find a foster child by mail for my family. A boy that maybe has no people, 5 years old or younger or a girl.

I am English and almost half Ab-Nakee. My mother is English with a foster Al-Gon-Kwin mother. I am a widow, 33 years old, a typical mother of a six-year-old son. And live on an old 20-acre farm.

Is there a small child under six, that would like an adopted family by mail? We don't wish to change his Indian ways. I maybe a half-breed, but I understand. Will answer all letters, please send a picture if able.

Madaline Ames,
Route 1 - Box 56
Buckfield, Maine U.S.A.

POETRY SUBMITTED

Dear Editor,

THE INDIAN NEWS is a good publication. I am a regular reader of it. Not too long ago I was thrilled to see one of my poems published in THE INDIAN NEWS. The poem I am referring to is called "Sylvester's Poem."

Every now and again I write a bit of poetry. Most of it is narrative free verse or existential poetry. I am presently working on a poem called "Pilgrimage".

Recently during one of my sleepless nights, I wrote a poem called, "I looked back". Hope you can use it in THE INDIAN NEWS.

Patrick Sayers,
Bath, Ontario

Editor's note: Thank you for your contribution.

VOTE TAKEN

Dear Editor,

While reading an edition of THE INDIAN NEWS, I happened to notice the letter signed "Modern Indian". Reading that letter revived certain feelings of hostility and indignation towards certain parties of Indian ancestry. My guess is that this "Modern Indian" is a male member of the Curve Lake reserve.

It seems that many of our so-called "Modern Indians" have forgotten that an Indian's first obligation was always the welfare of his family, this also included the women. Since the Coldwell band, has no reservation, many of us have never had the change to live reserve life, rather, we have been exposed to a more open way of life, and as such, have had no opportunity to meet and marry an Indian (outside of a relative).

Having been registered at birth as an Indian, I feel Indian women should retain band status, regardless of whom they marry. I would also like to say that up until approximately six months ago I had no knowledge that there was in fact an INDIAN ACT (which only dictates to an Indian what they can and cannot do.)

If any changes are to be made in THE INDIAN ACT I would suggest that section 12b be changed to read that any Indian who marries a non-Indian is not entitled to be registered as an Indian.

If we are to retain a race of full-blooded Indians, then we should not stop by excluding Indian women marrying non-Indians, but also all

INFORMATIVE PAPER

Dear Editor,

I have been reading your paper for the past eight months and find it an enjoyable and informative paper.

Although I am not an Indian I have been raised with them and am marrying an Indian girl from B.C. this fall.

I would like to receive your paper every month.

Al Ewin,
Ardberg, Ontario

FORT ALBANY

Dear Editor,

I recently read a copy of THE INDIAN NEWS which was available in Fort Albany Residential School, and I was advised that copies are available for interested people.

Would you please add my name to your list. I am looking forward to receiving it in the future.

A.E. Guilbeault, J.P.
Court Administrator,
Cochrane, Ontario

REQUEST FOR PAPER

Dear Editor,

I am writing in reference to THE INDIAN NEWS. I and my brother William are in the Armed Forces stationed in London, Ontario, and we don't get too much of the goings on, from the Indian point of view. We would appreciate it if we could get a subscription of the paper.

R.E. Howard,
London, Ontario

THREE LANGUAGES

Dear Editor,

I have a suggestion to make if you do not mind. Why not a page on "native" language instruction? (It would be one up on bilingualism). There is talk about using newspapers for university courses, so why not use a page in THE INDIAN NEWS for "educational purposes"?

Hyman David Smith,
Chomeday, Quebec.

Editor's note: Can anyone support this suggestion by contributing material written in their own language. The idea of writing in Cree syllabics has been tossed around in our office for the last two years since there are approximately 68,000 Indian people who have a knowledge of this language. Perhaps now would be the time to find out how many people would be in favour of utilizing a third language in THE INDIAN NEWS.

EXCHANGE OF IDEAS

Dear Editor,

the Indian news

Editor: THERESA NAHANEE

Editorial Assistant: CARMEN MARACLE

The Indian News is edited by Indians and is devoted to news of, for



Indian and
Northern Affairs

Affaires indiennes
et du Nord

THIS COMPETITION IS OPEN TO
BOTH MEN & WOMEN

CONCOURS OUVERT EGALLEMENT
AUX HOMMES ET AUX FEMMES

HEAD,
NATIVE CULTURAL
EDUCATION
CENTRES

CHEF,
CENTRES DE
CULTURE ET
D'EDUCATION
AUTOCHTONES

Salary
up
to
\$19,865

Traitement
jusqu'à
\$19,865

Indian
and
Eskimo
Affairs
Program

Programme
des affaires
indiennes et
esquimaudes

Department
of
Indian
and
Northern
Affairs

Ministère des
Affaires
indiennes et
du Nord

Ottawa

Ottawa

An officer is required to act as
Head, Native Cultural/Education
Centres Division.

On recherche un administrateur
pour remplir les fonctions de Chef de la
Division des Centres de Culture et
d'éducation autochtones.

DUTIES: This officer will be responsible for establishing and maintaining liaison with native groups who have established or wish to establish Native Cultural/Education Centres by giving information and assistance, by coordinating and providing federal funding of the centres, by liaising with federal, provincial and native bodies on matters concerning the centres and by evaluating programs of the centres.

FONCTIONS: Cet administrateur sera chargé d'établir et de maintenir une liaison avec les groupes autochtones qui ont organisé ou désirent organiser des Centres de culture et d'éducation autochtones en leur fournissant des renseignements et de l'aide, en coordonnant et en fournissant les fonds fédéraux pour ces centres, en agissant comme agent de liaison entre les organismes fédéraux, provinciaux et autochtones pour les matières se rapportant aux centres, et en évaluant les programmes des centres.

QUALIFICATIONS: Candidates should have experience at a responsible level in the field of administration, preferably with finance and social matters; they should demonstrate ability to plan, organize and direct; they should have a good appreciation of Indian culture, particularly in the fields of language and fine arts and the methods by which Indian culture is transmitted to the younger generation. Knowledge of the English language is essential.

CONDITIONS DE CANDIDATURE: Les candidats doivent avoir acquis de l'expérience à un niveau comportant des responsabilités, de préférence dans le domaine de l'administration des affaires financières et sociales; ils devraient démontrer des aptitudes à planifier, organiser et diriger; il devraient posséder une bonne connaissance de la culture indienne, particulièrement de la langue, des beaux-arts et des méthodes utilisées pour transmettre la culture indienne à la nouvelle génération. La connaissance de la langue anglaise est essentielle.

To ensure consideration, applications and inquiries should be directed in confidence not later than October 5, 1973 to:

Afin de recevoir toute l'attention possible, les demandes d'emploi et de renseignements doivent être expédiées, à titre confidentiel, au plus tard le 5 octobre, 1973, à l'adresse suivante:

PROGRAM PERSONNEL ADVISER
INDIAN AND ESKIMO AFFAIRS
PROGRAM
DEPARTMENT OF INDIAN AND
NORTHERN AFFAIRS
ROOM 500
CENTENNIAL TOWER
400 LAURIER AVENUE WEST
OTTAWA, ONTARIO K1A 0H4

LE CONSEILLER EN MATIERE DE
PERSONNEL
PROGRAMME DES AFFAIRES
INDIENNES ET ESQUIMAUTES
MINISTERE DES AFFAIRES
INDIENNES ET DU NORD
BUREAU 505
TOUR DU CENTENAIRE
400 OUEST, AVENUE LAURIER
OTTAWA, ONTARIO K1A 0H4
Veuillez indiquer le numéro de concours:
73-AIN-401

Please quote reference number
73-IAN-401



Native youth group dancers perform at "Carivan".

Centre celebrates 10th birthday

By Cathie Lesslie

The Native Canadian Centre of Toronto is celebrating its 10th birthday this year under its new executive director, Mrs. Mildred Redmond. Mrs. Redmond comes to the centre with many years experience as a social worker with her native people.

Since her arrival as director last November, she has set up a definite program to fully utilize the centre's facilities. The development of such programs has been made easier with the new five-year budget provided by the Department of the Secretary of State last September.

"The problem was," Mrs. Redmond explains, "that up until this year we never knew where our funds were coming from. Fortunately, our funding will now be coming on a regular basis. Several times before this, we ran out of funds and had to close the centre until they realized we needed this money."

Funds from the Secretary of State only provide for the administration of the centre and staff salaries. Mrs. Redmond must look elsewhere for program funds. The city of Toronto has been providing \$5,000 for courtworkers while the IODE, the provincial government and the Department of Indian Affairs have also assisted with programs.

Mrs. Redmond tries to have someone at the centre at all times to offer assistance or listen to problems. "The centre is open from 9 a.m. to 9.30 p.m. everyday," she says, "and we try to provide programs for all age groups on a regular basis."

Mondays are mother and child days at the centre when the mothers study childcare, make clothing and do crafts while the children are fed and cared for by young girls. On Tuesdays and Thursdays, the centre is open to the men to come and talk, watch television and films or play cards. Wednesdays are set aside for the elderly while Fridays and evenings are available for the youth program, Indian dance classes, meetings and parties.

"Our biggest program," Mrs. Redmond points out, "is the courtworker program. If someone must appear in court we are there to assist them. We have seen progress in the courts, and have come up high in the courts' estimation because we were often there even when we were not needed. We have received some beautiful letters from judges commenting on the

presence of the court workers."

Even with her staff of 12, Mrs. Redmond is kept very busy as the centre's director, for she is well-known by the native people as someone who can help. A young man calls to tell her a girl has been struck by a car and had she heard about it? A woman is going into hospital and needs a new housecoat and slippers. Another woman is willing to take her four children and five other children to a cottage on a reserve outside Toronto if Mrs. Redmond can provide transportation and a young girl to assist her.

Mrs. Redmond says there should be no problem in filling this last request. "We want to work with the reserves and send some of our young mothers and children to their own, or other, reserves for a short vacation away from the city even if it's only for one week. But we need the assistance of Indian people outside Toronto for this new project.

There is so much to be done but the facilities are cramped and staff is small. There are plans to move the centre to larger quarters. Mrs. Redmond says, "I would love to see our centre in a bigger building with all the native groups with their own section.

Ten years ago the centre began as a referral and information service for new native people in Toronto, but Mrs. Redmond sees the centre playing a much larger role than that in the next ten years. She says, "I would like to have a drop-in center where people would know they will always find a warm friendly atmosphere and know the coffee is always brewing. I'd like to see our Ladies Auxiliary serving coffee and volunteers serving hot meals every day."

The list of possible projects is endless. Perhaps a storefront for selling crafts or clothing collection can provide for rummage sales or speakers could visit schools to talk about Indian people? It has been a productive ten years in spite of shortages of funds, staff and space. Even with these problems, Mrs. Redmond has great hopes for the centre's future.

"We mustn't stand still and use the centre as just sort of an information and referral centre and become only administrative. I hope we can really develop so the centre will be the mother for every other Indian group and will remain actively involved in helping native people in Toronto."

Self-reliant Indian community Would benefit whole of Canada

The following report was prepared by the National Indian Brotherhood and was submitted to THE INDIAN NEWS for publication. In keeping with our editorial policy we have chosen to publish it since the majority of our readers are Indian people living on reserves. The National Indian Brotherhood represents all "registered" Indians in Canada and are working for their benefit as a lobbying group in Ottawa.

PRESENT SITUATION

Indian Reserve Communities

In economic terms the present situation of the Canadian Indian Reserve communities is comparable to that of underdeveloped countries. If the Indian community of Canada were placed on UNESCO graphs it would compare, in respect to several economic indicators, to Botswana while Canada as a whole stands in a favourable comparison with the most advanced western European economies. Yet the poverty of Indian communities can not be attributed to a lack of human resources, natural resources, or energy resources. These exist in abundance. The problem is the failure to effectively mobilize our potential.

The lifelessness of statistics is as dangerous and misleading as the convenience of specific examples or the overtones of emotive language. Yet the picture remains at the same low level of activity in whatever terms it is conveyed.

The Indian reserves across Canada have a desperate and immediate need for 10,000 houses. Within five years there will be a need for an additional 5,000. Five thousand existing houses are in need of major repairs. For a population of 250,000 these figures represent an alarmingly high percentage of people without proper housing today.

For British Columbia, Alberta, Saskatchewan and Manitoba the number of houses needed respectively is 3,400; 1,700; 1,500; and 2,000. The number requiring major repairs is 600; 1,200; 1,300; and 250.

Where the average Canadian family of 3.7 persons share 5.3 rooms the average Indian family in Canada must find space for 6.4 people in 3.6 rooms — a complete reversal of the national average. Normal Canadian standards, repeatedly endorsed by social planning councils across the country, demand one room per person.

The infra-structure — the common mechanical ingredients needed for both social and economic health of a community — reflect the same disparity with the national picture. For Indian homes across Canada, there are 70% with electricity, 21% with

rural but non-Indian community the figures would still be significantly above the Indian standard.

These living conditions contribute directly to the poor levels of health, and short life expectancies common to Indian communities. Within the Saskatchewan Indian community dysentery and typhoid caused by poor water supply and lack of sanitation, are 22 and 35 times greater than in the province as a whole. T.B. is 14 times as frequent in these communities than across the province.

Infant mortality is out of all proportion to the national figures. Thirty per cent of the inmates of penitentiaries in western Canada are native people. Excessive use of alcohol is above the national average in direct proportion to the level of despair.

The national average unemployment for employable Indian people is 56%. While some communities suffer only 10% at the best of times, 80% unemployment is not uncommon at the height of winter. The average annual per capita income for registered Indians is about \$500.00 compared to Prince Edward Island with the lowest per capita income of any province with an average of \$2,188.

The drop-out rate among Indian secondary school students remains at 94% despite revision of school contracts and superficial forms of integration.

It is tempting to point to education or employment as the key to break the poverty cycle. Those have been favourite historic Canadian biases. No one can deny the value of either knowledge or work. Yet it is idle to send a child to school, or an adult to work who is in poor health. Or to expect good health in housing conditions that would be condemned by an urban housing inspector. The cycle will continue until all aspects of Indian life are confronted as a whole and changed through a coherent plan designed by the people whose lives are at stake.

Government Activities

The federal government has never taken a comprehensive approach towards the economic development of Indian reserve communities. At present the only significant attempts consist of the Department of Indian Af-

airs Economic Development section's efforts; the Indian Economic Development Loan fund, and the Department of Indian Affairs Arts and Crafts Central Marketing Service.

The efforts of the Department of Indian Affairs Economic Development Section can be measured by this Section's use of federal funds. In the fiscal year 1970-71 the Department of Indian Affairs Indian-Eskimo economic development section spent a total of 10.2 million dollars of which 8 million was for operation expenditures and only 2.2 million as capital to the reserve communities. The fiscal year 1971-72 was no better, of the 13.9 million dollars budget, 10 million was spent as operating expenditures and only 3.9 million as capital to the reserve communities. This enormous overspending for operating expenditures is a clear indication of the Department of Indian Affairs inefficiency. The minimal amount of social capital is a mere step in the right direction but far from having any concrete results at the reserve level.

During the fiscal year 1970-71 the Department of Indian Affairs launched the Indian Economic Development Fund, which was thought to be an answer to the economic development for Indian people. This 50 million dollar fund is only a start in the right direction for the magnitude of necessary capital investment is estimated at the 1,000 — 1,500 million dollar level.

The deficiency of the Indian Economic Development Fund, however, does not end with the magnitude of the fund. There are other major shortcomings that raise serious doubts as to its viability, irrespective of the amount. These major short-comings include:

- A) It is primarily loan rather than social capital oriented (only 10 million dollars of 50 million is grants);
- B) The rate of interest on loans, especially loans over 25 thousand dollars, is totally unrealistic in relation to the socio-economic development nature of the task;

- C) Its term not to exceed 15 years, is far too short and thus the burden of repayment is far too great in relation to the potential development opportunities still available for the Indian people;
- D) The lack of repayment grace period normally considered absolutely necessary for a developing country is not available to Indian reserves, which are faced with the same socio-economic problems facing many of the countries receiving Canadian Aid;
- E) The terms and conditions of the loan and its interpretation by departmental officials, other Government officials, banks and other lending institutions, forces Indian people and/or Indian Bands into incorporation with all the implied hazards, especially in reference to potential loss of reserve lands;
- F) Finally, the interest earned on the loans is transferred back to the government rather than back to the fund.

The Department of Indian Affairs Arts and Crafts Central Marketing service is also a step in the right direction, but does not go far enough to be effective. Its prime purpose, to facilitate arts and crafts industry of the Indian people, has never been fully developed. The major avenues that would provide maximum benefit to the people working in this industry have not been utilized. Aspects such as establishing retail market outlets; incorporating practical articles with artistic expression; providing permanent training facilities; and protecting the producers from foreign infringement of markets have never been fully developed.

Although some assistance for economic development of the Indian people has been granted, the forms of this assistance have not been applicable to our present situation. For example, when agencies such as the United Nations and the Canadian International Development Agency (C.I.D.A.) plan economic development (See Economy, page 12)

Bursaries available for Trent

TRENT, ONTARIO — Students of Native ancestry, who do not qualify for educational assistance from the Department of Indian Affairs and Northern Development may obtain Bursaries while attending full-time studies at Trent University. Some \$7,500 has been made available annually over the next five years for individual Bursaries of up to \$1,500 per year. Funds from which the Bursaries are drawn are part of a grant made to Trent by the Donner Canadian Foundation.

The Bursaries are available to Native students who can establish finan-

University's Committee on Scholarships and Awards will vary according to need, up to \$1,500, and may be renewable. Such Bursaries will be offered in conjunction with offers of admission to applicants.

FOR FURTHER INFORMATION ON THE DEPARTMENT OF NATIVE STUDIES, PLEASE CONTACT:

Professor Walter Currie
Chairman, Department of Native Studies
(705) 748-1310



LAND (Continued from page 1)

British North America Act for Indians and lands reserved for Indians. The Government sees its position in this regard as an historic evolution dating back to the Royal Proclamation of 1763, which, whatever differences there may be about its judicial interpretation, stands as a basic declaration of the Indian people's interests in land in this country.

At the same time, by judicial interpretation, the Federal Government's jurisdiction in respect of Indian people has been extended to include the Inuit or Eskimo people.

These premises are restated now to emphasize that nothing in the following policy enunciation is intended to alter them. The government wants to reassure the native peoples concerned, and the people of Canada generally, that its policy in this regard is an expression of acknowledged responsibility.

The present statement is concerned with claims and proposals for the settlement of long-standing grievances. These claims come from groups of Indian people who have not entered into Treaty relationship with the Crown. They find their basis in what is variously described as "Indian Title", "Aboriginal Title", "Original Title", "Native Title", or "Usufructuary Rights". In essence, these claims relate to the loss of traditional use and occupancy of lands in certain parts of Canada where Indian title was never extinguished by treaty or superseded by law.

Since taking office in 1968, the Government has provided funds to the Indian and Inuit people, and other assistance, so that they could conduct the necessary research to support their claims to traditional interests in land.

The Government has received claims from some of those native groups and is aware that corresponding claims are being prepared by others. The lands in question lie in British Columbia, Northern Quebec, the Yukon and Northwest Territories.

In reviewing its position on the claims of Indian and Inuit people, the Government has had the benefit of, and taken into account, submissions made by their organizations views expressed by them and others in the Standing Committee on Indian Affairs and Northern Development, and recent proceedings in the courts in connection with Indian claims.

The Government has been fully aware that the claims are not only for money and land, but involve the loss of a way of life. Any settlement, therefore, must contribute positively to a lasting solution of cultural, social and economic problems that for too long have kept the Indian and Inuit people in a disadvantaged position within the larger Canadian society.

It is basic to the position of the Government that these claims must be

The Government is now ready to negotiate with authorized representatives of these native peoples on the basis that where their traditional interest in the lands concerned can be established, an agreed form of compensation or benefit will be provided to native peoples in return for their interest.

Not all of the lands in question are the sole concern of the Federal Government. In the Yukon and Northwest Territories, the Government has authority, to be exercised in full consultation with the Territorial Governments, to deal with interests in land. But for claims arising in the provinces concerned, provincial lands are involved and so are rights of Canadians living in those provinces. Settlements with Indian and Inuit groups in those provinces can only be satisfactorily reached if the provinces concerned participate along with the Government of Canada in the negotiation and settlement.

It is in the interest of those provinces and their residents that claims respecting land in the provinces be settled, and it is, therefore, reasonable to expect that provincial governments should be prepared to provide compensation. The Government has informed the provincial governments concerned of its position and urged them to take part in the negotiations envisaged.

In the claims received from the native peoples, there are some variations. There may be others in the future. These variations arise mainly from the proposals put forward for settlement. They suggest and require a flexibility of response which the Government is prepared to consider.

About a year ago, the Union of British Columbia Chiefs submitted its claims for compensation based on the loss of traditional use and occupancy of land in that province. Since then, the claim of the Nishga Indians which related primarily to lands under the jurisdiction of the province, has been dealt with by the Courts. The Government is now ready to negotiate the claims of Indian people in British Columbia and regards the participation of the provincial government as a necessary ingredient for a satisfactory settlement.

With respect to Northern Quebec, some very important legal issues related to native claims there are now before the provincial courts. The Federal Government still believes that negotiation is the best way to achieve the results desired by all parties concerned and it will continue in its efforts to resolve the problems. But because those matters in Quebec are at present before the Courts, it would be inappropriate for the Government to make any further statement concerning them at this time.

The Government has already agreed

for some time has emphasized its desire to fulfil all of its obligations and its willingness to consult with the people concerned in doing so. The Inuit people in the Northwest Territories, as in the case of Indian groups in Canada, have received funds from the Government specifically for the purpose of research on land claims.

In all these cases where the traditional interest in land has not been formally dealt with, the Government affirms its willingness to do so and accepts in principle that the loss and relinquishment of that interest ought to be compensated. It sees this goal being most effectively attained by means of settlements freely negotiated by all the parties concerned.

There are other areas of the country where no treaties of surrender were entered into, such as southern Quebec and the Atlantic provinces. The Government's view is that land claims in these areas are of a different character from those referred to earlier

in this statement. The Indian people have submitted claims respecting their interests in land in these areas and the Government is examining them. The Government is providing funds to enable them to undertake the necessary research.

The Commissioner for Indian Claims, Dr. Lloyd Barber, was appointed in 1969. He has been able, in a number of instances, to assist the Indian people and the Government in arriving at a mutually satisfactory accommodation. It is the Government's hope that the good offices of the Commissioner will continue to be used as required to facilitate settlements of all kinds.

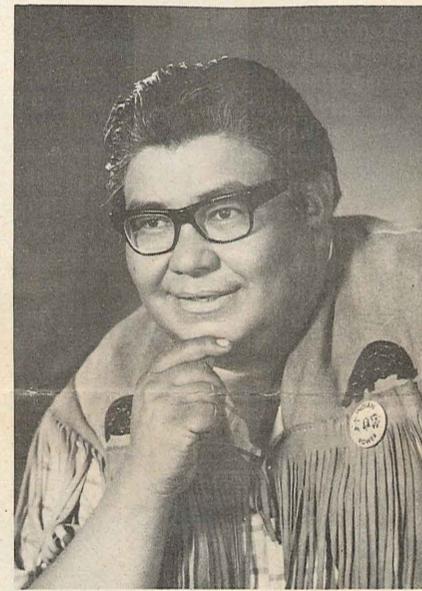
The Government views this claims policy in the context of other policies intended and designed to remove the sense of grievance and injustice which impedes the relationships of the Indian and Inuit peoples with the governments concerned and with their fellow Canadians.

New president for Union in Ontario

Toronto, Ontario — Mr. William Sault, former Vice-President of the Robinson-Superior Treaty Region of the Union of Ontario Indians was elected for a two-year term as president of the Union of Ontario Indians at the All Chiefs Meeting held in Toronto.

It is Bill Sault's hope that the following two years will be productive in furthering greater unity and increasing native awareness in Ontario.

Bill Sault formerly held the positions of President, Wikwedoong Native Cultural Association; Secretary-Treasurer, North-western Ontario Native Commercial Fishermen Association and Director, Treaty Research. He has previously worked as a Government Check Scaler, Forest Technician and Trapper. He is a member of the Red Rock Band, located near Nipigon, and is married with two children.



Bill Sault

Province (continued from page 3)

free to legislate in those areas assigned to the Federal government merely on the basis that the federal government has failed to pass laws in those areas to date. There is no federal legislation which says that Indians cannot traffic in big game, although there is provincial legislation to this effect.

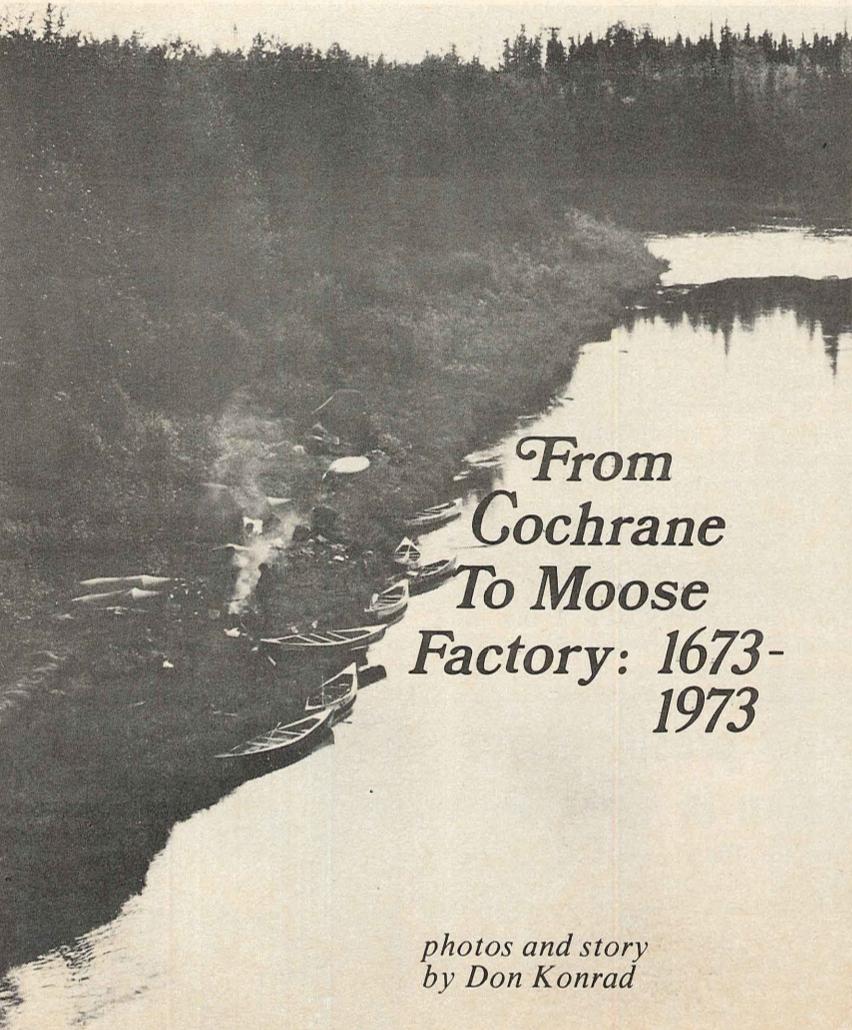
The provinces may pass laws regarding wildlife and hunting in their respective province, but such laws cannot go beyond the powers of the province according to Laskin J. He goes further and states that "it is only Parliament that may legislate in relation to Reserves once they have been recognized or set aside as such." And these, he maintains, "are enclaves which, so long as they exist as Reserves, are with-

Yukon (continued from page 1)

participation of respective provincial or territorial governments in the negotiating process is viewed as a basic requirement to a successful and lasting result.

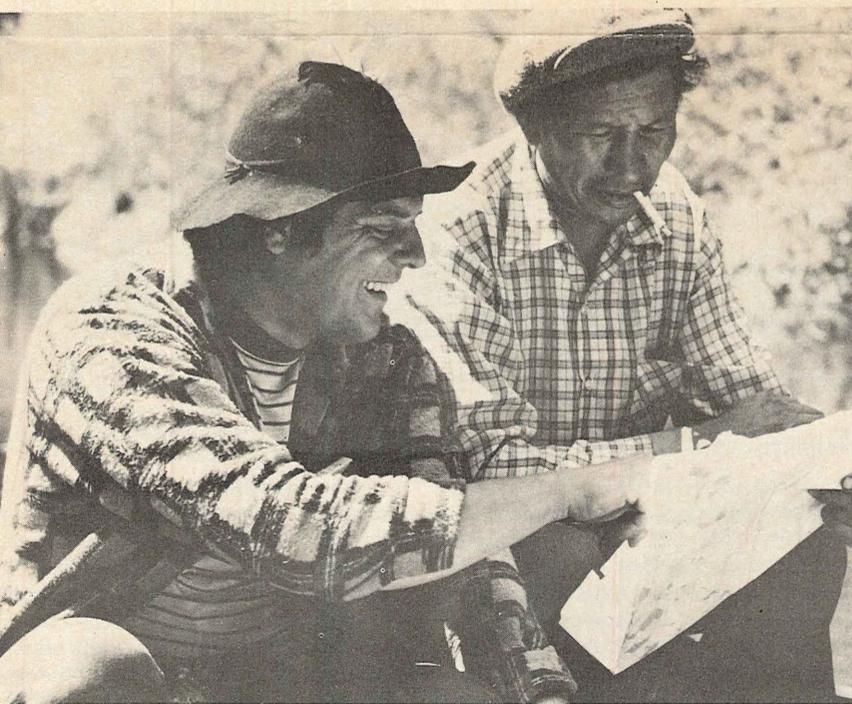
The inclusion of Commissioner James Smith on the negotiating team representing Government, or as his alternate one or other of the two Territorial councillors appointed to the Executive Committee of the Yukon Territorial Government, will ensure that everyone's interest will be taken into account throughout the deliberations of the negotiators. Those individuals and organizations in the Yukon having a particular interest in the progress of the negotiations can make their views known to the Commissioner or his alternates as desired.

While the negotiations will of necessity be conducted in private, progress statements will be issued as appropriate when agreed to by both sides.



*From
Cochrane
To Moose
Factory: 1673-
1973*

*photos and story
by Don Konrad*



Lauder Smith, left, and guide Matthew Cheechoo.



Peter Cheechoo passes mail to Gerald Sutherland.



Peter Che

Cochrane, Ont. — On the morning of June 3 this year, 13 young Cree and two non-Indian residents of Moose Factory, Ontario quietly left Cochrane, 212 miles to the south in canoes for their home on the southern end of James Bay.

Their journey, following the course of the historic Abitibi River, was to mark an event to tie in with the celebration of the 300th anniversary of the founding of Moose Factory.

The trip was the re-enactment of mail transportation from Cochrane to the remote settlement at the mouth of the Moose River as it was done before the coming of a railroad in the 1930s.

Manning eight canoes daubed with colorful Indian traditional designs, the Cree youngsters took 14 days to paddle the 212 miles downstream. Primary object of the journey was to deliver two sacks containing some 600 letters in time for the opening ceremonies of the Moose Factory tri-centennial.

For the youths, it was an opportunity to participate in the celebration of the community's birthday and at the same time re-live an important part of its history.

They had spent the previous winter creating bright designs, painting them onto the canoes, and planning their route with older members of the Moose Indian Band, some of whom had personal knowledge of the historic canoe run. For many of the youths it was their first canoe trip.

All, however, soon became experienced hands at manoeuvring their 16-foot aluminum canoes through dense bushland on the portages — one was three miles long — and coping with northern Ontario's large population of black flies and mosquitoes.

Along the way they complemented their meals of freeze-dried foods with smatterings of partridge, beaver, groundhog, fish and bannock cooked Indian-style.

A side trip on the winding Onakawana River afforded three days of uninterrupted wildlife viewing; they saw numerous bears, moose, otters, Canada geese, hawks, and an endless variety of other small game and bird-life. When rounding one bend in the fast-flowing river, one crew had to do some fast thinking to avoid ramming a cow moose who was nonchalantly having her morning drink.

On the Abitibi River they rummaged through the remains of a long abandoned trading post, viewed an eye-stunning waterfall they judged to be twice the height of Niagara Falls and derived many lessons that only a group travelling together in the wilderness for two weeks could offer.

Although they encountered many stretches of rapids on the scenic rivers and at one point crossed the Moose River in five-foot waves, the trip went without a hitch.

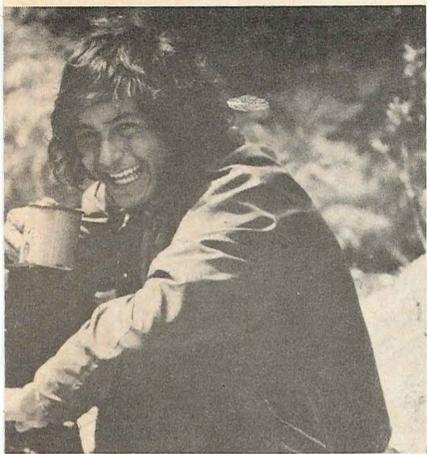
On their arrival at Moose Factory Sunday June 17, the trippers were given an official welcome by the Tri-



Bobby Georgekish and Andrew Wapache on Moose River.



Stan

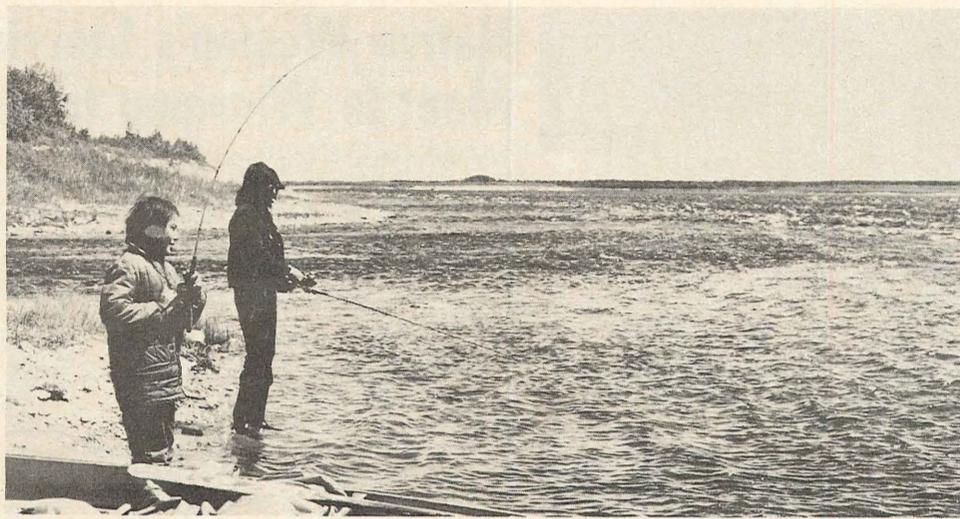


Cheechoo enjoying teabreak.

Centennial Committee and more than 1,000 people lined the public dock to meet them.

Later, the same trip — only taken 62 years earlier — was vividly described to them by Noah Cheechoo, a retired trapper and former crewman for the company that transported mail and freight by canoe to Moose Factory in 1911.

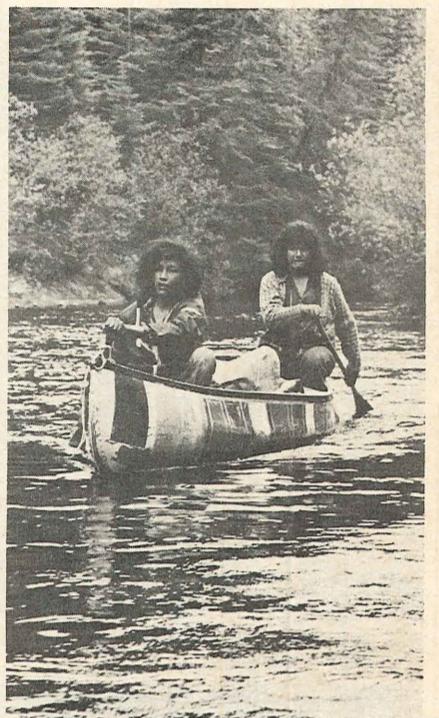
The Tri-Centennial Mail Packet was sponsored by the Department of Indian and Northern Affairs in co-operation with the Ontario Northland Railway and the Hudson Bay Company. Members of the crew were: Matthew Cheechoo, guide; Peter Cheechoo; Andrew Wapache; Bobby Georgekish; James Trapper; Reggie Shanoush; David Faries, Joe Faries; Philip Sutherland; Cecil Sutherland; Gerald Sutherland; Andrew Sutherland; Stan Loutit; Lauder Smith; Ray Graham; Don Konrad.



Cecil and Bobby try their luck.



Arrival at Moose Factory.



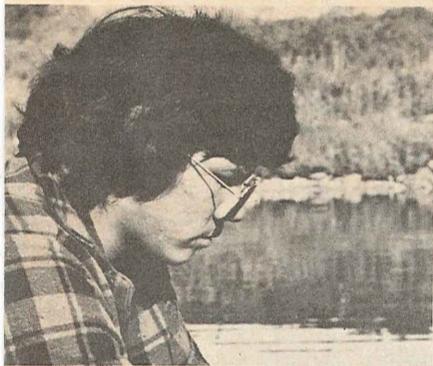
Reggie Shanoush and Gerald on Onakawana River.



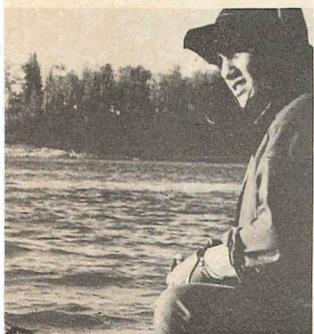
Burying dead bear cub.

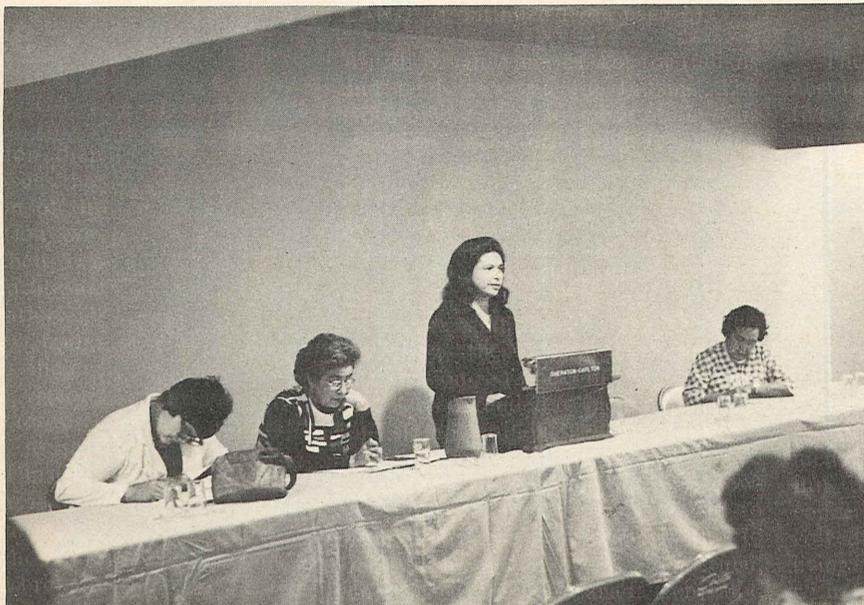


Bobby Georgekish does his laundry.

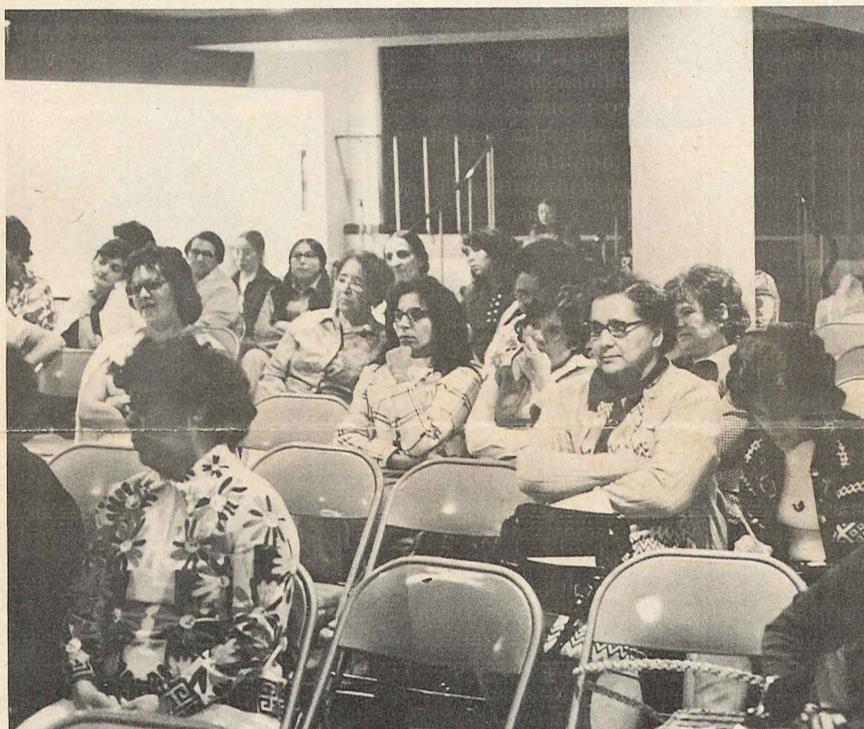


Loutit enjoys rest.





Mrs. Jean Goodwill addresses the conference on the topic of funding for women's organizations.



Delegates listen intently as seminars were given.

Native Women's Steering Committee Meet in Winnipeg to discuss unity

Winnipeg, Man. — Communication and "getting together" — you can't have one without the other and this was the apparent underlying theme at a meeting held in Winnipeg by the National Committee on Indian women.

Getting together for three days of intensive discussion were status, non-status and métis women from across Canada whose sole purpose was the forming of a national organization to represent the women of native ancestry.

The first meeting of native women was held in Edmonton in 1971. It was here that the National Native Women's Steering Committee was formed and the first attempts at organizing a national body were made. At this conference there were over 200 women in attendance. The first annual meeting after that was held the following year in Saskatoon. It was here that the issue of women's rights came to the forefront and threatened to end the efforts to try and form a national organization for women. After the Saskatoon session it was decided that a complete evaluation of the situation was required and so a meeting was held that November to see if the Steering Committee would continue and if efforts would be made to try and form a national group. There was unanimous consent from all the delegates who attended the meeting. It was at the Nova Scotia meeting that the previous chairwoman, Mrs. Jean Goodwill, stepped down from the position because of job commitments and the then vice-president, Vera Richards, took the pose as chairwoman of the Native Women's Steering Committee.

Mrs. Richards stated that the purpose of the Winnipeg meeting was "getting together" and this was the topic of the first panel discussion held on the opening day of the conference. The panel was chaired by Hattie Ferguson and consisted of Rose Charlie, Bertha Clark, Helen Martin and Veronica Atwin. All panel members expressed the feeling that there is an urgent need for native women to form a single organization. Out of this discussion came the point that whether you were status, non-status or métis, you were still a native woman and to think otherwise would be discrimination against yourself. All agreed that regardless of your individual feeling, the time to unite was now to define issues and problems and seek solutions as a single united body.

The second day of the conference started with a session of seminars which were chaired by Verna Kirkness. The seminars included a discussion on Indian Education by Verna. In her talk Mrs. Kirkness stressed the need for a relevant education as well as a practical one. The idea of having a practical education for Indian people would perhaps not have so many native children uptight about academic studies. One facet of her seminar was that Indian parents should have the right to

decide what type of education their children should have. Other issues that were brought to the attention of the assembly concerning education was that of native people doing their own research on their own educational needs. Other sides of education included possible changes in text books which grossly stereotype Indians according to an unreal image. Among other discussion areas were: resource centers, kindergarten and nursery classes and the possibilities of instruction in native languages. "A facility that could be used in cultural education are the elders of a tribe who could be used as teachers-aides when brought into the system at the para-professional level."

Other seminars were given, one by Rufus Goodstriker on culture. He emphasized to the meeting that culture was a way of life, not a religion.

Doris Fontaine, of the Manitoba Indian Brotherhood, gave a talk on health and presented the assembly with some hard facts on the issue. One of the conclusions drawn from her talk was that native people are living under unacceptable health standards for a country such as Canada and that native people have a right to health services.

On housing, Marion Meadmore spoke and brought forth the points that women should be involved in the panning and construction of homes and should be represented at any meetings concerning Indian housing.

Other seminars were given on Employment by Marilyn Henderson and Family Life Education by Elisabeth Bird.

In the evening entertainment was presented for the delegates in the form of a pow wow put on by the Native Youth of Manitoba. Others present at this event were Victor Pierre, Master of Ceremonies, Jackson Beardy, who contributed some legends and songs and folk singer, Tom Jackson.

On the final day of the Assembly, Mrs. Jean Goodwill spoke on the Secretary of State policy towards the funding of native women's groups. In this she outlined the ways and means of receiving funds and some various sources of funding outside the Department.

At the conference there were over 60 delegates representing every province. There were delegates from a provincial organization and one representing the Steering Committee, giving this the fairest representation of all previous meetings.

The mandate of this meeting was to bring the three groups together and form a national group. This was agreed upon — to come together and to discuss issues and to eventually leave as a single organization. This was accomplished in the fact that the delegates agreed to the formation of a national body. The steering committee will stay on as such until an executive is elected for that national group.

B.C. fishermen receive assistance

by Cathie Lesslie

OTTAWA, Ont. — The British Columbia Indian Fishermen's Assistance Program has been renewed for another five years with a budget of \$10,196,000, it was announced recently by Jean Chrétien, Minister of Indian and Northern Affairs and Jack Davis, Minister of the Department of the Environment.

Financed by the Department of Indian Affairs and administered by the Department of the Environment, the program provides loans and grants to Indian fishermen for the construction, purchase, conversion and modification of fishing vessels, equipment and shore facilities.

The program, in revised and strengthened form, will emphasize on-the-job and institutional training. The Fishermen's Assistance Board's support staff will be expanded to include a loan counsellor and three field counsellors to provide local advisory service. The field counsellors inform fishermen of assistance open to them, encourage advancement in the industry and explain and assist in

business organization, operations and marketing.

To help Indian fishermen now renting vessels to purchase their own vessels or upgrade present equipment, the minimum down payment for loans has been reduced. The eligible age for borrowers has been lowered from 21 to 19 to allow younger Indians entry into the industry as owner-operators.

The Fishermen's Assistance Board has been increased by one Indian appointee to ensure a balanced Indian view-point from various geographic fishing areas, bringing Indian representation to three on the six-member board. The enlarged board will meet as quickly as possible to handle applications now on hand.

From 1968 to 1973, the program proved successful in increasing versatility, productivity and earning power for Indian fishermen within the program. Work of the Fishermen's Assistance Board has brought Indian fishermen closer to the economic level of non-Indian members of the B.C. fleet.

BRANTFORD

(continued from page one)

in the present action from all other lands dealt with by the proclamation of 1783." Their lands are *not* held in trust by the crown, but in fact were lands given in *fee simple* to the Six Nations Indians.

For this reason, the Indian Act does not apply to the Six Nations Indians. The Six Nations Indians do not, as is the case with the rest of the Indians in Canada, merely possess usufructuary rights to their lands. The lands are theirs in *fee simple*. Regarding other Indian lands the fee is in the Crown. As Osler J. states: "the 'Simcoe grant' of 1793 was effective to pass title to all members of the Six Nations Band in *fee simple*." The lands were an outright grant "to the chiefs, warriors, women and people of the said Six Nations and their heirs forever."

The Grand River lands on which the Six Nations people reside were found by Osler J. not to be "lands reserved for the Indians" according to Section 91, Head 24 of the British North America Act of 1867.

Osler J. also states "Subsequent events, including the passing of the Indian Act and of P.C.6015, have not, in my view, affected the quality of that grant or the title held under it." He carefully points out that the Six Nations people are not a sovereign people, but "are subjects of the Crown and bound by the laws of Canada, in the broadest sense."

In reference to Order-in-Council P.C.6015 which created the system of elected chiefs to replace the hereditary chiefs, Osler J. maintains that this order is *ultra vires* the power of Parliament since the Six Nations is not a reserve as such. The land on which the Six Nations people reside was an outright grant to the Indians and hence they do not come into the scope of the Indian Act which defines an Indian reserve as "A tract set apart for the use or benefit of or granted to a particular band of Indians, of which the legal title is in the Crown . . ."

Therefore, because of the definition in the Indian Act of what constitutes a "band" and a "reserve", Osler J. states: "It follows that the plaintiffs, whether original plaintiffs or those added by order, have no authority under the Indian Act to occupy or control the Council House to the exclusion of any others." Furthermore, "it is admitted by all parties that the Council House was built in 1886 at a time when beyond all questions the Hereditary Chiefs had the management and control of the lands."

Also in evidence against the elected chiefs and councillors were photostatic copies of official reports of the band elections in 1969 and 1971. Osler J. notes: "In 1969, out of some 10,000 band members of whom about 5,000 are in actual residence, a total of 547 votes were cast . . . Their representative character is therefore seriously in doubt. In my view, the defendants as representing the Council of Hereditary Chiefs have by far the better claim to the management of the premises in question and the action of the plaintiffs should be dismissed and the interlocutory injunction dissolved."

In this manner the Six Nations

elected council lost their case, but what is more significant for the rest to Canada's Indians are Osler J.'s reflections on the Indian Act. This was dealt with in the latter part of his historic judgement.

As he states, "a consideration of these provisions of the Bill of Rights has led to a number of decisions that specific sections of the Indian Act are inoperative by reason of discrimination, by reason of race or sex." He quotes such cases as *The Queen v. Joseph Drybones*, (1970) S.C.R. 282; *Bedard v. Isaac et al* (1972) 2 O.R. 391; *Canard v. The Attorney General of Canada and William Barber Rees*, Dickson J.A., Manitoba Court of Appeal (1973) 30 D.L.R. (3d) 9.

Osler J. must firmly believe that to consider each individual section of the Indian Act in individual litigation may be too time consuming for the courts since he suggests: "It would, no doubt, be possible to examine in detail each section of the Indian Act as it became relevant in specific litigation and to decide *seriatim* upon the validity of such sections. In my view, however, the reasoning of Dickson, J.A. and indeed of Pigeon J. in his dissenting judgement in *Drybones* compels the conclusion that for all practical purposes the entire Act must now be held to be inoperative . . . Applying *Drybones* in the manner in which it was approved by the majority in that case, it must be declared that the Indian Act is inoperative by virtue of its discrimination by reasons of race."

What is the significance of this judgement for the rest of Canada's Indian people?

Were this judgement to be upheld in a higher court it would be exactly what it says — the abolition of the Indian Act, the abolition of the special rights of Indian people, and the abolition of the special status of Indian people in relation to their land. It would mean turning over the responsibility for Indians and their lands to the Provinces; it would mean Indian people were no longer exempt from taxation. It would mean the abolition of the Department of Indian Affairs which administers the Indian Act. These are only a few ramifications of the Ontario Supreme Court judgement, but they are worth considering.

STATUS

(continued from page one)

Canadians and non-Canadians cannot sit idly by and allow circumstances to take their course. Not only will the destruction of Indians be a cruel betrayal of the First People to whom so much is owed and from whom so much has been stolen, but the cost to other Canadians as a result of such a course of action both in moral consequences and cold, harsh dollars and cents will be beyond calculation."

"We should not permit the ideas of the ignorant to shape laws which supposedly aid all people while it is specifically destroying one segment of Canada's society."

"Several years ago we heard that the very worthy Canadian government was going to pass a "Canadian Bill of Rights" to assure all Canadians of equal treatment, equal opportunity, equal status before the law. This was an imitation of some bleeding heart

legislation promoted by long hairs in the United States."

"I claimed that the "Canadian Bill of Rights" and the various provincial human rights legislation would destroy all the rights that the Indians had and today the facts are being born out."

"The Canadian Bill of Rights is based on the principle that all people in Canada are basically the same — except for levels of education, environment, opportunity, encouragement and cultural background. The law is designed to destroy anyone who feels that there is a basic, fundamental difference between, for example, Indians and others."

"All persons are to be treated the same, without discrimination and without preference under these laws."

"I said over five years ago that this legislation would give nothing to Indians in the way of protection from discrimination and at the same time it would take from Indians everything they have starting with their lands, treaty rights, right to work in the United States, right to be protected from their frailties such as lack of tolerance to alcohol, lack of ability to administer estates, to enter into competition with others particularly against highly competitive ethnic groups who have exactly the opposite qualifications and cultural motivations to Indians."

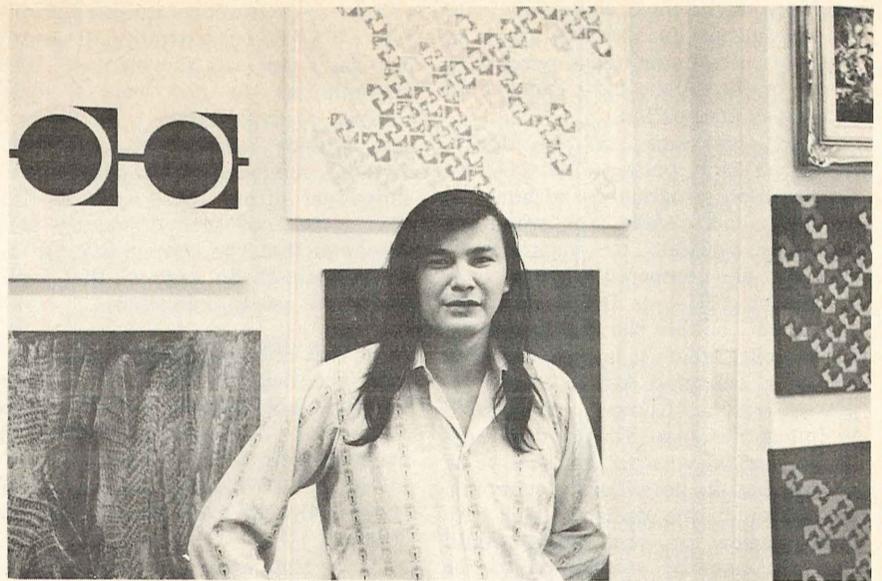
"I believe that the members of the House of Commons of Canada have for the past ten years been acting in good faith and as they see it in the best interests of Indians."

"Despite this, their decisions in recent years add up to possible rape, robbery, destruction and betrayal of Indians because all of their good faith has resulted in tragic decisions, which once interpreted into laws and administered by the judiciary, in cases initiated by both innocent and scheming people, will deprive Indians of their lands, way of life, identity, protection from the desperate drive of those who will rob the aborigines of what we possess."

"I challenge the Minister of Justice to assign someone to point out what all these changes in the law mean, changes made by a government which really knows nothing about Indians and the way the laws protect the Indian way of life. The Minister of Justice must now take some urgent action to make sure that the Indian Act stands up, to keep the Indian Act in force notwithstanding the Canadian Bill of Rights."

"Call an emergency meeting (of government) and make the Indian Act function NOTWITHSTANDING the Canadian Bill of Rights, and if not, then the Canadian government is making its position clear."

"If the government is concerned about protecting Indians, they should call meetings immediately between the Department of Indian Affairs representatives and the Indian Councils and representatives of Indians so that the implications and consequences of Judge Osler's decision is made clear to them. They definitely should know exactly what is happening."



Benjamin Chee Chee, Ojibway artist from Temagami, Ontario.

Ottawa, Ontario — A unique combination of color, design and truly professional talent distinguish the paintings of Benjamin Chee Chee, Ojibway artist from Temagami, Ontario. His "stamped" paintings possess a liveliness or swift action not seen in other contemporary paintings, and his works are fast coming into demand.

The 29-year-old painter has had little influence thrust upon his work by art courses and art schools, and his free-flowing style is the result of his own discipline and imagination.

Not restricted to any particular color arrangement, his works are open to interpretation by the individual viewer. For example, in one of his paintings the swerving color arrangement could be an Indian dancer performing a traditional dance, or it could

be almost anything else.

Swirling, curling, flashing colors are the mark of Benjamin Chee Chee, but there is also a sober, more articulate part of his work seen in his prints of flowers and birds which are held captive by the artist. It is as though there are two sides to the artist which are given form through the art media: the freedom-seeking rebel from regular art forms and the quiet individual which the artist is in real life.

It is noticeable in his flashing painting that although all the "stamps" on the canvas join into one, there is always one which is left aside. This one Benjamin describes as himself — whether jokingly or not, we don't know. But it is a mark of his paintings, and his paintings mark him as professional.

ECONOMY

(continued from page 8)

programs for developing countries, or the Department of Regional Economic Expansion (D.R.E.E.) promotes economic growth in the have-not provinces of Canada, all stress the need for infra-structure as a pre-requisite and basis for economic growth.

To promote economic development in slow growth areas DREE has placed emphasis on the availability of the following:

"Human resource development with an integrated program for the training and upgrading of all human resources; this led to the construction of relevant education institutions, design of meaningful programs, and the hiring of competent staff; community services such as roads, water, sewage and hydro; other community amenities aimed at discouraging migration and, equally important, encouraging the immigration of required skills; arterial roads, highways and airports providing an economical link with outside suppliers and customers; fully equipped industrial parks; a range of incentives that, along with those offered by the Provincial and Municipal Governments, offer as a prospect a plant, machinery and sufficient working capital to get started, in addition to funds for training a work force."

Similarly, to promote economic growth, the Canadian International Development Agency (C.I.D.A.) grants developing countries soft loans which may be 50 years interest-free with a 10 year repayment grace. These soft loans are considered by CIDA as grants in terms of cost of money and purchasing power of the dollar at the end of a 50 year repayment period.

These programs also, no doubt, have their shortcomings. Certainly, no development program is without its problems and pitfalls. Yet, when the programs available to Indian communities are compared to those conducted by CIDA or DREE one fact stands out: neither the capital nor the terms under which it is made available either to emerging nations or to depressed regions of Canada are available to Indian Reserves. While civil servants pronounce on whether one reserve or another has the potential for economic development, the dollars which any other region or community would consider essential are denied to the Indian communities. Prince Edward Island, with a population slightly smaller than the Indian population of Canada and a per capita income four times as great (\$2,000.00 per capita for 110,000 people) required a total of 725 million dollars for Regional Development. Compared to these figures, which we do not doubt were based on real need, the total assistance to Indian communities is negligible.

Comparisons of DREE funds and grants-in-aid are somewhat misleading. They fail to include Equalization Payments which bring the provincial treasury up to a national average per capita. Although the low income figures for Indian communities might contribute to increased Equalization Payments going to a province those payments fail to benefit the destitute Indian communities except in the most peripheral ways.

FUTURE OBJECTIVES

The future objective of the Indian people is to control their own destiny. This is neither a magical nor a mystical process. It requires that there be full recognition of Native title to the land and sufficient federal legislation to terminate the present exploitation of Indian lands and resources by non-Indian interests and to facilitate local development by Indian communities.

"Community control" can be called radical rhetoric. "Self-reliance" is a far more apt, vivid and descriptive term with which to identify the common future objective of the Indian communities across Canada. Whatever the term, it must be the community which determines the goals and the means, limited only by the technical advice of its own professional counsellors. It is idle to talk either of self-reliance or of community control unless the economic power with which basic development can begin is placed in the hands of the community. Given the dollar-power Indian communities can make as effective use of their own resources as any neighbouring community in Canada. We should not be expected to make-do with less.

Indian communities which move along this road will need to develop institutions and structures which will facilitate their more specific goals of self-reliance and be consistent with their own particular culture, tradition and environment. There should be uniformity in the degree of support, without restraint on the possibilities for local adaptation. Most Indian communities, allowed to freely choose, will develop structures and institutions that will avoid concentration of wealth into the hands of a few members. The communities do not want a mere transfer of exploitation from the present outside interests to a few individual members of the community. Individual effort must assist in the development of the community as a whole so that the community can be strong enough to support the development of strong individuals.

NECESSARY APPROACH

The economy of the Indian communities can be restored if a socio-economic development approach evolving from the communities is followed. This would require the federal government to take certain definite actions:

- 1) A statement in principle committing the government to the economic emancipation of the Indian people;
- 2) The direction for development must come from the reserve communities; the federal government must replace its present policies with a commitment to support the directions chosen by the communities and to give clear direction to its civil servants on the supportive nature of their jobs;
- 3) A national committee of Indian people and economic advisors retained by the National Indian community should receive federal support in order to
 - (i) analyze and re-design the structure of the relevant sections of the Department of Indian Affairs and Northern Development;

- (ii) analyze and co-ordinate all sources of government funding provided to Indian communities;
- (iii) analyze and restructure the delivery system for government funds provided to Indian communities;

- 4) Basic funding for essential services, normally provided by local governments, should be calculated for Indian communities on the basis of an Equalization Payment formula to be distributed within the Indian community, among the bands on a per capita basis; these Equalization Payments should not diminish the right of the Indian community to seek grants-in-aid or other federal funds for specific programs calculated on formulas comparable to those applicable to other communities in Canada;
- 5) The quality of personnel of the Department of Indian Affairs must be upgraded by
 - (i) finding other suitable employment for all personnel who are either technically or personally incapable of following the policy directions that would be established in recommendations 1), 2) and 3);
 - (ii) requiring Indian affairs personnel to function as employees of the Indian community;
- 6) Indian communities must have access to the required social capital, over and above the maintenance payments based on equalization payments, in the form of a complete range of grants, subsidies, allowances, interest free soft loans with repayment grace periods, and other financial incentives on a parity with other local governments across Canada, without prejudice to the need of the local community to identify its own needs;
- 7) Existing federal programs, such as Manpower Training, must be adapted to provide the requisite skills to Indian people within their own communities so that they can participate effectively in the job market;
- 8) A permanent Indian economic development research committee, composed of Indian people and competent personnel working for the interest of the Indian people as determined by the Indian people must be estab-

lished to assist the communities in aspects of economic development;

- 9) In the absence of other enabling legislation bands, provincial and national Indian organizations should receive adequate interim funding to retain economic development advisors of high competence and of their own choosing;
- 10) All future legislation and regulations regarding the social and economic development of reserved lands must be enabling and supportive, not restrictive, and developed in consultations with the chosen representatives of the Indian people.
- 11) There is also immediate need to rectify treaty injustice especially in relation to the land. For example, in Manitoba, it is essential that the Indian people receive an amount of land, 640 acres per family of five, equal to all the land allotments of the other western treaty Indians. In all areas of land dispute the Indian people must be treated justly especially in respect to land that has been taken away or sold in an unjust manner without the full knowledge or consent of the Indian people.

CONCLUSION

Canadian society as a whole stands to gain from the development of self-reliant Indian communities. The \$500 million the federal government is presently spending on behalf of Indian people — of which 80% is absorbed by the governmental process itself — will provide a visible return which it is not now producing; and will, in the long run reduce the level of federal funding. The goods and services produced by a self-supporting Indian community will add to the total productivity of Canada. A strong economy is essential to a viable Indian culture, which will enrich the multi-culture Canadian society.

The federal system in Canada was originally designed to allow each major cultural and geographic group to shape its institutions and customs in the way that would best meet its own needs.

An economic consideration has always been an integral part of the various Acts of Union. Although the federal system has become more sophisticated and more complex with each new negotiation, hopefully, it has not lost sight of its basic purpose. The recommendations made here by the National Indian Brotherhood are designed only to give the Indian community of Canada parity with other cultural and geographic groups within Confederation.

of other facilities including a motel and arena.

Situated on Highway 10 at the entrance to the reserve, the complex will initially consist of a convenience store operated by the band, credit union facilities, and office space for leasing by government departments.

The site has already been cleared with pre-construction soil tests to be taken later this month. Construction is expected to begin within the next few months.

Pas Reserve development Receives assistance

OTTAWA (July 19, 1973) — The Department of Indian Affairs will assist with the construction of a \$250,000 retail and office complex on The Pas Indian Reserve in Manitoba, Jean Chrétien, Minister for Indian and Northern Affairs, announced recently.

The announcement follows on negotiations with band Chief Gordon Lathlin. The business centre is the first stage of a proposed redevelopment plan for the area. Subsequent development phases call for the construction



Professional wrestler Billy Two Rivers

Billy Two Rivers—a crowd favourite

Montreal, Qué. — Many people must wonder what it's like earning your living as a professional wrestler. But I guess it's like many other professions — once you get into it and once you get used to it, wrestling seems to have been the natural job for you. This is the impression you are left with after you have had a talk with Billy Two Rivers, a 35-year-old Mohawk from Caughnawaga, who just happens to be a full-time professional wrestler.

Billy started wrestling in high school and then went to Columbus, Ohio in 1951, where he was in training for two years. He started wrestling when he was 17, which he says "was a long time ago." This has put Billy on the pro-wrestling circuit for close to twenty years.

One of the many benefits Billy has received from wrestling has been the opportunity to travel. Billy has travelled across Canada and the U.S.A., including Hawaii, a number of times. He has also toured through Europe, England, France, Spain and Greece and through parts of Asia, visiting countries like Korea, Japan and the Phillipines. Billy keeps no secrets about the fact that travelling is the greatest part about wrestling as a profession. In a matter-of-fact attitude he states that travelling is "the greatest education that you can get" because "you see so much and learn so much through travel; it's a practical education," he says. When asked which place had been his favorite, he replied "Florida was nice and Greece was a beautiful country to be in." But then he adds "I guess I would prefer to wrestle at home."

Most pro-wrestlers are stereo-typed with the "good guy or bad guy" label in every ring they perform. This is due to the wrestler's style of fighting but, "mostly the fans put a label on" the

wrestler "you don't. It's a matter of their own personal taste." Fortunately, Billy Two Rivers is a "good guy" and is usually a favorite wherever he performs.

In pro-wrestling there is a very hectic schedule usually wrestling almost every night so the very process of wrestling keeps you in the right physical condition to continue wrestling.

Any other activity that Billy participates in is usually swimming or playing golf. Billy has been wrestling for close to twenty years and with a laugh says he would wrestle for twenty more, although he doesn't know for sure how long he will continue to wrestle.

Billy Two Rivers is enjoying his career as a professional wrestler, with the opportunities it has given him to meet people and to do extensive travelling and it would be a safe bet to say that he will continue to do so for a few years to come.

Bachelor of Arts

WINNIPEG, MAN., June 19 — Albert Stanley Fontaine, son of Stanley and Elizabeth Fontaine, graduated from the University of Manitoba receiving his Bachelor of Arts with a Major in Philosophy.

Born in 1947 on the Fort Alexander Indian Reserve, Stanley received his Elementary and Secondary education at Fort Alexander Residential School, Powerview Collegiate, and St. Joseph's College in Otterburn, Manitoba, graduating in 1967.

Stanley plans to resume his studies at the University of Manitoba this coming year, and is considering entering either Teacher Certification or a Masters Program.

Canard case establishes point Indian Act is ineffective again

THE INDIAN ACT v. THE CANADIAN BILL OF RIGHTS IN CANARD v ATTORNEY GENERAL OF CANADA et al.

"The right of Indians to write and execute a will"

"Parliament has not declared that ss. 42 to 44 shall operate notwithstanding the *(Canadian) Bill of Rights*." With this statement Dickson J. of the Manitoba Court of Appeal has swung home the fact that Indian people of Canada and their *Indian Act* are fighting a losing battle everytime the *Indian Act* comes into conflict with the *Canadian Bill of Rights*.

Furthermore, Dickson J. states "since ss. 42 to 44, in providing for the appointment of an administrator by the Minister, deprive an Indian spouse of the right to apply to a Court of competent jurisdiction to administer the estate of his or her deceased spouse, they deny, on the basis of race alone a civil right which other Canadians enjoy and thus abrogate the right to equality before the law and the protection of the law."

And further, "while there may be, as long as there are reserves, a need for some limitation on the rights of the Indians to alienate, *inter vivos* or by will, the lands of the reserve, control of testamentary capacity is not a necessary incident to the control of land."

What exactly is dealt with in the Canard case?

"It concerns the right to administer the estate of Alexander Canard late of the Fort Alexander Indian Reserve No. 3 of the Province of Manitoba. The contest is between Mrs. Flora Canard, widow of the late Alexander Canard, and William Barber Rees, Superintendent in charge of the Clandeboye Fisher River Indian District. Mrs. Canard was appointed administratrix of the estate by letters of administration issued out of the Surrogate Court of the Eastern Judicial District of Manitoba. Mr. Rees was appointed administrator of the estate pursuant to ss. 42 and 43 of the *Indian Act* . . ."

It was established in the case that Mr. Canard was ordinarily a resident of the reserve despite the fact that he left during the summer months to perform seasonal farm duties at St. Andrews elsewhere in Manitoba. As decreed by Dickson J., "Alexander Canard was ordinarily a resident on the reserve. He normally lived there, with some degree of continuity. His ordinary resident there would not be lost by temporary or occasional or casual absences."

Further, it was maintained that constitutionally, ss. 42, 43 and 44 of the *Indian Act* were valid insofar as the Minister of Indian Affairs was appointed in lieu of establishing a special court, to have the final say on Indians and their wills. Dickson J. construed the intention of Parliament to be as follows: "It was plainly the intention of Parliament, in enacting those sec-

tions that provincial legislation on the subject of wills, devolution of estates and surrogate procedures applicable to others would not apply to Indians or to the administration of their estates unless the Minister so directed."

Justice Dickson did not question the authority of Parliament to appoint the Minister of Indian Affairs to take charge of Indian wills and estates in lieu of a special court. What he did consider, however, was the effect of the *Canadian Bill of Rights* on sections 42, 43 and 44 of the *Indian Act*:

According to the *Bill of Rights*, there are certain guarantees as to civil rights. Among them is "the right of the individual to equality before the law and the protection of the law."

In the case of Mrs. Canard, Dickson J. makes this point: "I do not think Mrs. Canard can be said to be in a position of equality before the law when that law denies her a civil right which other Canadians, not of her race, enjoy — the right to administer the estate of her husband. The denial of that right is a negation of the principle of equality and places Mrs. Canard in a state of inferiority vis-à-vis other Canadians."

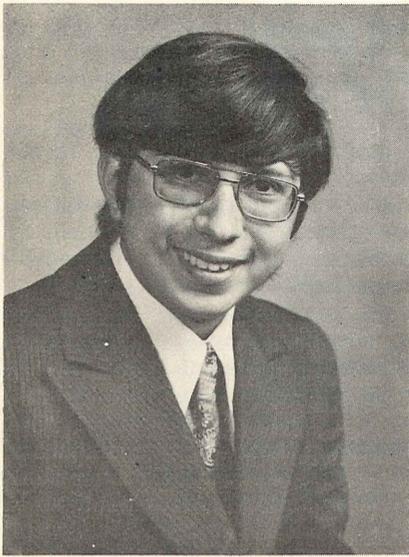
This, he maintains, is "discrimination by reason of race," and contravenes the *Bill of Rights*, the purpose of which he states to be: "to erase all marks of servitude based on race, national origin, colour, religion or sex. It is not consonant with reason or justice that Indians forfeit basic rights and freedoms which other men are assured through the *Bill of Rights*, for the reason that the *Indian Act* gives Indians certain perquisites not shared by other men . . . The freedoms expressed in the *Bill of Rights* cannot be bartered away."

What all this legal jargon amounts to is the fact the *Bill of Rights* has made certain and specific guarantees as to civil rights in Canada and they shall apply to all Canadians whether they be Ukrainians, Germans, British or Canadian Indian people. What therefore is the point of having an *Indian Act* which makes special guarantees for Indian people only — and for that matter, only for registered Indians.

The courts seem to be questioning the need for an *Indian Act* when we have, after all, the *Canadian Bill of Rights*. The Manitoba Court of Appeal is not the only court which has dealt with the *Indian Act v. The Canadian Bill of Rights* and come up with the same conclusions.

Although the *Canadian Bill of Rights* may not have been effective enough to grant equality to Indians in all facets of life, it has definitely recognized them as equal in a court of law. It has found time and time again that Indian people are not special as they are defined to be in the *Indian Act*, but are in fact and law, equal according to the *Canadian Bill of Rights*.

The Indian people of Canada have yet to see where the *Canadian Bill of Rights* will leave them.



Michael Perley

Valedictory speech By Tobique youth

Tobique Band, N.B. Throughout his student career, Michael Perley of the Tobique Indian Band has shown outstanding scholastic ability as well as a successful inclination to music. According to the Chief of the band, he "has repeatedly shown great interest in his achievement." And, "he is a top student in the Academic studies."

At the age of 13, he received a \$300. Department of Indian Affairs "Cultural Scholarship", and an additional scholarship of \$250 a year later for composing and piano. In 1971-72, at age 15, he was awarded \$150 to continue his grade V level in piano while in Grade XI, and in 1972-73, he was granted \$200 to take advanced music training.

Upon graduation from high school he was awarded the highest honour which can be bestowed upon a graduate — he was chosen to give the Valedictory Address. The message he brought to the audience and particularly to his fellow graduates is as follows.

"Ge di mawjawhaw Up chig conomial"

"I am going I will see you again"

In Indian, there is no way to say Good-bye. This type of farewell is very appropriate for tonight. In our culture nobody ever says Good-bye because everybody assumes that they will see each other again. Now as each one of us sees each other graduating, people tend to think that it is a sad occasion but it really is not since there is not anything to be sad about. We should be very happy in that we know that we will encounter one another again in different aspects of life."

"These encounters depend totally on what path of life each of us will undertake. The two paths are obvious and the one to success can only be attained through perseverance and support: support in the way of friendships, parental support and cultural support."

Michael also pointed out that "Education began with our parents and teachers and through their efforts they have educated us to the best of their ability. Education is a never-ending process. It has been present throughout our childhood lives and will never end."

Upon graduating, he says, "we can now assume that we are on our own and that we must face the demands of the ever-challenging world. We will probably meet many obstacles on our path of life but we must learn to accept the idea of forthcoming problems and try to do our best to overcome them and continue to lead our lives towards that goal that we set for ourselves. The world is changing constantly and we must be willing to change along with it and keep in pace with the changes."

New playground for Comox Band

Courtenay, B.C. — The reserve children were delighted when the Comox Indian Band opened a playground and swimming pool during the past summer. There were many children of all ages eager to make use of the equipment despite inappropriate weather conditions on the opening day. With improvement in the weather, however, the facilities were put to good use by children of the Band.

The Comox Band Council considers itself fortunate in that it was able to employ three high school students from the reserve in various jobs to help the younger ones.

Ronald Mitchell, age 17, did all of the maintenance connected with the hall, pool and playground equipment. Reliable and competent, he was on the go all of the time alternating between a lawn mower, a broom and a pipe wrench.

Busy with the organization of games and other activities in the hall and/or out on the playground was Debbie Wilson, 17. A grade eleven student, she was very popular with the younger children.

Our third senior student was Allan

Harry who acted as life guard at the pool. Allan did this very capably last summer, too.

In co-operation with the local Courtenay Recreation Association, the Comox Indian Band was able to have another life guard from the white community, David Proctor and a swimming instructor, Anne Grant. These helpful young students were most co-operative in setting up lessons, water safety instructions, etc.

All of the high school students got along very well with the young people, some of whom, of course, were pretty lively.

Several of the parents have been along to mention how pleased they were that the children had safe, supervised activities throughout the summer. Everyone is very proud of the facilities that are available, much of it being the result of effort on the part of band members.

The programmes available are all the result of the able leadership of Chief Norman Frank and Harry Frank who is the Comox Reserve Band Manager. Mr. Jim Noble, director of the Courtenay Recreation Association has also been very helpful.

Radio Station first of many

CROSS LAKE, Man. — On July 4th, 1973, at 10.55p.m., an event transpired in Cross Lake which may eventually turn out to be a most significant force in providing the people of the remote community of Cross Lake with a chance to play a large role in their own development. At that time, the first local radio test broadcast was heard emanating from the Indian Band office building and reaching every home in Cross Lake. Life in Cross Lake will never be the same.

Allan Kiesler, General Manager of Native Communications Inc., announced that the Cross Lake Community Radio Station CFNC (1490 KHZ) officially went on-air on Friday at 9.00 a.m. According to Mr. Kiesler, the station is the first low power AM operation of its kind in Canada. From the original conception until its licence application approval, there has been a lapse of approximately two years. The unique quality of this station is that the licence was granted to Native Communications Inc. which is a private non-profit corporation funded by the Provincial Department of Northern Affairs and whose Board of Directors consists of native people from various regions of Manitoba.

Native Communications Inc. has provided technical and general production training to community people from Cross Lake and these people are now employed at the radio station. Eventually the role of Native Communications Inc. will be merely an advisory one and heavy emphasis will be placed on voluntary, community participation.

In commenting on the radio station, Mr. Kiesler emphasized that "a communication system taking into account a complete understanding of the life patterns of residents of Cross Lake and the role of information in their lives will facilitate the dissemination, acquisition and retention of varied information."

"Programs will be planned in light of needs recognized by the community and in relation to their aspirations and life-style. Sources of information will be local people recognized as legitimizers".

Mr. Kiesler feels that "local programming information will help equip listeners for personal and community decision-making and will also provide a means for pursuing and promoting the people's social and cultural interests and thus enable an expansion of their own capabilities".

The most relevant aspect of the local broadcast facility will be that "it will allow the residents of Cross Lake to develop a communication system at their own pace and will foster a learning process among the citizens of the community since the broadcasts will take into account the thinking and cultural differences and concerns of the people".

The licence granted to Native Communications Inc. by the Canadian Radio-Television Commission is on an experimental basis. However, Mr. Kiesler is confident that renewal will not pose any problems.

The community of Cross Lake

suffers from a number of distinct disadvantages due to its isolated location and is subject to total isolation during frequent radio-telephone communication blackouts and poor flying weather. No radio or television daytime broadcast service is received and radio-telephone communication is only available during limited hours. As a result, the establishment of the radio station will act as a "giant" first step in solving the myriad of communication and social problems in Cross Lake.

A most important feature of the radio station is that 75 per cent of the broadcasting will be in Cree with the remainder in English.

"This station is the first of many being planned by Native Communications Inc.," Mr. Kiesler said. "If successful, we may have latched onto a most effective method of providing native people in Northern Manitoba with the means of pursuing their own goals and aspirations in a manner which they agree upon. It is extremely important that communities and people in a state of cultural change have a viable and flexible communication system. In the North, where unique barriers must be overcome, communication takes on a special importance. The first on-air broadcast to the people of Cross Lake may have acted as a tremendous cohesive and developmental force for both the residents of Cross Lake and other communities in Northern Manitoba."

Bachelor of Arts

WINNIPEG, MAN., June 19 — Edwin Jebb, the son of Ernest and Evelyn Jebb of The Pas, Manitoba received his Bachelor of Arts degree with a Major in History from the University of Manitoba during the Annual Spring Convocation Exercises.

Born on The Pas Indian Reserve in 1952, Edwin received his Elementary and Secondary education at The Pas, Guy Hill School and Frontier Collegiate, graduating in 1970.

At the present time, Edwin is employed in The Pas area, through an educational grant provided by the Youth Secretariat Department of College and University Affairs.

Bachelor of Law

WINNIPEG, June 13 — When Kenneth Bryan Young received his Bachelor of Law from the University of Manitoba this spring, it was a proud moment for him and one of historical significance for Manitoba.

Mr. Young, the son of John Young and the late Elizabeth Young of The Pas Reserve, is the first Manitoba Indian to graduate from the Faculty of Law.

He received his elementary and secondary education in The Pas, Prince Albert and Dauphin, graduating from Dauphin Collegiate in 1964. Mr. Young then joined Winnipeg Hydro and the following year enrolled at the University of Manitoba. He was graduated Bachelor of Arts in 1969.

Entries Submitted to "The Indian News" Art Page

Little Chippewa Girl

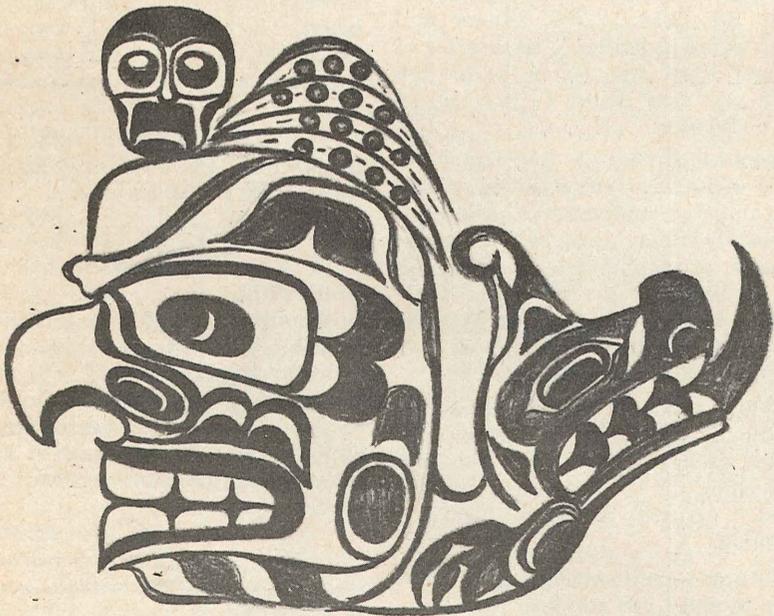


by Laurie Green
Age 15 years.

Mohawk Indian Day School

Tyendingaga Mohawk Reserve.

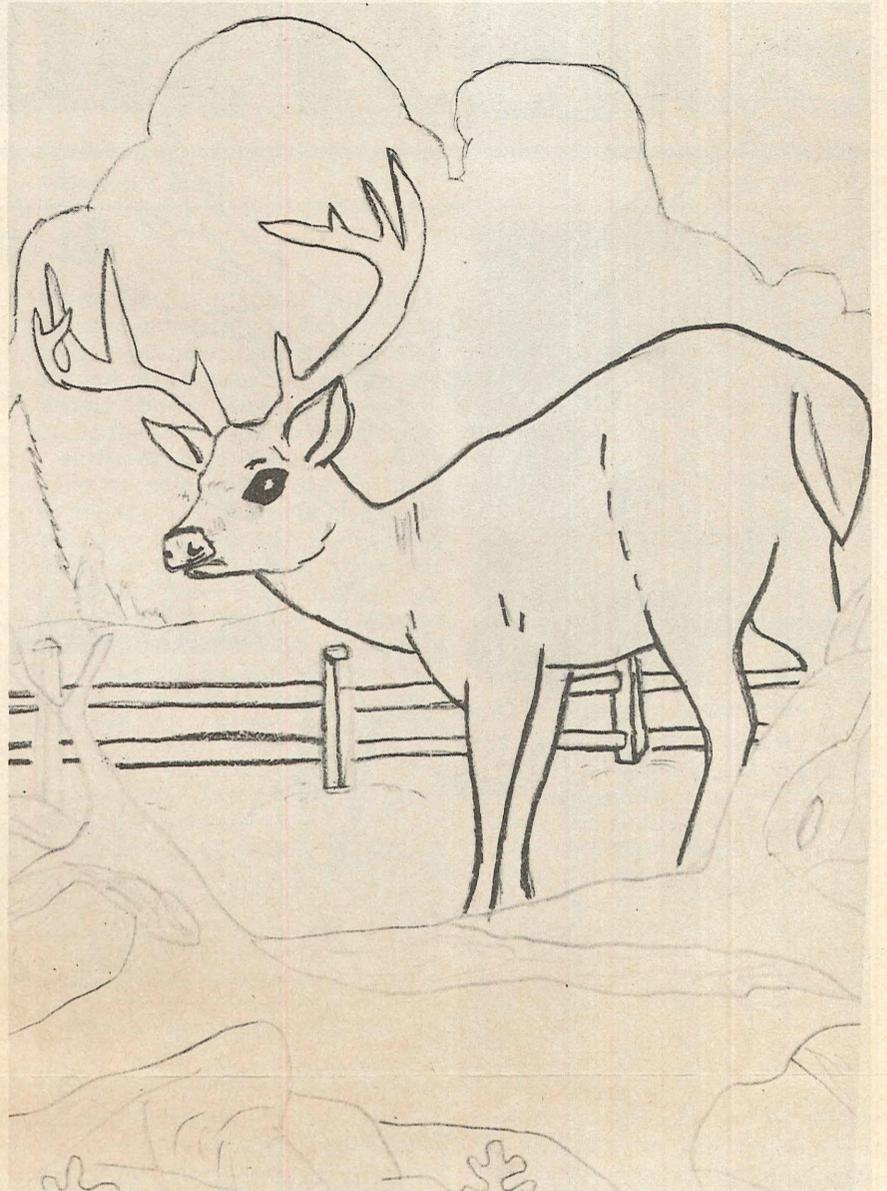
Laurie Green, age 15, Tyendingaga, Ont.



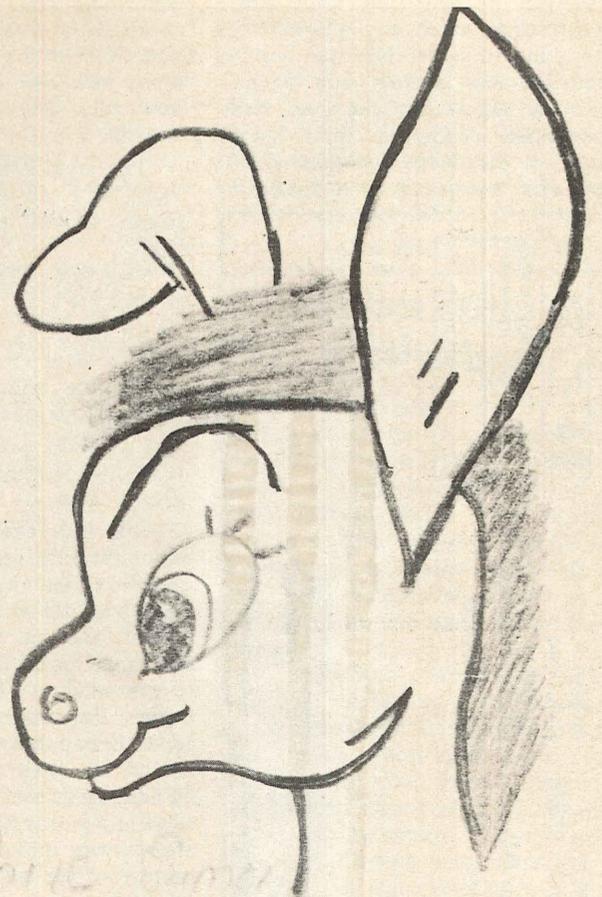
Kwakwaka'wakw Sisiu'tl = Double Headed Serpent
& Octopus

Gary, age 15
Campbell River B.C.

Gary Ratushniah, age 15, Campbell River, B.C.



Douglas Earl Myran, age 12, Long Plain, Man.



Joan Marie Simon
Eel Ground Reserve, N.B.

Joan Marie Simon, age 14, Eel Ground, N.B.

Why not have your paintings or drawings published in THE INDIAN NEWS? Send them to: The Editor. THE INDIAN NEWS, Room 351, 400 Laurier Avenue West, Ottawa, Ontario. K1A 0H4 All entries must be black and white for publication.

Ghettos as result of movement

VIEWPOINT

by Ken Mitchell (News source: C.B.C.)

The "Indian problem" used to be something remote which gave every Canadian room to rise indignantly and demand government action.

That was when the Indians were a collection of primitive eccentrics we put on annual display at the Calgary Stampede, and the half-breeds or "metis" as they're known in these more enlightened times, were considerate enough to stay out of sight.

But here in the West, there is a new "Indian problem" — and it has nothing to do with the Court battles over treaty rights. It is the result of a massive migration of native people from reserve areas into the cities, principally Regina, Winnipeg, Prince Albert, Saskatoon, Calgary and Edmonton.

There is a major population shift, very similar to the mass movement of American Negroes from the deep south to northern industrial cities during the 1940s and '50s.

If this trend continues, it is going to absolutely smash the old myths about Canadian tolerance, and fair play for minorities, if they haven't been already.

Curiously, it's hard to find accurate figures on the population shift, almost as though the government wants to keep it secret. The provincial welfare department, for example, claims it does not keep records of ethnic origin. The former Indian and Metis Department of Saskatchewan has become the "Human Resource Development Agency" and its clients are now known as "the disadvantaged" — an incredibly blind, but no doubt kind-hearted pretense that Indians do not like to be known as Indians.

You don't need statistics, though. Any taxi-driver or school-teacher or policeman in the core areas of these cities can tell you what's happening.

Native organizations here estimate there are over 15,000 Indians and Metis living in Regina — an increase of at least 1,000 per cent in the last ten years, and now about 12 per cent of the population.

Almost all live in the downtown core, in rotting slum dwellings which give absentee landlords the bulk of Indians' welfare cheques. In some schools, native children make up half the enrolment in the primary grades — a ratio that shrinks to about five per cent in Grade Eight, when most have dropped out of the school system.

White residents in these areas are fleeing to the suburbs, as real estate values decline. I've watched this process going on for five years, and the parallel to the American blacks is alarming.

I know a ghetto wall going up when I see it, and I can also hear the stereotype cliches that promote racist attitudes: that Indians are dirty, lazy, drunk, and irresponsible — sound familiar?

On a tour of Regina department stores last week, I could not find a sales clerk of Indian ancestry. There is not a single Indian school teacher or policeman in the city.

The young native people are charged with bitterness, simmering with hostility and violence. They comprise over sixty per cent of the population in Saskatchewan jails. It is an open secret that racial violence is a fact of life in the prison system.

Police in downtown Regina now patrol only in pairs. In 1971, the city had the third-highest crime rate in Canada, most of it occurring in the ghetto area.

Most of these crimes are committed against other Indians, and alcohol or glue sniffing is invariably a factor. On the days when welfare cheques are mailed, there is an epidemic of muggings and violent crime, and the police put in extra duty.

Is all this just scare-talk? Ask the native organizations, trying desperately to find an answer. As the taxi-driver why they carry cans of Mace gas. Find out how many addresses are black-listed by the taxi companies. Try to phone for a cab from Winnipeg's seamy Main Street, or even flag one down.

Have your children come home late from school, as mine did, and tell you they had to take the long way to avoid "enemies". Then discover that by enemies, they mean Indian children, and see if you, too, do not begin a re-examination of your attitudes.

Is there an answer?

Not an easy or obvious one. The migration will not cease as long as Indian reserves go without telephones, indoor plumbing, heating, or hope. These are found in the cities. Along with alcohol, prostitution, drugs and violence.

It is no longer possible to get the "government" to do something. Government has tried and failed, because social workers and civil servants are technicians, not people.

Only you and I can reject racial stereotypes. Only we can get "involved" in bi-racial community programs. The ugly fact is that white Canadians can never be smug about American and South African racism again.

And if we don't act soon, we are going to reap the same bitter harvest as those, most pitiful nations.

REQUESTS

Dear Editor,

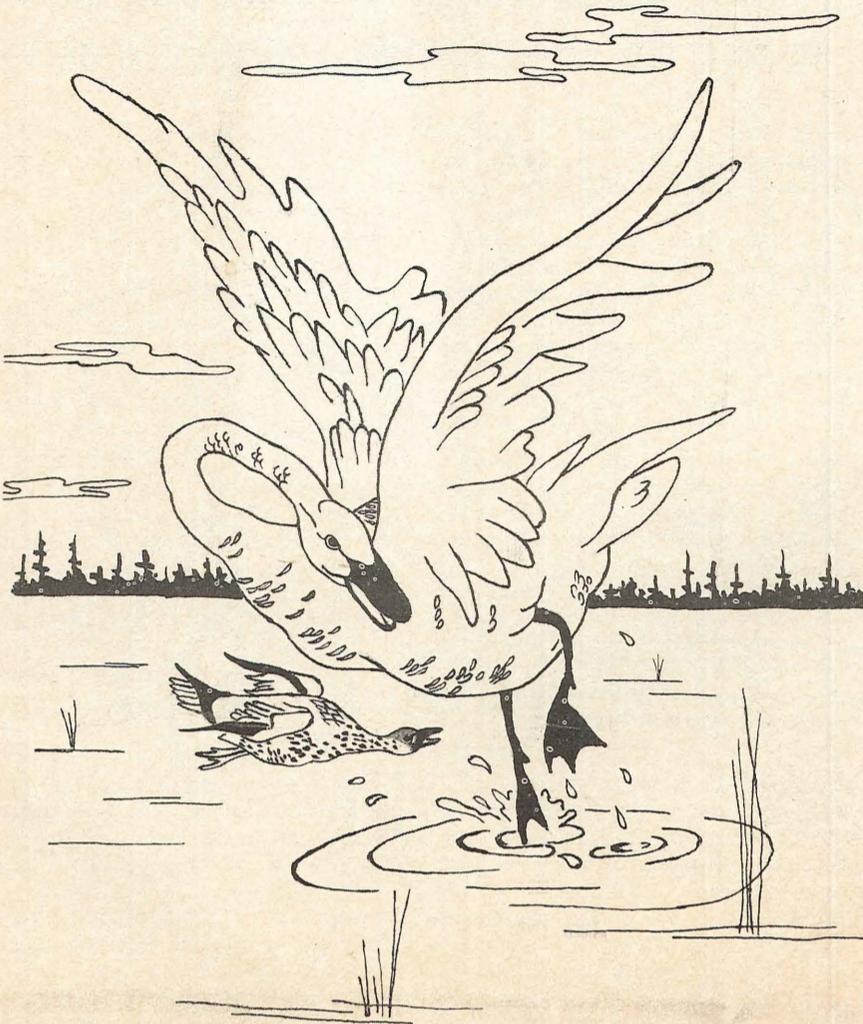
Would you kindly send me THE INDIAN NEWS. I am always borrowing my daughter-in-law's so I would appreciate it very much if you would send the News to me every month. I enjoy reading it very much. I am an Indian from Caughnawaga, so please send it to me.

Mrs. Cecelia Stacey,
Caughnawaga, P.Q.

Dear Editor,

Would you please send me a copy of THE INDIAN NEWS and any other free and inexpensive materials you have concerning the American Indian? I am a teacher and any information you could send as soon as possible would be very useful.

Mrs. Sandy Robinson,
Loveland, Colorado



Swan and the Teal

Written by James McNeill Illustrator: Carmen Maracle

Now it happened one time that a big wrestling match was held between every kind of water bird. On the day when the big contest was opened, swan, the largest of all the water birds, became the champion. First, he defeated all the ducks and then all the geese and because he was so big he

came out the winner. He was just about to be declared world champion when a little teal flew up and splashed down near him. He was the only water bird who had not had a chance to wrestle.

The great swan began to laugh and said: "If I can beat the ducks and the geese, I will make short work of you!"

Teal said: "Just give me a chance, just let me try."

All the other birds swam back and made a large circle, leaving swan and teal in the middle. There was much cackling and gabbling among the ducks who thought it was foolish to see this small bird challenge one so many times his own size.

Out into the middle of the ring went the little teal. First he dived and grabbed swan between the legs. The big swan did his best to keep himself afloat. The teal upset the big swan by hanging onto his leg and nearly drowned him. Swan wanted to try again. For the second time the little teal dashed between swan's legs and stood up. Over went the swan again. When, again the third time swan went down, he was filled with shame. He flew away and the little teal, in the centre of the water birds, was declared the champion wrestler of the McKenzie Delta.

To this day, the teal is the champion, and remains in the open water amid the ice flows, even after the other water birds have flown away South.

Postes Canada / Postes Canada / Canada Post / Canada Post

Bulk En nombre / third troisième / class classe
K1A 0S7
OTTAWA

-15-

GOVERNMENT PUBLICATIONS
DANA PORTER ARTS LIBRARY
WILHELMSTADT, ONT. WATERLOO

Affaires indiennes et du Nord
Affaires indiennes
Ottawa, K1A 0H4, Canada

Indian and Northern Affairs
Indian Affairs
Ottawa, K1A 0H4, Canada